



FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

SECOND SESSION

TUESDAY 23 OCTOBER 2012

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Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues
Dr. the Hon. Ahmed Rashid Beebeejaun, GCSK, FRCP	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Vice-Prime Minister, Minister of Finance and Economic Development
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Hon. Satya Veyash Faugoo	Minister of Agro-Industry and Food Security
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Hon. Tassarajen Pillay Chedumbrum	Minister of Information and Communication Technology
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Hon. Mookhesswur Choonee	Minister of Arts and Culture
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Hon. Yatindra Nath Varma	Attorney General
Hon. John Michaël Tzoun Sao Yeung Sik Yuen	Minister of Tourism and Leisure
Hon. Lormus Bundhoo	Minister of Health and Quality of Life
Hon. Sayyad Abd-Al-Cader Sayed-Hossen	Minister of Industry, Commerce and Consumer Protection
Hon. Surendra Dayal	Minister of Social Integration and Economic Empowerment
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Hon. Mrs Maria Francesca Mireille Martin	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sutyadeo Moutia	Minister of Civil Service and Administrative Reforms

Members

Members

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MAURITIUS

Fifth National Assembly

SECOND SESSION

Debate No. 18 of 2012

Sitting of 23 October 2012

The Assembly met in the Assembly House, Port Louis,

at 11.30 a.m.

The National Anthem was played

(Mr Speaker in the Chair)

PAPERS LAID

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

A. Office of the President

- (a) The Annual Report of the Ombudsperson for Children for the period 01 September 2011 to 31 August 2012.
- (b) The Municipal City Council and Municipal Town Council Elections Regulations 2012 (Government Notice No. 184 of 2012).
- (c) The Village Council Elections Regulations 2012 (Government Notice No. 185 of 2012).

B. Prime Minister's Office –

- (a) Certificate of Urgency in respect of the following Bills –
 - (i) The Affidavits of Prescription Act (Suspension of Certain Provisions) Bill (No. XXV of 2012), and
 - (ii) The Asset Recovery (Amendment) Bill (No. XXIV of 2012).
- (b) The Annual Report 2008/2009 of the Mauritius Broadcasting Corporation
(In Original).
- (c) The Reports of the Director of Audit on the Financial Statements of the Media Trust for the year ended 31 December 2005 (In Original).

C. Ministry of Energy and Public Utilities –

The Central Water Authority (Water Supply for Domestic Purposes) (Amendment) Regulations 2012 (Government Notice No. 143 of 2012).

D. Ministry of Finance and Economic Development –

- (a) The Report and Accounts of the Portable Pension Fund for the period ended 30 December 2011 (In Original).
- (b) Mauritius in Figures 2011.
- (c) The Insolvency (Qualifications of Insolvency Practitioners) Regulations 2012 (Government Notice No. 147 of 2012).

- (d) The Digest of Education Statistics 2011.
- (e) The Reports of the Director of Audit on the Financial Statements of the Mauritius Ex-Services Trust Fund for the years ended 30 June 2007, 30 June 2008 and 30 June 2009 (In Original).
- (f) The African Development Bank (Privileges and Immunities) (Amendment) Regulations 2012 (Government Notice No. 153 of 2012).
- (g) The Insolvency (Registration, Cessation to Hold Office by and Suspension or Removal from Practice of Insolvency Practitioners) Regulations 2012 (Government Notice No. 157 of 2012).
- (h) The *Convention de Credit* of 7 September 2012 between *L'Agence Française de Développement* and the Republic of Mauritius (In Original).
- (i) The National Accounts of Mauritius, 2011.
- (j) The Digest of Social Security Statistics 2010.
- (k) The Statutory Bodies (Accounts and Audit) (Amendment of Schedules) (No. 2) Regulations 2012 (Government Notice No. 160 of 2012).
- (l) The Double Taxation Avoidance Agreement (Federal Republic of Nigeria) Regulations 2012 (Government Notice No. 164 of 2012).
- (m) The Financial Reporting Council (Licensing of Auditors) (Amendment) Rules 2012 (Government Notice No. 165 of 2012).
- (n) The Financial Reporting Council (Approval of Firm Name) (Amendment) Rules 2012 (Government Notice No. 166 of 2012).
- (o) The Financial Reporting Council (Audit Practice Review) (Amendment) Rules 2012 (Government Notice No. 167 of 2012).
- (p) The Public Procurement (Disqualification) (Amendment) Regulations 2012 (Government Notice No. 169 of 2012).
- (q) The Public Procurement (Suspension and Debarment) (Amendment) Regulations 2012 (Government Notice No. 170 of 2012).

- (r) The Financial Services (Consolidated Licensing and Fees) (Amendment) Rules 2012 (Government Notice No. 171 of 2012).
- (s) The Securities (Licensing) (Amendment) Rules 2012 (Government Notice No. 172 of 2012).
- (t) The Digest of Labour Statistics 2011.
- (u) The Report and Accounts of the Permanent Resident Investment Fund for the year ended 31 December 2011 (In Original).
- (v) The Annual Report of the Board of Investment for the year ended 31 December 2011.
- (w) The Digest of Statistics on Rodrigues 2011.
- (x) The Digest of Productivity and Competitiveness Statistics 2011.
- (y) The Digest of External Trade Statistics for the year 2010.
- (z) The Digest of Industrial Statistics for the year 2010.
- (aa) The Annual Digest of Statistics 2011.
- (ab) The Transcription and Mortgage (Amendment of Schedules) Regulations 2012 (Government Notice No. 174 of 2012).
- (ac) The Insolvency (Processing Fee for Registration as Insolvency Practitioner) Regulations 2012 (Government Notice No. 175 of 2012).
- (ad) The Annual Report 2011 of the Sugar Insurance Fund Board.

E. Ministry of Foreign Affairs, Regional Integration and International Trade –

The *Commission de l'Océan Indien* (Privileges and Immunities) (Amendment) Regulations 2012 (Government Notice No. 176 of 2012).

F. Ministry of Social Security, National Solidarity and Reforms Institutions

–

- (a) The Reports of the Director of Audit on the Financial Statements of the National Council for the Rehabilitation of Disabled Persons for the years ended 30 June 2003, 30 June 2004, 30 June 2005, 30 June 2007, 30 June 2008 and 30 June 2009.

- (b) The Report of the Director of Audit on the Financial Statements of the Training and Employment of Disabled Persons Board for the year ended 30 June 2009.
- (c) The Report of the Director of Audit on the Financial Statements of the Non-Governmental Organisation Trust Fund for the year ended 31 December 2011.

G. Ministry of Education and Human Resources –

- (a) The Annual Report 2008/2009 of the Mauritius Examinations Syndicate.
- (b) The Report of the Director of Audit on the Financial Statements of the Students' Relief Fund for the year ended 31 December 2011.
- (c) The Annual Report of the Mahatma Gandhi Institute for the period July 2009 to December 2010.
- (d) The Reports of the Director of Audit on the Financial Statements of the Human Resource, Knowledge and Arts Development Fund for the year ended 31 December 2011.

H. Ministry of Agro Industry and Food Security –

The Sir Seewoosagur Ramgoolam Botanic Garden Trust (Fees) (Amendment) Regulations 2012 (Government Notice No. 144 of 2012).

I. Ministry of Environment and Sustainable Development –

The Reports of the Director of Audit on the Financial Statements of the *Maurice Ile Durable* Fund for the 18 months period ended 31 December 2010 and for the year ended 31 December 2011 (In Original).

J. Ministry of Information and Communication Technology –

- (a) The Report of the Director of Audit on the Financial Statements of the Information and Communication Technologies Authority for the 18 months period ended 31 December 2010.
- (b) The Report of the Director of Audit on the Financial Statements of the Postal Authority for the 18 months period ended 31 December 2010.

- (c) The Audited Financial Statements of the National Computer Board for the years 2005/2006 and 2006/2007.

K. Ministry of Fisheries –

- (a) The Annual Report of the Fishermen Investment Trust for the period 01 July 2009 to 31 December 2010.
- (b) The Fisheries and Marine Resources (Extension of Net Fishing Season) Regulations 2012 (Government Notice No. 173 of 2012).

L. Ministry of Youth and Sports –

The Reports of the Director of Audit on the Financial Statements of the Mauritius Sports Council for the years ended 30 June 2006, 30 June 2007 and 30 June 2008 (In Original).

M. Ministry of Local Government and Outer Islands –

- (a) The District Council of Moka/Flacq (Fair) (Amendment) Regulations 2012 (Government Notice No. 141 of 2012).
- (b) The Municipal Council of Vacoas/Phoenix (Cemetery/Crematorium) Regulations 2012 (Government Notice No. 148 of 2012).
- (c) The Vacoas/Phoenix (Fair) Regulations 2012 (Government Notice No. 149 of 2012).
- (d) The Municipal Council of Vacoas/Phoenix (Environmental Sanitation) Regulations 2012 (Government Notice No. 150 of 2012).
- (e) The Vacoas/Phoenix (Market) Regulations 2012 (Government Notice No. 151 of 2012).
- (f) The Municipal Council of Vacoas/Phoenix (Traffic Centre) Regulations 2012 (Government Notice No. 152 of 2012).
- (g) The Local Government (Adequate Representation of Each Sex on Local Authority and Validity of Reserve Lists) Regulations 2012 (Government Notice No. 182 of 2012).

N. Ministry of Labour, Industrial Relations and Employment –

The Employment Rights (Registration of Employers and Permits of Job Contractors) (Amendment) Regulations 2012 (Government Notice No. 162 of 2012).

O. Ministry of Tourism and Leisure –

- (a) The Tourism Authority (Dolphin and Whale Watching) Regulations 2012 (Government Notice No. 154 of 2012).
- (b) The Tourism Authority (Tourist Enterprise Licence Fees) (Amendment) Regulations 2012 (Government Notice No. 155 of 2012).
- (c) The Tourism Authority (Amendment of Schedule) Regulations 2012 (Government Notice No. 156 of 2012).

P. Ministry of Health and Quality of Life –

- (a) The Occupational Safety and Health (Personal Protective Equipment) (Amendment) Regulations 2012 (Government Notice No. 146 of 2012).
- (b) The Public Notification of Land Use for the Purpose of Cemetery in accordance with Section 162(2) of the Public Health Act (Government Notice No. 159 of 2012).
- (c) The Occupational Safety and Health (Employees' Lodging Accommodation) (Amendment) Regulations 2012 (Government Notice No. 161 of 2012).
- (d) The Ayurvedic and Other Traditional Medicines (Ayurvedic and other Traditional Medicine Institutions) Regulations 2012 (Government Notice No. 168 of 2012).
- (e) The Dental Council (Medical Institutions) (Amendment No. 2) Regulations 2012 (Government Notice No. 163 of 2012).
- (f) The Report of the Director of Audit on the Financial Statements of the Trust Fund for Specialised Medical Care for the eighteen months period ending 31 December 2010

- (g) The Reports of the Director of Audit on the Financial Statements of the De Chazal Maternity Home Fund for the years ended 30 June 1995, 30 June 1996, 30 June 1997, 30 June 1998, 30 June 1999, 30 June 2000, 30 June 2001, 30 June 2002, 30 June 2003, 30 June 2004, 30 June 2005, 30 June 2006 and 30 June 2007.
- (h) The Medical Council (Termination of Pregnancy) Regulations 2012 (Government Notice No. 177 of 2012).
- (i) The Report of the Director of Audit on the Financial Statements of the National Agency for the Treatment and Rehabilitation of Substance Abusers for the period ending 31 December 2010 (In Original).

Q. Ministry of Industry and Commerce and Consumer Protection –

- (a) The Consumer Protection (Product Advertisement and Promotion) Regulations 2012 (Government Notice No. 140 of 2012).
- (b) The Consumer Protection (Control of Imports) (Amendment No. 4) Regulations 2012 (Government Notice No. 142 of 2012).
- (c) The Consumer Protection (Scrap Metal) (Amendment) Regulations 2012 (Government Notice No. 145 of 2012).
- (d) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No.12) Regulations 2012 (Government Notice No. 158 of 2012).
- (e) The Jewellery (Fees and Charges) (Amendment) Regulations 2012 (Government Notice No. 178 of 2012).
- (f) The Jewellery (Registration of Sponsor's mark, Importer's mark, Identification mark) (Amendment) Regulations 2012 (Government Notice No. 179 of 2012).
- (g) The Jewellery (Use of the State Mark by Dealers) (Amendment) Regulations 2012 (Government Notice No. 180 of 2012).
- (h) The Jewellery (Verification and Grading of Precious and Semi-Precious Stones) (Amendment) Regulations 2012 (Government Notice No. 181 of 2012).

- (i) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 13) Regulations 2012 (Government Notice No. 183 of 2012).

R. Ministry of Social Integration and Economic Empowerment –

The Annual Report 2011 of the National Economic and Social Council (NESC).

S. Ministry of Business, Enterprise and Cooperatives –

The Report of the Director of Audit on the Financial Statements of the Cooperative Development Fund for the period 10 June 2005 to 30 June 2006.

T. Ministry of Gender Equality, Child Development and Family Welfare –

- (a) The Reports of the Director of Audit on the Financial Statements of the National Children Council for the year ended 30 June 2005.
- (b) The Reports of the Director of Audit on the Financial Statements of the National Women Entrepreneur Council for the year ended 30 June 2009.

ORAL ANSWERS TO QUESTIONS**ELECTORAL REFORM**

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the National Assembly Elections, he will state –

- (a) in the matter of the requirement for prospective candidates thereto to identify themselves as members of one of the four categories of the Mauritian population, before the Human Rights Committee, acting under Article 5, paragraph 1, of the Optional Protocol to the International Covenant on Civil and Political Rights –
 - (i) the reasons for the failure of the State to provide the Committee with an adequate justification as to why community affiliation has not been the subject of a census since 1972, and
 - (ii) if information has been sent to the Committee about the measures being taken to give effect to the ruling thereof, and
- (b) when a Bill on Electoral Reform will be introduced.

The Prime Minister: Mr Speaker, Sir, as the House is aware, members of “*Rezistans ek Alternativ*” made a complaint to the UN Human Rights Committee in 2007, claiming to be victims of a violation by Mauritius of Articles 18, 25 and 26 of the International Covenant on Civil and Political Rights.

The essence of the complaint was that, Regulation 12(5) of the National Assembly Elections Regulations 1968, to the extent that it invalidates the nomination of a candidate who does not declare to which community he or she allegedly belongs, violates Article 25 of the Covenant. It was also claimed that Regulation 12(5) of the National Assembly Elections Regulations 1968 and paragraph 3(1) of the First Schedule to the Constitution, individually or cumulatively, violate Article 25 of the Covenant since they create objectively unreasonable and

unjustifiable restrictions on their right to stand as candidates and be elected at general elections to the National Assembly. Objection was also taken to the criterion of a person's "way of life".

In reply, Mauritius contended that the complaint was inadmissible in view of the authors' failure to exhaust all domestic remedies, the incompatibility of the complaint with the provisions of the Covenant and abuse by the authors of the right of submission. On the merits, Mauritius referred, *inter alia*, to the fact that the candidate's declaration of his community is required for the purposes of determining the "appropriate community" with a view to allocating eight additional seats to unreturned candidates, and that the authors, by refusing to declare their community, were impeding the democratic process provided for under our Constitution. It was also argued that the restriction, if any, posed by the mandatory declaration of a community affiliation, on the candidate's right to stand for election was justifiable on objective and reasonable criteria and was neither arbitrary nor discriminatory.

Mr Speaker, Sir, the Human Rights Committee, after examining the submissions made by both sides, has on 27 July 2012 adopted the views that the facts before it disclose a violation of the complainants' rights under Article 25(b) of the Covenant in that the continued maintenance of the requirement of mandatory classification of a candidate for general elections without – and I stress on that - the corresponding updated figures of the community affiliation of the population in general would appear to be arbitrary and therefore violates Article 25(b) of the Covenant.

It has to be pointed out, Mr Speaker, Sir, that the Committee has declined to express a view as to the appropriate form of the electoral system of Mauritius, and seems to have based its views solely on the fact that "community affiliation" has not been the subject of a census since 1972.

The Committee, being of the view that the facts disclose a violation of Article 25(b) of the Covenant, has also stated that Mauritius is under an obligation to –

- (a) provide the authors with an effective remedy, including “compensation in the form (of) reimbursement of any legal expenses incurred in the litigation of the case”;
- (b) update the 1972 census with regard to community affiliation, and
- (c) reconsider whether the community-based electoral system is still necessary.

Mauritius is also under an obligation to avoid similar violations in the future.

Regarding part (a) (i) of the question, I have to inform the House that the 1972 census was not the subject matter of the complaint that was made before the UN Human Rights Committee by members of “*Rezistans ek Alternativ*”. The fact that reliance is being placed on an outdated census was not alleged, in itself, to be a breach of the Covenant, according to the complaint.

It was therefore not felt necessary to provide the Committee with justification as to why community affiliation has not been the subject of a census since 1972 the more so since even if the Constitution still provided for the “appropriate community” to be determined by reference to the latest published official census, as it is in our Constitution, the complainants would still have had to make a declaration as to community and would have argued that Mauritius was acting in breach of the Covenant.

May I, at this juncture, Mr Speaker, Sir, remind the House that paragraph 5 (8) of the First Schedule to the Constitution was amended in 1982 to make reference in the definition of “appropriate community” to “the results of the published 1972 official census of the whole population of Mauritius”.

I have said, Mr Speaker, Sir, time and time again that I believe that the Best Loser System has served us well and has now perhaps outlived its usefulness. It is “*hors de question*” for us to enhance and modernise the Best Loser System by updating the census referred to in the

definition of “appropriate community”. In fact, updating the census at this point would amount to a step backward.

In fact, we are left to wonder as to why, in 1982, when the Constitution was amended to “crystallise”, as it were, the 1972 official census in the First Schedule to the Constitution, the then Government did not realise that it was sowing the seeds for an anomaly in the Constitution being given that it could not immediately do away with the Best Loser System. Nor, in fact have successive Governments from 1982 to the present day managed to do away with the Best Loser System.

With regard to paragraph (a) (ii), I have to draw the attention of the House to the fact that the Human Rights Committee itself has requested Mauritius to inform it of all measures undertaken to give effect to its views within 180 days from the transmittal of its views.

It is therefore premature for Mauritius to send information to the Committee about the measures taken. We will certainly, with a view to honouring our international commitments, provide information on the measures being taken to give effect to the views at an appropriate time within the 180 days from their transmittal to Mauritius.

Mr Speaker, Sir, I should like to add that necessary action will be taken shortly to reimburse any legal expenses incurred in the litigation of this case before the Human Rights Committee.

I should like to inform the House that, in the recent case brought by “*Rezistans ek Alternativ*” before the Judicial Committee of the Privy Council, Government did not press for costs although judgment was given in its favour.

Regarding part (b) of the question, I have indicated in the House and outside that I will come up with a Bill on Electoral Reforms as soon as broad consensus emerges on the reforms to be brought to our electoral system.

As the House is aware, I have had several rounds of discussion with the main opposition party, the MMM. While we have come to an agreement on almost all the issues, there are still a few ones where we differ.

Mr Speaker, Sir, I intend to resume the discussions where we left and try to work towards an electoral reform that will suit the long-term interest of the country and I intend to come up with fresh proposals as the Leader of the Opposition has asked that I should perhaps do.

Mr Speaker, Sir, I have stated on many occasions that we still have a long time to go for the next General Elections. But it is important that we do not rush into an electoral system that may undermine the very objectives we are trying to achieve. We want a system that will be in line with the aspirations of a modern society and stand the test of time, that is, we want a system that will have five criteria –

- (i) stability;
- (ii) fairness;
- (iii) inclusiveness to ensure representation of all the components of our rainbow nation;
- (iv) gender representation, and
- (v) transparency and accountability.

Notwithstanding what a self-proclaimed “messiah” said at a recent public meeting at Plaine Verte, I am not talking about Electoral Reform to try to “*couillone*” - the word used - the MMM.

I am not going to allow such *passéistes*, retrograde politicians to undermine my determination to forge ahead and come up with an electoral system that would be the pride of our population and foster more prosperity, more democracy and a greater sense of belonging in our nation. We must move forward towards modernising our country, Mr Speaker, Sir. We must not lose this window of opportunity. The young of this country will not excuse us for having missed this opportunity and I do not intend to miss this opportunity.

(Interruptions)

Mr Bérenger: If I can start with the first part of my question, Mr Speaker, Sir, that is, what the UN Committee has called 'the failure of the Government of Mauritius to provide the Committee with an adequate justification as to why community affiliation has not been the subject of a census since 1972.' Can I know who represented Government on that occasion and - it must have been raised - whether that issue of why there has been no updating of communal affiliations, who represented Government when that issue was taken up before the Human Rights Committee?

The Prime Minister: Mr Speaker, Sir, there was the State Law Office; I cannot remember who was representing, but we did not have lawyers to discuss issues; it was submissions done. As I said, this was not the live issue in the sense that it was not really the issue; it was the issue of why they have to declare the community. So, that is why that issue was not taken up as such because it was not the issue in fact. Submissions were made and then they came up with the conclusions.

Mr Bérenger: The hon. Prime Minister has made reference to what I understood him to mean, the failure of the 1982 Government to think ahead that this non-updating would cause problem. Was it not the duty of the Government, of lawyers, especially I am sure that questions must have been put in that direction to pre-empt the issue and therefore to call witnesses to lay documents to explain that the decision not to update communal affiliation was justified?

The Prime Minister: Mr Speaker, Sir, unfortunately, at the UN, one is not allowed to call witnesses, one has to make submissions on paper and then they take the decision. That is how it was made. But the point is that the Committee's findings were that, in fact, without updating the census, the BLS cannot serve the purpose for which it was created because it was based on irrationality in the sense that it was outdated and that was basically the problem. Even if we had updated the census in 1982, 1992 and so on, we would still be with a system where you have to declare which community you appear to belong to.

Mr Bérenger: According to me, if we had done our job properly, if we had justified that decision to stop asking every ten years every Mauritian to what community he or she belongs, will the hon. Prime Minister agree with me that if our Government lawyers had done their job, most probably the findings of the Committee would have been different? Can I ask the hon. Prime Minister whether Government intends now to provide to the Committee - it is still sitting -

the justification and explanation as to why as from 1982 we stopped asking Mauritians their communal *appartenance*?

The Prime Minister: I cannot agree with the hon. Leader of the Opposition on this issue because I think that the lawyers did what they had to do. They did not go to explain why the 1972 census was crystallised as such because that was not the issue. In fact, I must say - and I think that the hon. Leader of the Opposition might know - that even at the Privy Council, our lawyers had told us that when we go to the UN, it is likely that they will say that we are in breach of the Covenant because, precisely, the 1972 census is crystallised and yet the proportions may be out of date. That is basically the problem. Even if we had said why we had stopped, it would still remain the same problem.

Mr Bérenger: On the second part of my question, it is true, as the hon. Prime Minister has said, that Mauritius has 180 days to give the details of the measures that will be taken to address the points made by the Human Rights Committee, but doesn't the hon. Prime Minister think that it would be proper, at this stage, to inform the Committee that it is our intention to do that and that we will go by the ruling of the Committee?

The Prime Minister: We are going to do it, Mr Speaker, Sir. We want to have more meat, so to say, to express ourselves, not just to say that we are doing it, but we want to be a bit more precise and concrete in what we say to the UN, but we have 180 days and we will do that in due time, Mr Speaker, Sir.

Mr Bérenger: The hon. Prime Minister wants more meat, from what I have heard. The way he talked about the former Prime Minister, I thought he wanted more bones.

(Interruptions)

Mr Speaker, Sir, I listened to the hon. Prime Minister and he seemed, at one point, to say that the Committee advised us to update communal affiliation and yet, at a later stage, I heard him say that going back to updating communal affiliation would be a step backward. Can I ask the hon. Prime Minister to clearly confirm that there will not be any new communal census 40 years after the last one?

The Prime Minister: Mr Speaker, Sir, yes, as I said, we cannot go back in history. I have always said, Mr Speaker, Sir. In fact, for the 40th Independence celebration, in my message to the nation in 2008, I precisely said that we cannot hope to become a nation if we are going to parcel ourselves in different communities nearly 45 years after independence, Mr Speaker, Sir.

There are other things that I take objection to. Looking back in the First Schedule of the Constitution where it talks about three communities – the Hindu community, the Muslim community, the Sino-Mauritian community and then it says: ‘fourthly, depending on the way of life, we will put everybody else on the fourth (...).’ I think that is an insult also to what they say is the fourth community. I can say therefore very clearly that I do not think that we can go backwards, it would be *un grand bond en arrière* to go back to make a new census. That is out of question as long as I am Prime Minister.

Mr Bérenger: Somebody said that those who claim to be against a new communal census *sont des hypocrites*, but the hon. Prime Minister was not in the country, so he would have missed that, of course.

On the last part of my question, Mr Speaker, Sir, ...

(Interruptions)

Mr Speaker, Sir, on the last part of my question, I think I heard the hon. Prime Minister saying that what he is seeking is broad consensus. I am glad that he is using the word ‘consensus’ and not ‘unanimity’ because will he agree with me that we will never reach unanimity as far as electoral reform is concerned and that he will not use the fact that he wants a broad consensus to take more time than he is required?

The Prime Minister: Absolutely not, Mr Speaker, Sir! As I said, the one the hon. Leader of the Opposition referred to, I suppose it is the former Prime Minister who has said that these are the hypocrites because he believes in communal politics. That is why he said that.

(Interruptions)

Mr Speaker: Order! Order, please! Please order!

The Prime Minister: But let me say that he also said the same thing.

(Interruptions)

Mr Speaker: Order! Let the hon. Prime Minister proceed, please!

The Prime Minister: When I say broad consensus, I mean, basically I don’t have a three-quarter majority myself, Mr Speaker, Sir, otherwise I would have come forward straightaway. I am sure we would have consensus on our side. Again, I have to have discussions with my allies as well. That is why I spoke to the MMM because between us I think we have the possibility of doing it. That is why I think we should not miss that opportunity. I

agree totally with the hon. Leader of the Opposition and I have said it also that we will never get total agreement. That is impossible! But we have to move forward. There comes a time in history, Mr Speaker, Sir, when you have to take the harsh difficult decisions to make this country move forward. That is what leadership is about and that is what I intend to do.

Mr Bérenger: Mr Speaker, Sir, I heard the hon. Prime Minister say that there is a long time to go between now and the next general elections and he seems to imply that he will take his time. Will the hon. Prime Minister agree with me that that kind of attitude today in the House is in total contradiction with what he said in the House on the last day we met before breaking on 27 July 2012 when he said: “I will bring a Bill as early as possible to the House” adding that if need be to recall Parliament, “there will be no difficulty about that”?

(Interruptions)

Mr Speaker: Please, some order! Let the hon. Leader of the Opposition proceed with his question, please!

Mr Bérenger: Can I know what has changed, what bad advice he has obtained in London or elsewhere? Now, instead of coming as soon as possible, he is going to play it cool and take time. What has changed?

The Prime Minister: In fact, Mr Speaker, Sir, nothing has changed. Let me quote exactly what I said. Listen to what I have said! Not everybody will agree! This is what we have just said. I said that I want to bring the Bill not on the eve of the General Elections; that would be wrong. That is why I said that we want to bring it as early as possible and I said if the Bill were ready tomorrow, I would bring it. But I won't be able to bring it tomorrow. We are going to break for the vacation, we can come and meet and discuss. There would be no difficulty about bringing the Bill to the House. That is what I intend ...

(Interruptions)

Nothing has changed! I am not saying that we are going to do it in 2015, certainly not! I agree on many things with the main Opposition party. We had to finalise the little bits that have to be finalised and then I will come with the Bill to the House; that I can say to the House.

Mr Uteem: The hon. Prime Minister has just mentioned that we have 180 days to reply to the United Nations. May I know from the hon. Prime Minister whether within these 180 days, he proposes to come forward with a proposal to this House about the electoral reform?

The Prime Minister: Certainly, I don't want to pre-empt the issue. What I want to do is to come up with proposals. The MMM have their own proposals. I will come up with my proposals after I discuss with people in my party and my ally, and then we will try to see whether we can narrow the gap and come to an agreement. That is what I intend to do.

Mr Obeegadoo: Being given that for the first time since 1968, we have broad agreement between all the major parties in this House, that it is time to reform the electoral system; being given that up to now the only concrete and detailed proposals from political parties have come from the MMM and the MMM only, and being given that the hon. Prime Minister has just said if he had three or three-quarter majority, he would have come straightaway to the House, will the Labour party and the Government, now go beyond rhetoric and those broad principles in which we all believe, and come out straight to tell the nation what precisely it stands for, what precisely it believes in, in terms of electoral reforms?

The Prime Minister: Mr Speaker, Sir, as the hon. Member knows, it is an extremely complicated issue. I am tempted to quote General de Gaulle when he was making the new Republic. He was asked what is the best Constitution. He quoted the Greeks. I can quote it from memory what he said, it was in French. He said -

*“Des Grecs, jadis, demandaient au sage Solon: «Quelle est la meilleure Constitution ?»
Il répondait : « Dites-moi, d'abord, pour quel peuple et à quelle époque ?”*

That is the crux of the matter. It is simply a complicated issue. As the hon. Member knows, when they were in Government themselves, they had a majority of three-quarter to come with the proposals. You could not agree with your partner at that time. They have Professor Sachs, Committees 1 and 2.

(Interruptions)

I agree! I don't think there is agreement between you. That does not matter. That is something else!

What I said is that it is extremely complicated. Mr Speaker, Sir, in the UK, Prime Minister Blair wanted to have a consensus on the electoral reform. He named the former Chancellor Roy Jenkins to come up with a report. He had come up with a consensual report. In spite of that, 15 years later, nothing has happened. In New Zealand, they took 75 years to change the Constitution. It is not so easy. If it was easy, we would have done it. There are implications.

We must not forget why we want electoral reform. The electoral reform must be based on five criteria; it must have stability. Stability is very important. We need to have a Government after the election, but once it is elected, it can take actions, it can act decisively. I don't think any Prime Minister wants to be a Prime Minister that when he has to come with a Bill to the House, he has to go and find compromises. We want to be able to act in Parliament. Therefore, we need stability. We need also, Mr Speaker, Sir, fairness and the disproportionality between the percentage of votes and the number of seats.

We have seen the results in the past. We need to try to correct this unfairness. But the cure must not be worse than the disease. We must make sure that there is a stable Government. We must also make sure that all the components – this is very important for both of us – of our rainbow nation are represented in that new Parliament. There must be gender. We must not forget about the gender equality that we are striving for. Both parties have tried in the past, but we haven't succeeded. We have to have this, and we have to have accountability. We must have a solution which is sustainable in the long-term. We are not talking about myself and the hon. Leader of the Opposition. We must look at a system that will survive and pass the test of time for the next 25, 30 years or whatever. It must not be an arrangement between two leaders as well. They have also said the same thing. That is why I said that it is complicated, but we must make sure that in correcting the system, we do not make it worse, the defect that we are trying to convince.

That is why I said, Mr Speaker, Sir, we must look at a system that brings stability and fairness. They were in Government, why did not they do it then? They had a majority of three-quarter. Tell me why they did not do it!

Mr Lesjongard: When it comes to the Bill on electoral reform, the perception is that the hon. Prime Minister is always sitting on the fence and the general public at large feels that they are being taken for a ride.

Mr Speaker: I am sorry to interrupt the hon. Member; he must put his question.

Mr Lesjongard: Today itself, the hon. Prime Minister has not come forward with a clear implementation calendar. May I ask the hon. Prime Minister what he intends to do to clear that perception because that is affecting our democratic system and also our reputation on the international scene?

The Prime Minister: Mr Speaker, Sir, I don't know whether the hon. Member has listened to what I have said. They were in Government for five years; why didn't they come up with a system? They had a majority.

(Interruptions)

Mr Speaker: Order! Please order!

(Interruptions)

The Prime Minister: I am the one who bring the change.

(Interruptions)

Mr Speaker: Order!

The Prime Minister: They did not!

(Interruptions)

Mr Speaker: Order!

The Prime Minister: What perception are they talking about? Five years they had been in Government with a majority!

(Interruptions)

Mr Speaker: There should be no cross-talking, please!

The Prime Minister: Mr Speaker, Sir, what perception? For five years, what was the perception?

(Interruptions)

Mr Speaker: Please! No interruption! I do not want any interruption.

Mr Ganoo: Can the hon. Prime Minister inform the House whether with regard to the question of updating the 1972 census, the community affiliation question, if the State Law Office provided to the Committee of Experts, a letter dated 07 December 1982, emanating from the Electoral Supervisory Commission, which letter was signed by the Chairman, Mr Robert, to the following effect, and I quote –

“The Commission is of the unanimous opinion that it would help considerably to eliminate communalism in not requiring persons in the next population census to be carried out next year to state the community to which they belong, and the Commission gives its full support to that suggestion.”

If that letter had been provided to the UN Committee of Experts, I am sure we would have been spared of the comments that have been made in the ruling of this Committee.

The Prime Minister: I don't think we can blame the State Law Office lawyer, Mr Speaker, Sir. As I have said, suppose that letter had been given, still we would have the same problem, and don't forget – I am not giving them ideas - they can go back and come up with a new question. Still the fact is that the census is based on ethnicity. You have to declare whether you are Hindu, Muslim, Sino-Mauritian or if you don't fall into all these three categories, then you have to fall - you still have to decide. Therefore, that is not the live issue as such.

Mr Speaker: I'll allow only two more questions.

Mr Jugnauth: Thank you, Mr Speaker, Sir. The hon. Prime Minister ...

(Interruptions)

Mr Speaker: Some order please!

(Interruptions)

Mr Jugnauth: The hon. Prime Minister has said that the best loser system is outdated and that he intends to abolish it. May I know in the proposal that he is working on, whether that proposal will have the same security and guarantee for the communities that are concerned with the best loser system?

The Prime Minister: Mr Speaker, Sir, everybody knows ...

(Interruptions)

Mr Speaker: No more interruption, please!

The Prime Minister: Everybody knows my reputation on making sure that all communities are represented. I am not the Prime Minister who decided that the Muslim community would have no Ministers.

(Interruptions)

I am not the one! That is why I say that I will not go for a system that does not ensure that all the components of our rainbow nation are represented in that system.

(Interruptions)

Mr Guimbeau: M. le président, en ce qui concerne la réforme électorale, le Premier ministre a dit qu'il aura des discussions avec le *main political party*. M. le président, le Premier

ministre peut-il prendre l'engagement dans cette Chambre que les discussions vont s'étendre à tous les partis politiques ici présents et ceux en dehors de la Chambre ?

(Interruptions)

Mr Speaker: No interruption! Let the hon. Member put his question! Please, carry on!

Mr Guimbeau: The hon. Prime Minister just said that he is looking for a broad consensus. But to get a broad consensus, we will ask the hon. Prime Minister to have broad consultation and broad discussion with all parties in the Assembly and outside the Assembly.

The Prime Minister: I said it in the past; I want to speak to the main party, especially the MMM but also you if you are for reform.

(Interruptions)

Mr Speaker: A last question!

Mr Bérenger: Mr Speaker, Sir, we have heard a lot of words. Words, words! Can I, therefore, end by asking a simple question? Has the State Law Office started work on a draft Bill for electoral reform?

The Prime Minister: The answer is no, Mr Speaker, Sir, because I have not asked them, because we want to come up with proposals. I don't want to bring a Bill that is going to be - I can do that also, but I would like to have at least the assurance that we come to an agreement, at least with the main party and perhaps independent members who are interested, and then I will ask the State Law Office to work on that.

Mr Speaker: Time is over! Questions addressed to the hon. Prime Minister!

PIRATES - TRIAL

(No. B/558) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the pirates, he will state when the first trial thereof will take place in Mauritius, indicating -

- (a) who will bear the cost thereof, and
- (b) in case of conviction, where the sentence will be served.

The Prime Minister: Mr Speaker, Sir, piracy, off the coast of Somalia and in the Indian Ocean region, is affecting seriously not only the African States in the region but also the wider interests of the international community. It also indeed impacts on our economies, imports and exports of goods by sea, cruise ship calls, fishing and fish processing industry and the tourism sector.

The rising cost of insurance premiums, hiring of private security guards and long detour of ships to avoid piracy attacks have contributed to the increase in cost of the transport of goods to Mauritius. It is estimated that piracy costs between 7 to 12 billion dollars to the world economy.

Piracy has reached proportions that render it impossible for a single country to face the challenge alone. There is a need for continued international coordination of maritime efforts with a view to optimising the effectiveness of the efforts and the use of available resources.

Mr Speaker, Sir, one important way to deter piracy is the effective prosecution of suspected pirates because we have seen what has happened. The pirates arrested off the coast of Somalia are a bit further away, they are then released – they come back as pirates. That is why I say that there must be effective prosecution of the suspected pirates. Not just me, but many people are saying that. Mauritius, Mr Speaker, Sir, cannot remain indifferent to this issue as it also affects our economy.

That is why we signed a Transfer Agreement with the European Union on the 14 July 2011 defining the conditions and the modalities for the transfer of persons suspected of having committed acts of piracy within the area of operation of the EU-led Naval Force on the high seas, off the territorial waters of Mauritius, Madagascar, Comoros Islands, the Seychelles and Reunion

Island and also those detained by the EU-led Naval Force. The Agreement came into operation on 01 June of this year.

The European Union has provided under the 10th European Development Fund, additional funds to the tune of three million Euros for projects to be implemented for the transfer and prosecution of pirates in Mauritius which include the construction of a new prison and a courtroom. The European Union has also provided financial assistance to the tune of 1,080,000 Euros through the United Nations Office on Drugs and Crime (UNODC) to implement the short-term assistance package which includes assistance for legislative review, upgrading works at the Central Prison of Beau Bassin to accommodate about 35 pirates, refurbishment of the Police armoury, provision of interpreters and training programme for Police investigators, prosecutors, Prison Officers and members of the Judiciary. The Judiciary, Mr Speaker, Sir, is being provided with security equipment such as walk-through metal detectors, hand held metal detectors, CCTV System, electronic control access doors and video conferencing system for foreign witnesses. The short-term assistance package is being used by Mauritius to handle its first piracy prosecutions until the completion of the major infrastructure projects financed by the European Union.

On 08 June 2012, the Republic of Mauritius signed a Memorandum of Understanding with the United Kingdom on the conditions of transfer of suspected pirates for investigation, prosecution, trial and detention in Mauritius. It is to be noted that the UK Government is financing through the UNODC the construction of a new courtroom.

I must point out that these agreements do not impose – I said this before, but they do not impose - any obligation on Mauritius to accept any request for the transfer of pirates. Each request will be examined on a case-by-case basis by a High-Powered Committee.

The decision, whether to accept or not, ultimately rests with us. This decision will take into account the number of factors: the geographical limitations where they have been arrested; the evidential strength of the case; the policy considerations relating to capacity whether we have space to accommodate the pirates; or whether our Courts can handle the trial; as well as internal security aspect of the issue.

Mr Speaker, Sir, in the short run, Mauritius is prepared to accept one or two batches of suspected pirates up to a total of 35 to be accommodated here. There is no precise date for the

trial of the pirates inasmuch as it all depends when the suspected pirates will be transferred by the EU Naval Force and/or the UK Forces to Mauritius for prosecution and trial.

The cost relating to trial of suspected pirates in Mauritius will be the normal cost as in any criminal case. The UNODC will cover the costs of legal aid to be provided to suspected pirates and the transcription expenses. The services of interpreters will also be provided by the UNODC.

The cost of repatriation of suspected pirates in case of acquittal by the Courts or non-prosecution for lack of evidence and post-trial transfer again will be borne by the UNODC in line with the commitments given in the assistance package.

Mr Speaker, Sir, the transfer of convicted pirates back to Somalia to serve their sentence is a key element to our counter piracy efforts. The policy we have adopted is to have convicted pirates who have been tried in Mauritius transferred back to their homeland to serve their sentence where they have access to their families, to their own culture and they have better chances of rehabilitation.

On 25 May 2012, Mauritius signed an Agreement with the Transitional Federal Government of the Republic of Somalia and a Memorandum of Understanding with the Puntland State of Somalia for the transfer of convicted Somali pirates to their homeland. We are pursuing discussions with the representatives of Somali land State with a view to signing such a Memorandum of Understanding as soon as possible.

Mr Speaker, Sir, the international community recognises that the only viable long-term solution to solving the Somali piracy problem lies in the restoration of law and order in Somalia. The recent political developments in Somalia with the adoption of the new Constitution and the election of a President are positive steps towards the restoration of peace and stability in Somalia.

Already, there are encouraging signs that the number of successful attacks by Somali pirates has dropped significantly, as a result of the aggressive international navies' action, the increasing use of private armed security teams on ships and the defensive measures taken by the shipping firms themselves.

According to the International Maritime Bureau, during the first half of 2012, there were 69 incidents involving Somali pirates, compared with 163 for the same period last year.

Prosecutions in regional States can only be a short-term or medium-term solution, to ensure that measures are taken to curb the rise in piracy. The trial, prosecution and detention of Somali pirates in Mauritius are purely a temporary arrangement.

Mr Baloomoody: The hon. Prime Minister just told us that Mauritius is not ready yet to try Somali pirates? In an international forum held at Hotel Tamassa, the Chief Justice stated on 15 May 2012 that Mauritius is ready to try pirates as from the month of September. He even mentioned the Court that would be presided by Mr Justice Feknah. May I know from the hon. Prime Minister which is which?

The Prime Minister: That is what I said; we are ready, but we cannot say on which date they will send the pirates to Mauritius. Once they send them, we will be trying them.

Mr Baloomoody: May I ask the hon. Prime Minister whether in these two treaties - which I will ask him whether he is prepared to lay a copy in the Library of the National Assembly, there is the one we have signed with the European Union and the MoU which we have signed with the United Kingdom - there is a guarantee clause that these pirates will not ask for asylum in Mauritius? Because we know that international law forbids sending prisoners to other countries where they may be treated badly or tortured. May we know whether there is guarantee that these pirates, once convicted, will not ask asylum in Mauritius?

The Prime Minister: I have said clearly that we will not grant asylum to any pirates.

Mr Baloomoody: I am talking about the two agreements which we have signed and even the agreement we have signed with the Somalian Government.

The Prime Minister: I have said clearly that we will not accept to give asylum to any pirates.

Mr Roopun: We know that the pirates have been operating very far from their base going around the ocean. Is the hon. Prime Minister aware of the threat which these pirates may cause as retaliation on our coastal region and whether additional measures are being envisaged in due course to avoid such threat?

The Prime Minister: As I said in my answer, there are already naval forces around in these areas. So, if there is any threat, as the hon. Member is saying, we will be able to act on that.

LAND - NON-CITIZENS - ALLEGED ILLEGAL SALE

(No. B/559) **Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the allegation of illegal sale of land and of property to non-citizens made by the former Chairperson of the Commission of Economic Democratisation, 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 and, if so, the outcome thereof.

The Prime Minister: Mr Speaker, Sir, in October 2008, following receipt of numerous representations, the Board of Investment carried out an investigation jointly with the Financial Services Commission on the possible mechanisms allegedly used by non-citizens to circumvent the provisions of the Non-citizens (Property Restriction) Act using parallel schemes. The Board of Investment reported on 17 April 2009 that necessary measures have to be taken to control parallel schemes with a view to ensuring that they do not in any way go against the law of the land, and impact adversely on genuine schemes and State revenue. It had also submitted a list of five companies which were suspected of having recourse to such subterfuges. These are -

- (i) Le Cerisier Ltd at Mon Choisy;
- (ii) Salt Rock Ltd at Pointe aux Piments;
- (iii) Le Jardin du Cap at Bain Bœuf ;
- (iv) White Oaks at Pointe aux Piments, and
- (v) Oasis at Pereybère

Consequently, the Non-citizens (Property Restriction) Act and the Registration Duty Act were amended through the Finance (Miscellaneous Provisions) Act which came into force on 30 July 2009 to prevent non-citizens or Mauritian individuals/companies from taking advantage of loopholes. The amendment provides as follows -

- (a) redefining the meaning of “non-citizen” where a company having at least one shareholder who is not a citizen of Mauritius, a trust where the beneficiaries are not citizens of Mauritius and a company that is quoted on the Official List of the Stock Exchange or admitted to any Second Market and its control or management is vested in one or more persons who are not citizens of Mauritius, have to seek an authorisation prior to acquiring an immovable property in Mauritius;

- (b) including in the definition of “property” any rights or interests in immovable property, whether legal or beneficial, particularly in relation to a trust;
- (c) “share” now covering immovable property held in successive subsidiary companies or partnerships, and
- (d) no document conferring a right or interest in immovable property, whether legal or beneficial, that is, “*droit d’occupation*” to a non-citizen will be registered unless it contains an authorisation under the Non-citizens (Property Restriction) Act.

Immediately preceding the coming into force of the Act, as amended, a High-Powered Committee chaired by the former Chairperson of the Commission for the Democratisation of the Economy, and comprising representatives from my Office, the Ministry of Finance and Economic Development, the Board of Investment, the Ministry of Housing and Lands, the Attorney General’s Office and the Financial Services Commission was set up on 29 July 2009 to look into the cases of property development both on freehold and leasehold beachfront land and sales thereof to non-citizens through mechanisms that might not be in conformity with the existing legislation and that might also have allowed promoters of such development to bypass certain fiscal obligations.

The Committee identified several cases where there might have been an offence under existing legislation. On 09 November 2009, the Chairperson of the Committee made a declaration at the Central CID to the effect that a number of foreign nationals have acquired properties in Mauritius through legal subterfuges, thereby circumventing the Non-citizens (Property Restriction) Act with the connivance of local promoters, Notaries and Land Surveyors.

Mr Speaker, Sir, I am informed by the Commissioner of Police that during the course of the Police enquiry initiated into the matter, a statement was made by an officer from the Ministry of Finance and Economic Development who is also a member of the Committee to the effect that, after examination of several deeds of transfer, he suspected two illegal transactions in respect of the sale of a freehold land at Pereybère and the sale of three villas to Malagasy nationals on freehold land at Grand Bay.

In respect of the sale of a freehold land at Pereybère, Police have taken statements from five persons, including a Notary. The case has been referred to the Office of the Director of Public Prosecutions for advice in regard to the point of law raised by the Notary.

In regard to the sale of the three villas at Grand Bay, Police have taken statements from three other persons. Police enquiry has revealed that the villas were acquired by Mauritian nationals. The case has been referred to the Office of the Director of Public Prosecutions for advice.

I should inform the House that, besides the Police, the Financial Intelligence Unit, the Financial Services Commission, the Independent Commission Against Corruption and the Mauritius Revenue Authority are also investigating all various aspects of these cases, including alleged money laundering and any financial institution that might have been involved in aiding and abetting such transactions.

Mr Li Kwong Wing: Since the transfer of land and property to non-citizens may have been done in circumvention and violation of the law, will the hon. Prime Minister inform the House whether he has been able to establish and ascertain how much revenue has been foregone by this illegal transfer since the former Chairperson of the Commission for the Democratisation of the Economy affirms the volume of such transactions to generate revenue loss of Rs2 billion? Secondly, in view of the fact that after the sale of the villas - they were renting out, leasing and reselling the villas - is the hon. Prime Minister able to ascertain for the House how much revenue is being foregone in this parallel unregulated market of rental and resale?

The Prime Minister: In fact, I think I mentioned a total sum, but let me say it again. For example, in one case Rs19 m. as far as VAT is concerned and Rs31 m. as far as income tax is concerned, but they have appealed against that decision. Then, there is another case where around Rs13.7 million have been claimed. There is a third case where Rs3,930,177 have been claimed. In other two cases, they are still finalising. The investigation is ongoing.

Mr Li Kwong Wing: We are short of the sum of Rs2 billion of revenue foregone. Can I ask the hon. Prime Minister whether the land involved in the illegal transfer also concerns *Pas Géométriques*, State leasehold land and, therefore, since the transfer has been done in violation of the law, does the Government envisage to repossess these State lands?

The Prime Minister: First of all, let me just be clear! All the money that we think has been foregone will be taken back. We have already started. That is what I said. I am not saying that we are accepting to forego whatever sum the hon. Member has mentioned.

The second thing is that we have to wait for the outcome of the case and then, we can move forward on these grounds.

Mr Jhugroo: Will the hon. Prime Minister consider opening an enquiry for the sale of land or transfer of State lands to non-residents since July 2005?

The Prime Minister: We are going to look at the whole gamut not just since July 2005, but even before that we are going to look into.

POLICE MEDICAL UNIT - FORENSIC MEDICINE

(No. B/560) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to forensic medicine, he will state if consideration will be given for the setting up of an independent Forensic Medicine Department and, if so, when and, if not, why not.

The Prime Minister: Mr Speaker, Sir, the Police Medical Unit which operates under the aegis of Police Department, is responsible, as we know, for forensic medicine in Mauritius.

The main duties of the Unit are to attend to autopsies, sexual assault cases and other medico-legal cases. The Unit also provides medical care and treatment to members of the Police Force and their families, and assists the Disciplined Forces Service Commission in the medical examination of candidates for recruitment in the Force with a view to ascertaining their fitness for service.

The Unit is headed by the Chief Police Medical Officer and comprises a Principal Police Medical Officer and four Police Medical Officers. They are all holders of a post-graduate degree in forensic medicine.

All enquiries, including medical examinations by Police Medical Officers, are carried out under judicial supervision. Although the Police Medical Officers operate under the administrative control of the Commissioner of Police, they are still independent Forensic Pathologists to provide unbiased medico-legal opinions to the Police, the Office of Director of Public Prosecutions and the Courts. Police Medical Officers are officers of professional integrity who are not influenced by the Commissioner of Police in the performance of their duties.

The current system has been put in place for more than five decades, Mr Speaker, Sir. It has worked fairly well. However, it is considered - and I tend to agree with the hon. Member, because the trend is that a fresh look should be given at the duties and responsibilities of the Police Medical Officers in regard to forensic medicine as the trend is in different countries. I

think we have to look at that. I think it is a good question and that is something that we will consider.

Dr. S. Boolell: Mr Speaker, Sir, may I refer the hon. Prime Minister to the report of Lord Mackay who said, and I quote –

“We are strongly of the view that the forensic and pathology services provided by the Republic of Mauritius should be so provided completely independently of the Police.”

Does the hon. Prime Minister agree that this view might be of the order of the day?

The Prime Minister: The hon. Member was himself Chief Police Medical Officer from 2005 to 2010 - I think, I am just quoting - but he didn't think that at that time. But, Lord Mackay, whom I asked to do this review, said that. That is why I said this is the trend and this is what we are looking at.

Dr. S. Boolell: Mr Speaker, Sir, may I ask the hon. Prime Minister why, in deciding that the Forensic Department should be independent or dependent of the Commissioner of Police, the Forensic Science Department, the Laboratory, became independent of the Commissioner of Police and the doctors stayed behind and subjected to influences by the Police?

The Prime Minister: The hon. Member himself has been one of those Police Medical Officers. I don't think the hon. Member has ever been influenced by anyone. But it will depend, and I agree!

(Interruptions)

This is what I am saying. This is the trend that we are adopting. That is why we are proceeded with that. But this will also come.

DRIVING LICENCES – APPLICANTS - DISABILITIES & DISEASES

(No. B/561) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether in regard to the driving licences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the criteria used for the issue thereof to applicants suffering from –

- (a) disabilities, and

(b) diseases, including epilepsy.

The Prime Minister: Mr Speaker, Sir, Section 45 of the Road Traffic Act makes provision for the fitness of an applicant for the issue of a driving licence. Accordingly, an applicant shall make a declaration on the prescribed form as to whether he/she is suffering from any disease or physical disability specified therein, or from any other disease or physical disability which is likely to cause the driving by him or her of a motor vehicle to be a source of danger to the public.

I am informed by the Commissioner of Police that in Part 9 of the application form for driving licence, the applicant has to state whether he/she is suffering from epilepsy, any form of mental disorder, or mental defect as a result of which he/she is certified as a mental patient, or is liable to sudden attacks of disabling giddiness or faintness. When the applicant declares that he/she is suffering from such diseases, no driving licence is granted to him/her.

In case the Licensing Officer is informed by the applicant that he/she is suffering from any other disease or physical disability not mentioned in the form, he refers the latter to the Police Medical Officer for examination for an advice on his/her fitness as to whether he/she may be granted a driving licence or otherwise. Where the Police Medical Officer reports that the applicant is fit, he may recommend that relevant conditions be attached for the grant of a driving licence, subject to the applicant passing the test of competence to drive a motor car of any such class or description as he would be authorised by the driving licence issued to him/her. The following conditions may be attached to such driving licences -

- (i) for persons suffering from hearing impairment, the licensee should wear hearing aids whilst driving;
- (ii) for persons suffering from vision impairment, the licensee should wear corrective glasses, and
- (iii) for persons suffering from physical impairment, the licensee is issued with a driving licence with relevant mention to drive specially adapted cars, automatic gear transmission cars or carriages adapted for disabled person.

I am informed that in cases where the Police Medical Officer is of the opinion that expert advice is required, he refers the applicants to specialist doctors in public hospitals.

Mr Speaker, Sir, the present system requiring persons suffering from disabilities or diseases to undergo medical examinations provides necessary safeguard to ensure that only those applicants who are fit to drive are issued with a driving licence.

This process ensures the safety of the driver with a disability or disease, as well as that of his/her family and other road users.

Furthermore, this system gives the opportunity to persons suffering from disability to obtain a driving licence for vehicles suited to their conditions.

Mr Speaker, Sir, Government is coming up with the project for the setting up of a Driver Education and Testing Centre which will provide formal and systematic training and education programmes designed to improve road user skills, as well as their attitudes. The ultimate objective of the Centre will be to ensure safe driving. The Centre will also be responsible for carrying out tests and issuing of driving licences. With the coming into operation of the Centre, criteria for driving tests will be reviewed to enable more effective control in regard to the issue of driving licences.

Dr. S. Boolell: May I point out, Mr Speaker, Sir, humbly to the hon. Prime Minister that the issue of driving licences to citizens of this country who happen to be handicapped is purely of a subjective nature and there are no objective regulations which allow anybody who is rejected to have a tribunal of appeal where he can have the opportunity of getting a licence and may I also request the hon. Prime Minister his views or those of the Commissioner of Police on epilepsy, whereby in England epileptics may be granted a driver's licence depending on certain conditions like driving by day. In Mauritius, they are rejected altogether.

The Prime Minister: I thank the hon. Member for pointing this out. In fact, I asked the question yesterday about epilepsy because the question was referred to that. We have to relook at that. I also feel that we should be more flexible on this as long as we don't put safety into question and also to look at whether there can be some kind of appeal, because if the hon. Member says that it is objective, I don't know exactly what the tests are. If they are subjective with them, as the hon. Member said, perhaps we should look at it again, Mr Speaker, Sir.

Dr. S. Boolell: In the meanwhile, Mr Speaker, Sir, could it be taken into consideration for *le permis à points* also and in relation to the handicapped who have to drive, maybe that they may be given some extra points?

The Prime Minister: Sorry, I didn't quite understand! How do we give them extra points?

Dr. S. Boolell: It is evident that those who are handicapped will be more at risk to be taken to task by the Police. I mean there should be some form of latitude towards handicapped, if we love the handicapped and consider them to be equal.

The Prime Minister: I don't think, with all due respect, that the hon. Member can make two different categories here. The law has to be respected.

POLICE WELFARE ASSOCIATION - INQUIRY

(No. B/562) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Police Welfare Association, he will state if the Director, Office of Public Sector Governance, has carried out an inquiry into the management and financial affairs thereof and, if so, if irregularities have been detected thereat, indicating the -

- (a) nature thereof, and
- (b) remedial measures taken, if any.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that following several complaints from members of the Force on the activities of the Police Welfare Association (PWA), the newly-elected Secretary of the PWA made a request on 15 June 2010 to the Commissioner of Police for the Office of Public Sector Governance (OPSG), formerly known as the Management Audit Bureau, to carry out an internal audit and verification of -

- (a) all accounting records and systems;
- (b) the processing and granting of loans;
- (c) the reconciliation of accounts, payment and deductions;
- (d) the verification of minutes of proceedings, and
- (e) the bank statements and financial statements.

On 15 November 2011, in reply to Parliamentary Question No. B/867 on the same subject, I informed the House that the Police Welfare Association (PWA) had not demonstrated

any interest in OPSG conducting the assignment and had not submitted certain required documents despite reminders and meetings with the office bearers of the PWA.

I am informed by the Director of the OPSG that the required documents have still not been submitted by the PWA. They cannot complete it until they get these reports. However, the PWA, I must point out, is a private association and is managed by a 17-member Managing Committee in accordance with the Rules of Association.

The PWA is not accountable to the Commissioner of Police. In accordance to section 32 of the Registration of Associations Act, the Registrar of Associations has the power to enquire into the affairs and conduct of an association.

I am informed, Mr Speaker, Sir, that on 21 October 2011, the Registrar of Associations served a notice to the PWA for failing to forward the annual return for the year ended 31 December 2010, including a statement of all its receipts and payments in respect of the accounting period 01 January to 31 December 2010 and of its assets and liabilities existing on 31 December 2010 in breach of Section 23(1) of the Registration of Associations Act. Notice was also given to the Association for failing to fill five vacancies in the Managing Committee and to keep a register of members.

On 23 August 2012, the Registrar of Associations has served another notice to the PWA for failing to forward the annual return for the years ended 31 December 2010 and 2011 respectively.

Under section 15(1) (c) of the Registration of Associations Act, the Registrar may take appropriate actions for non-compliance with the provisions of that Act and that is what I think we will go towards.

Mr Li Kwong Wing: Is the hon. Prime Minister aware that the core of the problem is that management of this private association with funds worth Rs1 billion is not vested in the managing committee, but has been vested by the Commissioner of Police to a Finance Officer of the Ministry of Finance, who has been posted there, in violation of the law and drawing salary and allowances from Government while working for a private association? Therefore, is this not the crux of the matter that causes the acrimony and the mismanagement at that level?

The Prime Minister: We tried to put order in the situation. You yourself said billion of rupees. We cannot allow the situation to continue, but, as I said, Mr Speaker, Sir, we are moving towards the resolution of the case.

Mr Bérenger: Can I ask the hon. Prime Minister whether he will agree with me that this whole mess, allegations of *détournement de fonds, de vol* around the Police Welfare Association is doing a lot of harm to the image and the credibility of the Police, but from what I just heard, it seems that now we are relying only on the Registrar of Associations to put that house in order? Does not the hon. Prime Minister think that what must be done to protect the image and the credibility of the Police is drastic action must be taken and not just reliance on the Registrar of Associations?

The Prime Minister: It appears the problem is that the PWA is not accountable to the Commissioner of Police as such. There is a legal impediment to what we would have liked to do but then we will have to bring legislation, but we have other priorities like electoral reform.

(Interruptions)

Mr Speaker: Time is over! The Table has been advised that PQ Nos. B/567 and B/571 have been withdrawn.

AIRPORT TERMINAL (NEW) – AIR ACCESS POLICY

(No. B/567) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the air access policy, he will state if Government proposes the review thereof to enable additional foreign air carriers to operate to and from Mauritius, in the wake of the coming into operation of the new airport terminal.

(Withdrawn)

SEPT CASCADES – POLICE CONSTABLES - DEATH

(No. B/571) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to two Police Constables who died at Sept Cascades on Saturday 29 September 2012, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) when they joined the Police Force, indicating when they were posted at the *Groupe d'Intervention de la Police Mauricienne* (GIPM) and

(b) where matters stand as to the inquiry carried out thereinto.

(Withdrawn)

Mr Speaker: Questions addressed to hon. Ministers!

PLAINE SOPHIE - EX-TEA PLANTERS – LAND ALLOCATION

(No. B/578) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Agro-Industry and Food Security whether, in regard to the plots of land at Plaine Sophie which were allocated to the ex-tea planters, he will, for the benefit of the House, obtain information as to the number of -

- (a) beneficiaries thereof who are still occupying their plots of land, indicating the purpose for which they are being used, and
- (b) plots of land which have been abandoned and re-allocated, indicating the new beneficiaries thereof and criteria used for the selection thereof.

Mr Faugoo: Mr Speaker, Sir, I am informed that 51 ex-tea planters were allocated land of an extent ranging from 1 to 5 *arpents* in 1995 for food crop cultivation over a total extent of some 93 *arpents*.

As the land in question is being cultivated and has not been left in an abandoned state, part (b) of the question does not arise.

Mrs Labelle: May I ask the hon. Minister whether he is aware of the number of planters who have sold their rights on these plots of land?

Mr Faugoo: I am not aware of any lessees who have sold their rights, but I am aware that there are some representations which have been made to the Ministry for subletting of these leased lands, but not selling of rights as such.

Mrs Labelle: May I ask the hon. Minister whether there has been cultivation of potatoes on these plots of land as per the Strategic Plan 2008/2011 of the Food Security Committee. It was mentioned that part of these lands will be cultivated with potatoes. May we know whether this has been done and what has been the production?

Mr Faugoo: As far as I am aware, Mr Speaker, Sir, there are food crop cultivation, including creepers and other spices also, but not potatoes in that particular region.

Mrs Hanoomanjee: Mr Speaker, Sir, we all know that subletting is not allowed. Can I ask the hon. Minister what action has been taken against those who have sublet their lands?

Mr Faugoo: Mr Speaker, Sir, there has always been report of subletting. This is not something new. We have received in the recent past some representations regarding subletting and I have asked the administration to look into it. In fact, the Ministry has initiated action for field verification and ground proof by AREU and action will be taken accordingly after submission of report by AREU.

Mr Jhugroo: May I know from the hon. Minister what are the criteria involved before getting these lands for planters?

Mr Faugoo: In fact, it is a policy decision. We have changed so many policies at the Ministry but regarding the criteria for letting, Mr Speaker, Sir, it is the same as it was between 2000 and 2005.

Mrs Hanoomanjee: Mr Speaker, Sir, can the hon. Minister say whether he has got a deadline for the submission of this report on subletting and whether he proposes to retrieve the lands from those who had eventually sublet their lands.

Mr Faugoo: We have, in fact, impressed upon AREU to do it as soon as they can, Mr Speaker, Sir.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister whether he can lay down the criteria which have been used for the beneficiaries and the list of the beneficiaries who have been allocated land in 1995?

Mr Faugoo: I will do so, Mr Speaker, Sir.

Mrs Labelle: Mr Speaker, Sir, may I ask the hon. Minister whether there are cooperative societies which are involved in this transaction of subletting or encouraging some planters to just give up their lands and, if so, whether he is aware of that and how many cooperative societies are involved at Plaine Sophie?

Mr Faugoo: I am not aware of the details, Mr Speaker, Sir, but I am sure that the report which will be submitted by AREU will reveal if there is any cooperative society involved in the subletting.

(No. B/579) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Housing and Lands whether he will state if his Ministry has received a letter emanating from the *Forces Vives* of Upper Floreal regarding a newly cleaned plot of land located in the vicinity of Trou aux Cerfs, and, if so, indicate if Government has earmarked any project to be implemented thereat.

Dr. Kasenally: Mr Speaker, Sir, my Ministry is indeed in the presence of a copy of a letter dated 30 May 2012 from the *Forces Vives* of Upper Floreal addressed to the Chief Executive of the Municipal Council of Curepipe regarding a newly cleaned plot of land located around Trou aux Cerfs.

Subsequently, the Municipal Council of Curepipe has, on 12 July 2012, informed my Ministry that the owner of a plot of private land at Trou aux Cerfs was claiming ownership of part of State land which is found adjacent to his private property. The said plot of State land has, in September 2008, been vested in the then Ministry of Local Government, Rodrigues and Outer Islands (Local Government Division) to be put at the disposal of the Municipal Council of Curepipe for the purpose of creating a parking space.

Following an inspection carried out by my officers in July 2012, it has been confirmed that a plot of State land at Trou aux Cerfs of an approximate extent of 44 perches (1,875 m²), which forms part of a larger plot of land of the extent of 62 perches (2,600 m²), has been cleared by one Mr Krishnaduth Sakeesing. Mr Sakeesing is claiming that he holds a registered title deed in his name over a plot of land of an extent of three *arpents* six perches (12,912.40 m²) which includes the aforesaid plot of State land.

In view of the illegal clearing of State land, a notice to squatter was, on 17 July 2012, served upon Mr Sakeesing in accordance with section 22 of the State Lands Act requesting him to stop all bulldozing and earth works and to quit and vacate the State land.

Following a subsequent site visit carried out on 29 August 2012, it was found that Mr Sakeesing has also put up a metallic fence over part of the State land cleared by him over an extent of about 188m², which means that Mr Sakeesing is occupying 188 m² out of the 1875 m² cleared by him. A second Notice to Squat was thus served upon Mr Sakeesing on 31 August 2012 calling upon him to quit and vacate the site and to also pull down and remove the metallic fence situated on the State land.

An inspection carried out on 18 October 2012 has revealed that the fencing has not been removed. A third Notice to Squatter has been served upon Mr Sakeesing in person on 22 October 2012. My Ministry is initiating action for eviction of the squatter for non compliance to the above mentioned Notices.

However, I am glad to inform the House that yesterday I was informed that Mr Sakeesing came to the Ministry and he said that he was going to remove the fence soon. We are waiting for next week.

Mrs Labelle: Mr Speaker, Sir, firstly, there is a copy of the letter sent to his Ministry which he seems not to have received; I am going to table a copy of this letter – the Minister has received it - addressed to the Ministry and not only to the Municipal Council. There is a letter addressed to the Municipal Council as well as a letter addressed to the Ministry. Can the hon. Minister inform the House of the extent of reserve land around the crater? Do we have specific boundaries regarding reserve land, that is, on which part we cannot have any construction? Is this well-defined actually?

Dr. Kasenally: It is well-defined. We cannot build very much around Trou aux Cerfs, but I understand my Ministry is following this case. It is initiating a study to see how much land has been squattered by people.

Mr Guimbeau: En ce qui concerne la route autour du Trou aux Cerfs, est-ce que le ministre peut s'assurer qu'il n'y ait plus aucun permis de construction qui soit alloué aux individuels, M. le président?

Dr. Kasenally: I don't think they are allowed to do that. It is the Municipal Council which is looking after that. I'll also ask my Ministry to see to it because no one can construct around that road. It is so narrow and there is no space to construct.

Mr Guimbeau: They are doing it.

Mrs Labelle: May I ask the hon. Minister whether his Ministry will consider some sort of landscaping. This can help for the enhancement of the environment and, at the same time, avoid people trying to squat this piece of land.

Dr. Kasenally: I think in this case I will have to enlist the support of the Municipal Council which is responsible for landscaping and certainly we shall make sure that life is pleasant for people going round Trou aux Cerfs.

Mr Obeegadoo: Is the hon. Minister aware of the very significant deforestation – chopping down of trees - on both sides of the crater road to such an extent that it is a source of danger for people? The danger of landslide within the crater is there anew and, if so, will he urgently take up the matter with the Municipal Council after proper inspection has been carried out?

Dr. Kasenally: I think deforestation in that region is strictly illegal if it is being carried out. It is under the jurisdiction of the Municipal Council; they should have informed us. In the same breath, I wish to inform the hon. Member that an inter-ministerial committee has been set up to look particularly about the afforestation of State land with a view to limit the damages being done in the context of climate change.

Mr Guimbeau: Mr Speaker, Sir, is the hon. Minister aware that there is no more Municipal Council. They have all been nominated in Ministries and other places, Mr Speaker, Sir. There is no quorum in Curepipe; that is why everything is getting deteriorated every day.

Dr. Kasenally: Mr Speaker, Sir, I can't understand exactly what is being said. Can the hon. Member repeat the question so that I can answer?

Mr Speaker: The matter has been sufficiently aired. Next question!

MOBILE INTERCONNECTION USAGE CHARGE - TARIFF

(No. B/580) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Information and Communication Technology whether, in regard to the Mobile Interconnection Usage Charge tariff, he will, for the benefit of the House, obtain from the Information and Communication Technologies Authority, information as to if consideration will be given for a reduction thereof, and if not, why not.

Mr Pillay Chedumbrum: Mr Speaker, Sir, Mobile Interconnection Usage Charge (IUC) is the amount of money payable by one mobile operator to another mobile operator for the actual use of the latter's mobile network.

I am informed by the ICT Authority that the ICT Board had, in accordance with section 28 of the ICT Act, approved a reduction in the mobile termination rate from 90 cents per minute to 60 cents per minute, with effect from 01 July 2011. The mobile IUC was worked out on the basis of a fully allocated historical costing model.

Mr Speaker, Sir, I wish to inform the House that the determination of the IUC should be governed by international best practices. In line with international benchmarking, as upheld by the International Telecommunication Union and regulatory bodies in other countries, such as the Telecommunication Regulatory Authority of India, the validity of an IUC regime should be long enough to provide a measure of stability for the growth of the sector. In this respect, it has been recommended that the IUC regime determined by regulators be applicable for at least 3 years.

I am informed by the ICT Authority that it has, accordingly, planned to initiate consultation on the next revision of the mobile IUC. The ICT Authority will proceed by way of a public consultation, involving the participation of all the stakeholders, on the costing model to be used in the first instance. The actual computation of the mobile IUC will start on 01 July 2013, and the new IUC will be applicable as from 01 July 2014.

Mrs Hanoomanjee: Mr Speaker, Sir, I thank the hon. Minister for the additional information provided, but my concern is the cost to the public. *Est-ce que le ministre ne trouve pas cela exagéré le montant à payer sur l'IUC par le public entre un opérateur et un autre?*

Mr Pillay Chedumbrum: M. le président, je dois vous dire personnellement que moi, je ne suis pas d'accord avec le montant. Le montant est assez élevé, mais quand même il faut prendre en considération qu'en juillet 2011, il y a eu une baisse de 33%, sortant de 90 sous pour aller à 60 sous, mais ce qu'il faut aussi prendre en considération, c'est que les *international best practices* recommandent qu'il faut donner du temps pour voir la stabilité sur le marché entre les opérateurs. Ceci dit, quand je dis que, moi-même, je trouve cela assez élevé, on a fini de recommander à l'ICTA de préparer le *workshop* qui va travailler un consensus entre les opérateurs à partir du mois de juillet 2013 pour qu'en 2014, c'est-à-dire trois ans après, on puisse avoir la baisse.

Mrs Hanoomanjee: M. le président, en attendant que le *workshop* donne ses recommandations, est-ce que le ministre peut nous dire s'il est d'accord que c'est le public qui est en train de payer les pots cassés entretemps.

Mr Pillay Chedumbrum: M. le président, c'est une situation qu'on a hérité depuis 2004. La première fois que l'ICTA avait implémenté cette *policy* de demander 90 sous pour le paiement, c'était en 2004. En 2011, nous avons eu cette baisse de 33%. Quand même je dois dire à l'honorable membre que la tendance actuellement est à la baisse et pour se conformer aux normes internationales, il faut nécessairement attendre les trois ans. C'est la loi, on n'y peut rien. Il n'y a pas de disposition sans texte ; donc, forcément nous avons à nous conformer aux règlements et d'ici trois ans, en 2014, il y aura, éventuellement, après consultation, une baisse.

INTERNET PROTOCOL VERSION - MEASURES

(No. B/581) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Information and Communication Technology whether, in regard to internet, he will state if the Internet Protocol Version is able to respond to the future needs of the country, indicating the measures taken, if any, to avoid any deadlock.

Mr Pillay Chedumbrum: Mr Speaker, Sir, I am informed by the ICT Authority that there are currently two different versions of Internet Protocol addresses, commonly referred to as IP addresses, that are in use. These are the IP version 4, also referred to as IPv4 and IP version 6, also referred to as IPv6.

With IPv4, Mr Speaker, Sir, there can only be about 4.3 billion IP addresses. As such with this version of IP addresses, we will not be able to provide a unique address to the total world population which stands at 7 billion presently.

IPv6, on the other hand, offers a capacity of approximately 340 trillion trillion trillion (340 nonillion) addresses. The limitation in terms of capacity which I mentioned earlier will therefore be resolved worldwide.

As far as Mauritius is concerned, Mr Speaker, Sir, I am informed by the ICT Authority that the situation is such that, up to now, 40 million IPv4 addresses have already been issued by AfriNIC, which is the Regional Internet Registry that allocates IP addresses to the African region, including Mauritius. In the pool of AfriNIC, there are presently around 74 million IPv4 addresses available. I am also informed that the current consumption of IPv4 addresses from AfriNIC is around 720,000 monthly.

Indeed, I must say that in the execution of this Government's policy, the ICT Authority released a consultation paper on "Issues pertaining to Transition from IPv4 to IPv6 in Mauritius" in March 2011, highlighting the need for migration to IPv6.

As a matter of fact, Mr Speaker, Sir, the IPv6 is already operational in Mauritius. For example, the ICT Authority's website is already IPv6 enabled. It is a question of demand being made by the Mauritian end users.

Mrs Hanoomanjee: Mr Speaker, Sir, if I got the Minister right, we have already migrated from IPv4 to IPv6 and the Minister has just said that IPv4 could have accommodated 4.5 billion addresses. Can the hon. Minister clarify on this issue? We have got a population of 1.3 million. Doesn't he think that it is a waste of money and that it is a waste of energy to move to IPv6? Can he clarify on this issue?

Mr Pillay Chedumbrum: M. le président, gouverner, c'est prévoir. Comme j'avais mentionné plus haut...

(Interruptions)

Mr Speaker: Let us have some order?

(Interruptions)

Please, let us have some order? The hon. Minister may proceed.

Mr Pillay Chedumbrum: *In line with the vision of the Government and, in particular, that of our Prime Minister who wants to modernise the country, nous, nous croyons dans l'innovation. M. le président, avec une population mondiale de sept milliards d'habitants, le IPv4 peut aller jusqu'à quatre milliards d'adresses. Ce qui arrive, c'est que dans les années à venir, on risque de se trouver dans la même situation comme dans le cas de YouTube quand on veut écouter une chanson...*

(Interruptions)

Mr Speaker: No interruptions, please!

Mr Pillay Chedumbrum:...il y a des *breaks*, on ne peut pas continuer. Ce que nous avons fait, on a commencé à *migrate to* IPv6, parce que IPv6 a une plus grande capacité, comme j'avais dit tout à l'heure, alors que IPv4 c'est quatre milliards d'adresses, IPv6 c'est 340 *nonillion* adresses. Il y a beaucoup d'applications qui arrivent. AfriNIC qui est le *regulatory body*...

(Interruptions)

Mr Speaker: Let us have some order! The hon. Minister should have the opportunity to explain.

(Interruptions)

Order!

Mr Pillay Chedumbrum: AfriNIC qui est le *regulatory body* et dont l'île Maurice doit être régie par AfriNIC, déjà chaque mois, il y a une demande pour 720,000 adresses. Donc forcément, si on ne prend pas les mesures nécessaires, on risque de se trouver dans une situation où quand quelqu'un veut envoyer un *mail* il aura des difficultés et cela ne va pas passer. Donc, pour éviter cela, nous nous sommes passés à l'IPv6.

Mrs Hanoomanjee: *M. le président, je suis entièrement d'accord avec le ministre que gouverner, c'est prévoir.* Does that, at all costs, justify wastage of public funds, because any fund comes from Government?

Mr Pillay Chedumbrum: M. le président, il n'y a pas de *pass on cost* aux consommateurs. Nous, ce que nous faisons, c'est qu'on demande aux opérateurs de mettre des structures pour pouvoir répondre aux exigences de demain. Donc, il n'y a pas de souci là-dessus, il n'y a pas de frais et ce sont les opérateurs qui font le nécessaire.

Mr Speaker: This question has been sufficiently mooted. I suspend the sitting for one and a half hours for lunch.

At 1.06 p.m. the sitting was suspended.

On resuming at 2.40 p.m. with Mr Speaker in the Chair.

CEB - MR B. N. - RESIGNATION

(No. B/582) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to Mr B. N., Chairperson of the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to the date on which he -

- (a) took employment with the Board, indicating the –
 - (i) in which capacity, and
 - (ii) the number of years of service thereat,
 - (iii) excluding his years of training, and

- (b) submitted his resignation therefrom, giving details of the package he was offered, including his lump sum and pension.

The Deputy Prime Minister: Mr Speaker, Sir, with regard to part (a) of the question, I am informed that Mr B. N. joined CEB on 20 February, 1978. After more than 30 years of service, he did not resign but applied for early retirement in line with CEB's pension rules from his post of Senior Audit Officer Technical with effect from 04 October, 2011. I am tabling information on this employment record at the CEB.

I am further informed that Mr B. N. was paid retirement benefits amounting to Rs1,298,728.13 and he draws a monthly pension of Rs25,974.56 in accordance with the rules of the CEB's Staff Pension Fund.

Mr Lesjongard: Mr Speaker, Sir, may I ask the Deputy Prime Minister whether the amount that he is drawing as pension is equivalent to a full pension?

The Deputy Prime Minister: It is in accordance with the prevailing pension rules, and terms of Rule 21 applies.

Mr Lesjongard: Mr Speaker, Sir, may I ask the Deputy Prime Minister whether it is under the report submitted by Mr Appanah that Mr B. N. was allocated that amount as pension?

The Deputy Prime Minister: It is under what was prevailing at the time. There were no changes at the time that it was made.

Mr Lesjongard: Can the Deputy Prime Minister confirm, because in an early reply, he had stated that that gentleman had served for 33 years, and now I hear that it is 30 years? Can we have the exact number of years he has served at the CEB?

The Deputy Prime Minister: The question is a little bit different, Mr Speaker, Sir. The number of years of service excluding his training is 30 years and six months; including his training it is 33 years plus.

TRUST FUND FOR SPECIALISED MEDICAL CARE – CARDIAC PATIENTS

(No. B/583) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether, in regard to the Trust Fund for Specialised Medical Care (Cardiac Centre), he will, for the benefit of the House, obtain from the Trust, information as to the number of cardiac patients who were on the waiting list for surgery

thereat, over the past five years, on a yearly basis, indicating the number thereof who have passed away.

Mr Bundhoo: Mr Speaker, Sir, I am informed by the Trust Fund for Specialised Medical Care at the Cardiac Centre at Pamplémousses that it is the only referral centre for cardiac surgery for patients from the five regional hospitals and also from Rodrigues and private clinics which do not cater for such services. Every year, around 1,450 routine cases and 250 emergency cases are referred to the centre. More than 500 cardiac surgeries are performed every year and the trend is on the increase. Thus, 540 cardiac surgeries were performed last year and for this year, as at 19 October, 2012, 508 cases have already been done.

Mr Speaker, Sir, the number of cardiac patients awaiting surgery during the last five years was as follows –

Year	December 2007	December 2008	December 2009	December 2010	December 2011	As at 19 October 2012
No.	134	127	100	76	83	65

Mr Speaker, Sir, I am further informed that the waiting time for surgery for cardiac patients is about 9 to 12 weeks. However, patients with severe left main stem pathology are operated upon urgently outside routine waiting list and even as emergency after working hours because such patients usually have a bad prognosis if left untreated.

From record available, Mr Speaker, Sir, two patients passed away while waiting for cardiac surgery over the past five years, one in 2009 and one in 2010.

Over the years, the number of cardiac surgeries has kept increasing and more complicated cases have been operated. The mortality rate is less than 2% compared to the international rate reckoned to be about 4%. For the last five years, no adult patient has been sent abroad for cardiac surgery.

Mrs Hanoomanjee: Mr Speaker, Sir, is the hon. Minister aware that patients whose conditions have been considered to be very serious have had to attend the Cardiac Centre every three weeks in spite of their serious conditions and each time they have been asked to come again and they have had to wait for more than three months before they had surgery?

Mr Bundhoo: I did ask the question, Mr Speaker, Sir and I have been told from learned views that in order to operate a patient with cardiac conditions, first, they have to stabilise the patient from the baseline, especially those who are old and have other complications such as renal or diabetic problems.

Mrs Hanoomanjee: Mr Speaker, Sir, in spite of all this, cardiac patients in serious conditions have had to wait for more than three months. Now, there is only one cardiac surgeon. Can the hon. Minister say whether he proposes to have another cardiac surgeon for the Cardiac Centre?

Mr Bundhoo: I must say something here. The hon. Member has been Minister of Health too. All of us, as Ministers of Health, we have tried our best in order to have more cardiac, open heart surgeons in Mauritius. But, unfortunately, we have been quite unsuccessful in doing that. Only recently, in the month of August, we did place an advertisement in the local newspaper; we had some applicants. After enquiry, we are still considering it, but then, I have given instruction to open the application at international level in order to make sure that we have the possibility of having a larger number of surgeons in order to give us the opportunity to review our decision.

Furthermore, I had also requested that their salary be negotiable because a specialist in cardiology will not be coming to work in Mauritius at the baseline salary that is being offered at the moment.

Mr Uteem: Mr Speaker, Sir, may I know from the hon. Minister for how long has the vacancy for the position of surgeon been left open and whether he has conducted an enquiry to find out why the former co-surgeon has left the service?

Mr Bundhoo: I have enquired about the former surgeon, but, unfortunately, at the moment, I am not so sure whether he has submitted any application. And if he has, we shall consider it in accordance with the rules and regulations established for recruitment.

Dr. Sorefan: Mr Speaker, Sir, may we know from the hon. Minister the number of cases that this surgeon does daily and whether the surgeon claims additional fee from the Trust Fund for additional cases done after working hours?

Mr Bundhoo: I have already answered to this question that there is an average of 500 cases done yearly. This is also done by foreign experts thanks to the agreement we have with the University of Geneva. How many he does personally over the year, I don't know. And how many he does after "official hours", I would not know and what is the overtime paid to him, if it

is paid to him, I would not know. But one thing I can tell the hon. Member is that we have only one of his kind at the moment in the island of Mauritius and thank God he is still practising for Mauritius.

Mr Jhugroo: Mr Speaker, Sir, being given that one cardiac surgeon is not enough for such a big Cardiac Centre, will the hon. Minister consider employing cardiac surgeons on a contract basis with negotiable packages?

Mr Bundhoo: Mr Speaker, Sir, this is exactly what I answered to the previous question of hon. Mrs Hanoomanjee. We have issued advertisement in the local papers. I am not satisfied with the number of people who have applied. I have, therefore, given instructions that the same application be extended at international level. I must say one thing also - I have said it earlier and I am going to repeat it - in accordance to what is being paid to surgeons and specialists in the service at the moment, this kind of salary package would not attract foreign specialists/cardiologists to come to Mauritius. And I have taken the precaution to include in the advertisement within the Trust Fund for Specialised Medical Care that salary is negotiable.

Dr. S. Boolell: Mr Speaker, Sir, could the hon. Minister kindly reassure the House that cardiac surgery, as a postgraduate subject, is a priority line of study, and how long has it been a priority line of study?

Mr Bundhoo: It is good news for hon. Dr. Bunwaree, he is taken up at the moment at the University of Geneva doing this as a priority area and, if I am not mistaken, he will be back within the next two years and we are negotiating with the HUG University and we are continuingly sending our specialists in certain fields in order to be trained as cardiovascular surgeons and others.

Mrs Hanoomanjee: Mr Speaker, Sir, the hon. Minister has clearly said that we cannot cope with only one cardiac surgeon. How can he explain, therefore, that the only cardiac surgeon that we have - and we have got a long waiting list - still he is giving a helping hand to other countries in the region; he is giving a helping hand as well to the University of...

Mr Speaker: The hon. Member has to put her question and not make a statement!

Mrs Hanoomanjee: This is my question: how can the hon. Minister explain that there is only one cardiac surgeon and we have got a long waiting list and still he has to give a helping hand to the region as well?

Mr Bundhoo: I must say one thing, Mr Speaker, Sir. The Cardiac Centre that we have at the moment, we do have agreements with certain countries, especially Botswana. I have been assured that each time our friend from the Cardiac Centre at the SSRN hospital goes overseas, he goes when he is on vacation or when he is on leave. He does that absolutely in his own free time. But each and every time he leaves Mauritius, the Cardiac Unit at SSRN hospital is not left unattended. This is exactly when we have foreign teams from Geneva that come and operate in Mauritius and they have done that at least 8 to 9 times last year and this year they have already operated successfully over almost 130 patients.

Mr Ganoo: The hon. Minister has given us the figures of the waiting list. Does he have the figures for children who have cardiac problems and who are awaiting surgery and do we have a special arrangement made for these child patients suffering from cardiac problems?

Mr Bundhoo: I do have the list with me and I am going to table it, but some of the children who cannot be operated in Mauritius are being sent abroad under the scheme that we have with the Government of Mauritius. For example, for 2006 it was 4; 2007 it was 31; 2008 it was 25; 2009 it was 23; 2010 it was 44 and 2011 it was 33. As at October 2012, it was 17.

Mr Speaker: One last question, please!

Mrs Hanoomanjee: Mr Speaker, Sir, I am not blaming the cardiac surgeon for helping the region, but what I am saying is that when he is not there the Cardiac Centre is unattended. Can the hon. Minister say whether last time when he left for helping in the region in Botswana, as the hon. Minister said, there was a team from Geneva in Mauritius at the same time?

Mr Bundhoo: I have been informed that most of the time, at least from what I have been made to understand, that each time he goes to Botswana to assist the country in setting up the unit of cardiology, we have a foreign team in Mauritius which steps in.

VERDUN-TRIANON & BAGATELLE-VALENTINA LINK ROAD - CONSTRUCTION

(No. B/584) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the construction of the Verdun-Trianon and Bagatelle Valentina Link road, he will –

(a) state the -

- (i) name of the contractor therefor;
 - (ii) contractual cost thereof
 - (iii) contractual time for the completion thereof, and
 - (iv) costs of variations works, if any, and
- (b) table copy of the design of the grade separators at Verdun and at Valentina.

Mr Bachoo: Mr Speaker, Sir, as regards part (a) (i), the contractor is Gamma/BCEG (Beijing Construction Engineering Group Co. Ltd) Joint Venture.

As regards part (a) (ii), the contractual cost of the project is Rs1,585,430,766.35 inclusive of 15% VAT.

As regards part (a) (iii), the contractual time for the completion of the project is 20 months.

As regards part (a) (iv), as at date, there has been no variation cost.

As far as part (b) of the question is concerned, a copy of the design of the grade separator at Verdun and at Valentina cannot be tabled at this stage as it forms part of an agreement which is currently in force between the two contracting parties, but if the hon. Member is keen at having a look at the design, I can request the RDA to arrange for it.

Dr. Sorefan: Mr Speaker, Sir, may we know from the hon. Vice-Prime Minister when the contract was awarded to Gamma/BCEG to the tune that the hon. Vice-Prime Minister has mentioned. There was a section which mentioned: 'subject to clarifications to be provided by the bidder'. Will the hon. Vice-Prime Minister table all the clarifications from the bidder?

Mr Bachoo: I will do so.

Dr. Sorefan: Mr Speaker, Sir, regarding the grade separated junction at Verdun, may we know why on the same road, that is, from St. Pierre to Quartier Militaire, we have a grade separated junction for Gamma Civic contract and on the same road, for another contractor, we have a roundabout on the contract?

Mr Bachoo: Mr Speaker, Sir, I am not an engineer nor am I a consultant, but these are two different projects and if one of the projects requires and if the consultants have worked out, they require the grade separated junction, it has to be so. If another road requires a roundabout, I cannot comment on that because this has been properly designed by the consultants and has been approved by the technicians of my Ministry.

Dr. Sorefan: I do not see any logic; on the same road which is used by the same number of motorists, we have two different types of designs!

Mr Bachoo: I will state again, Mr Speaker, Sir, these are two different roads: one might have been the St. Pierre by-pass that does not require any grade separated junction and the second one is the Terre Rouge-Verdun which crosses the road at one particular junction. There, they might have viewed it to be important to have a roundabout. The one for Terre Rouge-Verdun/Verdun-Trianon, being given that it is a dual carriage way, we are bound to have a grade separated junction if we are to avoid all types of congestion on that particular place. We should not forget that from the eastern region, all vehicles have to cross this particular road and we are bound to have a grade separated junction. At the same time, I would like to add that even for the major roundabouts that we have throughout the island, steps are being taken to see to it that we move towards grade separated junctions because at peak hours we are having a lot of problems.

Mr Speaker: One last question, please!

Mr Jhugroo: Mr Speaker, Sir, can I ask the hon. Vice-Prime Minister whether the construction of the Verdun-Trianon and Bagatelle-Valentina link road will include the flyover at Phoenix roundabout because the hon. Vice-Prime Minister mentioned earlier in one of my parliamentary questions that whenever this construction will be done, this will solve the problem and Government will also build the flyover at Phoenix.

Mr Bachoo: This flyover; that grade separated junction is a very huge project and we are having it separately, which is under PPP. In fact, the evaluation has already started and I do hope that towards the end of the year the evaluation will be completed, then the contract will be awarded.

Mr Speaker: Next question, please!

HAJJ PILGRIMAGE 2012 - ISLAMIC CULTURAL CENTRE – DELEGATION

(No. B/586) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Arts and Culture whether, in regard to the organisation of the 2012 Hajj Pilgrimage, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to the number of missions effected by the members of the Centre to Saudi Arabia, indicating in each case the -

- (a) composition of the delegation;
- (b) purpose therefor;
- (c) outcome thereof, and
- (d) costs incurred therefor.

Mr Choonee: Mr Speaker Sir, I am informed that members of the Islamic Cultural Centre have effected two pre-Hajj missions to Saudi Arabia. Pre-Hajj mission No. 1 which was from 23 to 28 March 2012 comprised Dr. Fahrad Aumeer, Chairperson of ICC and Mr Twaher Budulla, Officer. They accompanied hon. Dr. Abu Kasenally, Minister of Housing and Lands to meet, *inter alia*, the Saudi Minister of Hajj, the Saudi Authorities, Muassasah Office, the Adillah Establishment and major Hajj stakeholders. Request was also made to increase the number of visas for Mauritius from 1300 to 2000.

This mission enabled members to take cognizance of the latest Saudi Regulations/instructions pertaining to Hajj 2012, internal transport, accommodation, number of Hajjis per organiser, use of electronic mail, mode of payment for Hajjis, opening of Bank Account, food contract, increase in the special services from Saudi Riyals 675 to 700, and increase in payment of Tanazzul. Following negotiations, the Royalty fee for Mauritian Pilgrims was kept at USD55.75 instead of the new tariff that was USD110. Here, I will have to point out that it is the personal negotiations made by hon. Dr. Abu Kasenally that got us this rebate.

The total cost for the first pre-Hajj Mission is Rs119,539.68 for both members. It includes air tickets and *per diem* as per approved rates for the period of five days.

The second mission took place from 26 August to 05 September 2012 and comprised the Chairperson and Hajj Officer of ICC.

The Hajj Officer was required to finalise procedures for the opening of the Bank Account wherein all payments from Mauritian Hajj Organisers to landlords would be deposited and monitored by the Saudi Authorities. The Muassasah insisted on the presence of an officer of the ICC for this exercise.

The Chairperson stayed for two days to finalise all arrangements for Hajj 2012.

The total cost is Rs19 1,145.20 as the Hajj Officer had to stay for a period of ten days to ensure that the Muassasah is satisfied with all procedures.

Now, Mr Speaker, Sir, for the Hajj Mission 2012 accompanying the Hajjis, a core team left on 08 October 2012 while other members left on 10 October 2012. Return is scheduled between 09 and 15 November 2012. The composition of this team is –

- Dr. Farhad Aumeer, the Head of Mission of the ICC;
- Mr Fareed Chuttan, the Coordinator, PS of my Ministry;
- Mr A. Bakar Atchia, Accommodation Supervisor and he looks after finance;
- Dr. Farad Kauroo, the Medical Officer;
- Mr S. Somally, Interpreter and Liaison Officer with Saudi Authorities;
- Mr Yassin Dulloo, Interpreter and Airport Operations Officer;
- Mr T. Budullah, the Executive Officer and Field Support Officer, and
- Mr Nawaz Noorbux, joined the mission as the representative of the media.

The objectives of the mission are to provide –

- (a) assistance on arrival and departure to Hajjis at the Hajj terminal;
- (b) oversee Hajj operators in Saudi Arabia;
- (c) monitor level of service providers by the Mauritian operators to the respective Hajjis, and
- (d) liaise with Saudi Hajj Authorities with regard to the services, facilities and logistics as per agreement made during the pre-Hajj Mission and to monitor same during the Hajj.

Mr Speaker, Sir, with your permission, I wish to inform the House that this evening, Mauritian pilgrims would be moving to Mina and Thursday is the day of Arafat, the culmination of Hajj, the day that every Muslim in the world dreams of attending.

I wish also, as well as to you, Mr Speaker, Sir and to Members of the House Eid-UI-Adha Mubarak, which is to be held on Friday.

Mr Uteem: Mr Speaker, Sir, may I know from the hon. Minister whether at any time, during the mission carried out by the ICC, or the Minister concerned, there has been any indication from the Saudi Authorities that we would be getting more than our quota of 1,300 visas?

Mr Choonee: Mr Speaker, Sir, I said in my reply that every year the firm quota is 1,300. However, for the past few years, the practice has been that it goes beyond 1,300 upon request

from the Mauritian Authorities. This year, in March, hon. Dr. Kasenally made the same request, but, unfortunately, because of circumstances prevailing in Saudi Arabia, the Saudi Authorities, the Minister for Hajj Affairs could not entertain that request because this year, in particular, they are improving the infrastructure in Mina and the other regions related to Hajj.

What is being done is that all the hotels that were hosting pilgrims are under repairs and renovations. This year, at least, 40 countries from which Hajjis were going to Saudi Arabia have been requested to cut down on the number of Hajjis, including Mauritius, of course. Luckily for Mauritius, because I know countries where they were having 15,000 Hajjis leaving and this year it is only 1,500. For example, Malaysia which had an increase previously – an Islamic State – even had a decrease. This means that we are lucky for having had our quota as per the firm quota that existed earlier.

Mr Uteem: Can I know from the hon. Minister, if there were never any confirmation that we will get any additional visas, why is it that the Islamic Cultural Centre had taken Rs5,000 from each person after the 1,300 list and had even told them to pay to their Hajj operators?

Mr Choonee: Mr Speaker, Sir, it is true that for Hajj every year, the ICC collects money from all persons interested in going for Hajj. Every year, the exercise is such that we collect money from more people interested in going for Hajj than 1,300. The exercise has been so for many years even when there were other Governments. There is nothing new. There are some people who come and say to the ICC: “Whether I can be admitted or not; take my money, if ever there is a problem...”

(Interruptions)

Mr Choonee: Shame to you! I am sorry, Mr Speaker, Sir.

Mr Speaker: Well! I am on my feet. Hon. Members should understand that they should refrain from using abusive and unbecoming expressions.

Mr Choonee: Coming back to the exercise, there are so many persons who have given their money already, they withdraw at the last minute and then they are replaced by those coming first on the list and they are refunded the money. Never is it that the money is kept by the ICC! Never! They refund back the money. Some people insist: “Please, keep my money for the next year.” Even there we said: “No, we will keep the priority list there, but you take your money back.”

Mr Uteem: Mr Speaker, Sir, is the hon. Minister aware that on Sunday, 08 April, in the newspaper 'Star', on the headlines, it was written: "*Négociations du ministre Abu Kasenally (...)*"?

Mr Speaker: I have to interrupt the hon. Member ...

(Interruptions)

Please, order! I would like to inform the hon. Member that it would be against the Standing Orders to quote verbatim from press articles. What the hon. Member can do is not to quote, but to put it in his own words; that would be acceptable. But verbatim quotations, this is not admissible.

Mr Uteem: Thank you, Mr Speaker, Sir, for your guidance because we had another ruling previously in this House. So, I will rephrase my sentence. Is the hon. Minister aware that a Minister of this Government has, in an interview, been reported to have said that the negotiations are on the way and 2000 visas have been confirmed?

Mr Choonee: This was never the case, Mr Speaker, Sir. I have - and I will table in this House an official letter from the Saudi Authorities which has reached Mauritius on 12 September this year, saying that we cannot go beyond 1,300.

Mr Speaker: I have again to interrupt the hon. Minister. If he is referring to the letter, he has to table it.

Mr Choonee: I am tabling the letter definitely, Mr Speaker, Sir. I am tabling the letter where it is clearly mentioned that the Saudi Authorities apologised that they cannot increase our number of Hajjis for this particular year. But, in future, definitely they will review. I am tabling the letter, Mr Speaker, Sir.

Mr Uteem: This is a very serious issue; a lot of people are not going for Hajj. Is the hon. Minister aware that even as recently as in the month of August, the same Minister, again, is reported in a press to have stated that there are 1,850 pilgrims who would be travelling by Emirates, meaning that we had already received all the visas for these people?

Mr Choonee: Never, Mr Speaker, Sir!

Mr Soodhun: Mr Speaker, Sir, can the hon. Minister inform the House whether he has received a report on the Hajj affairs, submitted by the core Chairperson of the National Hajj Council set up by hon. Reza Issack?

Mr Choonee: Yes, I have got the report and I have gone through it.

Mr Soodhun: Can we know from the Minister what is the outcome and what decision has been taken?

Mr Choonee: I am sorry, Sir, I missed the question.

Mr Speaker: The hon. Minister must listen to the question.

Mr Choonee: It is too soft.

Mr Speaker: Put the question again hon. Member.

Mr Soodhun: May we know from the hon. Minister what action was taken when he received the report?

Mr Choonee: We have received the report and we're going through it. The only thing is that the ICC has a different view from what our good hon. Member stated in his report. And that is something different, but we have received the report. What is good in the report, Sir, is that Government is definitely going ahead with the dissociation, delinking of the activities of the Islamic Cultural Centre with that of Hajj. We will have two separate institutions to look after the ICC and the Hajj affairs. And I thank the hon. Member for this recommendation in his report.

Mr Jugnauth: The hon. Minister has received the report; he must have gone through it. One of the damning findings of that report against the ICC is that the Board of ICC is completely illegal. This is a straightforward finding of the Chair of the Committee. What has the hon. Minister done in the meantime to correct this illegality?

Mr Choonee: Mr Speaker, Sir, the Board of the ICC is illegal from day one, from 1989, the day it started operations. How many Governments have gone through? From day one!

(Interruptions)

I was the one to disclose in this House that this Board is illegal because we have not got a representative of the Islamic Development Bank on the Board since the year it was created. Further, the then Minister of Education, Arts and Culture, Mr Parsuramen, acknowledged a letter, copy of which I have, but I can't table it now, I can table it later. There is a copy of the letter where it is stated that the Islamic Development Bank does not have the right to sit on Boards outside its own country. So, from day one it is illegal. However, since that day there has been a member on the Board who represents the Islamic Development Bank and it has been going on year in year out. Today, we are here to redress. This Government wants to redress; we want a separate Board for the ICC. The State Law Office is working already on it and there will be a separate committee for Hajj matters. This is where we have reached.

M. le président, il y a des gens qui parlent beaucoup. Ce gouvernement n'a jamais déshabillé les hajjis. It has never happened! Hajj being such a sacred ...

(Interruptions)

Mr Speaker: Order! Order, please! Order! Please, wait a minute.

(Interruptions)

No, I am sorry! Hon. Member, you have to withdraw the word '*bachiar*'!

(Interruptions)

Mr Soodhun: I withdraw the word '*bachiar*'.

Mr Speaker: O.k! Now, the hon. Minister may proceed.

Mr Choonee: Mr Speaker, Sir, we have to understand that Hajj is a sacred event. Hajj is the fifth pillar of Islam and nobody should use this particular activity, a religious event, to have political gains.

(Interruptions)

Mr Speaker: Hon. Minister, please, I am on my feet!

(Interruptions)

Hon. Minister! I am addressing myself to the hon. Minister!

(Interruptions)

Please, be quiet! Order!

Mr Choonee: Mr Speaker, Sir...

Mr Speaker: The hon. Minister has to answer the question. When a question is put to any hon. Minister, he has to answer the question and not go into matters that are extraneous. Thank you. Next question, please!

COPYRIGHT BILL (NEW) - INTRODUCTION

(No. B/587) **Mrs J. Radegonde (Fourth Member for Savanne & Black River)** asked the Minister of Arts and Culture whether, in regard to the introduction of the new Copyright Bill, he will state where matters stand.

Mr Choonee: Mr Speaker, Sir, in my reply to PQ No. B/26 on 08 May 2012, I mentioned that the new Copyright Bill is almost ready and we had consultations with the US Copyright Office.

Further consultations were held with the stakeholders for finalisation of this Bill.

Following these consultations and in view of the complexity of the issues relating to Intellectual Property, Government decided to set up an inter-Ministerial Committee under the Chairmanship of the hon. Minister of Foreign Affairs, Regional Integration and International Trade with a view to coming up with a Consolidated Intellectual Property legislation which, *inter alia*, includes copyright, industrial property and plant variety issues.

In view of the technicalities, the Ministerial Committee constituted a Technical Committee chaired by the Attorney General and comprising of all the Ministries and Departments concerned.

Several meetings were held by the technical and inter-Ministerial Committees.

Taking the views expressed by the stakeholders, the inter-Ministerial Committee has recommended that with a view to having a coherent approach and giving a strong signal to our international partners on the issues relating to Intellectual Property, a Consolidated Intellectual Property legislation will have to be enacted.

The drafting of this Consolidated Intellectual Property Bill is being undertaken by the State Law Office. The Bill will be introduced in the National Assembly as soon as it is ready.

Mrs Radegonde: Mr Speaker, Sir, since 2010, I put questions on Copyright Bill to the House. I understood that 'soon it would be finalised'. May I ask the hon. Minister if he is aware that the Copyright Bill is long overdue to the artists and there is an urgent need to come forward with its application? Can he please provide the exact time frame as to when it will be introduced in the House?

Mr Choonee: As I said, Mr Speaker, Sir, this is a very complex issue. We would wish that we simplify it and get it done as early as possible, but it is not possible. We have so many issues: patents, trademarks, agro industry has its own plant breeders. So many things are involved, copyright is part of it. We are going just by that. As a caring Government, we want to help our artists by all means and I am sure all the stakeholders will be satisfied with that draft.

Mrs Radegonde: Mr Speaker, Sir, I note that there has been a draft Bill posted on the website of the Ministry. I understood also that there is consultation with stakeholders. May I ask the hon. Minister if he has received representations from these stakeholders? Can he provide specific details with regard to these representations and will he consider them?

Mr Choonee: Mr Speaker, Sir, we got representations from many stakeholders and after consulting them we took note of all the proposals. We have worked over them and we have forwarded a final copy of the Copyright Bill to the State Law Office. But, as I have said, it is not only a Copyright Bill for artists; we are to have it altogether. It is an Intellectual Property Bill that will come to Parliament, a consolidated one.

Mrs Labelle: Mr Speaker, Sir, representations were made by a particular association, *l'Association des artistes compositeurs*. So, may we know whether the Minister received these representations and whether there have been discussions thereon?

Mr Choonee: Mr Speaker, Sir, I am sure discussions have been held with the technicians of my Ministry. However, I am confident that their requests were taken into consideration; if not, I will look into the matter because we have still not finalised everything. We can still consider their requests if ever there is a need.

STATE LAND - SQUATTERS

(No. B/588) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Housing and Lands whether, in regard to the 312 squatters of State Land at La Ferme, Bambous, African Town, Riambel, Le Morne, Karo Kalyptis, Case Noyale and Coteau Raffin, in Constituency No.14, Savanne and Black River who are eligible for regularisation, he will state where matters stand.

Dr. Kasenally: Mr Speaker, Sir, I wish, in the first instance, to refer the hon. Member to my reply of 05 June 2012 whereby a detailed report was given on the situation of the squatters in the region of Black River and Savanne. I also wish to highlight that the issue of squatting is complex due to its inherent human factor, the scarcity of State lands and the need to strike the right balance in allocating lands. However, my Ministry is monitoring the situation with compassion but also with firmness in order not to encourage abuse.

In respect of the 312 squatters in the region of Black River and Savanne, some 91 families, residing at La Ferme and Karo Kalyptis, Case Noyale, have already been allocated, since 2011, building site leases over State lands at Bambous (near the Black River District Council), Camp Levieux and Coteau Raffin. Prior to the families moving to the allocated sites, consideration is being given to the provision of the required infrastructure on site.

The situation as regards the 312 families is as follows -

(a) **La Ferme, Bambous: 76 cases**

72 out of the 76 families have been offered building site leases at Bambous (near the Black River District Council) and Camp Levieux. My Ministry is examining the possibility of ourselves providing the basic infrastructure on the proposed sites. The remaining four cases are being looked into on a case to case basis.

(b) **Eau Bonne, Bambous: 24 cases**

An uncommitted plot of State land is being identified for their relocation.

(c) **Karo Kalyptis, Case Noyale: 39 cases**

Of the 39 cases, 19 have been offered building site leases over an uncommitted plot of State land at Coteau Raffin. The possibility of providing basic infrastructure on the proposed site is being looked into. The remaining 20 cases are presently being considered for relocation.

(d) **Coteau Raffin: 31 cases**

Out of the 31 cases, six (6) are under consideration for regularisation on site. 25 cases at PG Comptesse de Lamarque, Coteau Raffin have to be relocated as the squatted site is marshy.

(e) **Dilo Pouri, Le Morne: 45 cases**

These 45 cases are over State land leased by the Ministry of Agro-Industry and Food Security for shooting and fishing purposes. As the site is very sloppy and within the buffer zone of Le Morne Cultural Landscape, the views of the relevant authorities are being sought on the possibility of their regularisation on site.

(f) **Scattered cases in Black River District: 15 cases**

These are scattered cases within Camp Lapaille, Bambous, Grande Case Noyale, Petite Case Noyale and La Gaulette. Action has been initiated for the regularisation of these cases.

(g) **African Town, Riambel: Some 70 cases**

This is a real difficult nut to crack. These cases date back to March 2012. The land squatted upon is marshy and unbuildable. I am afraid to say that some of the squatters have been encouraged by people.

(h) **Scattered Cases in Savanne District: 12 cases**

These 12 cases are scattered within Surinam and Baie du Cap. The cases are being processed for regularisation.

Mrs Radegonde: Mr Speaker, Sir, in the reply to a PQ I asked on 05 June, the hon. Minister stated that eligible squatters of the buffer zone of La Ferme Reservoir, Bambous, Coteau Raffin, Karo Kalyptis and Case Noyale have not moved to the site offered to them due to lack of infrastructure. This is what I want to know from the hon. Minister. Apparently, the hon. Minister of Social Integration and Economic Empowerment was looking for fund. May I know precisely if a detailed plan of the infrastructural work has been carried out and if funds have been obtained from the hon. Minister of Social Integration and Economic Empowerment?

Dr. Kasenally: Mr Speaker, Sir, funds are very scarce. However, we are taking some of the money from Social Housing Fund with the blessing of the Minister of Finance and Economic Development and together with my colleague, the Minister of Local Government and Outer Islands, we are proceeding with establishing the infrastructure.

Mrs Hanoomanjee: Mr Speaker, Sir, with regard to squatters in La Ferme, Bambous, the hon. Minister is well aware that they were given their lots 18 months back and, up to now, they don't know where the situation is, what has happened, and some of them have even died. Can we know whether there is a deadline which has been fixed for them to at least move on their plot of land, the infrastructure being ready, so that they can start building their houses?

Dr. Kasenally: Mr Speaker, Sir, as I have just said, in fact, a couple from La Ferme - as you mentioned - has already moved to Camp Levieux. We are now proceeding with this infrastructure and my colleague is in contact with these squatters about moving them away.

Mrs Radegonde: Mr Speaker, Sir, I understand from the hon. Minister that fund is scarce. I would like to ask the hon. Minister if he will consider making provision for service schemes to relocate the squatters by order of priority, as he mentioned on 05 July that Le Morne has been qualified and will be accorded priority in the national budget.

Dr. Kasenally: Yes, Mr Speaker, Sir. We are doing it.

WATER & BASIC SANITATION - HOUSEHOLDS

(No. B/589) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to water and basic

sanitation, he will state if a study has been carried out to assess the number of households who are denied access thereto, and if so, indicate the findings thereof.

The Deputy Prime Minister: Mr Speaker, Sir, I am informed that according to the 2011 Housing Census, all the households in Mauritius have access to potable water and appropriate sanitation facilities. According to the census, 99.7% of the households in Mauritius have access to piped water and 97.9% have access to flush toilet facilities and the rest are using pit latrines.

With the implementation of the ongoing National Sewerage Programme, some 40% of households will be connected to the public sewerage system by 2015/2016. The Sewerage Master Plan 2014-2033 has identified projects on the basis of environmental considerations, population projections, the cost-effectiveness of the investment, social aspects, economic and tourism development. With the implementation of these projects, it is expected that around 80% of the population would be connected to the public sewerage system by the year 2033.

Ms Anquetil: Mr Speaker, Sir, being given that decent quality sanitation services remain a major challenge for the poor, can the hon. Deputy Prime Minister inform the House if the implementation of the project will mainly cover the pockets of poverty across the island?

The Deputy Prime Minister: It will certainly include the pockets of poverty.

GRNW – DEVELOPMENT & PROTECTION OF CHILDREN - DROP-IN-CENTRE

(No. B/590) **Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the coming into operation of the new residential drop-In-Centre for the development and protection of children from any form of sexual abuse and exploitation at Grand River North West, she will state where matters stand.

Mrs Martin: Mr Speaker, Sir, I am informed that the building was completed and handed over to my Ministry on 04 June 2012. Necessary arrangements have been made to procure furniture and equipment required. A first bidding exercise to secure management services for the Residential Drop-In-Centre was launched on 03 May 2012. As at closing date on 08 June 2012, one bid was received which was however non-responsive. On 22 August 2012, a second bidding exercise was launched and at closing date on 24 September 2012, two bids were received and are currently being evaluated.

The Centre will be operational as soon as the contract for management services is allocated.

Mrs Ribot: Mr Speaker, Sir, I would like to get a more precise date from the hon. Minister since that matter has been lasting for almost a year now, and there have been bidding exercises. Must we understand that no NGOs who have made the bidding have qualified for the management of the shelter?

Mrs Martin: As I have said, Mr Speaker, Sir, we had a first bidding exercise and the number of bids received was one. However, it was not responsive and we have engaged into a second bidding exercise and received two bids. These bids are currently being evaluated.

Mrs Labelle: Mr Speaker, Sir, from the answer that we have just received from the hon. Minister, it seems that it is difficult to have appropriate NGOs. May I know from the hon. Minister whether she is contemplating another alternative regarding this lack of NGOs to service this centre?

Mrs Martin: Actually, Mr Speaker, Sir, what we had done before was conducting training and awareness exercise for some 200 NGOs and stakeholders. This was done, I believe, this year itself, in April, if I am not mistaken, 200 stakeholders participated and we informed them on the bidding exercise procedures and the requirements for managing of shelters. However, as you can see, with regard to the bidding exercise, we are very disappointed that there are less NGOs going for the bidding exercise. In fact, we are contemplating other options, but Government has now decided that NGOs should take over the management of shelters, because we believe that it is very important for NGOs also to come forward and do their share. We are trying to see what other alternatives there are and especially what is preventing the NGOs to go for the bidding exercise.

Mr Bérenger: The hon. Minister is saying two things at the same time. One, that the two bids are being considered, and secondly, that other options are also being considered. Can we have the names of the two bidders?

Mrs Martin: No, Mr Speaker, Sir, I don't have the names of the two bidders. However, regarding the second option which was mentioned by the hon. Leader of the Opposition, in fact, we will also have other shelters going through this procurement exercise for management of the shelters and that is why we are trying to see in what way we can induce more NGOs to go for the

bidding exercise. We have engaged into discussion with the MACOSS to try and see what is actually, in fact, preventing the NGOs from coming forward for the bidding exercise.

Dr. S. Boolell: Mr Speaker, Sir, may I ask the hon. Minister whether she has been made aware that NGOs are fairly reluctant to take over management of Government centres because they are not guaranteed the independence of action which a non-governmental organisation should have and that in the past they have been subjected to those interferences on the part of the parent Ministry? May I humbly suggest to the hon. Minister that the conditions of offer of the NGOs should be reviewed and then maybe she will have interested parties?

Mrs Martin: Actually, Mr Speaker, Sir, this Ministry has specific guidelines for the shelters to be managed and these guidelines are in accordance with the international norms and regulations and with the protocols that we have signed. Therefore, there is nothing that would be restrictive as such for the NGOs. We are, on the contrary, trying to support them in any way we can in order to make the management easier.

Mr Speaker: Last question!

Mrs Hanoomanjee: Thank you, Mr Speaker, Sir. Since we see that the NGOs are not responding to these bids, can we know from the hon. Minister what are the conditions which have been required of these NGOs and which are included in the bids?

Mrs Martin: They are all in the procurement exercise and in the bidding documents. I can make that available to the hon. Member if she wants to know all the details. It depends actually on the type of shelters because different shelters will have different requirements, for example, for the CSEC, they will need specific services and for children from zero to three years of age, another type of services will be required.

Mr Jugnauth: Mr Speaker, Sir, may we know the name of the NGO which bid for the first exercise and why was that NGO not qualified?

Mrs Martin: I do not have that information.

(Interruptions)

Mrs Ribot: Mr Speaker, Sir, we are quite surprised that the hon. Minister does not have the names of the two bidders. There were not 30, there were 2! We don't have the impression that opening this shelter is a matter of urgency for the Ministry. Can we ask the hon. Minister to just place this matter as a priority for her Ministry? We don't really feel the concern of the Ministry to go ahead with that shelter.

Mrs Martin: Mr Speaker, Sir, it is not a question of feeling. Actually, may I explain to the hon. Member because she does not appear to understand? What we have done, Mr Speaker, Sir, is to use the method of open advertising. Now, it is at the level of the Procurement Office and that is why we do not want to get into that sort of procedure and once the Procurement Office will have chosen the responsive bidder, we will go ahead with it. We do not want to interfere with anything. It is not a question of whether it is a priority or not because the hon. Member herself can see that we have gone through two bidding exercises which, I think, is sufficient proof...

(Interruptions)

... that we want that shelter to be managed as quickly as possible.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister who has just mentioned that she was contemplating other options, what are the other options that she was contemplating?

Mrs Martin: I have just said, Mr Speaker, Sir, that we have engaged into discussion with the MACOSS to try and find out what is the root cause that is preventing the NGOs from bidding.

(Interruptions)

We are planning to have a meeting with the NGOs also to talk to them and try and see in what way we can smoothen out this problem. Once we have done that, if that as well is not responsive, then we will try and see in what other way we can work out towards having the responsive person for management.

Mr Speaker: One last question!

Mrs Ribot: Mr Speaker, Sir, I would like to ask the hon. Minister again, if ever no NGO is going to be interested in the project, what is going to happen? Is that shelter going to be opened?

Mrs Martin: Mr Speaker, Sir, the Procurement Office is independent. We cannot interfere therein.

(Interruptions)

I don't know if the hon. Member will do that, but I am not prepared to do it.

(Interruptions)

Once we are going to have the responsive bidder, that is, when we are going to start working with the management, because we want this shelter to start as well. We are fighting for this shelter to be managed as quickly as possible. But we cannot go faster than the procedures.

Mr Speaker: Next question!

**CHILD PROTECTION & DEVELOPMENT - WORKING TOGETHER
COMMITTEE**

(No. B/591) **Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Working Together Committee, she will state the –

- (a) composition thereof;
- (b) number of meetings held, since the setting up thereof to date, and
- (c) decisions and recommendations thereof regarding child protection, indicating where matters stand as to the implementation thereof in each case.

Mrs Martin: Mr Speaker, Sir, I am tabling the composition of the Working Together Committee which is chaired by the Permanent Secretary of my Ministry and comprising senior officials from different institutions as members.

In regard to part (b) of the question, since its setting up, the Working Together Committee has met on five occasions.

Coming to part (c), I would like to inform the House that the purpose of this Working Together Committee is to establish a more coordinated, holistic and comprehensive service delivery approach that focuses on fostering collaboration between and within different service delivery sectors and collectively addresses the continuum of needs of vulnerable children in the cohort of 0 to 18 years.

The Committee felt that there was need to review the existing Protocol of Collaboration outlining the tasks of each Ministry in regard to Child Protection and Development to ensure comprehensive service delivery. Therefore, one of the main decisions and recommendations of the Working Together Committee has been to revisit the existing Protocol of Collaboration with the view to, first, enlisting the support of new stakeholders and second, to fine-tune guidelines to facilitate and ensure proper operation of the Protocol into specific Memorandum of Understanding with each and every stakeholder concerned.

In this respect, various sub-meetings of the Working Together Committee as well as Technical Working Sessions have been carried out with relevant stakeholders to determine the roles and responsibilities of each stakeholder.

As at date, all proposals discussed and agreed upon during the meetings and consultations are being incorporated in Memoranda of Understanding. I am pleased to inform the House that shortly MoUs will be signed between my Ministry and five stakeholders and these Memoranda of Understanding will constitute the basis for an effective working together mechanism to ensure that each stakeholder takes full responsibility and ownership and to be accountable for services falling under its purview with regard to child protection and development.

Mrs Ribot: Mr Speaker, Sir, I would like to know whether that committee has made any recommendation on child prostitution.

Mrs Martin: Mr Speaker, Sir, as I have explained, the Working Together Committee is trying to smoothen out all problems with regard to child protection, not only CSEC. What we have been trying to do is to try and see in what way the different institutions can work together and in doing so, CSEC also is taken on board.

Mrs Hanoomanjee: Can I know when and from where the Working Together Committee started its work and whether there has been at least one concrete proposal for a coordinated approach? Can the hon. Minister give us, at least, one concrete proposal which has materialised?

Mrs Martin: Well, I think the hon. Member would be pleased to know that the Working Together Committee has been set up in December 2010 and since then, as I have said in my answer, we have held several Working Together Committees, but, at the same time, we have held subcommittees with the different institutions. One of the concrete measures is the signing of a Memorandum of Understanding to smoothen out the problems between the different institutions. And all the different institutions with which we are signing up the different Memoranda of Understanding have agreed on a protocol of action.

Mrs Labelle: Mr Speaker, Sir, I think I heard the hon. Minister mentioning that the Memorandum of Understanding will be signed with five stakeholders. May the House be informed which are these stakeholders?

Mrs Martin: The five stakeholders with which we are signing the Memorandum of Understanding are as follows: the Prime Minister's Office, Civil Status Division, the Attorney General's Office, the Ministry of Education and Human Resources, the Ministry of Health and

Quality of Life and the National Children's Council. But then, I have to inform the hon. Member also that we have actually forwarded five other Memoranda of Understanding to five other stakeholders and those Memoranda have been vetted by the Attorney General's Office. We are just awaiting the response from the other stakeholders to be able to sign the five other Memoranda.

Mrs Ribot: I would like to know from the hon. Minister whether Ministries such as Social Security, Social Integration and Tourism are represented on that committee.

Mrs Martin: Yes, Mr Speaker, Sir.

Mr Jugnauth: The hon. Minister said in the past that there is urgency with regard to *les enfants des rues*. May I know if she has transmitted to the Chair of that Working Together Committee her concerns as a priority so that that committee would look into the matter urgently and come up with immediate measures?

Mrs Martin: Mr Speaker, Sir, I have said before that the Working Together Committee is working with the different stakeholders to try and smoothen out every aspect where the security and protection of the child is concerned. As regards *les enfants des rues* also, this is one problem which is actually taken up by the different institutions concerned in the Working Together Committee.

Mrs Ribot: I heard the hon. Minister saying that the Ministry of Tourism has a representative on that Committee. I would like to know from the hon. Minister whether the Ministry is going to sign a MoU with the Ministry of Tourism concerning mainly sexual tourism.

Mrs Martin: Mr Speaker, Sir, on the Working Together Committee, there are 15 institutions which are represented and, as I have said, five will be signing the Memorandum of Understanding. Five others have been given the Memorandum of Understanding so that they will forward to us their views so that we will be able to sign others. We are expecting the Ministry of Tourism to smoothen out all the processes in order to be able to sign a Memorandum of Understanding with the Working Together Committee, so that actions can be taken in favour of the children.

HOTELS - ALL-INCLUSIVE PACKAGE

(No. B/592) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Tourism and Leisure whether, in regard to the all-inclusive package practised by some hotels, he will -

- (a) for the benefit of the House, obtain from the Mauritius Tourism Promotion Authority, information as to if it is coming up with new guidelines in relation thereto, and
- (b) state whether a study has been carried out as to its financial and social implications and, if so, give details thereof.

Mr Yeung Sik Yuen: Mr Speaker Sir, as I indicated to the House in reply to Parliamentary Question B/268, the all-inclusive package is a fast growing customer trend in the tourism sector worldwide, to which destination Mauritius is inevitably exposed.

In the face of such a situation, it is desirable that measures be taken so as to, *inter alia* -

- (i) mitigate any adverse impact that the prevalence of this phenomenon may have on the socio-economic imperatives of the tourism industry;
- (ii) ensure the long-term sustainability of the industry;
- (iii) clarify the offer and differentiate the destination from its competitors offering such packages, and above all
- (iv) protect the quality image of Mauritius as a high-end tourist destination.

Mr Speaker Sir, with regard to part (a) of the question, I am informed that the Mauritius Tourism Promotion Authority (MTPA), is proposing to introduce guidelines to ensure that the facilities and level of service provided by our 5-star hotels offering all-inclusive packages are commensurate with our upmarket quality image. Research commissioned by the MTPA has, *inter alia*, highlighted that the all-inclusive packages offered by our 5-star hotels have negative impacts on the image of Mauritius as a high-end destination. Consultations have therefore been engaged and are ongoing with *AHRIM*, Tour Operators and relevant stakeholders of the industry to fine-tune the guidelines and determine their financial, social and practical implications and above all to enlist their support and commitment for the effective implementation of this project.

The House will appreciate that the overriding objective of the proposed guidelines is to nurture a national tourism culture with a well-defined set of responsibilities for a more

sustainable tourism industry, which paves the way for the ensuing economic benefits to be fairly spread among all stakeholders, including the local community.

Mr Speaker, Sir, concerning part (b) of the question, I am informed that for the usual market research regularly undertaken by industry stakeholders, no separate study has yet been carried out.

Mr Ramano: M. le président, est-ce que je peux savoir du ministre à quand remonte les dernières consultations avec les différents *stakeholders* et qui sont ceux qui ont eu le privilège d'avoir de telles consultations ?

Mr Yeung Sik Yuen: In fact, it is *l'HRIM*. We meet regularly. The last time was one week ago.

Mr Ramano: En ce qui concerne les tours opérateurs, les différents *stakeholders* du secteur ?

Mr Yeung Sik Yuen: In terms of tour operators, we met them in Paris.

Mr Guimbeau: Mr Speaker, Sir, can the hon. Minister tell us what is the budget allocated by the MTPA for the promotion of tourism outside Mauritius?

Mr Yeung Sik Yuen: Mr Speaker, Sir, we are talking about all-inclusive package; we are not talking about budget.

Mrs Radegonde: Mr Speaker, Sir, from my information, the Chairman of the MTPA has made a statement related to all-inclusive package. I am tabling a copy of the statement. Can the hon. Minister inform the House if the Chairman was mandated to make such a statement?

Mr Yeung Sik Yuen: Mr Speaker, Sir, in fact, the MTPA made a proposal. Consultations are now ongoing with all the stakeholders.

Mr Guimbeau: *Le budget de la MTPA est équivalent à plus ou moins 400 millions de roupies si je ne me trompe.* The taxpayers' money, Mr Speaker, Sir!

Mr Yeung Sik Yuen: Mr Speaker, Sir, the amount is Rs390 m.

Mr Guimbeau: Est-ce que c'est normal, M. le président ?

Mr Li Kwong Wing: Can the hon. Minister inform the House how many of the 5-star hotels practise all-inclusive package? Do all of them do that or are there any 5-star hotels which are against this practice?

Mr Yeung Sik Yuen: We have about six hotels offering all-inclusive packages in Mauritius. Well, we are sitting together right now to seek solutions in order to protect the image of Mauritius.

Mrs Radegonde: Mr Speaker, Sir, the hon. Minister just mentioned 'we made a proposal'. Can he be more specific? Who made the proposal? Is it the MTPA or the Tourism Authority?

Mr Yeung Sik Yuen: In fact, it is the MTPA. I gave this mandate to the MTPA to start negotiations with the stakeholders.

Mr Ramano: Dans sa réponse en date du 12 juin 2012, le ministre a affiché son ambition to *bring more tourists*. Avec les *guidelines* de la MTPA, ne sommes-nous pas en train de favoriser les grands groupes hôteliers aux dépens de soi-disant politique de la démocratisation de l'économie ?

Mr Yeung Sik Yuen: Not at all, Mr Speaker, Sir! We are doing our very best to attract more tourists, but also we have to continue to keep up the upmarket of the destination.

Mr Bérenger: The hon. Minister, when asked the names of the stakeholders in the hotel industry that have been consulted, he said AHRIM. Is the Minister aware that some of the 5-star hotels are not in AHRIM and are they being consulted?

Mr Yeung Sik Yuen: Yes, Mr Speaker, Sir.

Mr Bhagwan: Can the hon. Minister inform the House and the taxpayers whether he, as Minister of Tourism, and the Chairperson of the Mauritius Tourism Promotion Authority are on the same wavelength? From what we gather, that person is taking instructions elsewhere.

Mr Yeung Sik Yuen: Not at all, Mr Speaker, Sir! In fact, our main objective is to protect the destination image to a high end destination. That's all. It is time to put order in this industry, that's all.

Mr Guimbeau: M. le président, est-ce normal que les hôteliers qui bénéficient du budget de la MTPA alloué par l'État pour la promotion de ses hôtels pratiquent en retour le *all-inclusive* au détriment des autres opérateurs du secteur tels que les restaurants et les boutiques ? Aujourd'hui, nous sommes à créer un système de ghetto, M. le président.

Mr Yeung Sik Yuen: Mr Speaker, Sir, this is what we are doing. In this all-inclusive package that we are proposing, there will be outings for the tourists. They will have to go out. We will put criteria on quality. So, everybody will have a piece of cake from this package.

ANJALAY COOPEN STADIUM - REPAIRS

(No B/593) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Anjalay Coopen Stadium, he will state if officers of his Ministry have made any report on the bad state thereof and, if so, indicate the remedial actions taken, if any, as at to date.

Mr Ritoo: Mr Speaker, Sir, I have to inform the House that several major works have been carried out at Anjalay Coopen Stadium, among others -

- (i) levelling and turfing of football ground;
- (ii) refurbishment of electric works from main ground, that is, the fog lights;
- (iii) installation of a new water piping system for main ground and stands;
- (iv) upgrading of metal gates around stadium, and
- (v) provision of lighting facilities on the training ground.

Furthermore, in the context of the ongoing exercise of upgrading sports infrastructures, the officer-in-charge of the stadium was invited to submit a report on additional upgrading works that have to be effected at the stadium to enable the planning of expenditure to be incurred. On receipt of the report, officers of my Ministry along with those of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping as well as those from the Electrical Services Division of the Ministry of Energy and Public Utilities carried out site visits to assess the scope of works to be carried out at the stadium in accordance with the usual practice.

MPI and ESD submitted the cost estimates of the civil and electrical works that have to be carried out as well as the respective bidding documents.

On the basis of the documents received, my Ministry initiated action for the tender exercise. Accordingly, tenders for renovation and upgrading civil works at the stadium and the refurbishment of the stadium (electrical works) were launched on 19 September 2012 and 28 September 2012 respectively. The closing date for submission of bids in respect of tenders launched was yesterday, that is, 22 October 2012 and that of electrical work is on 29 October 2012.

Upgrading works will start on allocation of the contract to the successful bidder.

Mr Speaker, Sir, I also wish to point out that the stadium is more than 20 years old and due to wear and tear, there is need for periodic upgrading works.

Mr Quirin: Le ministre peut-il nous expliquer comment ce stade qui a été rénové à coups de millions il y a à peine deux années se retrouve aujourd'hui dans un si piteux état que ce soit en ce qui concerne les toilettes, les vestiaires, les gradins, les caméras de surveillance, les bureaux, l'*electronic scoreboard*, les structures du bâtiment et les portes.

Mr Ritoo: M. le président, le stade a été rénové en 2009. Ce qui a été rénové c'est surtout la pelouse dans le contexte de la coupe du monde. On avait fait les toilettes et aussi les lumières. Donc, c'est après 2009 qu'on a fait les rénovations. *It is an ongoing exercise in all our sports infrastructure.*

Mr Bérenger: Can I ask the hon. Minister how much was spent in 2009 to renovate the stadium and what amount of funds - because I heard him say that works are going to start as soon as the tenders would be awarded - are available this financial year to start those works?

Mr Ritoo: The amount of money that was spent for the levelling, refurbishment, installation of water piping and metal gates and lighting facilities, was Rs22 m. in 2009-2010. Actually, the works that are going to be carried out are the renovation/upgrading works, the refurbishment of the stadium, the electric works, painting and replacement of the seats and this will amount to Rs40 m. Part of the funding is already available in the current Budget and the remaining amount is from the next Budget.

Mr Lesjongard: May I ask the hon. Minister if he is stating that this much money has been spent with regard to renovation works, how often is that stadium being used for competition?

Mr Ritoo: The stadium is put at the disposal of the Mauritius Football Association which organises the competition and all the games.

Mr Quirin: Le ministre compte-t-il mettre en place un comité de gestion comme préconisé dans le *Sports Act*, car actuellement, il est clair que son ministère n'est pas en conformité avec sa propre loi?

Mr Ritoo: Mr Speaker, Sir, we have a Maintenance and Infrastructure Unit at the level of my Ministry and it is doing the works.

Mr Jhugroo: Can we know from the hon. Minister when was the last football match played there and how many people attended the football match?

Mr Ritoo: I don't count the spectators, but the football match was played last week.

MAURITIUS FOOTBALL ASSOCIATION - CLUB M - DIRECTOR

(No. B/594) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the Club M, he will, for the benefit of the House, obtain from the Mauritius Football Association, information as to if a Director therefor has recently been appointed and, if so, indicate the name of the incumbent and his terms and conditions of appointment.

Mr Ritoo: Mr Speaker, Sir, I have been informed that on 18 July 2012, the Board of the Mauritius Football Association (MFA) met one Mr P. A. and decided to enlist his support to raise funds for the financing of the Premier League. It also decided to consult him on modalities to revamp the Club M.

I am also informed that around mid September, the MFA appointed Mr P. A. as Director General of Club M. However, no formal contract has been signed between Mr P. A. and the Federation and I have to stress on the fact that my Ministry was neither informed nor consulted on this matter.

Mr Bérenger: Is the Minister aware that this person - I have copies of different press articles: in 2006, Belgique: « *L'agent des joueurs P. A. placé sous mandat d'arrêt pour une affaire de corruption qui empoisonne le championnat de Belgique.* » This is in a publication called 'Football 365'. Is the Minister aware that in 2006, le même sieur: "*Le juge d'instruction Dumonceaux a inculpé P. A. de faillite frauduleuse*". And I could go on like that, Mr Speaker, Sir. In 2009, here, in Mauritius, statements were given *pour harcèlement sexuel en octobre, pour attentat à la pudeur*. Is the Minister aware and can I know who recommended that gentleman to the MFA?

Mr Ritoo: Mr Speaker, Sir, the Leader of the Opposition should know very well that federations are *autonomes*. I don't deal with the day-to-day affairs of the federations. Les fédérations sont autonomes. Elle a décidé unilatéralement de nommer Monsieur P. A., que je ne connais pas, j'apprends à travers les journaux qu'il a de tels problèmes.

(Interruptions)

Cela a été décidé. Nul n'a remarqué que le ministère a cautionné cette démarche. Donc, l'honorable membre et le *Leader* de l'Opposition savent très bien que les fédérations sont autonomes. Elle a décidé de le nommer...

(Interruptions)

En tout cas, ce n'est pas le ministère. Il est venu à la fédération avec de gros documents disant qu'il va récolter beaucoup d'argent.

(Interruptions)

I will take the matter with the federation.

Mr Quirin: M. le président, le ministre veut-il nous faire croire que M. Allatta a été choisi par la MFA sans qu'il ait au préalable donné son accord ?

Mr Ritoo: Encore une fois, M. le président, l'honorable membre connaît très bien les transactions au niveau des fédérations. Il a lui-même l'habitude de me dire de ne pas m'ingérer dans les affaires internes. La Fédération a décidé de nommer Monsieur P. A. et, nous, au niveau du ministère, allons maintenant demander une explication à la Fédération.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister whether Mr P. A. has a Mauritian nationality?

Mr Ritoo: I am not aware if he has got a Mauritian nationality.

Mr Bérenger: Now that the hon. Minister is aware - *c'est une question de la réputation de Maurice* - will he take that to the Prime Minister himself? The Police must come in and the Minister of Foreign Affairs. We must know whether he is entitled to stay in Mauritius, for the good of our image; we take this kind of crook to collect money for our National Football Association?

Mr Ritoo: I am made to understand that he is not actually in Mauritius. Obviously, we are going now to have an enquiry regarding this Mr P. A. I was myself surprised to know that he is going to get funds to have football players in Mauritius, but, again, I say it was the decision of the federation and we are going now to enquire about this issue.

Mr Jhugroo: Mr Speaker, Sir, *est-ce qu'il y a une correspondance entre la MFA et le ministère concernant le recrutement de ce fameux monsieur et, si oui, can the hon. Minister table a copy?*

Mr Ritoo: We do not have any such correspondence, Mr Speaker, Sir.

Mr Quirin: Malgré ce que vient de dire l'honorable ministre des sports, je confirme qu'il y a un courrier qui a été remis par la MFA à M. Allatta et dans ce courrier il est précisé que cette nomination est faite selon les recommandations du ministère de la jeunesse et des sports.

Mr Ritoo: M. le président, je demande à l'honorable membre s'il peut déposer ces documents, parce qu'en tout cas, moi, j'ai une correspondance entre la Fédération mauricienne du football...

(Interruptions)

L'honorable membre ne connaît pas. Je vais éclaircir sa mémoire.

(Interruptions)

L'honorable membre ne connaît absolument rien ; il prend les articles des journaux et il vient ici. L'honorable membre ne connaît pas qu'il y a une correspondance entre la Fédération mauricienne du football et M. Allatta, mais pas avec le ministère.

Mr Quirin: Avec votre permission, M. le président, j'ai lu la lettre, mais je vais déposer cette lettre à la prochaine séance.

(Interruptions)

Mr Speaker: Order! Order, please!

(Interruptions)

Order, please! The hon. Member may proceed with his question.

Mr Baloomoody: Mr Speaker, Sir, according to my information, this gentleman does not have a Mauritian nationality and he is doing the needful to get the appropriate work permit to operate in Mauritius. May I ask the hon. Minister, now that he is aware of the very bad character of this 'gentleman', whether he will inform the appropriate Authority, be it the Board of Investment, the Passport and Immigration Office or the Ministry of Labour to ensure that this gentleman does not get any residence permit and work permit to work in Mauritius?

Mr Ritoo: I take note, Sir.

Mr Bérenger: Can I table the press article which I referred to *pour l'information du ministre*.

Mr Speaker: The Table has been advised that PQ No. B/595 has been withdrawn. So, we move on to PQ No. B/596.

PLAZA MUNICIPAL THEATRE – UPGRADING

(No. B/595) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the upgrading of the Plaza Municipal Theatre, he will, for the benefit of the House, obtain from the Municipal Council of Beau Bassin/Rose Hill, information as to –

- (a) if funds from the Ministry of Finance and Economic Development have been obtained therefor, and
- (b) where matters stand.

(Withdrawn)

LAVIMS PROJECT – CONTRACT

(No. B/596) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Housing and Lands whether, in regard to the Land Administration, Valuation and Information Management System project, he will state –

- (a) the terms of reference thereof;
- (b) when same was initiated;
- (c) the name of the contractor therefor;
- (d) the contract value thereof, and
- (e) where matters stand as to the implementation thereof.

Dr. Kasenally: Mr Speaker, Sir, the Land Administration, Valuation and Information Management System project commonly known as LAVIMS project, aims at modernising the land administration management system in the Republic of Mauritius.

The three major components of the LAVIMS project are: a Property Valuation; a digital Cadastre; and a parcel-based Deeds Registration System, integrated and supported by an appropriate Information Management System (IMS).

It will thus ensure efficiency, security, reliability and transparency of the land management process.

With regard to part (a) of the question, I assume that the hon. Member is referring to the terms of reference in respect of the contract for the LAVIMS project. The main terms of reference are –

- to be solely responsible for the delivery of the project and all its outcomes;
- to formulate the project design and scheduling;
- to manage the project and report to the Steering Committee;

- to supply the necessary software and hardware;
- to collect data and ensure storage and security thereof;
- to load spatial data into shared Geographical Information System (GIS) that is capable of being web enabled;
- to develop a public communication strategy, in conjunction with the LAVIMS Steering Committee;
- to develop quality assurance procedures in collaboration with the LAVIMS Steering Committee;
- to assist in the identification of legislative changes necessary to support the conduct of the LAVIMS Project and implementation of its outcomes;
- to prepare workflow and assist in business process reengineering to obtain efficiencies from the new system;
- to provide training and capacity building to relevant LAVIMS agency staff to enable them to take over operational responsibility of the system, and
- to prepare the project implementation strategy and work plan schedule.

Mr Speaker, Sir, as regards parts (b) and (c) of the question, the preliminary studies of the LAVIMS project were initiated in 2005 and the contract was awarded in December 2008 to Infoterra Ltd after tenders were launched in 2007. Works actually started on 14 January 2009.

Regarding part (d) of the question, the initial contract value of the project was US\$18,285,000 inclusive of VAT. However, due to factors outside my Ministry's control, there was a need for variations to the contract relating to an increase in the number of properties to be surveyed for valuation purposes, the enhancement of the security access to the Parcel Based Deed Registration System and the purchase of three additional oracles. The contract value has therefore been revised to US\$20,451,893.65 inclusive of VAT after obtention of the necessary approval. So far an amount of US\$18,846,239.67 has been paid to Infoterra Ltd.

Regarding the last part of the question, the Cadastre Module has been completed and is operational since 01 July 2011. As regards the Deeds module, the Parcel Based Registration System is operational since 11 November 2011.

Concerning the Valuation Module, the IT infrastructure and network component has been completed and is operational since 16 December 2011. As regards the valuation roll component, I am informed by the Ministry of Finance and Economic Development that the land model of the

fiscal cadastre based on Computer Assisted Mass Appraisal system (CAMA) was delivered in November 2011. However, after completion of the User Acceptance Test in mid February 2012, it was found that certain values generated through the modelling did not reflect market realities mainly due to the absence of sufficient sales comparatives data. Discussions have been held by the Ministry of Finance and Economic Development with Infoterra Ltd with a view to finding a solution to the situation.

An implementation plan has been prepared for the completion of this component and is being closely monitored by the Ministry of Finance and Economic Development. It is expected that this component will be completed by the end of December 2012.

Furthermore, I am pleased to inform the House that my Ministry participated in the competition of the African Association for Public Administration and Management (AAPAM) Award for innovative management this year. In this respect, my Ministry has submitted a paper entitled "Setting up of a Modern Land Administration and Management System for Mauritius, Ministry of Housing and Lands". I am informed that out of 48 submissions, the submission of my Ministry has been selected as one of the five finalists. At this stage, we are already winner of a trophy.

Mr Seeruttun: Mr Speaker, Sir, with regard to the collection of data to come up with that project, will the hon. Minister inform the House in which period was that survey carried out and who did that survey?

Dr. Kasenally: I can't give the hon. Member the precise date, but I have already indicated the span of time. The data has been collected by officers of my Ministry, and helped by certain private contractors.

Mr Seeruttun: Will the hon. Minister inform the House whether that survey was 100% survey carried out for the whole island or was it a sample survey?

Dr. Kasenally: This was carried out virtually all over the island. It is not a sample because this is going to give us precise information. And also Infoterra Ltd. used other methods to do it like airplanes, sophisticated equipment.

Mr Bérenger: Can I know from the hon. Minister whether his Ministry is satisfied with the performance of the contractor to date?

Dr. Kasenally: Of course, there have been problems with the contractor and there are ongoing discussions. My Ministry has given strict instructions to officers of my Ministry to

ensure that we get value for money. There have been conflicts but we have tried to resolve them. It is very important that a contract of such a value be monitored very carefully.

Mr Bérenger: Can I know from the hon. Minister whether the project includes Rodrigues, and, if yes, what is the involvement of the Rodrigues Regional Assembly?

Dr. Kasenally: Currently it is not, but we are hoping to include Rodrigues. Actually, my Ministry is working in conjunction with the Ministry for Rodrigues to set up a proper cadastre for Rodrigues.

Mr Lesjongard: Mr Speaker, Sir, we understand from the hon. Minister that this project is running late by one year, and there is an increase in cost of the order of almost 2 million USD. Can we ask the hon. Minister whether this is due to a lack of supervision?

Dr. Kasenally: If the hon. Member had listened to exactly what I have said, I put it very clearly that there has been a variation because we have found that there are more properties to be surveyed, and, therefore ...

(Interruptions)

It is my duty to reply to the hon. Member, and it is also his duty to listen to what I am saying.

(Interruptions)

Mr Speaker: Please address the Chair!

Dr. Kasenally: I have already clearly indicated to the hon. Member, Mr Speaker, Sir.

Mr Speaker: I invite the hon. Member not to interrupt the hon. Minister.

(Interruptions)

Dr. Kasenally: I should not talk? Therefore, I sit down.

Mr Speaker: The Minister may proceed.

Dr. Kasenally: Mr Speaker, Sir, I have already explained that this is very complex and every increase or variation has been thoroughly vetted and we go to the CPB. It is not a question we are dishing out money right, left and centre.

Mr Bérenger: Coming back to the question which I put, Mr Speaker, Sir, I have asked the hon. Minister whether Rodrigues is included and, if yes, how is the Rodrigues Regional Assembly involved? The reply is: Rodrigues is not yet involved. But the hon. Minister added that his Ministry and the Ministry for Rodrigues are working on this.

Dr. Kasenally: No. Sorry, my Ministry and the Regional Assembly. In fact, we have been there, I headed a delegation and we went and looked at all the problems. We have had people from Rodrigues coming up and we are going there and try to set up a proper cadastre with the Regional Assembly.

NATIONAL IDENTITY CARD (NEW) - INTRODUCTION

(No. B/597) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Information and Communication Technology whether, in regard to the project for the introduction of a new national identity card, he will state where matters stand.

Mr Pillay Chedumbrum: Mr Speaker, Sir, on 08 October 2010, Government decided to secure advisory services of Singapore Cooperation Enterprise (SCE), an entity of the Government of Singapore for the Mauritius National Identity Card project.

This advisory services exercise started on 06 December 2010. A final report was submitted to Government in March 2011. The Steering Committee appointed to monitor the implementation of the project examined the report and made a number of observations thereon. Supplementary reports were subsequently submitted on 20th May 2011 and 07 June 2011.

In July 2011, Government approved that the MNIC project be implemented within a Government to Government configuration with Singapore.

Mr Speaker, Sir, extensive consultations were held between the Government of Singapore represented by the Singapore Cooperation Enterprise and the Government of Mauritius represented by the relevant Ministries and Departments (PMO, Ministry of Social Security, Ministry of Finance and Economic Development, Civil Status Division and Forensic Science Laboratory).

Consultations were also held with private sector representatives (Joint Economic Council, Mauritius Bankers Association and MCCI).

The Contract Agreement for the implementation of the MNIC project was signed on 17 October 2012 between the Senior Chief Executive of the Prime Minister's Office and the Chief Executive Officer of the Singapore Cooperation Enterprise.

The kick-off of the project is scheduled for 01 November 2012. The first ID card is expected to be issued by October 2013 and the whole exercise to be completed by December 2014.

Mr Seeruttun: Mr Speaker, Sir, will the hon. Minister inform the House what has been the motivation to go for a G to G contract despite the fact that we have local suppliers who could have undertaken that project?

Mr Pillay Chedumbrum: Mr Speaker, Sir, why we have taken that option, it is because we are in the process of modernising our system. In the process of issuing the new ID card, we have chosen to go with Singapore because of national security. Government issued a General Notice 2359 in 2008 which specifically provides that the procurement of the system to produce the cards as well as the cards themselves be undertaken outside the provision of the Public Procurement Act. Being given that we could not rely on the database which we had at that time to start the project, the more so as the database was not *fiable* at all and that is why we have to start anew and to see in what manner we can, as quick as possible, because it is a longstanding case and since a long time we wanted to implement the project. 1995-2000, 2000-2005, 2005-2010, and now it becomes urgent.

Mr Speaker, Sir, section 3(1)(a) of the Public Procurement Act caters for procurement outside the Public Procurement Act on grounds of national security. And that is why we opted for that to proceed by that means.

Mr Bérenger: Can I ask the hon. Minister whether he is prepared to lay, urgently, in the Library of the National Assembly, a copy of that agreement which he has just referred to, signed between the Prime Minister's Office and Singapore Enterprise?

Mr Pillay Chedumbrum: Mr Speaker, Sir, I do not have the copy with me. I am going to look into it and do the needful.

Mr Bérenger: Can I remind the hon. Minister that half a dozen of times he has replied to questions from me: 'Yes, I will circulate'. And then he disappears. This is an urgent matter.

Mr Pillay Chedumbrum: Mr Speaker, Sir, this is a matter which concerns national security.

(Interruptions)

L'honorable membre m'a posé une question, laissez-moi répondre !

Mr Speaker, Sir, in fact, this is an issue which concerns national security. That is why my Ministry is working, together with the PMO, towards implementation of the project. I will have to consult the PMO and, of course, after agreement I am going to communicate the copy to the Library of the National Assembly. But one thing which I would like to reassure the hon. Leader

of the Opposition is that every time that I have been asked to table documents, all the documents have been tabled. Maybe they have not been tabled on the same day, but in the course of the week they have already been communicated.

(Interruptions)

Mr Guimbeau: Can the hon. Minister give us an idea of a Government to Government contract value because I do not think that this is a security issue.

Mr Pillay Chedumbrum: But the hon. Member does not have to mention it because the cost of the project, Mr Speaker, Sir, is 44,326,139 Singapore dollars which makes around Rs1.1 billion.

Mr Jugnauth: May I know from the hon. Minister what are the issues that pertain to the national security?

Mr Pillay Chedumbrum: The hon. Member must take notice of same. He knows what it is and I am not going to do his education right now.

(Interruptions)

Mr Uteem: Mr Speaker, Sir, being given that we are talking about a contract of Rs1.1 billion, may I know from the hon. Minister whether before giving a contract to a Singapore enterprise, his Ministry has carried out a survey worldwide to ascertain whether the best technology for such card today is in Singapore or Europe or the United States?

(Interruptions)

Mr Pillay Chedumbrum: Can I answer the question, Mr Speaker, Sir?

Mr Speaker: Please answer!

Mr Pillay Chedumbrum: Why Singapore? Mr Speaker, Sir, Singapore is known to be a world leader in the achievement of efficiency and productivity gains through the extensive use of ICT. According to the World Bank, Singapore is the easiest place in the world to do business.

(Interruptions)

It is the world fourth....

(Interruptions)

It is the world fourth leading financial centre and it ranked third in the world in 2010 for GDP *per capita*.

(Interruptions)

Singapore Government is already involved in the trade net and e-Judiciary project in Mauritius. Singapore has implemented many e-government and e-solutions across the world, namely, Saudi Arabia, India, Canada and Philippines. Establishment of the improved MNIS will put Mauritius at the forefront of African nations that have a 21st century National Identity Scheme that provides state-of-the-art ID cards, first class ID infrastructure and practices that improve delivery of public services and on-line identity for citizens. Those reasons, Mr Speaker, Sir, bring us together to channel that process through the G to G agreement with Singapore.

Mr Speaker: Time is over!

MOTION

SUSPENSION OF S.O. 10 (2)

The Prime Minister: Mr 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.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

PUBLIC BILLS

First Reading

On motion made and seconded the following Bills were read a first time -

- (a) The Affidavits of Prescription Act (Suspension of Certain Provisions) Bill (No. XXV of 2012)
- (b) The Asset Recovery (Amendment) Bill (No. XXIV of 2012)

At 4.24 p.m. the sitting was suspended.

On resuming at 5.09 p.m. with Mr Speaker in the Chair.

Second Reading

THE AFFIDAVITS OF PRESCRIPTION ACT (SUSPENSION OF CERTAIN PROVISIONS) BILL (NO. XXV OF 2012)

Order for Second Reading read.

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I move that the Affidavits of Prescription Act (Suspension of Certain Provisions) Bill (No. XXV of 2012) be read a second time.

Mr Speaker, Sir, as Members of the House will recall, the Commission of Enquiry on the System of Acquisitive Prescription was issued by the then Acting President of the Republic on

21 May of this year, to enquire and report on whether the system of Acquisitive Prescription gives rise or has given rise to any malpractice or wrongdoing, or causes or has caused undue hardship or prejudice to the public. As per its terms of reference, the Commission of Enquiry is also to report on such changes, including statutory amendments, as may be necessary to better safeguard the interest of the public at large.

Mr Speaker, Sir, I am given to understand that the Commission of Enquiry has had preliminary meetings with various persons and institutions involved with the prescription of lands, namely: Attorneys, Notaries, Barristers, the Registrar-General/Conservator of Mortgages, the Curator of Vacant Estates and the Ministry of Housing and Lands, and it has, since its first sitting on 06 August 2012, been hearing professionals and representatives of various institutions concerned directly or indirectly with the prescription issue, including members of the public.

However, Mr Speaker, Sir, it is with great concern that I have to inform the House of certain matters which have been brought to the attention of Government by the Commission of Enquiry, in one of its correspondences, and which are as follows –

Firstly, under our law, as it presently stands - i.e. the Affidavits of Prescription Act which dates back to 1958 - it is extremely easy to prescribe an immoveable property. Indeed, 2 persons simply have to swear an affidavit stating that a party has occupied a land for more than 30 years, following which the affidavit is deposited at the office of the Registrar-General, together with a memorandum of survey, and the publications are then made in the Government Gazette as well as two daily newspapers. Thereafter, if there is no objection within a period of 3 months of the last publication, the affidavit of prescription is transcribed and the person concerned is deemed to be the owner of the land.

Secondly, the 2 persons swearing the affidavit usually do not know the exact location of the land and sometimes they do not even know the applicant.

Thirdly, most of the persons whose land is being prescribed do not have access to the Government Gazette or the daily newspapers where the publications are made.

Fourthly, in many cases, the memorandum of survey drawn up by a Sworn Land Surveyor contains important irregularities such as fake Land Survey number, inappropriate boundaries and fake neighbours' particulars.

Mr Speaker, Sir, another major cause for concern is that the Commission of Enquiry has further noted a considerable increase in the number of applications for prescription in daily newspapers since its setting up. Consequently, the Commission of Enquiry has requested that, pending its recommendations and any amendment to the law, and with a view to protecting the public against possible fraudulent prescriptions, certain provisions of the Affidavits of Prescription Act (“the Act”) be suspended so that no application for the transcription of an affidavit of prescription can be made to the Conservator of Mortgages – which explains why the present piece of legislation is before this House today.

This Bill, therefore, Mr Speaker, Sir, seeks to suspend certain provisions of the Act so that, pending the recommendations of the Commission of Enquiry and any amendment made to the law as a consequence, no application for the transcription of an affidavit of prescription can be made to the Conservator of Mortgages. It is to be noted that the Bill also makes provision for applications for transcription of an affidavit of prescription that are pending on the Bill becoming law.

Insofar as the different provisions of the Bill are concerned, Mr Speaker, Sir, Clause 3(1) of the Bill accordingly suspends –

- firstly, section 3 of the Act - which provides for the conditions for the transcription of affidavits of prescription;
- secondly, section 4 - which deals with applications for the transcription of affidavits of prescription;
- thirdly, sections 6 to 9 - which respectively deal with objections to the transcription of affidavits of prescription, disposal of such objections, prohibition of transcription of affidavits of prescription, and
- finally, the Schedules to the Act.

However, Mr Speaker, Sir, I would here like to point out that, under clause 3(2) of the Bill, where, on or after 23 July 2012 but before the commencement of the Affidavits of Prescription Act (Suspension of Certain Provisions) Act 2012, notice of any application for the transcription of an affidavit of prescription has been published in accordance with the Act, an objection to the transcription of such affidavit of prescription may be made in the manner specified in section 6(1) of the Act by any person claiming to have an interest in the immovable property in respect of which the affidavit of prescription was sworn, within 6 months, or such

longer period not exceeding 12 months as may be prescribed by the Attorney General, of the commencement of the Affidavits of Prescription Act (Suspension of Certain Provisions) Act 2012.

As regards applications for transcription made before 23 July 2012, Mr Speaker, Sir, the affidavit of prescription shall be transcribed in accordance with section 9(1) of the Act, where no objection has been received by the Conservator of Mortgages on a commencement of this Act (Suspension of Certain Provisions). In the case where an objection was received by the Conservator of Mortgages within 3 months of the last publication of the notice under section 4(3) of the Act, the objection shall be dealt with in accordance with section 7 of the Act.

Consequently, by virtue of Clause 4 of the Bill, the Affidavits of Prescription Act (Suspension of Certain Provisions) Act 2012 shall, on being passed, be deemed to have come into operation on 23 October 2012.

Mr Speaker, Sir, I have absolutely no doubt that Members of the House will agree that, in the light of the observations of the Commission of Enquiry and the increasing number of applications for the transcription of affidavits, it is most imperative that the above provisions of the Act be suspended for the protection, and in the interest, of the public at large in order to ensure that the property rights of individuals of this country, as guaranteed by our Constitution, are not violated or interfered with.

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

Dr. A. Boolell rose and seconded.

(5.09 p.m.)

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Mr Speaker, Sir, the main object of this Bill is to suspend certain provisions of the Affidavit of Prescription Act when it comes to prescription and this pending the recommendations of a Commission of Enquiry which the Government has set up and which is chaired by a Senior Magistrate to look into the issue of prescription in this country, and I am sure in Rodrigues as well.

Mr Speaker, Sir, the preliminary remark made by the hon. Attorney General, gives us some concern with regard to that issue of prescription. At the outset, he comes and tells this House that there is an urgency - which we agree - to suspend certain provisions, because first, there are many applications and there are many fake applications, and this is very serious. If the

Commission of Enquiry, on the face of the record, comes to the conclusion that there have been fake applications for prescription, the matter should be referred to the DPP for enquiry. Because, we are talking about criminal offence, swearing false affidavit and misconduct by professionals, whoever that may be; *l'arpenteur*, attorneys or even barristers, if need be, giving instructions to swear false affidavits; swearing false affidavits; probably disciplinary actions against certain professionals. That Commission of Enquiry must go that far and, if need be, we have to amend the law as we are amending today to suspend further prescription by registration, by affidavits, we should do it.

We, on this side of the House, will support whatever action Government will take to ensure that no illegal transaction takes place in this and more especially when it comes to stealing lands and properties of others. So, I will invite Government and that Commission to make, if need be, a preliminary report. We don't have to wait for the final report, but make a preliminary recommendation to Government and see wherever action has to be taken against professionals or people who have sworn false affidavits. We should do it now.

Mr Speaker, Sir, this law comes and suspends only the procedure with regard to the registration of affidavits, and you know very well, Mr Speaker, Sir, you have been at the Bar for long enough to know that this issue of prescription is governed by the *Code Civil*. The prescription itself, the affidavit itself, does not give you a right to property and it does not make you the owner. You have to show that you have occupied the land for 30 years *au vu et au su de tout le monde, in bona fide* and all these. Now, we are suspending the procedure with regard to affidavit. We are not suspending the application one can make under the Civil Code to the Supreme Court for a declaration of ownership, because now, one can always go and apply to the Supreme Court under the Civil Code and tell the Supreme Court to order that I am the owner because I have been on that land for so many years - full occupation - and this judgement will be transcribed tomorrow. Once it is transcribed, I become the owner of that plot of land. This law does not prevent this.

As we are talking of Commission of Enquiry following the Truth and Justice Commission, there were two committees which were set up: one for the issue of prescription and the other one for the issue of sale by levy. My question to Government is: why are we not taking action with regard to sale by levy? There are certain cases, especially cases where the property is being sold *à la barre*, is the sole property of the individual and it is his residence. At least on

this one, Government could have taken certain action to suspend, because we know in certain cases there has been abuse by the lender, be it a private lender or in certain cases even the bank.

So, I will invite Government to come and tell us today why we are not taking the same action as we are taking for prescription with regard to sale by levy when there are, in fact, two Commissions sitting and both presided by Senior Magistrates, but in one case we are suspending certain issues and in the other one we are not taking any action. So, at least, I say not in all cases because this can be a block to commercial development or for bank to lend money, but in certain cases especially if the sole property of the bankrupt person, the debtor, is his residence. So, on this issue, I will ask Government to take whatever precautionary action we can take - immediate action - at least to preserve the sale of this property. The more so that we know what the problem we were having at the Master's Court every Thursday. I am sure you must have heard about it. Last Thursday, the Master and the Registrar had to call in the Police, because there are gangs now operating at the Master's Court, bouncers coming down there. So, there are certain serious issues which have to be looked into. I will invite Government to look on the side of the Master's Court, especially the sale by levy days on Thursday at 1.30 p.m. and take whatever action we can to preserve the property of those whose only property is going at the *barre*.

Thank you, Mr Speaker, Sir.

(5.16 p.m.)

Mr J. F. François (Third Member for Rodrigues): Mr Speaker, Sir, I thank you for giving me the opportunity to contribute to this debate. As we are back to business in this august Assembly, allow me to thank hon. Baloomoody who just intervened before me and the hon. Attorney General for the Affidavits of Prescription Act (Suspension of Certain Provisions) Bill (No. XXV of 2012).

I seize this opportunity to contribute very briefly on this Bill being given there is a Commission of Enquiry on prescription actually going on, on that subject matter.

One will agree with me that the economic and social structures of our country are directly influenced by ownership of immovable property.

Mr Speaker, Sir, the ownership of immovable property and land needs a clear legal definition of who are the owners and occupiers of that property as well as the conveyance of the property.

Today, our Republic is facing quite a serious dilemma on that issue together with the issue just raised by hon. Baloomoody: sale by levy.

Mr Speaker, Sir, having said so, I welcome the Affidavits of Prescription Act (Suspension of Certain Provisions) Bill.

I note that Cabinet decision agreement and assent by the President for the setting up of a Commission of Enquiry on prescription with Mrs Laulloo as Chairperson, two assessors, namely Mr Lassémillante and Mr Unnuth.

It is clear that the suspension of certain provisions of the Act ascribes to the expected outcomes of the Terms of Reference of the Commission, as specified which is to –

“(a) inquire and report on whether the system of acquisitive prescription -

- (i) gives rise or has given rise to any malpractice or wrongdoing;
- (ii) causes or has caused undue hardship or prejudice to the public.”

And so on.

Mr Speaker, Sir, on the same line, I also refer to the report of the Truth and Justice Commission with particular attention to Rodrigues, where it is suggested, amongst others, I quote -

“To amend the Second Schedule of the Affidavits of Prescription Act to include information on the searches made by a Surveyor relating to the last known owner of the land being prescribed.

That no notice of affidavit of prescription should be transcribed if one of the adjoining owners is unknown. Thus, no prejudice could be caused if every endeavour is made to find its owner, or at least, its occupier.”

Mr Speaker, Sir, this present Bill goes perfectly in line with the provisions of the recommendations of the Truth and Justice Commission which led to the setting up of the Commission of Enquiry as mentioned earlier.

Et là, M. le président, je suis ravi d'apprendre que la *Commission of Enquiry on Prescription* est actuellement en mission à Rodrigues avec une forte délégation pour écouter le peuple de Rodrigues, et prendre connaissance des plaintes et maldonnées liées à la prescription des propriétés foncières.

Il est à noter que quand même que les désordres se multiplient et s'aggravent dans les transactions des terres privées, surtout avec pas mal d'étrangers qui débarquent à Rodrigues.

On note des cas de mariage blanc que pour l'obtention d'un permis résidentiel ou naturalisation pour ensuite avoir la possibilité de jouir de certaines facilités vu les faiblesses de nos lois, y compris *the Affidavits of Prescription Act*.

M. le président, permettez-moi, ici, de faire un sérieux appel au bureau du Premier ministre d'être vraiment vigilant et si nécessaire de revoir les procédures dans ce sens. Le comportement de certains aussi laisse à désirer et se croient que tout est permis après s'être marié à une Mauricienne ou Rodriguaise. Est-ce que le bureau du Premier Ministre est au courant de ce qui se passe vraiment à cet effet ? Il y a des étrangers courtiers, qui encouragent des amis à venir acheter des lopins de terre 'pour du pain du beurre' et construire des bungalows sans que l'État se soucie des dangers que cause une telle situation. Les terres sont sujettes à des litiges d'interprétations des titres de propriété, surtout les terres des concessions des propriétaires incommutables. Il y a une mentalité de désordre ou laissez-faire qui s'installe dans le pays. Je me réfère à un cas, d'un morcellement à St François, Rodrigues, jamais légiféré mais, aujourd'hui, les portions de terres ont été complètement vendues, pourquoi et comment ? Est-ce que toutes les provisions de l'*Affidavits of Prescription Act* ont été respectées ?

M. le président, la Commission doit pouvoir faire la lumière sur les litiges qui existent du fait que de nombreux héritiers usurpent les droits des familles par rapport à la subdivision des terres. Il y a des conflits par des achats en bonne et due forme, mais sujettes à des pressions d'annulation par des affidavits. Le souci principal reste la fraude massive par rapport à la signature du sous-seing privé *as mentioned by the hon. Attorney General by two persons only* et aussi les imprécisions réelles ou même malicieuses des notaires ou arpenteurs, contraire à la section 3 de l'*Affidavits of Prescription Act*.

Mr Speaker, Sir, this Bill also, I hope, will force a review of the *Code Napoléon* and the *Code Civil Mauricien* with regard to relevant provision for the period of 30 years for prescription.

C'est trop facile de préparer une déclaration prescriptive concernant une portion de terrain occupée par Monsieur X ou Y, avec des procès-verbaux d'arpentage, y compris la valeur du dit terrain, bien souvent sans comparaison avec des chiffres avoisinants, mais ne sont que des valeurs difficiles à être justifiées.

Mr Speaker, Sir, section 3 of the Affidavits of Prescription Act, conditions for the transcriptions of the affidavit as circulated, stipulates a very important section –

“Notwithstanding any other enactment, no affidavit of prescription shall be transcribed in the registers kept by the Conservator -

- (c) until after the expiry of 3 months from the date of the last publication of the notice required under section (4) (2).”

Section 4(2) reads as follows –

“That Notice of the application shall be published once in the *Gazette* and on 3 consecutive days in 2 daily newspapers in Mauritius, of which one at least shall be approved by the Conservator”

Mr Speaker, Sir, this is where as a matter of ignorance that true owner most of the time fails to object under section 6 of the main Act to the transcription of the published affidavit. Why? M. le président, parce que les propriétaires sont piégés par des fraudes liées à la publication camouflée dans des journaux. C’est un fait que pas tout le monde qui a une culture de lecture ou sait lire. C’est bien souvent quand un acquéreur commence à développer son terrain que le propriétaire prend conscience que son terrain ne l’appartient pas. Ici, je propose que tout amendement à venir considère la diffusion des publicités sur les ondes des radios par rapport à cette section de la loi.

M. le président, à Rodrigues, je note l’effort du gouvernement régional pour régulariser les problèmes fonciers. Les problèmes de l’accès à la terre de l’État, la gestion de terres privées qui doit impérativement faire partie de cette mouvance d’une bonne gestion des terres. La suspension de l’*Affidavits of Prescription Act* doit pouvoir mettre de l’ordre et donne un coup de main pour que la population en général puisse aller dans la même direction que cette loi et la vision du gouvernement régional à Rodrigues.

It is worth noting also that the Government, under the leadership of the Chief Commissioner, Mr Serge Clair, is moving towards the implementation of an adapted Land Valuation Information Management System for Rodrigues as mentioned in the Government Programme 2012-2015.

I have been made aware that preliminary discussions have already started with the Ministry of Housing and Lands and the Chief Commissioner’s Office during the last visit of the hon. Minister Dr. Kasenally and technicians from his Ministry who accompanied him thereof. I seize the opportunity, Mr Speaker, Sir, to request the Commission of Enquiry to schedule

thorough enquiry in Rodrigues with regard to the 10% of freehold land mostly transacted in a very fishy way.

Mr Speaker, Sir, too many people have lost ownership of their property as a result of a land transaction mafia that exists in Rodrigues, the weaknesses of our laws, our registration of deeds system that do not provide for the final proof of ownership. The functionality of the land registry in transcribing affidavits certainly needs a full review and reform of land and property system for a full-fledged implementation of the LAVIMS project. I expect also the transfer of all immovable property archives to Rodrigues or its availability online.

Mr Speaker, Sir, I recall, be it in Rodrigues or Mauritius, immovable property transactions are subject to many malpractices as rightly pointed out by the Truth and Justice Commission. It is obvious that there were false land and property registrations perpetrated by fraud. The land mafia in place and those responsible should be punished by law without any pity for their engagement in conduct which is dishonest in the course of practice or otherwise and I totally agree with hon. Baloomoody. Many have witnessed the unrelieved abuse or misconduct arising in relation to allegations of misconduct and abuse in the context of charging unreasonable costs, making unnecessarily requests to party with voluminous irrelevant documents; withholding relevant documents, and delay.

Mr Speaker, Sir, professionals should serve their clients competently and diligently. Professionals should not, in the service of their clients, engage in or assist conduct that is calculated to defeat the ends of justice or is otherwise in breach of the law.

M. le président, il y a eu trop d'abus dans certains cas à Rodrigues. J'ai vu que certains propriétaires perdent leurs terrains hérités en concession par la mafia de certains arpenteurs et hommes de loi. Vous imaginez, M. le président, par naïveté et manque de moyens, des propriétaires sont dépossédés de leurs terres. C'est pour cela que j'attends avec la suspension de ce projet de loi qu'une enquête approfondie de la commission à Rodrigues pour rendre justice dans certains cas, pour redonner l'espoir à ces nombreux propriétaires, victimes des abus.

Mr Speaker, Sir, true owners and succession must retain ownership of their immovable property. I will be thankful if the Commission can also reveal the names of the many persons who have benefitted from these illegal transactions and I am sure many will be surprised of what has happened on the island. Justice must be seen to be done towards the true owners of their property.

In Rodrigues, things are not that much clear also with regard to the enjoyment of property. Without prejudice to the Court, I, myself, was subject to a Court interim injunction for an alleged case of 'interfering with the quiet and peaceful enjoyment of a property' where I was simply present as a journalist and Parliamentarian in a community cleaning activity on a portion of concession land situated at Grand' Baie, Rodrigues.

Mr Speaker, Sir, what I want to point out is that the legal status of concession lands need to be once for all be clearly defined. I referred to a significant portion of land of about 500 hectares owned by the State situated at Baie Diamant through unrelenting contest by certain families against the State.

I hope that the present exercise of a Commission of Enquiry during this time of suspension is a chance for those confused person in enjoying their rights as either conditional or absolute or true owners.

However, Mr Speaker, Sir, in this Bill, it is not quite clear about pending cases before the Court of Justice pending the suspension of provisions of the Act. I hope that the hon. Attorney General will enlighten us again on that issue.

To conclude, Mr Speaker, Sir, with these words, I have no objection to the suspension of certain provisions of the Bill and I look forward to a full enquiry on the system of acquisitive prescription with necessary recommendations for amendment to provisions of the Affidavit of Prescriptions Act and review of the functionality of the Conservator of Mortgages.

Mr Speaker, Sir that will be all, and I thank you for your attention.

At this stage the Deputy Speaker took the Chair.

(5.40 p.m.)

The Minister of Information and Communication Technology (Mr T. Pillay Chedumbrum): Mr Deputy Speaker, Sir, allow me at the very outset to thank my good friend, the hon. Attorney General for having presented before this House today the Affidavit of Prescription Act (Suspension of Certain Provisions) Bill.

Mr Deputy Speaker, Sir, on 11th of May 2012, Cabinet agreed to the setting up of a Commission of Enquiry on Prescription with Mrs Shameen Banon Hamuth-Laulloo, the President of the Intermediate Court, Civil side as Chairperson and she had two designated

assessors, Mr Hervé Lassémillante and Mr Rajesh Unnuth to assist her in that task. The terms of reference of the Commission were to inquire and report on whether the system of acquisitive prescription gives rise or has given rise to any malpractice or wrongdoing.

Secondly –

- (a) causes or has caused undue hardship or prejudice to the public, and
- (b) report on such changes, including statutory amendments, as maybe necessary to better safeguard the interest of the public at large.

There is a strong perception that the system set up by the Affidavits of Prescription Act presently operates in a manner which gives rise to malpractices and wrongdoings, which causes hardship and prejudice to the public at large.

(Interruptions)

The Deputy Speaker: Hon. Minister, please!

(Interruptions)

I am on my feet! I am afraid electronic devices are not allowed in the House.

Mr Pillay Chedumbrum: Mr Deputy Speaker, Sir, I can understand the predicament...

Mr Mohamed: Just as a matter to enlighten all Members of the House since Mr Deputy Speaker is saying that we are not allowed to use electronic devices. Maybe, the Clerk of the National Assembly could be directed by you to direct us to that relevant provision that tells us that we cannot. Then, maybe, we could make other proposals to the Committee, because I am myself not aware. I would like to be enlightened. Just for my own information so that we could propose otherwise.

The Deputy Speaker: We will look into the matter.

Mr Mohamed: There is a difference between saying that we are not allowed to do it, but then, again, the least we should expect is tell us which provision says we don't. The House Committee does not say we cannot!

Mr Pillay Chedumbrum: Mr Deputy Speaker, Sir, I can understand the predicament of the Members of the Opposition. When we gentlemen are talking on innovation, best practices ...

(Interruptions)

They are talking on the remake, relook and all that.

(Interruptions)

Mr Roopun: Mr Speaker, Sir, on a point of order.

The Deputy Speaker: Order, please!

(Interruptions)

I have given my ruling and I would like every hon. Member to stick to the ruling I have given.

Mr Pillay Chedumbrum: Mr Deputy Speaker, Sir, there is a strong perception that the system set up by the Affidavits of Prescription Act presently operates in a manner which gives rise to malpractices and wrongdoings, which causes hardship and prejudice to the public at large, hence the appointment of the Commission of Enquiry on prescription. In the circumstances, it makes good sense to prevent the system as it presently exists from operating until such time when the Commission has completed its work and made recommendations, if any, including changes to be brought to the law to safeguard the interest of the public at large.

Mr Deputy Speaker, Sir, the main aim of the Bill therefore is “to suspend certain provisions of the Affidavits of Prescription Act so that, pending the recommendations of the Commission of Enquiry on the system of Acquisitive Prescription, and any amendment made to the law as a consequence, no application for the transcription of an affidavit of prescription can be made to the Conservator of Mortgages”. The provisions concerned are sections 3, 4, 6 to 9 and the Schedules to the Affidavits of Prescription Act.

The Bill when it is passed will apply prospectively. The question arises as to what will happen in relation to applications for the transcription of affidavits of prescription which are already pending before the Conservator of Mortgages. One of the stated aims of the present Bill is to deal with such situations.

Mr Deputy Speaker, Sir, the first situation envisaged by the Bill is where notice of an application has been published in accordance with the Affidavits of Prescription Act on or after 23 July 2012. But before the commencement of Affidavits of Prescription Act (Suspension of Certain Provisions) Act, which, is how the present Bill will be known once it has become an Act.

In that situation, an objection under section 6 (1) of the Affidavits of Prescription Act may be made within six months or such period not exceeding 12 months as may be prescribed by the Attorney General of the commencement of the Affidavits of Prescription Act (Suspension of Certain Provisions) Act. The objection may be made by any person claiming to have an interest in the immovable property in respect of which the affidavit of prescription was sworn.

Mr Deputy Speaker, Sir, the second situation envisaged by the Bill is where an application for the transcription of an affidavit of prescription under section 4 of the Affidavits of

Prescription Act was made before 23 July 2012 and no objection has been received by the Conservator of Mortgages on the commencement of the Affidavits of Prescription Act (Suspension of Certain Provisions) Act. In that case, the Bill provides that the affidavit of prescription shall be transcribed in accordance with section 9(1) of the Affidavits of Prescription Act.

The third situation is where an application for the transcription of an affidavit of prescription under section 4 of the Affidavits of Prescription Act was made before 23 July 2012 and an objection was duly received by the Conservator of Mortgages within three months of the last publication of the notice under section 4(3) of the Affidavits of Prescription Act. In that case, the present Bill provides that the objection shall be dealt with in accordance with section 7 of the Affidavits of Prescription Act.

Mr Deputy Speaker, Sir, the present Bill therefore is to provide for a co-ordinated, holistic and comprehensive approach to an area where allegations of wrongdoings and malpractices have been rife. It seeks to suspend the operation of a system which seemingly operates against the interest of the public until the necessary changes, if any, have been recommended by the Commission of Enquiry set up by the Cabinet and brought by Parliament where necessary.

Thank you, Mr Deputy Speaker, Sir.

Mr P. Roopun (Third Member for Flacq & Bon Accueil): Mr Deputy Speaker, Sir, I would like, first of all, to state that I fully subscribe to what hon. Baloomoody had stated and also to join in to state that it is a good thing that all proceedings in relation to prescriptions be put to a halt pending the conclusion of this Commission of Enquiry.

I would like, however, to emphasise on a few points. First of all, I should say that it is a matter of great concern what the hon. Attorney General stated with regard to fake memorandums of survey and various irregularities as regards affidavits of prescription. I wanted to be enlightened about whether these concerned affidavits of prescription presently being transcribed are those from the past because we know that there had been lots of changes. As a practising Attorney, I must tell you that lately - because now we won't be able to file any affidavit of prescription - the condition for the filing of affidavits of prescription has become very stringent. If there is a mere clerical mistake, the whole application is not accepted by the Registrar-General's Department. I take it that there have been lots of abuses in the past. In fact, at a point

in time, some persons were creating fictitious right of ways just to avoid serving notices on adjoining neighbours and these had been taken care of by subsequent amendments to the law.

The issue raised by the hon. Member from Rodrigues also is very pertinent as regards the question of instead of serving a notice to attend survey on adjoining neighbours, a notice is put in the press. Here, I will urge the hon. Attorney General to look at this. These memorandums of survey through the press instead of service on the adjoining neighbours, is done upon the authorisation of the Government Land Surveyor. I think it is a good thing that at that level of the Government Land Surveyor, this procedure be reviewed not only in cases of prescription, but in all other cases where there is a survey being done without serving on the adjoining neighbours, more control is being effected.

I won't, at this stage, make a long speech about prescription. I leave it for some other time after the recommendations of the Commission of Enquiry are published and the Executive comes with a fresh Bill. There is, at least, a misconception which I want to correct. What is a prescription? Basically, a prescription is somebody occupying a land for 30 years, with all the characteristics he becomes the owner of that land. I am not telling you one year or two years, it is 30 years. The only problem we are having today is how to ascertain these 30 years of occupation as such. The whole problem is here. We ascertain and state that somebody has been occupying merely by two witnesses coming and swearing an affidavit and everything is done. So long as we don't change the system, there is bound to be abuses.

On another note, I'll make an analogy. It is like somebody having a small child, taking care of the child for 30 years and after 30 years the real mother comes and says: "This is my child; I have to take him again." Basically, prescription is not a bad thing. If somebody, in fact, has occupied a land for 30 years, he has got more rights than that person who neglected that land and comes after 30 years, who has been negligent or for whatever reasons, was not interested in the land. Now, we have to say which one is more entitled to that land: the one who has a title and didn't make use of it or the one who took control of the land not for one, two, but 30 years. In fact, we are telling here that there is a problem with the system of determining whether, in fact, somebody has been occupying the land for 30 years. I have no problem and I think that it is a good thing if we can establish for sure who has been in possession and, if that person has been in possession for 30 years, he should be entitled to that land.

As I stated, Mr Deputy Speaker, Sir, I will not dwell more on this issue, but I would like to make a point to the Attorney General. He did not, in his speech, talk about section 12 of the Act which is very important. The way the debate has been going on, there has been an impression that, once an affidavit of prescription has been transcribed, nobody objected within three months, nothing can be done, that it is the end of the matter. It is not so. Even after the affidavit of prescription has been transcribed, there has been no objection, the real owner can still come and vindicate his rights. Of course, the procedure is more complicated, but this does not mean that he has foregone all his rights on the plot of land. We take it that it is much easier just to file a notice and stop everything, but we should not give the impression that it is the end of the world, nothing can be done. In fact, they can still - even if an affidavit has been transcribed albeit a lengthy procedure - vindicate and state that there has been a wrong affidavit transcribed and have the affidavit aside and declared null.

On the other side, I don't want to give that impression also that somebody, who has been occupying a land for years, should just move away from the land and leave it like this. I think that there should be sufficient communication that all persons concerned, including the Commission of Enquiry, should make it clear that what we want to do is to combat abuses. The whole population should know the basis under which the law has been set as to why somebody who occupies the land is being declared owner after 30 years. It is good that we put it in the right perspective, but also I join hon. Baloomoody in stating that, in fact, there is a greater urgency to see if something can be done as regards the sale by levy cases.

As I stated, for prescription, this is not the end of the matter. It is difficult yes, but it is possible still to come and have this transcription set aside and quashed, but it is not the same for sale by levy. For the sale by levy, if we don't find some means now, if next Thursday a debtor's land is sold at the *barre*, it's too late. Nothing can be done. No case can be entered. The person who purchased at the Master's *barre* has got a clear title. Even if later on, the Commission comes and states that we have to change such and such things, it is going to apply only for the future. I'll urge the Government to consider whether there could be some mechanism put into place. I know it is not easy, but to consider whether with the financial institutions if something could be done at this level. I know it is not easy, but to consider whether, with the financial institutions, there could be something which could be done at this level. Basically, I must state that I am with the hon. Minister, I think that it is a good thing, but, at least, there should be

proper education. People should know and we should not just say: 'Ok, we blame the whole system'. There are abuses. We should address to those abuses, but we should also know the reason behind the procedure which had been here since 1959.

In fact, we see in the *Code Napoléon*, the *Code Civil*, the basis of prescription itself is to create certain stability because you cannot just come over again and question any title deed, but I'll leave this for some other time. This is what I wanted to say on this Bill.

Thank you.

(5.51 p.m.)

Mr Varma: Mr Deputy Speaker, Sir, in fact, I would like to thank all hon. Members who have intervened on this Bill. There are certain suggestions which have been made by Members of Parliament today. I can assure the House that these will be transmitted to the relevant authorities.

I would just like to reply to one point which was raised earlier by the Third Member for Flacq and Bon Accueil. In fact, Mr Deputy Speaker, Sir, we are not blaming the whole system. We received representations from the Commission of Enquiry and Government, in its wisdom, thought it proper to come to the House and present this piece of legislation to suspend certain sections of the law pending the recommendations of the Commission of Enquiry.

As regards the issue of sale by levy, Mr Deputy Speaker, Sir, the issue was raised by the hon. Third Member for GRNW and Port Louis West and also by the Third Member for Flacq and Bon Accueil. In fact, Mr Deputy Speaker, Sir, this piece of legislation is before the House today following recommendations made by the Commission of Enquiry and, indeed, *ils ont pris le devant*. In fact, we are looking into the matter. That's why Government, in its wisdom, set up two Commissions of Enquiry which are presided by Senior Magistrates of the Intermediate Court. We are aware of the problems. That is why we have set up these Commissions to look into the matter.

Again, Mr Deputy Speaker, Sir, we are meeting after three months. The positive aspect of the debate today is that there is, in general, broad consensus on the piece of legislation.

Thank you very much.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The Affidavits of Prescription Act (Suspension of Certain Provisions) Bill (No. XXV of 2012) 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 Affidavits of Prescription Act (Suspension of Certain Provisions) Bill (No. XXV of 2012) was read the third time and passed.

ADJOURNMENT

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 30 October 2012 at 11.30 a.m.

Mrs Bappoo rose and seconded.

The Deputy Speaker: The House stands adjourned.

There are as many as 13 hon. Members who have expressed the wish to intervene during Adjournment Time. I will kindly request them to be very brief. Second, I will allow only one issue to be raised by one hon. Member.

(5.55 p.m.)

MATTERS RAISED

MRS DIÉMAHAVE CHRISTELLE & MRS BABYNAZ ISSIMDUR

– MATERNAL DEATH

Ms S. Anquetil (Fourth Member for Vacoas & Floreal): M. le président, ma requête s'adresse au ministre de la santé et de la qualité de la vie.

(Interruptions)

Il est quelque part.

M. le président, je ne peux rester insensible aux deux cas de mortalité maternelle enregistrés dans la ville de Vacoas en ce mois d'octobre. En effet, Vacoas a été frappé d'un double drame avec les décès de cette mère de 19 ans, Madame Christelle Diémahave, survenu le 01 octobre et de son nouveau-né, une semaine après, aussi celui de Madame Babynaz Issimdur, 21 ans, habitante d'Henrietta, décédée le 18 octobre après l'accouchement d'un mort-né.

M. le président, le cri de souffrance de ces deux familles est insoutenable. La douleur se mêle à l'injustice, la détresse au souvenir et l'incompréhension au sentiment. Je suis motivée dans ma démarche par un profond besoin de justice sur ces deux cas. Je note que le ministre de la

santé est de retour. Je suis sûre qu'une enquête a été initiée au ministère concerné. Je souhaite que toute la vérité soit dévoilée sur ces deux drames survenus à l'hôpital de Candos. Je souhaiterais également que le ministre intervienne pour éviter que ce genre de drame puisse se reproduire. Je connais la détermination du ministre et j'apprécie son travail sur le terrain.

Merci, M. le président.

(5.58 p.m.)

The Minister of Health and Quality of Life (Mr L. Bundhoo): Mr Deputy Speaker, Sir, I would wish to thank the hon. Member, Ms S. Anquetil and hon. Mrs Bappoo and other hon. Members who have raised the issue with me for both patients, including one lady at SSRN Hospital.

I would like to assure the hon. Member that since the time of Dr. the hon. Rashid Beebeejaun as Consultant, we have established a protocol that for all maternal deaths, irrespective of whether there is a complaint or not, there is an automatic enquiry that is carried out. So, in both cases, at Victoria Hospital, both preliminary enquiries are being carried out. At the moment, I am talking to you I have got in my presence the preliminary enquiry with regard to late Mrs Zarmina Issamdar. As it is confidential, I am not in a position to speak about it at this moment, but I am going to just read the last sentence –

“In my opinion (...) I would recommend an in-depth enquiry to elucidate the circumstances leading to the conditions and death of the patient.”

This is just to show to you, hon. lady, that action has already been initiated in both cases. Now that I have got this in my hand, I have already spoken with those concerned in my Ministry to do two things: first, that the file with regard to both patients be withdrawn from Victoria Hospital and be secluded in a place in Port Louis, in my Ministry. Secondly, that the enquiry is conducted not by specialists at Victoria Hospital, but by other specialists in order to ensure total impartiality at all times. And I can assure the House that within the parameters of the law, necessary actions will be taken if there is any proof of medical negligence in both cases and in all cases of maternal deaths whereby there is an automatic enquiry as established by hon. Dr. R. Beebeejaun at the time he was Consultant in charge.

Thank You.

(Interruptions)

The Deputy Speaker: Similarly, I will request hon. Ministers to be as brief and pithy as possible.

MAINGARD, BEAU BASSIN & VUILLEMIN – WATER PROBLEM

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): M. le président, je soulève un problème qui concerne le Vice-Premier ministre. Je fais le porte-parole des habitants de la région de Maingard, Beau Bassin et de Vuillemin. Nous savons tous qu'il y a ce problème d'eau, mais ce qu'on a constaté c'est qu'il y a un remplacement des tuyaux.

We have very good relations with the officers of CWA. They do their best to attend to emergency, but the problem will always be persistent if there is not a renewal and reassessment of the whole network of the CWA, within that particular region, which I consider dates back many years.

Can I appeal to the Deputy Prime Minister to ask the CWA to effect a survey of the existing pipes which need to be replaced before the end of the year? If these works can be done so that these people can, at least, obtain water for the number of hours which the CWA will officially allow.

The Deputy Prime Minister, Minister of Energy and Public Utilities (Dr. R. Beebeejaun): Mr Deputy Speaker, Sir, I will do the needful.

SPECIAL NEEDS SCHOOLS – UPGRADING & RENOVATION WORKS - GRANT

Mrs F. Labelle (Third Member for Vacoas & Floreal): Mr Deputy Speaker, Sir, following recent announcements by the hon. Minister of Education and Human Resources as well as by the hon. Minister of Finance regarding payment of an additional sum of Rs200,000 to primary and secondary schools for upgrading and renovation works, may I be allowed to make an appeal to the hon. Ministers to extend this facility to special needs schools.

These schools, Mr Deputy Speaker, Sir, have not benefitted from the initial grant of Rs500,000. We all know that children attending these special needs schools are those who need more but are receiving less. True it is, there has been some progress during the past years, but still, the State is spending less money on children who deserve more money. This is the main

reason of my appeal. And extending this grant to the special needs schools is, in my humble opinion, going in the direction of equality of treatment for all the children of our Republic.

Allow me, Mr Deputy Speaker, Sir, just to remind that the main objective of this grant was to renovate and improve school infrastructural environment and purchase modern pedagogical ICT equipment to enhance teaching and learning. Who needs more these types of equipment than children attending special needs schools? This is the reason of my appeal to the hon. Minister to kindly consider this humble request.

I thank you, Mr Deputy Speaker, Sir.

The Minister of Education and Human Resources (Dr. V. K. Bunwaree): I thank the hon. Member for this observation, but I believe she is still talking of private schools. The grant is for Government and Government-aided schools, but we will try to see in which way we could come to help these schools. There are special grant projects at the DBM to help them to innovate and upgrade their schools.

PLEASURE CRAFT OPERATORS – LICENCE FEES

Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River): Mr Deputy Speaker, Sir, I am going to raise a matter which concerns the Minister of Tourism. In fact, a few days back, I raised the issue of Government Notices 154 and 155 of 2012 with the Minister which concerns the activity of dolphin and whale watching together with swimming with dolphins published in the Government Gazette and which is supposed to come into operation on 01 November.

Mr Deputy Speaker, Sir, the application of these two Government Notices will cause undue hardship to small pleasure craft operators. These notices provide, *inter alia*, for firstly, the introduction of a fee for a licence for such activities, and, secondly, insurance policy in respect of any liability which may happen in the course of such activity. The fees which have been introduced in these GN Notices are as follows –

- (i) The fee for dolphin and whale watching which was Rs1,000 has been increased to Rs5,000 so as to include swimming with dolphins for pleasure crafts of less than 12 metres and to Rs10,000 for pleasure crafts of 12 metres or more;
- (ii) besides for a licence of skipper, there is a payment of Rs250;

- (iii) there is a fee of Rs100 which is non-refundable on application of a licence, and
- (iv) for duplicate certificate there is a fee of Rs500.

All the costs I have just mentioned, Mr Deputy Speaker, Sir, are supplementary costs which the small pleasure craft operators have to bear on top of the Rs13,000 which they are already paying per year for the usual operations.

Furthermore, the GN Notice 154 also mentions that the licensee should hold an insurance policy, I quote –

“(...) in respect of any liability which may arise in the course of the activity of dolphin and whale watching together with swimming with dolphins”

I do not know whether there have been consultations with insurance companies on this issue, but my information is that no single insurance company wants to provide such a scheme and, if they will, it will definitely be very costly.

Mr Deputy Speaker, Sir, with such regulations coming into force, the small pleasure craft operators will not be able to survive. If it is the will of the Minister to protect dolphins and whales, it would be better to cancel altogether this activity. But I fully understand that this is an activity which attracts tourists. So, I make a pressing appeal to the hon. Minister. Please, do not kill the small pleasure craft operators for the benefit of only the big ones. The small ones also have a right to live. So, I am making a request to the Minister to freeze the two GN Notices until all consultations are completed with the small pleasure craft operators.

The Minister of Tourism and Leisure (Mr M. Yeung Sik Yuen): Mr Deputy Speaker, Sir, in fact, the federation of pleasure craft operators have made representations to me last week and I have to say that the main aim of the regulation is to ensure that the activity is conducted in a responsible and sustainable manner.

It is good to note that before my predecessor left in July, 2011, he had approved a fee of Rs10,000 for pleasure craft of less than 12 meters and a fee of Rs25,000 for pleasure craft of 12 metres or more.

This Government, being a caring one, has brought down the fees by 50% and 60% respectively. I have already engaged consultations with the Ministry of Finance and Economic Development, and I have to say that a decision will be taken shortly.

ALMA STREET, VALLÉE PITOT – SEWERAGE PROBLEM

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Deputy Speaker, Sir, I would like to raise an issue which concerns the Deputy Prime Minister, Minister of Energy and Public Utilities, and, in particular, the Wastewater Management Authority. It relates to a problem which residents of 81, Alma Street, Vallée Pitot, have been facing for over a year now. There is a problem of blocked sewer causing obnoxious odour.

The inhabitants have contacted the local PPS, the Wastewater Authority, the Municipal Council, *Police de l'Environnement* and even the Wastewater Management Authority, but nothing has been done to date. So, they turned to the Ombudsperson and the latter, in his latest correspondence on 18 July 2012, has stated, and I quote –

“The Wastewater Management Authority is exploring the possibility of a sewer diversion.”

This is a letter dated 18 July 2012 and it is more than three months old now and I will urge the responsible Deputy Prime Minister to take the matter up with the Wastewater Management Authority because it is a real inhumane condition to live under this obnoxious odour.

(Interruptions)

The Deputy Speaker: Hon. Deputy Prime Minister.

(Interruptions)

The problem was addressed to you.

(Interruptions)

The Deputy Prime Minister: I will look into the matter.

LA CONFIANCE COLLEGE – TRAFFIC PROBLEM

Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière): M. le président, ma requête ce soir s'adresse au ministre des infrastructures publiques et je vais faire référence à deux courriers adressés au *Traffic Management Unit* par le recteur du collège de la Confiance en date du 11 mai et 21 septembre 2012 et qui sont restés sans réponse. M. le président, je dépose ici une copie de ces deux lettres.

Ces deux courriers en effet, M. le président, font état du danger que représente pour les élèves et enseignants du collège la flotte de véhicules sortant de la rue Albatros au Morcellement de la Confiance et de l'impasse la Confiance pour aller vers la rue Dr. Reid. L'entrée du collège de la Confiance se trouve à proximité de ces deux rues qui sont, je le rappelle, régulièrement utilisées par les automobilistes qui prennent cette rue comme raccourci en sortant de Rose Hill vers Port Louis, évitant ainsi les embouteillages du centre ville de Beau Bassin, et, bien sûr, dans le sens inverse aussi, c'est à dire Port Louis vers Rose Hill.

J'avais soulevé en juin 2010, dans cette Assemblée, le danger que cela représente pour les habitants de la rue Albatros au Morcellement de la Confiance, les véhicules qui empruntent cette rue comme raccourci de Rose Hill vers Port Louis en passant par le morcellement et par Chebel.

M. le président, cette fois-ci ce sont les élèves du collège de la Confiance qui sont confrontés à ce problème. Comme je vous ai dit, en 2010, j'avais effectué une descente des lieux en compagnie de l'ancien Directeur du *Traffic Management Unit*, M. Reesaul, à deux reprises afin de trouver une solution à ce problème telle que l'installation des obstacles entre autres. Mais, malheureusement, rien n'a été fait jusqu'ici. Je fais donc un pressant appel au ministre des infrastructures publiques pour qu'une nouvelle descente des lieux soit effectuée avec ses officiers, l'honorable PPS Issack, mes collègues, l'honorable Bhagwan et l'honorable Li Kwong Wing et moi-même de façon à ce que des solutions soient trouvées rapidement afin d'éviter que des accidents ne surviennent dans cette région de Beau Bassin.

Je vous remercie, M. le président.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker Sir, in fact, this matter was brought to my attention and I have gone through the letters also. There were two things to be done, either we would put road humps, but now we are discouraging it as we are no longer utilising it. The only solution is to put at least speed cameras on both sides. Thus, please bear with me, it is a matter of only one month because we are importing 50 speed cameras and before the end of the year, I am going to get 25. I will see to it that at least those cameras can be installed.

ST HUBERT-MAHEBOURG/ST HUBERT-CUREPIPE – BUS SERVICE

Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle): M. le président, le sujet que je vais aborder concerne, encore une fois, le ministre responsable de la NTA. Je me sens dans l'obligation de revenir sur ce sujet que j'avais pris il y a plus de quatre mois. Cela concerne le problème de transport sur les routes numéros 11 et 87 St Hubert-Mahebourg et St Hubert-Curepipe.

J'avais demandé au ministre de faire quelque chose pour qu'on puisse trouver une solution à ce problème-là. Ce n'est pas possible que depuis des années on a un problème mais on n'arrive pas à le résoudre. Les horaires ne sont pas respectés, le matin comme l'après-midi. Les gens qui travaillent tout comme les écoliers n'arrivent pas à avoir le bus à l'heure qu'il faut et donc ils arrivent en retard à l'école et au travail, de même que le soir ils rentrent tard chez eux parce que les bus ne respectent pas les horaires.

Des requêtes ont été faites à la NTA mais rien n'a été fait. Donc, là je viens vers le ministre et je demande à ce qu'il agisse et qu'il fasse quelque chose pour que le problème soit résolu dans un plus bref délai. Je compte sur le ministre et j'espère qu'il va faire le nécessaire.

Merci.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, this was a question which was raised by my colleague, hon. Dr. Arvin Boolell.

(Interruptions)

Of course, he is one of the rare persons who go to his constituency almost every day. So, he raised this issue with me and, in fact, I have also requested the NTA to take actions.

(Interruptions)

Many visits were carried out there and we have also booked the defaulters on many occasions. I will see to it that if we have to take disciplinary actions, I do not have any hesitation, but, if I am not mistaken, we have also taken action against those private operators. Unfortunately, the NTC is not serving that route or else tomorrow morning I would have taken the decision. But, here, I have to call the NTA and then we have to call all those who are operating on that line. It is not that easy but I am going to take whatever action is important.

The Deputy Speaker: I would like to remind hon. Members that we are left with only ten minutes and we have got a number of orators.

ROSE HILL – GAMBLING, DRUG TRAFFICKING, ROBBERY, ETC.

Mr D. Nagalingum (Second Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, I would like to raise an issue addressed to the hon. Prime Minister. In his absence, the hon. Deputy Prime Minister will surely take note of my complaint.

Hon. Members will recall that some time ago in 2010, I drew the attention of the House on a dangerous situation prevailing in Rose Hill regarding gambling, drug trafficking, daylight robbery, rape combined with prostitution as well as attacks and murder. Unfortunately, it seems that the situation has not improved. In fact, we have recently had two cases of attacks and violence in the vicinity of Hugnin and Gladstone Roads where two women were seriously injured with cutters only four days ago.

We also have gambling houses operating near the Rose Hill market and in the region of Stanley causing great difficulty to public parking without any Police assistance, especially on Saturdays. It is now high time that immediate action be taken to crack down again drug traffickers, mapping of the area to deal with the problem of prostitution and the installation of CCTV cameras at strategic points. On behalf of the inhabitants of Rose Hill as well as all those who come to work or to visit, including tourists, I appeal to the hon. Deputy Prime Minister to look into the matter seriously.

The Deputy Prime Minister: Sir, I will certainly transmit this to the Prime Minister's Office and follow up the matter.

ROSE HILL MARKET - INSALUBRITY

Mrs L. Ribot (Third Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, I would like to address myself to the hon. Minister of Local Government. Mr Deputy Speaker, Sir, I would like to address the issue of insalubrity of Rose Hill market place. This is an issue that has been raised more than once in this House. The inhabitants complain of the lack of cleaning and of rats. The building itself is in a decrepit state. The roof leaks. It is not cleaned. Adding insult to

injury, Mr Deputy Speaker, Sir, there are hawkers who sell vegetables and fruits right in front of the market entry and on the parking spaces, *au nez et à la barbe de la police*.

Le chiffre d'affaire des maraîchers est en pente descendante car les Rosehilliens et les autres ne fréquentent plus le marché parce qu'il est sale, infesté de rats, le sol est recouvert d'une eau nauséabonde, parce que les gens ne se sentent pas en sécurité car ils ont l'impression que le toit va tomber sur leur tête et parce que les gens préfèrent acheter leurs légumes et fruits à l'extérieur plutôt qu'à l'intérieur car c'est moins cher et surtout parce qu'ils sont privés de parking.

Mr Deputy Speaker, Sir, I will kindly ask the hon. Minister to raise the issue with the Municipal Council and the Police.

The Minister of Local Government and Outer Islands (Mr H. Aimée): M. le président, j'informerai la municipalité de Beau Bassin/Rose Hill et je leur demanderai de prendre les actions qui s'imposent.

ABERCROMBIE, STE CROIX - MARKET

Mr G. Lesjongard (Second Member for Port Louis & Montagne Longue): M. le président, ma requête s'adresse au ministre des collectivités locales et cela concerne la foire d'Abercrombie à Ste Croix.

Il y a quelque temps de cela l'honorable PPS, Mme Aurore Perraud et moi-même avons rencontré l'association des entrepreneurs de Ste. Croix qui ont partagé avec nous leur inquiétude et leur colère concernant les étals à la foire de Ste Croix. Inquiétude et colère, pourquoi? C'est parce que cela remonte à 2009 qu'ils ont fait une application à la Mairie de Port Louis pour l'allocation d'un étal à la foire de Ste Croix. Aujourd'hui, la foire est opérationnelle et jusqu'à maintenant l'allocation de ces étals supplémentaires n'a pas été faite. Ils ne comprennent pas pourquoi. Ils ont eu plusieurs rencontres avec le Lord Maire et l'assistant Lord Maire. A leur dernière rencontre qui remonte au 15 septembre, le Lord Maire leur a fait comprendre que le dossier se trouve maintenant avec le ministre de tutelle.

Je fais un pressant appel au ministre de voir cela parce qu'on leur avait fait comprendre que les spécifications pour l'appel d'offres pour les étals allaient être publiées, mais ce n'est pas chose faite jusqu'à maintenant. Je demanderais au ministre de voir de plus près cette situation. Ces gens nous ont fait comprendre, qu'ils ont une association qui remonte à pas mal d'années et ils sont très actifs dans la région de Ste Croix et ils ne comprennent pas pourquoi jusqu'à maintenant ils sont dans cette situation. Ils sont déterminés à aller plus loin parce qu'ils ont l'impression qu'on attend la veille des élections pour allouer ces étals. Je vais demander au ministre de voir de plus près cette situation et d'essayer de rencontrer ces personnes afin d'éclaircir la situation.

Merci, M. le président.

The Minister of Local Government and Outer Islands (Mr H. Aimée): M. le président, j'ai écouté avec attention l'honorable membre. Ce matin même, à mon bureau, j'ai pris en main le dossier *d'Abercrombie Market*. Ce qui s'est passé dans le temps c'est quand on a refait le marché, il y avait des marchands qui étaient là bien des années avant et on a dû leur

donner les étals. Il ne reste plus qu'une trentaine. Mais voyant le nombre de demandes, je me trouve dans l'obligation qu'au lieu d'ouvrir le marché trois jours par semaine, je voudrais faire six jours et ainsi je vais doubler la capacité. Voilà, ce que j'ai l'intention de faire!

The Deputy Speaker: Hon. Mrs Radegonde, I give you two minutes.

(6.22 p.m.)

SOUILLAC DISTRICT COURT – EVACUATION ORDER

Mrs J. Radegonde (Fourth Member for Savanne & Black River): Mr Deputy Speaker, Sir, I would like to raise a matter here concerning the District Court of Souillac. I have received representations from my constituents who have to attend this Court. This matter may be addressed to the hon. Attorney General or the hon. Prime Minister who is not here, but message may be conveyed.

Mr Deputy Speaker, Sir, since September 2011, the Court House located in Souillac caught fire. Over a year, the debris from the fire has not been cleaned up and no repairs have been made. There is only one room where the District Court can sit. Lawyers and clients have to wait together in the same Court yard within a distance of two metres. The roof of the court has been damaged considerably and may collapse at any time. Electric wires are still hanging around the place. In addition, the Court House provides access to pit latrine when our country has signed up international declarations and recommendations to right to sanitation.

Mr Deputy Speaker, Sir, may I ask the related hon. Ministers to have a closer look to the situation and see if an evacuation order has been served and the delay to evacuate this unsafe work places and practices. Thank you.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, in fact, yesterday there was a meeting in my own Ministry. I chaired the meeting and the members of the Judiciary were also present. We are taking action that is necessary.

CITE JONCTION, PAILLES – MULTI-PURPOSE CENTRE

Mr J. C. Barbier (Second Member for GRNW & Port Louis West): Le point que je vais soulever concerne le centre polyvalent de la Cité Jonction à Pailles et cela est adressé à la fois au ministre de la santé et au ministre des administrations régionales.

En effet, M. le président, ce centre qui fut construit avant 2005, était prédestiné à favoriser les activités d'ordre sportif, culturel et social dans la région. Malheureusement, ce centre aujourd'hui n'est pas accessible aux habitants de la région. Il se voit qu'on a eu vent que

le ministre de la santé travaille actuellement sur un projet pour aménager dans ce centre une clinique dentaire.

Donc, les jeunes sont très remontés contre la politique actuelle que le gouvernement pratique par rapport au centre. Ils ne sont pas contre une clinique dentaire. Une clinique dentaire, oui, mais pas au détriment des activités sociales, sportives et culturelles dans la région. Donc, je fais un pressant appel au ministre de la santé et au ministre des administrations régionales de se concerter et de trouver un endroit beaucoup plus approprié pour la clinique dentaire. Mais il faut absolument que l'espace qui a été confié pour être utilisé pour des activités d'ordre sportif, culturel et social soit maintenu. Je compte sur les deux ministres concernés pour que les habitants de la région ne soient pas déçus avec la politique du gouvernement. Merci beaucoup.

The Minister of Local Government and Outer Islands (Mr H. Aimée): M. le président, c'est maintenant que j'apprends ce qui se passe dans ce centre polyvalent à Pailles. Bien sûr, je prendrai cela en main. Je pense que les centres polyvalents sont faits pour les sportifs et pas pour les problèmes de santé. Mais toutefois il y a des problèmes de santé dans la région, il faut trouver un local. Avec mon ami, on va trouver ensemble une solution à ce problème.

At 6.36 p.m. the Assembly was, on its rising, adjourned to Tuesday 30 October 2012 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

CATTLE (LIVE) – WEIGHING SCALES

(No. B/585) Mr A. Ameer Meea (First Member for Port Louis Maritime and Port Louis East) asked the Minister of Agro-Industry and Food Security whether, in regard to live cattle, he will give a list of the places where scales are used for the weighing thereof for public sale, stating if authentication certificates have been issued in respect of the scales, indicating –

(a) in each case the –

(i) period therefor, and

(ii) number of checks carried out and

(b) the number of contraventions, if any, booked in connection therewith, since 2011 to date.

Reply (Minister of Industry, Commerce and Consumer Protection): Since 1995, Government has liberalised importation of cattle and goats for slaughter. Imports are authorised only from countries that comply with the requirements of import permits issued by the Veterinary Services of the Ministry of Agro-Industry and Food Security. Any private operator can, therefore, import live animals for slaughter, provided that the countries from which they source their animals comply with the conditions laid down in the import permit.

The price of live animals is not under control and there is also no recommended selling price for fresh meat. This has led to many representations.

Representations have also been received to the fact that live animals are being sold for domestic slaughtering in the context of religious ceremonies, without being weighed. It is also argued that once the animals have been slaughtered and weighed, there is a marked difference between the initial estimated weight (*poids sur pattes*) of the animal and its real weight. Thus, buyers do not obtain value for money.

In order to protect the interest of the consumers, my Ministry, after consultations with the Ministry of Agro-Industry and Food Security, the Mauritius Meat Authority, and the “*Association des Consommateurs de L’île Maurice*” (ACIM) decided to make it mandatory for every importer and seller of live animals for home slaughtering in the context of religious ceremonies namely Eid-ul-Adha, to weigh the animal at the time of sale in the presence of the buyer or his representative. For this purpose, every importer shall use a weighing instrument approved by the Division of Veterinary Services (DVS) which shall ensure that it is in accordance with the animal welfare norms, and duly assized by the Legal Metrology Services. Furthermore, it was decided that each sale shall be made in a sale agreement.

In November 2010, this Government has regulated the control of sale of imported live animals for home slaughter through the promulgation of the Consumer Protection, Control of Sale of Imported Animals for Home Slaughter, Regulation 2010 including a prescribed sale Agreement in the Schedule.

In compliance to the Regulations it is the responsibility of the Legal Metrology Services of my Ministry to assize (authenticate) the weighing instrument (scales) after approval of the Veterinary Services is obtained and ensure that such scales are not tampered with. Moreover, the Consumer Protection Unit of my Ministry ensures that each live animal for home slaughter is weighed in the presence of the buyer prior to sales.

The places where scales are used for the weighing of the cattle for public sale, the date of verification of the weighing scales and the validity of the Certificates are as follows -

	Name and Address of Farm	Date of Verification of Weighing of Scales	Certification valid until
	Soreefarm Ltd La Chaumière	30 September 2011	30 September 2013
	Master Breeders La Chaumière	11 November 2010	11 November 2012
	Norfarm Arsenal	28 September 2011	28 September 2013
	Jeetun Iqbal Highlands	10 October 2011	10 October 2013
	Bhugel N. Yashin Grand Gaube	07 October 2011	07 October 2013
	Jhurry Ibne Albion	25 October 2011	25 October 2013
	Socovia Belle Vue Ltd La Chaumière	15 September 2011	15 September 2013
	Cattle Gold Palmar, Flacq	11 October 2012	11 October 2014

As regards part (a) (ii) of the question, 64 inspections were carried out at the farms during the weighing period for the sale of the animals from 29 October to 05 November 2011 and no contraventions were established.

For the year 2012, a joint inspection programme by the Consumer Protection Unit and the Legal Metrology Services has already been put in place since 19 October 2012. A communiqué to this effect has also been issued by my Ministry. My Ministry is monitoring the situation to ensure that everything goes on smoothly.

**SIC – CASINOS OF MAURITIUS & DOMAINE LES PAILLES -
PRIVATISATION**

(No. B/598) Mr S. Soodhun (Second Member for La Caverne and Phoenix) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the proposed privatisation of the assets of the State Investment Corporation, including those of the Casinos of Mauritius and of the Domaine les Pailles, he will, for the benefit of the House, obtain from the Corporation, information as to where matters stand.

Reply: I am informed that on 09 April 2012, the State Investment Corporation (SIC), assisted by its Transaction Adviser, Messrs KPMG, launched two Expressions of Interest (EOI) for the disposal of -

- a stake of 74% of the Casinos of Mauritius, and
- assets of SIC consisting of Domaine les Pailles and Lakepoint.

The deadline for submission of final bids for the casinos of Mauritius was 17 October 2012 and 2 final bids were received. These bids are currently being assessed by the Transaction Adviser, assisted by an International KPMG Gaming expert from the UK.

With regard to Domaine les Pailles and Lakepoint, the closing date for submission of final bids was 28 September 2012. By the closing date, 2 bids were received for Domaine Les Pailles and 1 bid for Lakepoint. These bids are also currently being assessed by the Transaction Adviser KPMG.

PORT LOUIS – STREET HAWKERS

(No. B/599) Mr S. Soodhun (Second Member for La Caverne & Phoenix) asked the Minister of Local Government and Outer Islands whether, in regard to the street hawkers, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if any –

- (a) study has been carried out to assess the number thereof in the city of Port Louis, and
- (b) site has been identified for them to operate and, if so, indicate if all the necessary amenities are provided thereat.

Reply: With regard to part (a) of the question, I am informed by the City Council of Port Louis that a study conducted on 03 October 2012 has revealed that some 968 hawkers are operating in the city.

As the House may be aware, in a judgement delivered on 16 August 2012 by the Supreme Court in a case lodged by the Market Traders Association, the City Council of Port Louis and the Commissioner of Police was ordered to initiate urgent measures to prohibit hawking activities within 500 metres radius of the Central Market. Government which firmly believes in the separation of powers provided in our Constitution, complied with the judgement. However, at the same time, as a caring and responsible Government which is sensible to the plight of these hawkers, it set up a high level Ministerial Committee under the Chairmanship of my colleague, the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping and comprising other colleague Ministers, to urgently identify possible sites for the relocation of these hawkers so that they can earn a livelihood.

The Committee left no stone unturned in this respect and has after arduous working sessions, identified two sites, namely at Decaen Street near the Victoria bus station and the transportation centre at the Immigration Square bus station, where the hawkers could be relocated.

I wish to inform the House that necessary works for the provision of amenities are currently underway.

PRIVATE SECTOR – REMUNERATION ORDERS

(No. B/600) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the private sector, he will state if consideration will be given for the advisability of legislating for the provision of a review of the Remuneration Orders every five years, as obtains in the public sector.

Reply: Although there is presently no legislation governing the review of Remuneration Orders every five years, it is the practice for the National Remuneration Board to review sectors which have not been reviewed for more than five years. In that respect, Remuneration Orders are referred to the National Remuneration Board in a phased manner depending on the last date

of review. In fact, my Ministry has from 2010 to date referred 9 Remuneration Orders to the National Remuneration Board for review.

ROCHE BOIS – ESTUARY – DEAD FISH

(No. B/601) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Minister of Fisheries whether, in regard to dead fish found in the Estuary of Roche Bois, he will state if he has received representations from the fishermen of Roche Bois and of Tombeau Bay in connection therewith and, if so, the actions taken, if any.

Reply: My Ministry received representations on 19 June 2012, from a fishermen association, namely the *Syndicat des Pêcheurs*, on behalf of the fishermen of Roche Bois and Tombeau Bay, with regard to dead fish found in Roche Bois, near the estuary of Terre Rouge.

Following fish mortality that occurred on 11 June 2012, sea water and estuarine water were collected by my Ministry on 12, 18 and 26 June and 18 July 2012 respectively for physico-chemical tests.

I am informed that an inter-ministerial meeting was held on 13 June 2012 at the Ministry of Environment and Sustainable Development with representatives of concerned Ministries and Departments and it was decided, amongst others, that -

- (i) the activities of the '*Police de l'Environnement*' would be reinforced to track down any occurrence of illegal discharge;
- (ii) factories of the region would be reminded to take all the necessary measures so as not to allow any discharge of effluents in any water bodies;
- (iii) my Ministry would increase the frequency of monitoring of the sea water quality in that region, and
- (iv) the Ministry of Health and Quality of Life would inform the public not to collect and consume any dead fish from the area.

Cleaning operations were carried out by the Ministry of Environment and Sustainable Development on 13 and 14 June 2012 respectively. About 500 kg of dead fish were treated with slaked lime and disposed of.

Another meeting was held on 15 June 2012, between the representatives of the relevant Ministries and the representatives of Princes Tuna and the Marine Biotechnology Products Ltd.

Stagnant yellowish water was noted in the culvert near the bridge located between these two companies, which was due to the reinforced concrete basement of the bridge being higher than the river bed. The Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping was requested to look for a solution and take the appropriate measures to allow the smooth flow of water near the bridge. It was, however, agreed that both companies would carry out the cleaning and pumping of the stagnant water and same was done to the satisfaction of the Authorities.

On 18 June 2012, a third meeting was held under the chairmanship of the Ministry of Environment and Sustainable Development where the Water Resources Unit was requested to liaise with the responsible institutions for a follow-up with regard to the flow of water in the rivulet.

On 06 July 2012, a joint site visit was carried out by the relevant Authorities, at the Marine Biotechnology Products Ltd at Riche Terre, followed by another one on 22 August 2012, to assess the situation in the presence of the representatives of Marine Biotechnology Products Ltd and Princes Tuna.

For transparency purposes, the *Syndicat des Pêcheurs* was requested to have a site visit, in the premises of Marine Biotechnology Products Ltd and Princes Tuna, with the representatives of the relevant Ministries, and representatives of both companies, so as to ‘constater de visu’ the system put in place for the disposal of effluents coming from the factories of these companies.

On 23 August 2012, my Ministry distributed some 300 kg of squid and 400 kg of bonito as bait to the registered fishermen of the Roche Bois and Baie du Tombeau as a support to their fishing activities.

On 03 October 2012, all the facilities and treatment plants in the factories were visited and the representatives of the *Syndicat des Pêcheurs* said that they were satisfied and had nothing to complain about with respect to the system in place for the treatment of effluents before disposal.

GOVERNMENT/EUROPEAN UNION - FISHING AGREEMENT

(No. B/602) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Minister of Fisheries whether, in regard to the latest fishing agreement reached between

Government and the European Union, he will give details thereof, indicating the incidence thereof on our fishing industry.

Reply: I wish to inform the House that prior to starting negotiations on the new Fisheries Partnership Agreement (FPA), in September 2011, the European Commission also commissioned an “*Ex ante evaluation of existing conditions in the fisheries sector in Mauritius*”. The consultant interacted with the broad spectrum of the fisheries stakeholders, including the fishermen community represented by the *Syndicat des Pêcheurs*. Subsequently, the negotiations for the conclusion of a new Fisheries Partnership Agreement were held from 21 to 23 February 2012 in Mauritius. The new Fisheries Partnership Agreement (FPA) and the Protocol have been concluded and initialled by both the European Commission and Mauritius on 23 February 2012.

The Fisheries Partnership Agreement establishes the terms and conditions under which vessels registered in and flying the flag of European Union may carry out tuna fishing in Mauritius waters in accordance with the provisions of the United Nations Convention on the Law of the Sea and other rules of international law and practices.

The Fisheries Partnership Agreement will be for a period of six years from the date of its entry into force and will be tacitly renewed for additional periods of three years. The Agreement, which includes a Protocol for a duration of 3 years and renewable thereafter, provides for a total financial contribution of Euros 1,980,000 covering the whole period of the Agreement. This amount comprises -

- (a) an annual amount for access to Mauritius waters of Euros 357,500 equivalent to a reference tonnage of 5,500 tonnes, and
- (b) a specific amount of Euros 302,500 per year for the support and implementation of Mauritian sectoral fisheries policy and maritime policy, aiming at promoting sustainable fisheries development and management in Mauritius waters.

Conclusion of an FPA would not only guarantee sustainable fishing activities in the Indian Ocean, but also ensures the sustainability of the processing sector in the seafood hub through certainty of supplies of originating material for duty free access on the EU markets. The new FPA would, *inter alia*, provide for fishing opportunities, financial assistance, promotion of responsible and sustainable fisheries in Mauritius’ waters and scientific cooperation.

Responsible fishing in Mauritius' waters for the European tuna fleet will be available to only 41 purse seiners and 45 long liners. In addition, with a view to avoiding any adverse effect on activities of the small-scale fishermen, provision has been made for, namely -

- (a) the fishing activities of the EU fleet will take place only beyond 15 nautical miles of the coast compared to 12 nautical miles in the previous protocol, and
- (b) the possibility of embarking 10 Mauritian qualified seamen on board of EU vessels when operating in Mauritius' waters.

The European Commission is presently in the process of finalising its required internal procedures with respect to the Agreement and Protocol. I am informed that once the Agreement is initialled, it takes approximately one year to complete the necessary EU internal procedures for the Protocol to enter into force.

Upon notification by the European Commission, I will inform the House accordingly.

WATER SECTOR REFORM - SINGAPOREAN CONSULTANTS

(No. B/603) Mr A. Ganoo (First Member for Savanne & Black River) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to water sector reform, he will state the initiatives identified by the Singaporean Consultants, including any recommendation made with regard to the Non-Revenue Water Project, indicating –

- (a) if the issue of water rights has been looked into;
- (b) the implementation schedule of the recommendations;
- (c) if any increase in water rates has been recommended, and
- (d) the total amount of fees claimed and paid to the consultants.

Reply: The Singaporean Consultants have focused on three specific areas for the implementation of the water sector reform namely, the institutional structure, operations and maintenance framework and capacity building.

The Consultants have recommended nine strategic initiatives and actions as follows -

- (i) Institutional Structure Enhancements;
- (ii) Financial Sustainability;
- (iii) Capacity Building for a Learning Organisation;
- (iv) Total Water Management Operating Model;
- (v) Effective Management of Non-Revenue Water;

- (vi) Optimal and Sustainable O & M Framework;
- (vii) Long Term Water Security;
- (viii) Community Engagement and Public Education, and
- (ix) Water Sector Development.

The effective management of non-revenue water has been addressed by the Consultants and they have recommended an optimised O & M operating model through a strategic alliance in the immediate to medium term and to structure a performance based model for the medium to long term. As Non-Revenue Water (NRW) reduction is a long term process, the Consultants have recommended a phased approach targeting, as a priority, the critical water supply zone and the project be extended to the other parts of the island. In this context, the first phase of the reduction of NRW project will be implemented in the upper Mare aux Vacoas system which is expected to be completed within 24 months from the award of the Project Management Services contract.

The issue of water rights has been addressed under the Total Water Management Operating Model initiative, which seeks to holistically look at the overall water management cycle including, *inter alia*, the rationalisation and balancing of water rights. The Consultants have recommended that a comprehensive database on water rights abstraction and usage based on economic activity be established. This database will help to identify beneficiaries and determine allocation targets of water rights based on national priorities. My Ministry is liaising with the Attorney General's Office to determine the way forward to address the legal impediments to establish the water rights database.

The Consultants have submitted an Action Plan for the implementation of the nine (9) strategic initiatives over the short term (1 to 3 years) and medium term (3 to 5 years). Government has approved, in principle, the recommendations made by the Consultants and has appointed a High Level Committee chaired by my Ministry and comprising representatives of the Ministry of Finance and Economic Development, Ministry of Agro-Industry and Food Security and the Attorney General's Office to work out the detailed implementation plan for each of the water sector reform initiatives.

I am advised that the Consultants have not made any specific recommendation for the increase in water rates. However, they have assessed the financial sustainability of the water sector and have proposed that cost recovery rates be implemented gradually over the long term

as the main source of internally generated financing while taking into consideration the special needs of the poor and vulnerable groups.

The fee paid to the consultants is Singapore Dollars 1,334,244.

ST. PIERRE - MULTI-PURPOSE SPORTS COMPLEX

(No. B/604) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether he will state if Government has acquired land for the setting up of a multi-purpose Sports Complex in St. Pierre.

Reply (The Minister of Youth and Sports): As far as my Ministry is concerned, no action has been initiated for the acquisition of land for the setting up of a multi-purpose Sports complex in St. Pierre as the exact location had not been finalised by the initiators of the project.

In fact, last year at the request of the Ministry of Finance and Economic Development (MoFED), four plots of land belonging to Mon Desert Alma Sugar Estate were identified in the vicinity of St. Pierre for the construction of the Multi-Purpose Sports Complex. Site visits were even effected by officers of that Ministry, Ministry of Housing and Lands, Moka/Flacq District Council, officials of Mon Desert Alma Sugar Estate and representatives of my Ministry. During the visits, it was agreed that MoFED would initiate action for the acquisition of the land.

As no formal request has been made for acquisition of land by MoFED to my Ministry, which is responsible for sport infrastructure, no follow-up action for the sports complex at St. Pierre has been made. Besides, the construction of a sports complex at St. Pierre is not a priority of my Ministry for the time being.

ROYAL ROAD, GRAND' BAIE - LAY-BY & BUS SHELTER

(No. B/605) Mr A. Gungah (First Member for Grand' Baie & Poudre D'or) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the bus stop situated on the Royal Road, Grand' Baie, near the Lennard Store, he will state if he has received representations to the fact that the road thereat is narrow and, if so, will he state the remedial measures that will be taken, including the construction of a lay-by and a bus shelter thereat and, if so, when and, if not, why not.

Reply: I wish to inform the House that the Traffic Management and Road Safety Unit has received a request for the construction of a bus lay-by and bus shelter opposite Lennard Store at Grand' Baie.

The road width along the stretch of road near Lennard Store is 6.0 m. in general and considered adequate for two-way traffic.

Following site visits and surveys, the following measures have already been implemented to improve road safety at the above location -

- (i) a road hump has been constructed to slow down traffic from Grand' Baie towards Lennard Store, and
- (ii) single and double yellow lines near the Lennard Store have been painted on both sides of the road.

In addition, consideration is also being given to the construction of a raised footpath (minimum 1.2 m wide) from Lennard Store up to EDC Street in direction of Mon Choisy.

As far as the construction of bus lay-by is concerned, my Ministry is exploring the possibility of acquiring a plot of land in the vicinity of Lennard Street.

GRAND'BAIE - BARABAR RESTAURANT - NIGHT CLUB

(No. B/606) Mr A. Gungah (First Member for Grand' Baie & Poudre D'or) asked the Minister of Tourism and Leisure whether, in regard to the Barabar Restaurant, in Grand' Baie, he will, for the benefit of the House, obtain from the Tourism Authority, information as to if it has been issued with all the necessary permits for the operation of a night club and, if not, indicate the actions that will be taken.

Reply: I am informed by the Tourism Authority that, according to its records, no company under the name of Barabar has been issued with a licence to operate a restaurant. Nor is there a request from a company trading under that name to operate a nightclub.

I am further informed, however, that a company which was issued a licence for Restaurant (including liquor) without entertainment at Royal Road, Grand' Baie and presently operating under the trade name '*Le Connoisseur*' has on 16 October 2012, requested the

Tourism Authority for a change of trade name from 'Le Connoisseur' to 'Bar a Bar'. That request is being processed.

UNIVERSITY OF MAURITIUS TRUST - OPERATION

(No. B/607) Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the University of Mauritius Trust, he will, for the benefit of the House, obtain from the University of Mauritius, information regarding the operation thereof.

Reply: I am informed by the University of Mauritius that on 19 October 2006, the University of Mauritius Council set up the University of Mauritius Trust, which was registered on 23 October 2006 as a charitable trust.

Based on the advice of the State Law Office, my Ministry has requested the Tertiary Education Commission to ensure that the UoM Trust complies with the Statutory Bodies (Accounts and Audit) Act as amended in 2009 and that no prejudice whatsoever, is caused to students. This was also conveyed to the Officer in Charge of the Trust and the Chairperson of the University of Mauritius Council at a meeting which I chaired at my Ministry on 21 August 2012.

SHELTERS/CHARITABLE INSTITUTIONS - INMATES

(No. A/248) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the shelters or charitable institutions, she will, for the benefit of the House, obtain information as to the number of children who have been placed thereat by her Ministry, since 2007 to date, indicating -

- (a) if any follow-up of these children is carried out by her Ministry, and
- (b) the number of inmates who will leave the shelters/charitable institutions in 2013 and 2014, respectively, on account of age.

Reply: I am informed that since 2007 till end of September 2012, 653 children have been placed at shelters/charitable institutions. Visits are being carried out by the staff of my Ministry to all who require follow-up.

In regard to part (b) of the question, 22 inmates will leave the shelters/charitable institutions in 2013 as well as in 2014 on account of age.

**‘STRENGTHENING VALUES FOR FAMILY LIFE PROGRAMME’ -
TRAINERS**

(No. A/249) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the “Strengthening Values for Family Life Programme” launched in October 2010, she will state the number of trainers who participated in the capacity-building programme in relation thereto, indicating the -

- (a) selection criteria used therefor;
- (b) duration thereof, and
- (c) number of drop outs, if any.

Reply: 505 participants took part in the Training of Trainers Programme and Capacity Building and Strategic Planning Programmes held from October 2010 to September 2011.

There were no selection criteria. Stakeholders were invited to delegate representatives to participate in the Capacity Building Programmes and Training of Trainers Programme.

The duration of the Programmes varied from one to four days.

All participants completed the Programmes.

DOGS - STRAY & IMPORTATION

(No. A/250) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Agro-Industry and Food Security whether, in regard to the dogs, he will, for the benefit of the House, obtain from the Mauritius Society for the Prevention of Cruelty to Animals, information as to -

- (a) the estimated population of stray dogs, as at to date;
- (b) in 2011 and over the period January 2012 to date, the number -
 - (i) thereof imported, and
 - (ii) of complaints registered in relation thereto, and
- (c) if a licence is required for -
 - (i) dog breeding;

- (ii) dog training, and
 (iii) canine patrol, and, if not, why not.

Reply: The required information for part (a) and (b) is as follows -

	Population of stray dogs (estimated by the MSPCA) as at 20 July 2012	180,000
(i)	Number of dogs imported <ul style="list-style-type: none"> • 2011 • 2012 (as at 20 July 2012) 	115 59
(ii)	Number of complaints registered (2011 to 20 July 2012)	1

Dog breeders duly registered with the MSPCA are issued with a Dog Breeder's Licence renewable on a yearly basis. There is no provision in the legislations for a licence for dog training and canine patrol. Necessary legislative amendments are being made to take on board the above.

BOI - INVESTMENT PROJECTS

(No. A/251) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to Foreign Direct Investments, he will, for the benefit of the House, obtain from the Board of Investment, a list of the investment projects, unrelated to property and construction, which have been approved or facilitated in 2009, 2010 and 2011 respectively, indicating in each case, the -

- (a) nature thereof;
 (b) names of the promoters thereof;
 (c) amount of foreign capital invested, and
 (d) if same has been completed.

Reply: The Board of Investment approves projects in the Real Estate and Freeport sectors only. In the Real Estate sector, the projects relate to the Integrated Resort Scheme, Real Estate Scheme and Invest Hotel Scheme.

Freeport projects are facilitated and approved by the BOI. In 2009, 21 Freeport projects were facilitated and approved with Foreign Direct Investment (FDI) amounting to some MUR 80 million. 19 projects were facilitated and approved in 2010 with a FDI amount of more than MUR 520 million while in 2011 the amount of FDI was around MUR 32 million for 16 projects.

BOI does not approve projects in other sectors. However, it is actively involved in project facilitation in these sectors, namely ICT-BPO, Financial Services, Logistics and Distribution, Agro Industry, Manufacturing, Seafood, Healthcare, Life Sciences, Education and Renewable Energies.

For the period 2009 to 2011, BOI has facilitated more than 140 projects in sectors other than property and construction and Freeport. These projects have generated FDI exceeding MUR 7.5 Billion.

In 2009, 55 projects (in sectors other than property and construction and Freeport) were facilitated with FDI to the tune of more than MUR 3.2 billion. In 2010, 39 projects were facilitated with FDI exceeding MUR 2.3 billion. In 2011, 49 projects were facilitated with FDI exceeding MUR 1.9 billion.

Detailed information on the projects facilitated, as well as Foreign Direct Investment and status of projects is being placed in the Library.

LOCAL MUSIC AND VISUAL ARTS - DEVELOPMENT

(No. A/252) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Arts and Culture whether, in regard to local music and visual arts, he will state the -

- (a) support and schemes available to encourage the development thereof;
- (b) total amount of funds disbursed for the development thereof over the past five years, and
- (c) the plans that the Ministry has to further enhance the development of this industry at local and International levels.

Reply: The following assistance schemes are provided in support and development of artists -

- (i) Assistance Scheme for production of CDs, publication of books, art exhibitions and production of plays - Rs30,000 (which was initially Rs15,000);
- (ii) International Development Grant up to a ceiling of Rs300,000
- | | |
|---------------------------------------|---------|
| (a) International Travel Grant | 50,000 |
| (b) International Collaboration Grant | 200,000 |
| (c) Marketing Development Grant | 100,000 |

Note: Participants are entitled to any two out of three grants once every 2 years.

- (iii) refund of 50 % of the rental cost of venues for concerts by local artists;
- (iv) contribution up to a ceiling of Rs30,000 for holding of exhibitions and other cultural events; and
- (v) waiving of rental cost of venues for 3 rehearsals and gala show for plays.

Regarding part (b), the total amount disbursed under the above assistance schemes for the past five years is as follows –

Sn	Scheme	Amount Disbursed (Rs)
i	Assistance scheme for Production of CDs, publication of books, art exhibition and production of plays	3,685,000
ii	International Development Grant	6,188,008
iii	Refund of 50% of rental cost of venues for concerts by local artists	132,963
iv	Contribution up to Rs 30,000 for holding of exhibitions and other cultural events	1,092,000
V	Waiving of rental cost of venues for 3 rehearsals and gala show for plays	310,000

As for part (c), this Ministry will encourage artists to earn a living through their artistic talents by providing more support.

It is preserving the most precious intangible heritage of our country through artistic creativity.

By giving artists the opportunity to showcase their talents abroad and perform with internationally renowned artists the Ministry is enabling the artists to enhance creativity and the level of performance, at the same time enable the artist to have their own networking abroad.

This Ministry is coming up with a white paper shortly which provides for measures to enhance the development of the industry at local and international levels.

MAURITIUS SOCIETY OF AUTHORS – HOLOGRAMS - SALE

(No. A/253) Mrs J. Radeconde (Fourth Member for Savanne & Black River) asked the Minister of Arts and Culture whether, in regard to the Mauritius Society of Authors, he will, for the benefit of the House, obtain therefrom, information as to the number of holograms sold for all international work, since 2005 to date, including UMPG, T-series, GMP and independent music groups.

Reply: I am informed that 467,851 holograms for all international works have been sold by MASA since 2005 to date including UMPG, T-series, GMP and independent music groups.

NTC BUILDING – EBENE CYBER CITY - BREAKDOWN

(No. A/254) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the National Transport Corporation building at Ebène Cyber City, he will, for the benefit of the House, obtain from the Corporation, information as to the final breakdown of the amount invested by the Corporation therein, giving details of the total cost of the construction thereof, amount spent for amenities and utilities, security services, interest with banks for loans taken and other related costs.

Reply: The amount spent, as at 19 October 2012, by the National Transport Corporation (NTC) for the construction of its building at Ebène Cybercity, is as follows -

<i>N</i>	<i>Description</i>	<i>Amount VAT Inclusive (Rs)</i>
	One off payment to BPML	4,000,000.00
	Rent paid to BPML	1,729,240.00
	Building Permit-Municipality of Quatre Bornes	273,308.00
	Central Electricity Board	1,334,995.00
	Central Water Authority	50,991.00
	Advertising Fees-Local Newspapers	2,000.00
	Nuzeebun Project Consultants Ltd	1,148,043.00
	Pravin Desai-Architect	1,530,650.00
	Architect Balloo	55,000.00
0	Servansing Jadav & Partners	556,601.00
1	WSP Mechanical & Electrical Engineer	1,166,641.00
2	On Seng Goburdhun & Partners- Quantity Surveyors	439,875.00
3	Building Cost- Payment to Gamma Civic Construction Ltd	94,324,238.00
Total Payment effected by the NTC as at 19.10.2012		106,611,582.00
		0

Contractual Claims

The NTC is also in the presence of a recommendation by the consultants for settling the contractor's claim of Rs28 m. VAT inclusive, in an amount of Rs10,803,938.43 VAT inclusive. The consultants have on their part, forwarded claims totalling Rs863,609.45 VAT inclusive. The contractor's and consultant's claims are mainly grounded on the unforeseen delay in the construction period, due to the fact that works were suspended from

30 April 2009 up to 26 April 2010, in the aftermath of the NTC's incapacity to effect payments to the contractor, as duly certified by the consultants. The claims are currently being examined.

Recurrent Expenses for Utilities and Security Services

Since it took over the building on 15 October 2010, the NTC has spent sums of -

(i) Rs25,639.40 and Rs506,827/- on water and electricity charges respectively.

The document is being placed in the Library.

(ii) Rs530,597/- on security services. The document is being placed in the Library.

SBI Loan of Rs70 m.

In November 2009, the NTC contracted a loan of Rs70 m. from SBI (Mtius) Ltd for the completion of the construction of its Ebène building, wherefrom a maximum drawdown of Rs58,778,375.23 has been effected since 02 April 2010. As at end September 2012, the NTC has reimbursed to the bank, an amount of Rs16,432,973.92, made up of Rs11,408,195.95 as capital repayment and Rs5,024,777.97 as interest. The document is being placed in the Library.

MAINGARD, BEAU BASSIN - SEWERAGE NETWORK

(No. A/255) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the 3 or 4 lanes at Chasteauneuf Street, Maingard, Beau Bassin, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to when same will be connected to the sewerage network in view of environmental problems thereat.

Reply: I am informed that Impasse 1, 2 and 3 at Chasteauneuf Street, Maingard, Beau Bassin are in a low lying area and the majority of premises in that region cannot be connected to the existing sewer line on Chasteauneuf Street.

However, for some premises where direct house connection is technically feasible, it will be considered under the House Connection programme 2012/2013.

TRIANON – TELECOMMUNICATIONS ANTENNA

(No. A/256) Mr S. Soodhun (Second Member for La Caverne & Phoenix) asked the Minister of Information and Communication Technology whether, in regard to the proposed installation of a telecommunications antenna at Petit Camp Branch Road, Trianon, he will state where matters stand.

Reply: The Information and Communication Technologies Authority (ICTA) has informed my Ministry that Emtel Ltd, which holds a Public Land Mobile Network licence, is presently involved in a project to install a telecommunication antenna mast at Petit Camp Branch Road in Trianon for the purpose of maintaining its quality of service for mobile communication in Mauritius, as required by the terms and conditions stipulated in its licence.

The ICTA has also informed that on 06 February 2012, Emtel Ltd issued a communiqué in two daily newspapers and placed a notification plate on the location site regarding its intent to erect an antenna mast. On 08 February 2012, the ‘*Association Résidences Trianon*’ made a complaint to Emtel Ltd. The latter replied to the Association, clarifying the points raised in the complaint letter and gave the guarantee that the telecommunication infrastructure would withstand cyclonic conditions with gusts higher than 300 Km/h, and also explained about the benefits derived by the inhabitants living in the area in terms of the future broadband services to be provided by Emtel Ltd.

On 24 February 2012, Emtel Ltd submitted an application to ICTA for authorisation for the setting up of a station at, *inter alia*, Trianon, Petit Camp. Based on the established procedure for the evaluation of applications for the setting up or modification of a station, ICTA granted an authorisation on 14 March 2012 to Emtel Ltd for the setting up of the station at Trianon, subject to the obtention of the authorisation from other relevant authorities.

On 18 April 2012, the ‘*Association Résidences Trianon*’ filed a complaint to ICTA against the setting up of the station at Trianon. ICTA conducted some preliminary investigations and informed the Association accordingly. On 19 June 2012, the Association sent a letter of objection to the Municipal Council of Quatre Bornes with copy to ICTA.

On 22 June 2012, ICTA informed the Association that the operation of the radio base station was found to be in conformity with the applicable Radio Frequency (RF) safety norms, and that an authorisation was granted to Emtel Ltd on that very basis. ICTA also informed the Association that before granting any authorisation, it ensures that Radio Frequency installations

are complaints with the International Commission on Non-Ionisation Radiation Protection (ICNIRP) limits and are safe for the general public.

On 06 July 2012, Emtel Ltd has applied for a Building and Land Use Permit to the Municipal Council of Quatre Bornes, in line with the Planning Policy Guidance 7.0 of the Ministry of Housing and Lands. The application is under process at the Municipal Council of Quatre Bornes.

MORCELLEMENT RAFFRAY, PAILLES - ABSORPTION PIT - OVERFLOWING

(No. A/257) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Environment and Sustainable Development whether, in regard to faecal matters overflowing since some time near the mosque at Morcellement Raffray, Pailles, he will state the remedial measures which have been or will be taken.

Reply: I am advised that the wastewater nuisance reported at Morcellement Raffray, Pailles is being caused by the overflow of an absorption pit found on the premises of one inhabitant.

Further to complaints received –

- (i) the Ministry of Environment and Sustainable Development served a Programme Notice under Section 70 of the Environment Protection Act 2002 on 19 July 2012, requesting the owner of the premise to submit a programme of measures with time frame to abate the nuisance, and
- (ii) the Ministry of Health and Quality of Life served a Sanitary Notice on the same person requesting that the absorption pit be emptied.

Morcellement Raffray will be connected to the sewerage network under the Pailles/Guibies Sewerage Project scheduled for implementation as from 2014.

Pending the connection of the concerned premise to the public sewer network, the owner has been advised to arrange for the regular emptying of the absorption pit. This matter is being followed up by the Ministry of Environment and Sustainable Development and the Ministry of Health and Quality of Life in collaboration with my Ministry.

HOUSING DEVELOPMENT TRUSTS - SET UP

(No. A/258) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to not-for-profit Housing Development Trusts, he will state the number thereof which have been set up and the amount, if any, contributed by the Government thereto, in each case.

Reply: As announced in the 2012 Budget, Government has come forward with a new vehicle, namely the non-profit housing development trust in order to -

- give a boost to the construction of social housing units across the island, and
- mobilise substantial amount of CSR financing for social housing development.

Foundation(s) or entities would be encouraged to set up Housing Development Trusts (HDT) or any other non-profit vehicle and register themselves with the National CSR Committee, to be entitled for exemption from land conversion tax, registration duty, land transfer tax and VAT.

Given that the HDT scheme will be financed by one-third CSR funds, one-third Government from the Social Housing Development Fund and one-third through loan by the HDT and eventually by the beneficiary, it was vital to draw a proper operational framework along which all the stakeholders could operate in a transparent manner. In this respect, consultations have been held with the stakeholders, namely Mauritius Housing Company, Ministry of Housing and Lands, Ministry of Social Integration and Economic Empowerment, the National Empowerment Foundation, representative of CSR Committee and the Joint Economic Council before coming up with a proper framework.

My Ministry has finalised the Operational Framework for the Housing Development Trust which is available in the website of the Ministry since September 2012.

In addition, the draft Regulations on the Social Housing Development Scheme has been circulated and the views of major stakeholders are being sought before finalisation.

MRA - TAX AMNESTY - AMOUNT RECOVERED

(No. A/259) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to tax amnesty for the period of January 2012 to June 2012, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the amount recovered under each of –

- (a) the voluntary disclosure of Income Arrangement;
- (b) the Incentive Scheme for VAT registration;
- (c) the Tax Arrears Settlement Scheme, and
- (d) the Expeditions Dispute Resolution of Tax, indicating in each case the amount of penalties and interest waived.

Reply: with regard to the tax amnesty, the amount collected by the Mauritius Revenue Authority (MRA), during the period January to September 2012, under the four amnesty schemes is as follows –

Amnesty Schemes	Rs million
Voluntary Disclosure of Income Arrangement (VDIA)	46
VAT Registration Incentive Scheme (VRIS)	17
Tax Arrears Settlement Scheme (TASS)	43
Expeditious Dispute Resolution of Tax (EDRTS)	3
Total	52
	3

Penalties and interest waived under the Schemes are as follows -

Amnesty Schemes	Rs million
Voluntary Disclosure of Income Arrangement (VDIA)	789
VAT Registration Incentive Scheme (VRIS)	6
Tax Arrears Settlement Scheme (TASS)	61
Expeditious Dispute Resolution of Tax (EDRTS)	1
Total	857

CWA - COLD POTABLE WATER METERS - TENDERS

(No. A/260) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to 15mm diameter - Cold Potable Water Meters he will, for the benefit of the House, obtain from the Central Water Authority, information as to the outcome of procurement tenders of -

- (a) C2009/63 (July 2010);
- (b) C/2011/05 (May 2011);
- (c) CWA/QUO/2011/41 (December 2011), and
- (d) CWA/C2012/06 (February 2012).

Reply: I am informed by the CWA that the outcome of the procurement exercises for cold potable water meters were as follows -

Contract	Outcome
C2009/63	The Bidding process cancelled as all the bids were non responsive due to failure to submit required certificate of accreditation of the testing laboratory and also non-compliance of meters to ISO 4060-2005.
C2011/05	The bidding process was cancelled as the successful bidder failed to submit evidence of authorisation of signature.
CWA/QUO/2011/41	Contract was awarded to Metex Trading Company Ltd to the sum of Rs 2,300,000 exc. VAT.
CWA/C/2012/06 (Feb 2012)	The bidding exercise was cancelled as the selected bidder after acknowledging receipt of Letter of Award of contract indicated that he would be supplying plastic water meters with a pressure loss 0.85 bar instead 0.63 bar as specified in the tender document.

	The offer was considered as non-responsive and consequently the Letter of Award was withdrawn.
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CANOT & MORCELLEMENT LA CONFIANCE - FOOTBALL GROUNDS

(No. A/261) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Local Government and Outer Islands whether, in regard to the construction of football grounds at Canot and Morcellement La Confiance in Constituency No. 20, he will state where matters stand.

Reply: I am informed by the Municipal Council of Beau Bassin-Rose Hill that the project for the construction of a football ground at Maingard, La Confiance, Beau Bassin is being implemented by the National Development Unit and the project is at evaluation stage.

With regard to the construction of a football ground at Canot, I am informed by the Black River District Council that it does not have any such project as no land is available for the time being.

ROCHE BOIS – ST. MARTIN STREET - SPEED BREAKERS

(No. A/262) **Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the St. Martin Street, Roche Bois, he will state if he has been informed that vehicles coming from the North use it as a shortcut to reach Port Louis in the morning at high speed thus causing hazards to the inhabitants thereof and, if so, indicate the remedial measures that will be taken, including the installation of speed breakers thereat.

Reply: St. Martin Street is used as a by-pass route by a number of vehicles from the North and entering Port Louis in the morning, to avoid the congestion on the Motorway M2 and Port Louis – Central Flacq Road A2. Consequently, during the morning peak hours, the road carries a higher volume of traffic than during other periods. Otherwise the traffic volume is relatively low on this road.

The road has the following characteristics -

- (i) it is about 700m long and with width varying between 4.70 m and 5.00 m;
- (ii) on one side of the road, there exists a 1m wide footpath, on an extent of about 200 m. In fact an existing drain has been covered with raised concrete covers and converted into footpath;
- (iii) there are bends at both ends of the road, and
- (iv) it is essentially a two way residential road and as such vehicles are often parked randomly on both sides of the road.

Speeding could be possible on a road only when there is sufficient gap and distance between vehicles. On roads carrying high volume of traffic, speeding is normally not possible, as most of the space would be occupied by cars, which would be forcefully required to slow down. Accordingly, it is very unlikely that vehicles would be speeding on St. Martin Street during the morning peak hours.

The provision of road humps along St. Martin Street is not justified under the present circumstances. However, in the event that there is a drastic change in the road conditions and environment that could result in deterioration of road safety, the Traffic Management and Road safety Unit will implement remedial measures that would be considered appropriate.

However, a number of road humps have already been set up in the Roche Bois region as per the list below.

	Street Name	Location	Remarks
	Balisage St	Near school	1 Hump
	Cocoterie Road	Near school	3 Humps
	Currimjee Jeewanjee St	Residential zone	1 Hump
	Ste Famille St	Near school	2 Humps
	Tamarin St	Residential Zone/School	1 Hump
	Vigoureux St	Residential Zone	1 Hump

The Traffic Management and Road Safety Unit will be requested to provide for speed limit signs restricted to 40 km and explore the possibility of extending the footpath wherever feasible along one side of the whole stretch of the road.

CITÉ MARTIAL – WATER SUPPLY

(No. A/263) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Cité Martial region, in the Constituency No. 3, Port Louis Maritime and Port Louis East, he will state if he has been informed of irregular and low water supply thereat since 15 October 2012 and, if so, will he, for the benefit of the House, obtain from the Central Water Authority, information as to the -

- (a) local reservoir from which they are being supplied water;
- (b) reasons thereof, and
- (c) the remedial measures that will be taken.

Reply: The region of Cité Martial is supplied from Priest Peak Service Reservoir which is in turn fed from Nicolière Treatment Plant and Pailles Treatment Plant, which is fed from Municipal Dyke on Grand River North West.

During the weekend 13, 14 October, there was significant fall in the flow of Grand River North West causing some 20% reduction in production at Pailles. However, following major breakdown of pumps at the Poudre d'Or Balancing Tank, the CWA had to divert part of the water in the Nicolière/Priest Peak System to provide a minimum supply to the North. Accordingly, the region of Cité Martial which is found in the upper reaches of the area supplied by Priest Peak Reservoir had been adversely affected.

The pumps at Poudre d'Or are back in operation since 17 October 2012 and the full water allocation from Nicolière to Priest Peak Reservoir has been restored.

Presently the hours of supply at Cité Martial are as follows -

From	:	05.00 a.m.	to	09.00 a.m.
From	:	04.00 p.m.	to	08.00 p.m.

PORT LOUIS & QUATRE BORNES FIRE STATIONS - RELOCATION

(No. A/264) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the relocation of the Port Louis and Quatre Bornes Fire Stations respectively, he will, for the benefit of the House, obtain from the Government Fire Services, information as to where matters stand.

Reply: I am informed by the Fire Services Department that two sites were identified to relocate Port Louis Fire Station, namely at Roche Bois for a sub-station and at Colline Monneron for a main station. The site at Roche bois was located on a busy roundabout which could hamper the rapid turn out of fire fighting vehicles and the Road Development Authority did not agree to a direct access on the roundabout due to safety hazard. As regards the site at Colline Monneron, the Project Plan Committee did not recommend the project.

As regards the Quatre Bornes Fire Station, I am informed that no State land is available in the region of Ebène, Trianon and Phoenix for the construction of a building to house the Quatre Bornes Fire Station. The Fire Services Department is still in the process of identifying an alternative site for this project.

MAHEBOURG - EMMANUEL ANQUETIL SSS - UPGRADING

(No. A/265) **Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Education and Human Resources whether, in regard to the proposed extension and upgrading of the Emmanuel Anquetil State Secondary School in Mahebourg, he will give -

- (a) the detailed scope of works thereof;
- (b) the estimated cost thereof, and
- (c) where matters stand, indicating when works are expected to start.

Reply: In regard to part (a) of the question, the detailed scope of works for the extension and upgrading works consists in the -

- (a) construction of a new block to accommodate Science Laboratories, DCDT Workshops, Computer Laboratories and a library, including electrical, mechanical and gas installations, site and external works, and provision of specialist furniture, and
- (b) demolition of actual DCDT Workshop.

As regards parts (b) and (c) of the question, the contract in an amount of Rs51 m. has already been awarded and works are expected to start in November 2012 for a contractual duration of 9 months.