



FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

SECOND SESSION

TUESDAY 25 MARCH 2014

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THE CABINET**(Formed by Dr. the Hon. Navinchandra Ramgoolam)**

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
Hon. Anil Kumar Bachoo, GOSK	Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping
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Hon. Mrs Sheilabai Bappoo, GOSK	Minister of Social Security, National Solidarity and Reform Institutions
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Hon. Devanand Virahsawmy, GOSK	Minister of Environment and Sustainable Development
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Hon. Mookhesswur Choonee, GOSK	Minister of Arts and Culture
Hon. Shakeel Ahmed Yousuf Abdul Razack Mohamed	Minister of Labour, Industrial Relations and Employment
Hon. John Michaël Tzoun Sao Yeung Sik Yuen	Minister of Tourism and Leisure
Hon. Lormus Bundhoo	Minister of Health and Quality of Life
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Hon. Jangbahadoorsing Iswurdeo Mola	Minister of Business, Enterprise and Cooperatives
Roopchand Seetaram	
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

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MAURITIUS

Fifth National Assembly

SECOND SESSION

Debate No. 01 of 2014

Sitting of 25 March 2014

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. Prime Minister's Office –

- (a) Certificate of Urgency in respect of the Mauritius Research Council (Amendment) Bill (No. I of 2014).
- (b) The Village Council (Petite Riviere) (By-Election) Regulations 2013 (Government Notice No. 299 of 2013).
- (c) The Village Council (Petite Rivière) (By-Election) (Amendment) Regulations 2014 (Government Notice No. 8 of 2014).
- (d) The Village Council (Petite Rivière) By-Election (Polling Station) Order, 2014 (Government Notice No. 9 of 2014)
- (e) The Immigration (Permits) (Prescribed Fees, Guarantees and Application Form) (Amendment) Regulations 2014 (Government Notice No. 10 of 2014).
- (f) The Police Federation (Amendment) Regulations 2014 (Government Notice No. 11 of 2014).
- (g) The Civil Aviation (Global Navigation Satellite System) Regulations 2014 (Government Notice No. 18 of 2014).
- (h) The Rodrigues Regional Assembly (Child Protection) (Mentoring Order) Regulations 2014 (Government Notice (Rodrigues Regional Assembly) No. 1 of 2014).
- (i) The Rodrigues Regional Assembly (Prohibition of Use of Plastic Bags) Regulations 2014 (Government Notice (Rodrigues Regional Assembly) No. 2 of 2014).

B. Ministry of Energy and Public Utilities –

The Annual Report 2012 of the Wastewater Management Authority (In Original).

C. Ministry of Finance and Economic Development –

- (a) The Companies (Fees Payable to Registrar) (Amendment) Regulations 2013 (Government Notice No. 311 of 2013).
- (b) The Private Pension Schemes (Governance) (Amendment) Rules 2013 (Government Notice No. 321 of 2013).
- (c) The Securities (Brokerage of Fees for Debentures) Rules 2013 (Government Notice No. 322 of 2013).
- (d) The Private Pension Schemes (Technical Funding Requirement) Rules 2013 (Government Notice No. 323 of 2013).

- (e) The Custom Tariff (Amendment of Schedule) (No. 5) Regulations 2013 (Government Notice No. 324 of 2013).
- (f) The Eastern and Southern African Trade and Development Bank (PTA Bank) (Privileges and Immunities) Regulations 2013 (Government Notice No. 325 of 2013).
- (g) The Stock Exchange (Brokerage Fee for Debentures) (Revocation) Regulations 2013 (Government Notice No. 332 of 2013).
- (h) The Annual Report of the Employees Welfare Fund for the year ended 31 December 2012.
- (i) The Annual Report 2012 of the Mauritius Revenue Authority.
- (j) The Excise (Amendment of Schedule) (No. 3) Regulations 2013 (Government Notice No. 1 of 2014).
- (k) The Report of the Director of Audit on the Financial Statements of the Mauritius Ex-Services Trust Fund for the year ended 31 December 2012 (In Original).
- (l) The Annual Report of the Accountant General and the Accounts of the Republic of Mauritius for the fiscal year ended 31 December 2012 (In Original).
- (m) The Finance and Audit (Build Mauritius Fund) Regulations 2013 (Government Notice No. 3 of 2014).
- (n) The Income Tax (Amendment of Schedule) (No. 2) Regulations 2013 (Government Notice No. 5 of 2014).
- (o) The Income Tax (Amendment No. 2) Regulations 2013 (Government Notice No. 6 of 2014).
- (p) The Annual Report of the Financial Reporting Council for the year ended 30 June 2008.
- (q) The Digest of Crime-Justice and Security Statistics – 2012.
- (r) The Digest of Road Transport and Road Accident Statistics - 2012.
- (s) The Digest International Travel and Tourism Statistics 2012.
- (t) The Digest of Energy and Water Statistics 2012.
- (u) The Dollar Credit Line Agreement dated February 12, 2014 between the Government of Mauritius and the Export-Import Bank of India (In Original).
- (v) The Gambling Regulatory Authority (Limited Payout Machine) (Technical Standards) Regulations 2014 (Government Notice No. 17 of 2014).
- (w) The Finance and Audit (Recovered Assets Fund) Regulations 2014 (Government Notice No. 25 of 2014).
- (x) The Freeport (Amendment of Schedule) Regulations 2014 (Government Notice No. 28 of 2014)
- (y) The Double Taxation Avoidance Agreement (The States of Guernsey) Regulations 2014 (Government Notice 33 of 2014).
- (z) The Double Taxation Convention (Grand Duchy of Luxembourg) (Amendment) Regulations 2014 (Government Notice 34 of 2014)

- (aa) The Customs (Export to Pakistan) Regulations 2014 (Government Notice No. 35 of 2014).
- (ab) The Public Procurement (Diplomatic Missions of Mauritius) Regulations 2014 (Government Notice No. 36 of 2014).
- (ac) The Finance and Audit (National Habitat Fund) Regulations 2014 (Government Notice No. 38 of 2014).
- (ad) The Finance and Audit (Local Infrastructure Fund) (Amendment) Regulations 2014 (Government Notice No. 39 of 2014).
- (ae) The Investment Promotion (Film Rebate Scheme) (Amendment) Regulations 2014 (Government Notice No. 40 of 2014).
- (af) The Digest of External Trade Statistics year 2012.
- (ag) The Digest of Demographic Statistics 2012.
- (ah) 2011 Housing and Population Census –
 - Vol. V - Economic Characteristics
 - Vol. VII – Households Characteristics

D. Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping –

- (a) The Motorways and Main Roads (Amendment No. 3) Regulations 2013 (Government Notice No. 309 of 2013).
- (b) The Higginson Road (B24) (Modification) Regulations 2013 (Government Notice No. 310 of 2013).
- (c) The Professional Quantity Surveyors’ Council (Fees) Regulations 2013 (Government Notice No. 7 of 2014).
- (d) The Road Traffic (Taxi, Bus and Lorry Stands) Order 2014 (Government Notice No. 15 of 2014).
- (e) The Motorways and Main Roads (Amendment) Regulations 2014 (Government Notice No. 32 of 2014).

E. Ministry of Housing and Lands –

The Annual Report and Audited Financial Statements of the Town and Country Planning Board for the year ended 31 December 2011.

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

- (a) The Reports of the Director of Audit on the Financial Statements of Special Fund for the Welfare of the Elderly for the years ended 30 June 2009, 31 December 2010 and 31 December 2011 (In Original).
- (b) The Report of the Director of Audit on the Financial Statements of the Training and Employment of Disabled Persons Board for the 18 months period ended 31 December 2010 (In Original).

G. Ministry of Education and Human Resources –

- (a) The Human Resource Development (Amendment of Schedule) Regulations 2013 (Government Notice No. 4 of 2014).

- (b) The Annual Report 2011 of the Rabindranath Tagore Institute.
- (c) The Annual Report 2011 of the Mahatma Gandhi Institute.

H. Ministry of Agro Industry and Food Security, the Attorney-General –

- (a) The Report of the Director of Audit on the Financial Statements of the Law Reform Commission for the year ended 31 December 2012.
- (b) The Annual Report 2012 of the Food and Agricultural Research Council and the Agricultural Research and Extension Unit.
- (c) The Annual Report 2013 of the Enforcement Authority.
- (d) The Irrigation Area (Declaration of Irrigation Area) Regulations 2014 (Government Notice No. 22 of 2014).
- (e) The Annual Report of the Sugar Investment Trust for the year ended 30 June 2013.

I. Ministry of Tertiary Education, Science, Research and Technology –

- (a) The Annual Report 2012 of University of Mauritius (In Original).
- (b) The Tertiary Education Commission (Prohibition of Misleading Advertisement) Regulations 2014 (Government Notice No. 23 of 2014).

J. Ministry of Information and Communication Technology –

- (a) The Report of the Director of Audit on the Financial Statements of the Postal Authority for the year ended 31 December 2012 (In Original).
- (b) The Report of the Director of Audit on the Financial Statements of the Information and Communication Technologies Authority for the year ended 31 December 2012 (In Original).

K. Ministry of Fisheries –

The Annual Report and Accounts of the Fishermen Welfare Fund for the year ended 31 December 2012.

L. Ministry of Local Government and Outer Islands –

- (a) The Quatre Bornes (Collection and Disposal of Refuse) Regulations 2013 (Government Notice No. 300 of 2013).
- (b) The Municipal Council of Quatre Bornes (Fees for Classified Trades) Regulations 2013 (Government Notice No. 301 of 2013).
- (c) The District Council of Riviere du Rempart (Fees for Classified Trades) Regulations 2013 (Government Notice No. 302 of 2013).
- (d) The District Council of Pamplemousses (Fees for Classified Trades) Regulations 2013 (Government Notice No. 303 of 2013).
- (e) The District Council of Grand Port (Fees for Classified Trades) Regulations 2013 (Government Notice No. 304 of 2013).
- (f) The District Council of Black River (Fees for Classified Trades) Regulations 2013 (Government Notice No. 305 of 2013).

- (g) The City Council of Port Louis (Streets and Squares) (Amendment) Regulations 2013 (Government Notice No. 312 of 2013).
- (h) The City Council of Port Louis (Fees for Classified Trades) Regulations 2013 (Government Notice No. 313 of 2013).
- (i) The Municipal Council of Beau Bassin-Rose Hill (Fees for Classified Trades) Regulations 2013 (Government Notice No. 314 of 2013).
- (j) The Municipal Council of Vacoas-Phoenix (Fees for Classified Trades) Regulations 2013 (Government Notice No. 315 of 2013).
- (k) The Municipal Council of Curepipe (Fees for Classified Trades) Regulations 2013 (Government Notice No. 316 of 2013).
- (l) The District Council of Moka (Fees, Dues & other charges for Classified Trades) Regulations 2013 (Government Notice No. 317 of 2013).
- (m) The District Council of Flacq (Fees, Dues & other charges for Classified Trades) Regulations 2013 (Government Notice No. 318 of 2013).
- (n) The District Council of Savanne (Fees for Classified Trades) Regulations 2013 (Government Notice No. 319 of 2013).
- (o) The Municipal Council of Vacoas-Phoenix (Cemetery/Crematorium) (Amended) Regulations 2013 (Government Notice No. 327 of 2013).
- (p) The Municipal Council (Fees for Outline Planning Permission and Building and Land Use Permit) Regulations 2013 (Government Notice No. 19 of 2014).
- (q) The Municipal Council of Quatre Bornes (Naming of roads at Cybercity - Ebene) Regulations 2013 (Government Notice No. 26 of 2014).
- (r) The Annual Report of the Beach Authority for fiscal year 2011.
- (s) The District Council of Grand Port (Cemetery/Crematorium) Regulations 2014 (Government Notice No. 41 of 2014).
- (t) The Annual Reports and Audited Accounts of the Local Infrastructure Fund for the Financial Years 2011 and 2012.

M. Ministry of Arts and Culture –

- (a) The Consolidated Annual Reports 2002 – 2008 of the Mauritius Marathi Cultural Centre Trust.
- (b) The Annual Report of the Aapravasi Ghat Trust Fund for the financial year 2011 and 2012.
- (c) The Annual Report of the Ramayana Centre for the Financial Year 2012 (In Original).

N. Ministry of Labour, Industrial Relations and Employment –

- (a) The Office Attendants (Remuneration) Regulations 2013 (Government Notice No. 326 of 2013).
- (b) The Electrical, Engineering and Mechanical Workshops (Remuneration) Regulations 2013 (Government Notice No. 334 of 2013).

- (c) The Occupational Safety and Health (Safety of scaffolds) Regulations 2013 (Government Notice No. 16 of 2014).
- (d) The Non-Citizens (Work Permits) (Fees) (Amendment) Regulations 2014 (Government Notice No. 37 of 2014).

O. Ministry of Health and Quality of Life –

- (a) The Medical Council (Medical Institutions) (Amendment No. 9) Regulations 2013 (Government Notice No. 328 of 2013).
- (b) The Medical Council (Medical Institutions) (Amendment No. 10) Regulations 2013 (Government Notice No. 329 of 2013).
- (c) The Medical Council (Recognised Professional Body) (Amendment) Regulations 2013 (Government Notice No. 330 of 2013).
- (d) The Dental Council (Medical Institutions) (Amendment No. 3) Regulations 2013 (Government Notice No. 331 of 2013).
- (e) The Medical Council (Exemption from Examination) (Amendment) Regulations 2014 (Government Notice No. 13 of 2014).
- (f) The Animal Diseases (Amendment) Regulations 2014 (Government Notice No. 14 of 2014).
- (g) The Audited Accounts of the De Chazal Maternity Home Fund for the years 2012 and 2013 (In Original).
- (h) The Dental Council (Exemption from Examination) (Amendment) Regulations 2014 (Government Notice No. 21 of 2014).
- (i) The Medical Council (Exemption from Examination) (Amendment No. 2) Regulations 2014 (Government Notice No. 31 of 2014).

P. Ministry of Industry and Commerce and Consumer Protection –

- (a) The Consumer Protection (Export Control) (Amendment) Regulations 2013 (Government Notice No. 297 of 2013).
- (b) The Consumer Protection (Control of Imports) (Amendment No. 4) Regulations 2013 (Government Notice No. 298 of 2013).
- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 25) Regulations 2013 (Government Notice No. 306 of 2013).
- (d) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 26) Regulations 2013 (Government Notice No. 307 of 2013).
- (e) The Consumer Protection (Control of Price of Petroleum Products) (Amendment) Regulations 2013 (Government Notice No. 308 of 2013).
- (f) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 27) Regulations 2013 (Government Notice No. 320 of 2013).
- (g) The Consumer Protection (Price and Supplies Control) (Amendment of Schedule) (No. 2) Regulations 2013 (Government Notice No. 333 of 2013).

- (h) The Consumer Protection (Events) Regulations 2013 (Government Notice No. 2 of 2014).
- (i) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment) Regulations 2014 (Government Notice No. 12 of 2014).
- (j) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 2) Regulations 2014 (Government Notice No. 20 of 2014).
- (k) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 3) Regulations 2014 (Government Notice No. 24 of 2014).
- (l) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 4) Regulations 2014 (Government Notice No. 27 of 2014).
- (m) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 5) Regulations 2014 (Government Notice No. 29 of 2014).
- (n) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 6) Regulations 2014 (Government Notice No. 30 of 2014).
- (o) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 7) Regulations 2014 (Government Notice No. 42 of 2014).
- (p) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 8) Regulations 2014 (Government Notice No. 43 of 2014).
- (q) The Annual Report of the Mauritius Standards Bureau for the year 2012 (In Original).

Q. Ministry of Civil Service and Administrative Reforms –

- (a) The Civil Establishment Order (No. 2) 2013 (Government Notice No. 335 of 2013).
- (b) The Civil Establishment (Rodrigues Regional Assembly) Order (No. 2) 2013 (Government Notice No. 336 of 2013).

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 our electoral system, he will state –

- (a) when Government is proposing to introduce in the Assembly –
 - (i) legislation for the reform thereof;
 - (ii) a motion in relation to the Report of the Electoral Boundaries Commission on the Review of the Boundaries of the Constituencies 2009;
- (b) when information was forwarded to the United Nations Human Rights Committee about the measures taken to give effect to the Committee's Views adopted at its Meeting of 27 July 2012 in relation thereto, and
- (c) the present composition of the Electoral Supervisory Commission, indicating the date on which the respective mandate of the members and of the Commissioner thereof will terminate.

The Prime Minister: Mr Speaker, Sir, yesterday marked a defining moment in the history of democracy in our country, when I launched the document entitled “Renewing Democracy-Electoral Reform Modernising the Electoral System”

As I stated therein and right at the very beginning, it has been 46 years, since our Constitution, along with its electoral system, was settled at Independence. This Constitution has undoubtedly been the bedrock of political and social stability in our country.

However, as I said, it is time that we look at it again.

Mr Speaker, Sir, the proposals set out in the document constitutes a pragmatic and solid foundation for the evolutionary reform that our country needs at this juncture. As I had stated several times, before electoral reform, we should reflect on the views of the different stakeholders and not only those of us in this National Assembly. In this respect, I launched the process of consultation on the issues that we think there might be slight disagreement, but not on

the issue where there is broad agreement. I have invited all interested parties to submit their proposals or suggestions to the Electoral Reform Unit at my Office by 05 May 2014.

The elaboration of appropriate legislation for the reform of our electoral system will be undertaken in the light of comments and suggestions, if they are valid, which are received.

In regard to part (a) (ii) of the question, Government is well aware, as I mentioned, in fact, yesterday that since Constituency size is not equal, this does create a distortion on the number of constituents per MP and this is why we have suggested the use of wasted votes which will be addressed later, as I said.

And as I had earlier in my reply to Parliamentary Question B/3 at the sitting of the National Assembly on 08 May 2012, said that it was premature to specify a date for coming forward with a motion before the electoral reform proposals are finalised.

Mr Speaker Sir, I have indicated in my proposals that although there is quite a variation between Constituency size and the number of voters per Constituency, we believe that adjusting the number of electors per Constituency will create more problems than it solves. That is why I ambiguously stated that Government is minded not to accept any changes in the electoral boundaries. I will therefore shortly introduce the motion in this Assembly as now this has been decided, but it will, of course, be up to the Assembly to approve or reject the recommendations of the Electoral Boundaries Commission.

In regard to part (b) of the question, as the House will be aware, on 27 July 2012, the Human Rights Committee, after examining the submissions made in writing, in relation to the complaint made in 2007 by members of “*Resistance ek Alternative*”, adopted the views that the facts before it disclosed a violation of the complainants’ rights under Article 25(b) of the International Covenant on Civil and Political Rights. The Committee stated that Mauritius is under an obligation to, and I quote –

- (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.

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

On 27 February 2013, pursuant to the request made by the Human Rights Committee, my Office issued a Communiqué to bring the said Views to the attention of the public. The gist of the Views was set out in the Communiqué, and in addition it was stated that the complete version of the Committee's views could be accessed in English and French on the website of the Office of the High Commissioner of Human Rights.

On 27 February 2013, within the set deadline of 180 days from the transmittal of the Views, a *Note Verbale* was sent to the Secretary-General of the United Nations High Commissioner for Human Rights to request that the Human Rights Committee be informed as follows, and I quote -

“In connection with the reform of the electoral system, including reconsideration of the Best Loser System, Government has been in consultation with a number of stakeholders and constitutional experts, and is currently still in active consultation with the constitutional experts.

Government intends thereafter to publish - I am just summarising the quotation - a Consultation Paper that will set out various options for reform and the critical elements of such a reform, and to invite public views as to those options. Government expects that the debate promoted by the Consultation Paper will lead to a broad consensus on the essential ingredients of a new electoral system, which may secure the required majority of votes in the National Assembly, in order that we may move forward with the necessary amendments to the Constitution.

Government considers that it would not be advisable to make piecemeal amendments to the Constitution, pending the holistic reform of the electoral system, in order to remove reference to the 1972 census in the First Schedule of the Constitution. It is also considered likely that the resumption of gathering of ethnic data would not achieve the necessary broad consensus in Mauritius and would be perceived as contrary to the objective of a truly Mauritian nation.”

The *Note Verbale* also stated that the views of the Committee had been widely published in the Mauritian press at the time of the transmittal, and could be accessed in the English and French languages on the website that I have just mentioned.

Following our *Note Verbale* of 27 February 2013, the Human Rights Committee, as part of the follow-up procedure to communications which it had considered, transmitted on 21 May 2013 a submission from Counsel for the complainants for such observations as the State may wish to make. The gist of the submission of Counsel was that the State had failed to comply with the Views of the Committee in that it had failed to provide any effective remedy to the authors, and has not guaranteed against any future violation of the authors' rights. It was also said, *inter alia*, that the State Party's measures were "uncertain and deliberately or otherwise confusing".

On 20 June 2013, a *Note Verbale* was sent in reply by our Permanent Mission to the UN Office and other International Organisations in Geneva to stress that, and I quote: "Government is and has always been mindful of its obligations under Article 2 paragraph 3 of the International Covenant on Civil and Political Rights, namely the obligations to provide an effective and enforceable remedy which include, amongst others, the duty to ensure the cessation of an ongoing violation of the Covenant".

The Note goes on to state that Government had already undertaken, initiated and was further envisaging a number of measures so that the rights of the authors of the communication were not rendered meaningless.

The view taken by the authors as to the measures being "inherently uncertain and deliberately or otherwise, confusing, based on conjectures, supposition and mere intentions" was vehemently challenged by the State.

The State, in fact, submitted as follows, and I quote -

"The issues arising under Article 25 of the International Covenant on Civil and Political Rights necessarily require major reforms to the State Party's Constitution which concern the people of the Republic of Mauritius as a whole, and for which widespread consultation is needed and is being undertaken. Even the highest Court of the land, the Judicial Committee of the Privy Council, acknowledged that - and I quote - "it would be better for these issues to be decided as a result of political debate and, if necessary, constitutional reform". Such a political solution can

only be reached after a nation-wide consultation, or a “national dialogue”, involving constitutional experts and including the voices of all groups, including so-called minority groups forming part of the multi-racial Mauritian Nation. Government reiterates that any piecemeal electoral reform to provide for short-term solutions will only exacerbate the problem or representation and participation in the electoral processes in the Republic of Mauritius. Taking into account that the present Constitution of Mauritius was adopted after a long and arduous process, involving the greatest experts in the field, the reforms cannot but be laborious for the sake of continuing political stability and the strengthening of democracy in the Republic of Mauritius, to which Government stands fully and unreservedly committed.”

Mr Speaker, Sir, in regard to part (c) of the question, section 38(2) of the Constitution provides that there shall be an Electoral Supervisory Commission which shall consist of a Chairperson and not less than 2 and not more than 7 other members appointed by the President, acting after consultation with the Prime Minister, the Leader of the Opposition and such other persons as appear to the President, acting in his own deliberate judgment, to be leaders of parties in the Assembly.

The Chairperson and the members of the Electoral Supervisory Commission are appointed for a period of 5 years, and the present composition of the Electoral Supervisory Commission, as well as the date of their respective expiry of appointment is as follows -

Name	Date of Expiry of Appointment
Mr Yusuf Hassam Aboobaker, SC, CSK Chairman	29 July 2014
Mr Désiré Basset, SC Member	25 August 2017
Ms Narghis Bundhun	23 July 2016

Member	
Mr Oograssen Devpal Cowreea Member	23 July 2016
Mr Pramahunse Bissessur Member	23 July 2016
Mr Georges Andre Robert, O.B.E., S.A. G.O.S.K. Member	14 December 2018
Ms Vedita Devi Peerun Member	23 February 2016

The Electoral Commissioner, as the hon. Members and the Leader of the Opposition know, is a public officer who was appointed by the Judicial and Legal Service Commission, and enjoys security of tenure under the Constitution.

Mr Bérenger: If I can start with the White Paper, Mr Speaker, Sir. I heard the hon. Prime Minister say that legislation will come before the Assembly in the light of the comments that will be received and so on. Being given especially that clearly the UN Human Rights Committee is keeping a very careful watch over what we are doing, can I ask the hon. Prime Minister to tell us whether the required legislation will indeed be brought before the National Assembly, within a reasonable delay, after 05 May, which is the date by which everybody needs to submit comments or proposals on the White Paper?

The Prime Minister: Yes, indeed, Mr Speaker, Sir. In fact, some people have said to me - since I launched the Paper - that it is too short a delay. In fact, we cannot have too long a delay, precisely for the reason that the Leader of the Opposition has said. We have to be very careful. That is why the delay, I think, is a minimum, because as I said, some of the questions have already been debated. The 5th of May, I think, is a reasonable delay. But, after that, we just have

to look at the suggestions, and perhaps we should agree to come with a legislation. That's what the intention of Government is.

Mr Bérenger: The hon. Prime Minister has just said that some fundamental questions have already been answered. Good, for all of us! But will the hon. Prime Minister agree with me that, in fact, nothing is settled, being given that two fundamental questions remain open. One, how many members will be elected by proportional representation, and more importantly, maybe, how these proportionally elected members will be chosen. As the White Paper says, there are three alternatives -

- (i) A full party list system, as exists across the world, or
- (ii) appointed by leaders of parties registered officially with the Electoral Commission, or
- (iii) a mixture of these two, which, we, on this side, have proposed.

Pending the debate, can I ask the hon. Prime Minister whether, at this stage, he has any preference amongst these three alternatives?

The Prime Minister: Yes. I can say what my preference is. In fact, my preference, to be absolutely frank, would have been the first option, that is, a rank-based list, as is done - as the hon. Leader of the Opposition says - everywhere in the world. But, in fact, some experts have said that. Some experts have even said – and I mentioned Professor Curtis, who is an expert in that, who helped us a lot, but he said this is not done anywhere in the world. I tend it is a fact, but this would be my first preferred option. But Mauritius being what it is, that is what the difficulty is, where Mauritius being what it is, we know what kind of divisions, and sub-divisions have been perpetrated since the time of Independence, I must say, a bit even before. Then, we have to be careful, because it is so essential that every component of the rainbow nation that we say we are, feel that they are secured in that new system. So, that is why I spoke of the integration of the Best Loser System in the system. But, therefore, my favoured option would be one. But I realise that there might be many difficulties, many people would not agree because of the problems I have said. So, my second option would be the third option which I think the hon. Leader of the Opposition just said, he also is favourable for that third option. That is, some of them are rank-based in priority and some of them are not rank-based. I think the mixture of the two, if we do

not agree on the first option. I think the second option would be a bit too drastic for party leaders to decide on the thing, but I put all the options on the paper and that is my position.

Mr Bérenger: Very good. I am sure our shared preferences will lead us all on this issue, Mr Speaker, Sir. Being given that the hon. Prime Minister said that his first choice would be the classical worldwide system, will he agree with me that being given that these two issues, how many and how chosen are left open by the White Paper – now we know of the Prime Minister’s preferences – but until these two fundamental questions are answered, will the hon. Prime Minister agree with me that the whole issue of the Best Loser System remains with us and the first option, which he says is his first choice would not allow us to integrate the Best Loser System as he says is our wish inside the reform? Therefore, I am glad to hear that his second preference, but, in fact, final preference, if I understand well is a mix, as it is called in the Paper, it is a mix of the two, and that, therefore, it is very important that on that agreement is recorded today in the Assembly between the Prime Minister and myself as Leader of the Opposition, between Government. I think this is the most fundamental step forward that we feel, on both sides, that a combination of the two is most probably the solution.

The Prime Minister: I tend to agree. That is why I said Mauritius being what it is, because we have to make sure that we integrate the Best Loser System in the system. Even though we are all saying all sorts of things, it is important to give a guarantee, I put in inverted commas ‘minority’. That is why I said the ideal choice would have been the first one, but given the specificities of this country, with all the divisions and sub-divisions that we see, the first one won’t take account of this, unfortunately. Unfortunately! Therefore, my second option, as I said, would be the mix system. I can tell the hon. Leader of the Opposition it appears that we can easily agree on this. I can say I have not consulted my colleagues, I must say yet, on the details of the Paper, but I hope it makes sense that we come to an agreement on this. I do not know what the other side thinks. Probably, they will say yes. So, we can agree. At least, one of the hurdles could well be behind us, unless I am thrown out here, on this side, but the other one...

(Interruptions)

As Leader, I would. But the other point is – that is why I had to leave these two issues open, because there is a difference in numbers. I understand what the hon. Leader of the Opposition is saying. There is a merit in what he is saying also, I cannot say ‘no’. But I am very concerned

about stability in the system. I do not want to have a system where after the election, there is horse-trading between different parties, like you see in Italy - we see this happening at this moment. So, we have said - if you notice I have said 'at least 16'. We think the minimum has to be 16, it cannot be 14. Some people are saying why not 4? Obviously, they do not understand the whole thing. Some people are saying you are integrating the Best Loser System, why don't you put 8? Again, they do not understand the fundamental principles behind. It will have to be at least 16, but I am open. This is why I think we need to discuss between the various stakeholders and come to an agreement, because I am not fixed on this, I want to see what all the experts and others say. Some people I must say have told me that 16 is just as if, but we have said the minimum, because I want to look, as I explained yesterday, there is a question of balancing the different issues, because if you want to increase fairness, you can decrease stability. If you want too many, you can decrease stability. But, for me, stability is essential in whatever system we have. People have to know once the election is over who is going to form the Government.

Mr Bérenger: I am sure the hon. Prime Minister is perfectly aware that section 41 of the Constitution has it that any piece of legislation that is to come, amending our electoral system must be submitted for comments to the Electoral Commission. Can I take it from the hon. Prime Minister that when the legislation is ready, it will be referred to the Electoral Commission in a way that gives them ample time to study and comment?

The Prime Minister: I think that is so. The Constitution says so. We have to give them. In fact, I am thinking, even if they have to have comments on the document also I will take it on board, but certainly, that is the way. That is why I have moved the date also to earlier, even though some people are telling me: 'you have not given enough time'. I think there is enough time. When the Sachs Commission was sitting, you should see how many people went and deponed, time was given. We do not want to go through all this again, so we will never reach - 2105 will come we will still be discussing it. So, I want to put a stop to that and definitely that is what we intend to do.

Mr Bérenger: If I can move on to the every 10 year report of the Electoral Boundaries Commission this time. As we know, we've had four reports since Independence, in 1976, 1986 and 1999, and now we have a fourth one pending. I was going to propose that, being given that the Assembly will stand dissolved in May of next year, that it is now too late for us to try and

change boundaries, that is why I was going to suggest that the Prime Minister should come with a motion setting aside, with due respect, the recommendations of the Electoral Boundaries Commission. I am glad to have heard that this is the intention of the Prime Minister. He intends to do it shortly. But one thing disturbs me, - and I point it out to the hon. Prime Minister – that both in the White Paper and in his answer today he seems to say that boundaries will not be changed permanently. Well, the Constitution is supreme, the Constitution has it that every 10 years the Electoral Boundaries Commission must come with a report to the day, 10 years later. This is the Constitution and we are already five years since the last report. Therefore, in five years' time, as per the Constitution, the Electoral Boundaries Commission will have to come with a new report taking into consideration whatever electoral reform has taken place and so on.

Can I ask the hon. Prime Minister to confirm that there is no intention of the dealing – I was going to say – with the laws of the Constitution and that in five years' time, indeed, the Electoral Boundaries Commission will come with a fresh report?

The Prime Minister: First of all, let me say, I am glad I hear the hon. Leader of the Opposition saying that we will leave the boundary as it is for the next election, because I was not quite sure whether he wanted, because before when the questions were being asked whether we should look at the suggestions of the Electoral Commission. So, that is settled, there will be no change in boundaries for the time being. I agree with the hon. Leader of the Opposition, in fact. It is a question of language and all this. I did think that it might, just in case it might give the impression that I am saying 'do away'.

We cannot do away with. As the Leader of the Opposition says it is in the Constitution. That is not at all the intention. Maybe I will need to clarify it better because we are saying for this election, but this is an exercise which, according to the Constitution, has to be done and we have to let it be. We cannot say anything is fixed. Things change, so, we better leave it and the next National Assembly will decide whether they want to accept the recommendations or not. I think I made it clear.

Mr Bérenger: I will move on to the third issue, that is, the United Nations Human Rights Committee in Geneva. Can I ask just one question: has the United Nations Human Rights Committee been informed that in no circumstances will a population census of a communal nature be carried out in Mauritius?

The Prime Minister: From memory I am saying, I think they have been made aware that we are not going to consider at all the redoing of this population, first, on ethnic grounds. I think that they know this, whether they have known it with an official letter or whether they have been told that this is something we are not considering, that is why we are looking at the reform. I can confirm this to the hon. Leader of the Opposition in a minute, but I am aware that they know that we do not want to restart the 1972 census at all.

Mr Bérenger: As for the last part of my question, Mr Speaker, Sir, let me say that I have every respect for the Electoral Commissioner and the present members of the Electoral Commission. Therefore, when I am asking for questions it is not to try and change whatever.

Secondly, I am sure the hon. Prime Minister will agree with me that the Judiciary and the Electoral Commission are two absolutely vital pillars in any democracy, including our own. Therefore, can I ask the hon. Prime Minister - I take it from what I have heard that there are no vacancies at present at the Electoral Supervisory Commission?

The Prime Minister: I must say there is no vacancy as such from what I see, but the Constitution says that -

“There shall be an Electoral Supervisory Commission which shall consist of a Chairperson and not less than two and not more than seven members.”

So, if we see here, we have a Chairperson who is Mr Aboobaker and six others. That shows that there might be because it says -

“(...) Chairperson and not more than seven others.”

But if we look at this, there are six members. So, my interpretation is: if we wanted, I suppose, but I stay open to the advice I get from the State Law Office, but this had not been the case. This has been following the case. In fact, I, myself renewed - as the hon. Leader of the Opposition rightly says, party politics has nothing to do with these two institutions - one of the members whom I do not know and who was appointed quite some time back. But I reappointed that person who is Mrs Devi Peerun because...

(Interruptions)

I mean I discussed with the President that I have no objection. He will appoint, of course, but I thought that we should leave it for that lady and I have heard nothing adverse in any case. But

my interpretation is that there is a possibility if we wanted to have an additional, but that is how it has been.

Mr Bérenger: A last question, Mr Speaker, Sir, and again I repeat I have every respect for the Chairperson and the present members of the Electoral Commission. But one thing disturbs me. As you know, Mr Speaker, Sir, in all our legislations where reappointment of an appointed member is possible, it is spelt out. As far as I know, in all cases, it is spelt out that he is appointed for five years and reappointment is allowed. In this case, no! In this case, under our Constitution, members, including the Chairperson, I take it members of the Electoral Commission are appointed for five years, full stop!

Can I know from the hon. Prime Minister whether he has discussed that with the President of the Republic since this is one of the few cases where the President acts in his own absolute discretion after required consultations, whether legal advice has been sought that the reappointment of members of the Electoral Supervisory Commission is in order? Again, I am not hitting at any reappointed member, if there have been reappointed members. I say I have every respect for the present members, but I am a bit disturbed by this part of our Constitution and this is why I put this question.

The Prime Minister: No, I did not discuss it with the President or anybody from the State Law Office. From what I see, the law is silent; I am assuming that, therefore, there was no intention to say because sometimes in our law we say: can be appointed for five years and then reappointed for another term. Here it is completely silent. My interpretation is that, therefore, there is no limit. I see some of the barristers on the other side agreeing. I will check again, but that is my interpretation.

Mr Jugnauth: Mr Speaker, Sir, with regard to the 16 persons on the PR list, may I know from the hon. Prime Minister what number he is envisaging to be nominated by the parties and whether that list would have to be circulated prior to the general elections or after for correction to attain the objective of the Best Loser System?

The Prime Minister: I have put the document on the website and I hope the hon. Member has got it. I have put that in the document that - I am not just saying - it will have to be prior. In fact, I think that I have said at the latest by nomination day because the public has the right to know who are the people on the list. They can't just go and vote. It is prior. The number

– I have not put a figure here – I have said 16 for discussion, but we will have to discuss. I, personally, if you ask me, it will have to be a maximum on the first list and a minimum on the second list. That is my opinion, maybe there are different opinions on the other side; we will have to discuss it.

Mr Ganoo: Mr Speaker, Sir, can I ask the hon. Prime Minister a question concerning the Report of the Electoral Boundaries Commission; a question pertaining to that issue. Is the hon. Prime Minister aware that presently our Constitution does not provide, once the Report is finalised by the Electoral Boundaries Commission regarding the review of the boundaries, for a time frame for the Report to be presented to the Assembly. Doesn't the hon. Prime Minister think that we should amend our Constitution to provide that once the Report is finalised by the Electoral Boundaries Commission, there should be a time frame within which this Report should be presented to the Assembly; a reasonable delay for hon. Members to have a chance whether to accept or reject the Report? There is no time frame presently in our Constitution.

The Prime Minister: That is why I have said we have to be very careful when we look at the Constitution because some of the things were not intended probably to be like this, but this is one of the consequences and because of that I have been able to hold on and not to present because I thought if we are going to have electoral reform, I don't know what the views of the hon. Members of Opposition are. It is no point to bring it and to have to do something else. But I tend to agree with the hon. Member, maybe we should put at least a time limit because we can go on and on, as he said.

Mr Speaker: In fact, time is over, but in view of the importance of this subject, I will allow a few more supplementary questions. Hon. Ameer Meea!

Mr Ameer Meea: Thank you, Mr Speaker, Sir, our actual Parliament has 70 seats and the proposed reform in the White Paper will be 78 seats, that is, 8 additional seats to correct the imbalance of the First-Past-the-Post System. Will the hon. Prime Minister agree with me that 8 additional seats are not sufficient to correct the imbalance caused by the First-Past-the-Post System?

The Prime Minister: This is a subject of debate, Mr Speaker, Sir. The hon. Member has asked the question because there are some people probably telling him this.

(Interruptions)

No, it is a valid question. It is not as if he should not be able to ask the question. We feel that 16 would be able to, but I said at least 16. But I am open to views. I can tell the hon. Member that even experts say that it should be slightly more. I have not taken that view.

Mr Guimbeau: Tout d'abord, j'aurais aimé féliciter le Premier ministre...

(Interruptions)

... d'être venu de l'avant et d'avoir respecté son engagement envers la nation et la Chambre.

(Interruptions)

Mr Speaker, Sir, I would like to ask the hon. Prime Minister whether there are any specific reasons why funding of political parties does not form part of the Consultation Paper on electoral reform and also to inform the House whether he proposes to come forward with such consultation before the General Elections?

The Prime Minister: I do mention the funding of political parties in one short sentence. The reason is that I did not want to mix everything together and it will even take longer because again there is debate on how exactly do we proceed and we need to be able to speak to each other. That is why I mentioned it. I understand there are other issues, including amendment of the Constitution, if we want to amend. All these issues are linked, but the urgency at the moment is reform. You can't take one in isolation and including the anti-defection laws, for example, I just mentioned it. So, this is why we want to have a separate - I do mention in the paper that the other papers will come on each specific question.

Mr Bodha: Thank you, Mr Speaker, Sir. I will raise an issue which relates to part (c) of the question: the Electoral Supervisory Commission. May I ask the hon. Prime Minister whether he considers, among the other issues, to grant new powers and responsibilities to the Electoral Supervisory Commission as is the case in India for the supervision of elections?

The Prime Minister: My feeling is that they have quite wide powers, but I will look at it if any hon. Member of the Opposition thinks we should give more. If you remember, I asked, when I was Leader of the Opposition, in the 1991 election. I was very dissatisfied with the way things went, but nobody listened to me, let's put it that way; but I am different, I will listen to them.

Mr Fakeemeeah: Will the hon. Prime Minister agree that we should not play with Constitutional safeguards and everything should be worked out in such a way to ensure the representations of ethnic minorities so as to strengthen our social fabric?

The Prime Minister: Very definitely! That is one thing I have stressed, Mr Speaker, Sir, that we have to be very, very careful. That is why I took a bit longer because I wanted to have - what we are suggesting - it tested, in fact, and looked at the unintended consequences that might happen. There are some already; I don't want to go into that debate now, but that is a priority of the priorities: stability and ensuring that our rainbow nation feels secure that they are represented in this system.

Mr Speaker: Hon. François!

Mr François: Yes, thank you, Mr Speaker, Sir. With regard to proportional representation, may I ask the hon. Prime Minister whether the test of proportional representation in Rodrigues has been significant enough to allow the adoption of a best PR system at national level?

The Prime Minister: I know there have been complaints, from what I understand, from both sides about the system, the way it is working. What we are proposing is different with the wasted votes which are not in their system.

Mr Speaker: One before last. Hon. Roopun!

Mr Roopun: Hon. Prime Minister, with a view to have an informed debate, could you explain to us the reason why you said that 16 should be the strict minimum for the PR?

The Prime Minister: It is because we have tested it. I am no expert in this. We need to have statisticians, constitutional experts. That is why it took a bit longer, but I'll prefer to wait and get the results. If you want to integrate the Best Loser System - which is related a bit to the question that hon. Ameer Meea just mentioned - eight won't do it. In fact, I am trying to go for the minimum, to be absolutely candid with Members, because my fear is that if we put too many, we bring the instability issue in front. But the minimum we think is 16, but I am open to, as I said, discussion. That is why I have said at least - because that's the word - at least, the minimum has to be sixteen. As I said, some people have said to me why not four, why not eight if you want to integrate the Best Loser System? Obviously, they are not looking at the issues properly.

That is why I went a bit longer on the historical background, but the minimum has to be, as I said, at least sixteen. That is the reason.

Mr Speaker: Last question, hon. Leader of the Opposition!

Mr Bérenger: Mr Speaker, Sir, can I just ask the hon. Prime Minister to confirm that the UN Human Rights Committee in Geneva will be provided with the White Paper and whatever development takes place between now and the coming of the legislation?

The Prime Minister: In fact, I know they are already doing this. It is not printed yet. We did not print it earlier, the formal document - let me say this - will now be about to start printing. I want to go through it once more because sometimes there are small typing errors and all those things and then, it will be printed. I must say that every Member of the National Assembly will get a copy including you, Mr Speaker, Sir, but we want to have the printing started. I am hoping that when I finish here, I am going to recheck everything before I will have it to be printed officially. I had to give the document because people need to have, at least, an idea, but there are little things, if need be. I am not going to add anything or take anything out; but just to make sure that everything is alright and then, they will start printing. So, Members should be getting it in the evening today. Thank you.

Mr Speaker: Time is over! Questions addressed to Dr. the hon. Prime Minister. However, the Table has been advised that Parliamentary Question No. B/7 in regard to lease of land by the Government of Mozambique to Mauritius addressed to Dr. the hon. Prime Minister will now be replied by the hon. Vice-Prime Minister, Minister of Finance and Economic Development. In keeping with practice, PQ No. B/7 will be replied at the end of Question Time, that is, after PQ No. B/49, time permitting. Hon. Bhagwan!

DAVOS - WORLD ECONOMIC FORUM - DELEGATION

(No. B/1) **Mr R. Bhagwan (First 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 Annual Meeting 2014 of the World Economic Forum, held in Davos, from 22 to 25 January, he will state the composition of the delegation which attended thereto, indicating the duration and total cost thereof, including the amount paid as participation fee, if any.

The Prime Minister: Before answering the question, Mr Speaker, Sir, my understanding was that PQ No. B/7 was going to be answered by the Minister of Foreign Affairs, Regional Integration and International Trade and not the Minister of Finance and Economic Development.

Mr Speaker: PQ No. B/7 will be answered by the...

(Interruptions)

The Prime Minister: No, it is going to be answered by the Minister of Foreign Affairs, Regional Integration and International Trade.

Mr Speaker: Okay.

The Prime Minister: Mr Speaker, Sir, the World Economic Forum is an International Institution committed to improving the state of the world through public-private cooperation.

The Forum engages political, business, academic and other leaders of society in collaborative efforts to shape global, regional and industry agendas. Together with other stakeholders, it works to define challenges and find solutions in the spirit of global citizenship.

The Forum, Mr Speaker, Sir, also serves and builds sustained communities through an integrated approach of high-level meetings, research networks, task forces and digital collaboration.

The theme of this year's World Economic Forum which took place from 22 to 25 January 2014, that is, this year, was "*The Reshaping of the World: Consequences for Society, Politics and Business*". The aim of the Meeting was to challenge long-held assumptions about society, politics and businesses so as to generate the powerful ideas and collaborative spirit needed to manage the future course of world affairs. Each year, the Annual Meeting also provides

substantial, albeit informal input into the official discussions taking place at the level of the G8 and G20, as well as other important global processes.

As the House is aware, participation at the Annual World Economic Forum is strictly by invitation by its Founder and Executive Chairperson, Professor Klaus SCHWAB and, I must say, they don't invite every Head of State every year, because once I heard: 'Why is he not going?' Because, they don't invite every year but this is on the invitation of the Executive Chairperson. So, on his invitation I attended this year's Forum.

This year's Forum was attended by some 35 Heads of State and Government, including Presidents and Prime Ministers from the G20, the 1000 Chief Executive Officers from the leading world companies and 2000 Heads of International Organisations, Global Youth Leaders, Academics, Media & Communication Leaders. All these people were present.

The Mauritius delegation which I led consisted of -

- (i) Mr J. Bissoondoyal, Minister Counsellor, Mauritius Embassy, Paris, and
- (ii) Mr L. Obadia, Senior Trade Adviser, Mauritius Embassy, Paris.

No fee was paid for participation in the Forum.

The *per diem* allowances paid to the members of the Mauritius delegation were in accordance with approved rates and the cost of air tickets was whatever is the prevailing rate. That is what was paid.

At the Forum, Mr Speaker, Sir, I intervened during the Panel and this intervention is not just that I go there and intervene. They tell you that some six or seven months ahead that they wish you to intervene if it is possible. So, I intervened during the Panel discussions on "*Rethinking Ocean Economies*". I spoke about our vision of the Ocean economy and the document we have just published on the subject. A document, by the way, that some people say they have not seen. I am going to make a statement. I will leave it for next week. Next week I won't be here, but the week after to lay it on the Table of the Assembly.

I highlighted the vast resources of the EEZ of Mauritius, comprising a maritime area of approximately 2.3 million km² which were still untapped. I expressed my firm belief that the Ocean Economy Roadmap adopted by the Government would transform the sense of geography of the people of the country. I also shared my conviction that the sustainable exploitation of our

marine resources would propel Mauritius from a middle income country to a high income country, even faster.

I emphasised the efforts made by Mauritius to preserve the biodiversity of its vast EEZ, while striking a delicate balance to ensure the basic needs of the population. I also expressed the importance for Mauritius to explore the huge sea-resources lying untapped while ensuring protection of the ocean environment.

At the same time, Mr Speaker, Sir, while stressing the creation of six marine parks in Mauritius, I condemned the creation of the 'marine protected area' by the Government of the United Kingdom around the Chagos Archipelago which was illegally excised from the territory of Mauritius prior to Independence. I explained why we staunchly oppose the project. I also informed the Panel that the unilateral creation of the 'marine protected area' by the United Kingdom was being challenged by Mauritius at an Arbitral Tribunal set up under the United Nations Convention on the Law of the Sea.

In response to a question, I added that international assistance for development and research in the exploration and management of marine resources was definitely insufficient and thus constituted an impediment for the fulfillment of our national goals in that sector.

Replying to another question on the environmental aspects of the 'marine protected area' and the position of the United Kingdom in that regard, I pointed out that whilst Mauritius supports the preservation of the environment and contributes to the fight against illegal fishing, the mere fact that the military base of Diego Garcia and its surroundings are excluded from the 'marine protected area' shows the duplicity of the British Government.

At the close of the session, the Panel paid tribute to the role played by Mauritius in the preservation of the environment and the adoption of innovative and ambitious measures in the fight against Climate Change and Global Warming. In fact, one of the Panellists also remarked that although Mauritius does not really contribute to gas emissions, yet the Government has taken bold measures in that regard which countries which are contributing to gas emissions are not doing yet. The Panel also concluded that there should be one body at the UN which should ensure that environmental norms are adhered to.

I must also say when I spoke about the so-called marine protected area by the British

Government; there were people from the UK there. Not only businessmen, but newspapermen, people who do research and all this. Some of them were completely unaware of what actually is the true picture and they came and thanked me. One of them said: “I am ashamed of what that British Government is”. One of them said that. I said: “Well, go and make more noise in your own country, write articles because this is what the situation is”.

Let me say also, Mr Speaker, Sir, that I also attended the session on The India Outlook in which the Panellists examined the challenges posed by Indian leaders to accelerate growth and restore investor confidence while the elections were on the horizon. That was the basis of the question. There are elections, so, we know what happens sometimes in elections. They tend to forget about good financial management. That is why the question was asked.

The Panellists were eminent people apart from the Minister of Finance of India, Mr Chidambaram. There was also Mr Arora who is the Senior Vice President of Google, USA; there was Mr Bennett who is the Chief Executive Officer of Nomura from the United Kingdom; there was Mr Thomas Friedman who is the Columnist for Foreign Affairs at The New York Times and he also writes books. I don't know whether you have read the book “The World is Flat”. It is a very good book to read although I think it is getting outdated. There was also Mr Bharti Mittal who is the Chairperson & Group Chief Executive Officer of Bharti Enterprises in India. I think we all know who he is.

After the session, I met the Panellists, but I also had a meeting with Mr Chidambaram, Minister of Finance of India.

(Interruptions)

Yes, I know because of your ignorance, you don't know, you have never been to. I would tell you. I have brought everything with me to tell you.

(Interruptions)

Because your propaganda, I know what it means!

(Interruptions)

I had a meeting with Mr Chidambaram in spite of that false journalist whatever he had said. And I must tell you, Mr Speaker, but that I will give them credit because – I think the hon. Leader of the Opposition, at least, will laugh and some of my colleagues will laugh – I tend not to say what

I don't have to say. For me, it is on a need to know basis. There are things that I have done, but have not said for precisely the reason ...

(Interruptions)

Mr Speaker: Order! Order, please!

(Interruptions)

The Prime Minister: I honestly hope so. That you can count on me. I am talking about who you meet and who you don't meet. I can tell you. I had a meeting with Mr Chidambaram and I must tell you. I think this is where the confusion is. He already knew of my displeasure and dissatisfaction.

(Interruptions)

I am sorry, say it again!

(Interruptions)

You said he runs away. I heard you say something. Sorry! But he already knew. Why he knew? This is perhaps something that I should have said, maybe, but I wanted to avoid it and the hon. Minister of Finance and the hon. Minister of Foreign Affairs would understand why I did not mention it. I will tell you something. The discussions are ongoing about the Double Taxation Avoidance Treaty, as we know. We know all the things. You have seen articles. I think most of you know. You have read in the Financial Times and all these things. We feel that we are not being given a fair deal. I must tell you in all frankness, Mr Speaker, Sir, and there are discussions because the Prime Minister, Mr Manmohan Singh has so many times, not once, said that we will not do anything which will harm the interest of Mauritius. Many times he has said that to me, but what we feel is that he thinks that, but the Ministry of Finance is not doing exactly that. That is what the dissatisfaction is. We are on the white list of the OECD, Mr Speaker, Sir. We are classified on the white list and we do not want the image of Mauritius to be soiled and we are compliant. We don't want the image of Mauritius to be soiled. When they say there are some people who are avoiding paying tax in India, we are very happy to let them come and have a look and see. We want because we want to increase our financial sector, but what we don't like is to come with a figure and say this is the figure as the Minister of Finance will be able to say. We don't agree on the figures. So, we have decided, we will have two teams that

will come. They will come to Mauritius. We will go to India and we will try to find ways and means of sorting out the problem. But the problem is - I must say in all frankness and I am not hesitating to say. I am defending Mauritius unlike you were saying that I offended India. I did not offend India. I am defending the interest of my country and that is what every patriot will do.

(Interruptions)

I am unhappy. I am not munching my words. I am unhappy and I will say when I am unhappy. I am like this. The negotiations were going on at the Ministry of Finance and the Ministry of Foreign Affairs and I think he is a top official and he is the Secretary for Economic Relations at External Affairs at the Ministry of Finance. He has the ear of the Minister of Finance. He has the ear of the Prime Minister. A top official came here to try to sort out the issues. His name is Mr Ragawan. I heard that the discussions are not going well. They are very tough. They are putting a lot of demands. I decided then, on a Friday, I remember, we were in the Cabinet and I asked: how tough is it? I was told it is very tough. I said: well, let that person because he had nothing to do with me. But I said: tell him I would like to meet him. I even asked the hon. Minister of Finance to make sure that the appointment is made. I was told that he is leaving on the same day. I said: well, ask him to change his flight because I need to see him to sort out these issues because he will go to report to the Ministers. Things might be then too late. He did change. He was very accommodating, he changed his flight to be able to meet me late Friday afternoon. He came with the Indian High Commissioner. I also had my Chief of staff there and I told him in all frankness, I am unhappy at the way things are going. I told him in one word, what I feel. The Prime Minister is giving me assurances, but the Minister is doing the opposite and is creating an uncertainty in that sector. An uncertainty which is harmful to Mauritius, either decide what you want to do, but the uncertainty is harmful to Mauritius. People are going to other countries, as you must know, because they feel it is uncertain what is going to happen. I said that uncertainty has to stop, either you decide what you want to do. There was a suggestion, I must tell you, that India would compensate Mauritius for whatever we think we are losing, be it 10 billion dollars. If we think we are going to lose by their legislation so many billion dollars, India would be prepared to look into it and my answer was: 'No, that is not what I want'. I don't want this. Some people would have said that, I said no because my interest is not the money, but make sure that I secure the job of the young in this new sector. Many young people are working

in that sector, I need to make sure that I defend the interest of those young people who have got jobs in that sector and it is a sector, as we all know, was growing at a very rapid rate, but there is uncertainty – it is not good they are shaking their head – it is a fact and that is why they should have taken a different view instead of telling me that I am offending this and that.

(Interruptions)

They should have taken a different view. Anyway! So, I told him all this, Mr Speaker, Sir. I won't go into the details - perhaps I am going into too many details. At the end of the day, I said: "if you go on with what you are doing, this would be tantamount to a constructive termination of it". That is the word I used and that I will not accept; we are preparing. We might be a small country, but we are prepared to defend our cause. He was very kind, he understood my difficulties and he said to me: "There are elections in India, the Opposition is making a lot of noise, even your own people are feeding information to India." I said: "if you think it is the Opposition, I said who in the Opposition." I even mentioned the potential. But I said this has to be solved. I left him in no doubt about my unhappiness, about the way things are going. He told me: 'Sir, as I reach Delhi tomorrow morning, the first person I am going to see is the Prime Minister and then I will let it be known at high level – he did not mention other names – that the Prime Minister of Mauritius is unhappy.' That is perhaps I did not say and when I met Mr Chidambaram, he was already aware. In fact, before him, I attended the Mandela's funeral, Minister Sharma was there and he went further. He told me: 'Look, we are very, very sorry that you are annoyed'. I said: "I want to defend the interest of the people, this is how you are going to treat Mauritius". He told me: "It has gone to the highest level and I can tell you that we are going to be very careful with this". He said: "Please, don't write to the Opposition because we do not want this throughout". I said: "O.k as long as you take the issue." When I met Mr Chidambaram, I did not have a quarrel with him – it is false to say that - he immediately told me: "Prime Minister, I am well aware of your displeasure, let me guarantee – the word he used in front of an official from the Mauritian Embassy – you that India will not do anything to harm the interest of Mauritius." Then I said: "I hope that in the discussions, everything will be sorted out and if that is the attitude, I am very happy because it is very important that we secure the future of that sector where many of our young people are working". That is what happened. In Davos - I have to do education now, what is the difference between *rencontre et réunion, maintenant je dois faire l'éducation de certains*. If they have been to Davos, they would have known Davos is

not like the United Nations or whatever Summit. I have brought that to show you, in fact. Look at the meetings in Davos, Sir! The meetings are one after the other. They start in the morning, they end at night and then we have different receptions or dinners. You can't go to all the meetings because they clash. On that day, I, myself, was in the panel, but I insisted to go; just after I finished, I rushed to the other side to go because, precisely, I wanted to meet Mr Chidambaram to tell him what I was feeling. That is the situation. He knows well. Again, the High Commission - I had to go and explain this is how the meeting was done; this is how meetings are done at Davos, unfortunately. They don't hire big rooms, have TV and all this. That is precisely what happened.

Mr Bérenger: I will just ask one question. The hon. Prime Minister has taken this opportunity to talk at length on the Double Taxation Agreement issue between us and India. Now, India is going to general elections in a few weeks' time. Right now the Head of the Foreign Affairs Committee of BJP is present in Mauritius. We are not deciding who is going to win elections in India, but everybody knows that there is a big possibility of the BJP forming Government. Therefore, the Head of the Foreign Affairs Committee of the BJP is in Mauritius, has met the Leader of the Opposition, is meeting others. Will the hon. Prime Minister be meeting him to brief him precisely on this issue of the Double Taxation Avoidance Agreement?

The Prime Minister: In fact, I am aware. He is meeting the Minister of Finance later on. I am also meeting him after this session. I also have a meeting with him. We will have the possibility to discuss. We have already explained our position a bit to different people whom I know.

Mr Bhagwan: Mr Speaker, Sir, being given the long statement of the Prime Minister, I think you will give us more time for the Prime Minister's Question Time. We all know that the Prime Minister was accompanied by the MBC/TV. A whole mess was created about the visit of the Prime Minister and the meetings they have had - they have informed us - by the MBC/TV. So, can the Prime Minister, at least, direct the MBC/TV, whenever he goes on mission, to give a proper *bilan* of his visit in order to avoid confusion?

The Prime Minister: But in what way was the mess created by the MBC/ TV? I did not follow. I am not sure. I don't always watch television.

Mr Bhagwan: About the Prime Minister's meeting with the Minister of Finance - the outgoing?

The Prime Minister: I don't know whether outgoing or not, but I must say at Davos, the summits are very very strict. I would have liked to bring more people. I would have liked to bring the Minister of Finance and others, but they are very strict, they are limited. They won't allow any TV in, except their own TV sometimes. That's also sometimes, because not all the sessions are televised and when this is being done, they are televised live. For example, that session with Mr Chidambaram was televised, but they won't allow. So, the MBC could not show pictures. But what I can say is that there was a photograph there and I have pictures of the meeting with Mr Chidambaram.

Mr Speaker: Hon. Uteem!

Mr Uteem: Thank you, Mr Speaker, Sir. May I know from the hon. Prime Minister whether before going to Davos, he had arranged to meet any Head of State or other Heads of Government in Davos, whilst he was there?

The Prime Minister: You are still very young my friend, you don't understand! Davos is not like an international meeting! We don't arrange meetings in Davos. We don't arrange! You see who you want to see, but you don't arrange meetings! That is what I was telling in the beginning. But I did meet. But to answer your question...

(Interruptions)

You don't know, I am telling you! You're asking me whether I arranged! There is no arrangement of meetings there, but I did meet other Heads of State. I met the former Vice-President of the United States, Al Gore. I would rather not say, because there is a reason why I am not saying. I met others, many others, but we don't arrange meetings as such.

(Interruptions)

Mr Speaker, Sir, maybe I should have said also that I am confident that we are proceeding in the right direction now.

POLICE FORCE - RECRUITMENT

(No. B/2) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the last recruitment exercise in the Mauritius Police Force, he will, for the benefit of the House, obtain from the –

- (a) Disciplined Forces Service Commission, information as to the number of candidates who submitted applications therefor, indicating the number –
 - (i) thereof who satisfied the eligibility criteria therefor, and
 - (ii) of men and women recruits, and
- (b) Commissioner of Police, the respective posting of the new recruits.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Disciplined Forces Service Commission that 9,445 applications were received in response to the advertisement dated 10 May 2013 for the enlistment of Trainee Police Constables, both male and female.

I am advised that the information requested by the hon. Member at part (a) (i) of the question relates to privileged information held by the Disciplined Forces Service Commission, which is, as you know, an independent body, and cannot be disclosed by the Commission in accordance with Regulation 4 of the Service Commission's Regulations.

I am informed by the Commissioner of Police that since the beginning of this year, 1,017 Trainee Police Constables, comprising 841 males and 176 females, have been enlisted and posted to the different training institutions of the Force. Out of these, 29 have resigned. This is the usual pattern, I must tell you.

Mr Speaker, Sir, in regard to part (b) of the question, I would like to inform the House that section 71 (4) of the Constitution provides for the Commissioner of Police to be responsible for determining the use - we know this - and controlling of the operation of the Police Force. It is solely the responsibility of the Commissioner of Police. I do not go and tell the Commissioner. Sometimes I tell him 'you know, people are telling me there are not enough motorcycle traffics', but that's all I do say. It is for him to decide on the respective postings of the new recruits.

Mr Seeruttun: M. le président, est-ce que l'honorable Premier ministre peut nous dire si, parmi ceux recrutés cette année-ci, il y a certains qui ont commis des délits judiciaires, et s'ils sont toujours en poste, aujourd'hui, malgré qu'ils ont été condamnés pour ces délits?

The Prime Minister: In fact, Mr Speaker, Sir, I cannot say, but what I can tell you is that one of the reasons – because questions are asked here about delays, and why – is that once they decide the list, the Commissioner of Police has to go through every one to see who has had a criminal record. This happens, I must tell you. I do not know why they did not have it before, unless they had it and they overlooked it, and then these had to be corrected and removed. What I can do is to ask the Commissioner of Police whether he was given the list, if the hon. Member says there are some recruits who are criminals or whatever, who have criminal records or whatever. I will see. If the hon. Member can give me names, it would be even better, but if not - privately; I am not saying here - I will tell him to look into it.

Mr Obeegadoo: Mr Speaker, Sir, the Prime Minister is surely aware that each time there is such an exercise, there are lots of rumours going around. Since it is important that this exercise be totally uncontroversial, apolitical, will he agree that, henceforth, after the selection has been carried out, a list be made public of all new recruits, with their names and residential addresses, to dispel any suspicion as to any impropriety?

The Prime Minister: I am told it is not proper to do, but I can reflect on this. The hon. Member is right it is a country of rumours. I can tell you many people are being selected, believe me, not from my constituency – somebody's else. In fact, I am unhappy. But what can I do? People tell you in our own constituency: 'You know, I have applied, I have not got it.' But what can I do? It is the Disciplined Forces Service Commission; it is not me!

Mr Ganoo: Mr Speaker, Sir, my question was going to be the same as my friend has just asked the Prime Minister. But may I ask the hon. Prime Minister whether the solution would be to amend the Service Regulations and to make it possible for this list to be published in the Government Gazette, so that the whole country might know who are those who have been recruited, in the interest of transparency, openness and good governance perhaps?

The Prime Minister: I understand the hon. Member's point, and I accept his point. But the only problem is two things, from what I understand. First of all, there is a problem. You will see X saying: 'well, Y has done this', a bit like what the hon. Member is saying. That is one

possibility. The other one is this communal connotation that is given sometimes. Tomorrow, you will see somebody will write so many of X community, so many of Y community. This goes on merit; this has nothing to do with community. That is why I am not sure whether this is possible, but I will look into it. I will talk to the various people. But that is a danger that we have here.

Mr Seeruttun: Est-ce que le Premier ministre peut confirmer si avant la sélection des nouvelles recrues, il y a un exercice de vérification qui se fait afin de s'assurer que ces personnes qui ont été sélectionnées ont un *clean sheet record* ?

The Prime Minister: This is the normal procedure.

Dr. S. Boolell: Mr Speaker, Sir, may I ask the hon. Prime Minister whether, in the process of recruiting for the Police Force, the recruitment for Coast Guard Officers be made separately from the mainstream recruitment so as to have some form of affinity for the sea from those recruits, which would reduce the number of drop-outs eventually?

The Prime Minister: I must say I am in total agreement with the hon. Member. In fact, I mentioned this quite some time back - not recently. I cannot understand the logic. Very often, I say to people, when I talk of mindset, it is also us; because this has been done like this, they will continue doing the same system. The hon. Member is totally right. I totally agree with him, and I will say that now I have somebody from the Opposition saying the same thing.

Mr François: Mr Speaker, Sir, following questions I put to the hon. Prime Minister in request for a considerable number of Police Officers from Rodrigues to reinforce the Police Division of Rodrigues, may I ask him if he has information about the number of men and women recruited from Rodrigues for the last exercise?

The Prime Minister: I cannot tell the hon. Member; I do not have the number. But what I can tell the hon. Member is that I have already talked to the Chief Commissioner. I have also asked him to meet the Commissioner of Police. What we want to do is to have as many Rodriguans in Rodrigues. There is no need to send people from here. Sometimes, Mr Speaker, Sir, it is alleged to be a punishment, and sometimes it may look like this. So, we would rather have more, because there are very able people doing very well from Rodrigues. So, why not have a majority of Rodriguans? This is the policy that we are adopting.

Mr Jhugroo: Can the hon. Prime Minister ask the Commissioner of Police to take action if ever it is found that those officers have been recruited without a clean sheet, as just mentioned by hon. Seeruttun?

The Prime Minister: I think there is a Disciplined Forces Commission which actually does the interview and all those things. If you want to relook at it, I will have to take advice. I do not think the Commissioner of Police can say: 'No, I will not appoint.' I do not think he can.

Mr Seeruttun: M. le président, dans sa réponse à ma dernière question, le Premier ministre a confirmé qu'il y a une vérification des données de ces personnes qui sont sélectionnées. Peut-on savoir qui sont ceux qui font cette vérification, et comment se fait-il qu'ils n'ont pas trouvé qu'il y a certaines personnes qui ne méritaient pas d'être sélectionnées?

The Prime Minister: It is a long procedure. That is why sometimes I understand, because I did not know until I became Prime Minister myself, I must tell you in all frankness. It is a long procedure. First of all, they do the physical test that they have to do, then they have to do oral test, then they have to be insured to be tested. From what I understand, the procedure is that then they will look in case somebody - there is a question of manpower also. But it goes to the Disciplined Forces Commission; they make the selection. Then, when the list is sent back to the Commissioner, he makes sure that he goes through one by one to see how many have a criminal record or whatever. I must say, like anything human, it might be there is some fallibility, and one or two have slipped through the net. But I will put on the hon. Member's request for that.

Mr Speaker: The Table has been advised that PQ B/5 and B/11 have been withdrawn. Time is up!

DOMESTIC PROTECTION ORDERS - ISSUE

(No. B/5) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Domestic Protection Orders, he will, for the benefit of the House, obtain information as to the number thereof issued by the courts, over the past three years.

(Withdrawn)

**INFORMATION AND COMMUNICATIONS TECHNOLOGIES ACT - ALLEGED
BREACH - MEASURES**

(No. B/11) **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 alleged cases of breach of the Information and Communications Technologies Act, including the misuse of mobile phones, Short Messages Service and internet platforms, threats, defamation and/or insults, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof, since 2005 to date, indicating the remedial measures taken, if any, in relation thereto.

(Withdrawn)

Mr Speaker: Questions addressed to hon. Ministers. The Table has been advised that PQ A/18 in regard to Centre Polyvalent, addressed to hon. Minister of Social Security, National Solidarity and Reforms Institutions, will now be replied by the hon. Minister of Social Integration and Economic Empowerment. Hon. Li Kwong Wing!

CT POWER (MAURITIUS) LTD. PROJECT – COST

(No. B/15) **Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the CT Power (Mauritius) Ltd. Project at Albion, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) value and percentage shareholding thereof or of its related company committed thereinto, indicating the amount disbursed in relation thereto, as at to date;
- (b) total estimated costs thereof, including the cost of the land and of the jetty and the indexation cost;
- (c) coal supply conditions, and
- (d) warranties for the power purchase.

The Deputy Prime Minister: Mr Speaker, Sir, I am advised by CEB as follows -

- (a) the CEB Investment Company Ltd (CEB ICL) will hold 26% of the CT Power (Mauritius) Ltd. representing Rs260,000 out of Rs1 m. shared capital in line with shareholders agreement which has not yet been executed. Accordingly, CEB ICL has not disbursed any amount in relation thereto.
- (b)
 - (i) The cost of the project was initially 185 Million USD in 2008 and this has been revised to 348 Million USD taking into consideration cost escalation and changes required for CT Power to meet all the requirements of the EIA licence and, most importantly, Mr Speaker, Sir, to comply with the latest EU emission standards;
 - (ii) an extent of 92 *arpents* of land has been leased by Government to CEB and not to CT Power (Mauritius) Ltd. The CEB will pay an annual lease fee of Rs15 m. to Government and this amount is included in the project cost as a refund to CEB for the cost of land;
 - (iii) the CEB will construct the jetty which is estimated to cost around Rs750 m. The estimated cost of transporting coal through the jetty is estimated at ten cents per kWh as compared with the existing transportation cost of eighteen cents per kWh with the existing PPA's.
 - (iv) the indexation cost is applied to the kWh price to be paid to the promoter and is included as a complex formula in the Power Purchase Agreement.

I wish to inform the House that the Power Purchase Agreement (PPA), including the indexation clause, will be made public once all relevant agreements have been signed.

- (c) The cost of coal is included in the kWh price and CT Power (Mauritius) Ltd. will pay for it. The CEB will procure the coal and deliver it to CT Power (Mauritius) Ltd. through a transparent and competitive bidding exercise to ensure the lowest price of coal.
- (d) CT Power (Mauritius) Ltd. has made a request to my Ministry to guarantee CEB's payment obligations contained in the Power Purchase Agreement between the CEB and CT Power (Mauritius) Ltd. The request is under consideration. It is to be noted that such Guarantee Agreements have been signed by Government with existing IPPs, for example, in October 2003 and February 2005.

Mr Li Kwong Wing: Mr Speaker, Sir, in the PSIP programme that has been voted in December last, it was projected that an amount of Rs300 m. would be invested by the CEB into that project which would represent 26% of the total shareholding. May I know from the hon. Deputy Prime Minister whether in this amount that has been projected to be invested by the CEB in cash, consideration has been given to the lease right that has been given by Government to the CEB for that project? Because this is what happens in hotel projects where the lease right which is given to the promoter is used as contribution in kind to the project. My question therefore is: why is it that in 2006 the Ministry of Housing had already allocated land to CEB for a power project and this lease right has not been injected into that project in kind and the CEB is now called upon to contribute Rs300 m. as share capital into that project?

The Deputy Prime Minister: Mr Speaker, Sir, the information is the answer. This is a lease at Rs15 m. annually.

Mr Lesjongard: The hon. Deputy Prime Minister in his reply has stated that in 2008 the cost of the project was 185 m. USD and as at today the cost has increased to 348 Million USD. Can we have an indication at that time when the cost of kWh was evaluated what was the cost and what is today's cost of kWh when the cost of implementation of the project has increased to 348 Million USD?

The Deputy Prime Minister: Mr Speaker, Sir, as at present it is well below Rs5 per kWh, but at the time it was almost a rupee less. But, I will provide the exact figures.

Mr Barbier: Concerning the construction of the jetty, may I know from the hon. Deputy Prime Minister whether it is going to be constructed by the CEB and it is the CEB which is going to invest the money of Rs750 m. needed and whether this cost of Rs750 m. is going to be passed on to the consumers also?

The Deputy Prime Minister: This is one of the reasons. This coal transportation issue, apart from ordering the coal and supplying it, is very complex and I answered questions on it. But the jetty will help to reduce the cost of electricity at least eight cents per kilowatt/hour.

Mr Li Kwong Wing: Mr Speaker, Sir, we all know that this company which is going to invest in that project was finally incorporated as Mauritius CT Power Holdings Ltd and the share allocation had been finalised in 2008 whereby the CEB would invest 26%. Then, may I know

from the hon. Deputy Prime Minister why is it that as far back as 2006, in accordance to this document, which I am going to table, which is published in the judgment of the Environment Appeal Tribunal in the matter of CT Power against the Ministry of Environment, in that Tribunal judgment, it is clearly stated that by a letter of 29 June 2006, before the CEB was even a shareholder in that project, the Ministry of Housing had approved an industrial lease to the CEB at the Montagne Jacquot area in partnership with CT Power? It is also said that the CEB would have contributed to a....

Mr Speaker: Yes, what is your question hon. Member?

Mr Li Kwong Wing: I am just...

Mr Speaker: The hon. Member cannot read the finding of the Environment Tribunal...

Mr Li Kwong Wing: ...the CEB would have contributed to an equity participation...

Mr Speaker: Please, put your question!

(Interruptions)

Mr Li Kwong Wing: The contribution would be in virtue of a lease right of the Government given to the CEB. Why is it that Government has given land to CEB and that land is not used as share contribution, but in 2008, the Ministry of Public Utilities had allowed CEB to inject money to the extent of 26% in that project? That is the question: why Rs300 m. will be injected in cash despite the fact that in 2006 land had already been allocated to CEB in partnership with CT Power?

The Deputy Prime Minister: Mr Speaker, Sir, I will look into this issue that has been raised and...

(Interruptions)

... provide information accordingly.

(Interruptions)

Mr Ganoo: Can the hon. Deputy Prime Minister inform the House whether Government is experiencing any difficulties in approving the Implementation Agreement binding a Government sovereign guarantee with the promoters? If not, why is it that after three months since the PPA has been signed - three months have elapsed as we all know since the PPA was

signed - the Implementation Agreement is still moving to and through from the Ministry of Finance to his Ministry and to the CEB? Is it because the promoter is showing lack of interest in pursuing the project?

The Deputy Prime Minister: The papers are with the SLO and will be concluded soon.

Mr Uteem: Mr Speaker, Sir, the hon. Deputy Prime Minister just mentioned that CEB would be constructing the jetty at Rs750 m. So, may I know from the hon. Deputy Prime Minister why is it that this amount of Rs750 m. has not been capitalised by CEB so that they may get an increase in the shares in CT Power (Mauritius) Ltd.?

The Deputy Prime Minister: Mr Speaker, Sir, the problem of the jetty is tied to the procurement of coal and I will go into the history of procurement of coal. Since 1984, coal was being supplied to FUEL by the CEB. In 1998, a coal terminal management company was set up by the IPPs to procure their own coal and CEB was not allowed to be part of the company. All coal cost is invoiced to the CEB in the tariff. So, 600,000 tonnes of coal are being imported by this coal management company with no transparency, and we thought this was an opportunity for the CEB to take over and see what the real cost is and it also applies to the transportation from harbour to the site, and it is proving to be much less costly.

Mr Speaker: Yes, hon. Leader of the Opposition!

Mr Bérenger: The building of this jetty has been taken care of by an Environment Impact Assessment and, if yes, a copy of that record can be placed in the Library.

The Deputy Prime Minister: The environmental impact is being looked into...

(Interruptions)

Mr Jhugroo: Mr Speaker, Sir, being given that several people have died recently in Europe in relation to coal power plant, will the hon. Deputy Prime Minister see if he can review this project so that we do not get the same problem as in Europe?

The Deputy Prime Minister: The project will abide by the regulation and I would like to inform the House at the same time that this project site has been identified since 2002 by the American Consultant K and M and we are going for the highest, most stringent, existing emission standards worldwide. The EU emission standard is the best guarantee for lower emission.

Mr Bhagwan: Since this project stinks corruption right from the start of the project itself
- I think the hon. Minister is not listening.

(Interruptions)

He is not listening.

(Interruptions)

Mr Speaker: Put your question, hon. Bhagwan!

Mr Bhagwan: I can't put a question to somebody who is not listening.

Mr Speaker: Put your question then!

(Interruptions)

Mr Bhagwan: I know he is being briefed by the hon. Prime Minister.

Mr Speaker: Leave the hon. Minister alone! Put your question!

Mr Bhagwan: I'll rephrase my question, Mr Speaker, Sir. Can I ask the hon. Deputy
Prime Minister that since this project stinks corruption right from the start...

(Interruptions)

Mr Speaker: No!

(Interruptions)

I am on my feet, hon. Bhagwan!

(Interruptions)

According to the Standing Orders, your question must be precise and factual.

Mr Bhagwan: I think it is precise, Sir.

Mr Speaker: If you think there is corruption, you may come with a motion against the
hon. Minister.

(Interruptions)

I have ruled!

Mr Bhagwan: Since this project, I said, stinks corruption right from the start, will the Deputy Prime Minister inform the House, the population, the taxpayers, those who are paying their electricity bills, that millions of Mauritian rupees are not being invested to please *petits copains* in that region...

(Interruptions)

The Deputy Prime Minister: Mr Speaker, Sir, I take strong exception to this type of intervention. *Je vous lance le défi de prouver tout ce que vous dites.*

(Interruptions)

In the end, the beneficiary will be the population and the consumers. They are going to pay a lower price than what they have been paying and there will be less environmental pollution.

(Interruptions)

Nobody is talking about pollution taking place elsewhere.

Mr Speaker: This is a proper time to break. We will resume in one and a half hours.

At 1.06 p.m. the sitting was suspended.

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

Mr Speaker: Yes, hon. Li Kwong Wing!

Mr Li Kwong Wing: Still on PQ No. B/15, Mr Speaker, Sir, may I ask the Deputy Prime Minister whether the...

Mr Speaker: I have said PQ No. B/16!

Mr Li Kwong Wing: No. We broke off for lunch.

Mr Speaker: You have a question?

Mr Li Kwong Wing: Yes, please.

Mr Speaker: Yes.

Mr Li Kwong Wing: On PQ No. B/15, Mr Speaker, Sir, may I ask the Deputy Prime Minister whether he could inform the House what is the price per KW/h that is going to be paid by CEB to CT Power given that Government has already given the land and will now build the

jetty and also it is going to invest in the project; whether all these have been taken into consideration in arriving at that price under this Power Purchase Agreement?

The Deputy Prime Minister: As I have said before, Mr Speaker, Sir, the price will be well below Rs5.00. If you include the cost of coal and the cost of transport, it might be around - but I am not going to pronounce finally - Rs4.60 or thereabout, but it is well below Rs5.00.

Mr Speaker: Yes, hon. Ameer Meea.

Mr Ameer Meea: Thank you, Mr Speaker, Sir. As stated by the hon. Deputy Prime Minister, Government, through taxpayers' money, will invest more than Rs300 m. in this project. May I know whether any study has been carried out to estimate the expected rate of return in relation to this investment in this private project?

The Deputy Prime Minister: Mr Speaker, Sir, I reiterate again; there has been no investment so far, neither Rs300 m. nor Rs 1. It is zero. The rate of return must be around 20%, but we are calculating it. We are not at the end yet.

Mr Speaker: Hon. Jugnauth!

Mr Jugnauth: Before CEB acquires shares in the CT power, I am sure that the CEB must have done due diligence to find out who are the other shareholders. Can the hon. Deputy Prime Minister say to the House who are the other shareholders and, if they are companies, who are their Directors?

The Deputy Prime Minister: It is part of Parliamentary Question B/16.

(Interruptions)

Mr Li Kwong Wing: May I ask the hon. Deputy Prime Minister, since the hon. Deputy Prime Minister says that the price will be lower than the price paid to other IPPs and as all power purchase agreements of other IPPs have been made public, if he can table a copy of this power purchase agreement in the interest of the taxpaying public and the consumers of CEB?

The Deputy Prime Minister: Mr Speaker, Sir, I thought I have given the guarantee that, at the end of it, all information will be given. Now, we must be careful not to compare likes with unlikes. We are now having a power plant with latest technology. We cannot compare it with what happened before. That is for sure! Secondly, we must think about the time when these

contracts were allocated and today. It makes a difference. When we compare, we have to compare like with like and we have to compare technology with technology. There has been no technology in Mauritius so far that would meet the world-class standard and this is coming. We must appreciate that we have taken the trouble of making sure we are getting a state-of-the-art technology that is well in advance with many countries even in Europe.

Mr Speaker: Hon. Lesjongard!

Mr Lesjongard: Thank you, Mr Speaker, Sir. May I ask the hon. Deputy Prime Minister since he is saying that the cost per kilowatt will be lower; how does he reconcile the fact that, with an increase of almost 100% in the cost of the project, that is, from USD185 million to almost USD348 million, the price of kilowatt-hour will be lesser?

The Deputy Prime Minister: I have said that it will be less than Rs5 and it will be around Rs4.70. We will work it out at the end, but when you compare it technology for technology, it is an advantage over the other. Don't forget a lot of these were in 1990s or early 2000. We are now in 2014.

Mr Speaker: Yes, hon. Ameer Meea!

Mr Ameer Meea: In relation to the answer that the hon. Deputy Prime Minister just gave, will the price be a fixed price or will it be a variable one and over how many years?

The Deputy Prime Minister: How many questions, Mr Speaker, Sir! I answered; it will be indexed and I will give all the information about indexation. This was part of the question and it was answered.

Mr Speaker: I will allow two more questions. Hon. Jhugroo!

Mr Jhugroo: Can the hon. Deputy Prime Minister table a copy of all the shareholders of CT power and also mention the name of the Directors?

The Deputy Prime Minister: It will be eventually.

Mr Speaker: Last question!

Mr Bhagwan: Can the hon. Deputy Prime Minister inform the House and the people of the region there; when actually work will start on site and when the first kilowatt-hour will be sent on the grid?

The Deputy Prime Minister: Work will start in the months to come. I expect, we cannot fix date until all things are sorted out including the legal implications. We have asked the State Law Office to vet whatever we are doing, but I expect in the three or four months to come approximately works should start – early 2017.

Mr Bhagwan: What about first kilowatt-hour which will be sent on the grid? What is the planning of the CEB?

The Deputy Prime Minister: I think I have just answered this.

Mr Speaker: Next question, hon. Li Kwong Wing!

(Interruptions)

I said next question!

CT POWER HOLDINGS LTD - MEMORANDUM OF UNDERSTANDING

(No. B/16) 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 the bilateral foreign relations between the Republic of Mauritius and Malaysia, he will state if –

- (a) an agreement has been signed between the two countries for an exchange of information, and
- (b) a Memorandum of Understanding has been signed between the Financial Services Commission, Mauritius, and the Labuan Financial Services Authority, Malaysia, to enable a detailed due diligence exercise on the CT Power Holdings Ltd., indicating if a request for inquiry has been made to the Malaysian authorities on the financial credentials of the CT Group Malaysia, its related companies and of the funders of the CT Power Project.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Speaker, Sir, with regard to part (a) of the question, there is presently no general framework agreement for exchange of information between the Republic of Mauritius and Malaysia. However, the House may wish to note that Mauritius has signed a Double Taxation Avoidance Agreement (DTA Agreement) with Malaysia in August 1992 which came in force in

August 1993. The Agreement includes at Article 24 a provision relating to exchange of information as is necessary for the prevention or detection of evasion or avoidance of taxes covered by the Agreement.

Concerning part (b) of the question, I am informed that the Financial Services Commission has signed a Memorandum of Understanding (MOU) with Labuan Financial Services Authority of Malaysia in April 2010 relating to exchange of information for cooperation and mutual assistance. As per paragraph 1(c) of Article 3 of the MOU, provision has been made for both Authorities to assist each other in the exchange of relevant information towards carrying out and enhancing their respective regulatory and supervisory functions.

I wish to inform the House that neither the DTA agreement nor the MOU signed by FSC makes provision for exchange of information in relation to such cases as CT Power Holdings Ltd.

However I am informed that the Board of Investment had, at the request of Government in August 2012, carried out a due diligence exercise on the capacity of the shareholders of (Mauritius) CT Power Ltd to meet their financial commitments in relation to the proposed project.

Mr Speaker, Sir, I wish to inform the House that section 15 of the EIA Licence issued to CT Power provides that the latter should submit proof of its financial capabilities for the duration of the project to the satisfaction of my Ministry. In this respect, I am informed that, in a letter dated 17 December 2013, CT Power has confirmed to CEB that it undertakes to provide proof of its financial capabilities at the financial close of the project. In this exercise, my Ministry will ensure that the promoters provide all information on the shareholders and other financiers as well as their sources of financing in an acceptable and transparent manner. We will also request that any change in shareholders and beneficial owners are known and approved by Government.

Mr Bérenger: May I ask the hon. Vice-Prime Minister whether he finds it normal to say that, in due course, when we reach a financial stage, then he will see whether they give proof of their financial capability and so on, and then we will know who are the shareholders. Does the hon. Vice-Prime Minister find it normal that, in the meantime, his colleague next to him is giving us indicative dates when the power unit will start operating when there is no EIA on a jetty to be

built and now we have to wait for the hon. Minister of Finance to certify on the financial capability and we are rushing ahead according to what his colleague has said? Is that normal?

Mr Duval: Mr Speaker, Sir, as far as checking the financial capability, the financial standing and the quality of the people who would invest in the project, obviously we need to know who will be the final shareholders and who will be the final financiers. It is clear, Mr Speaker, Sir, that CT Power is a promoter of the project that will seek to gather a consortium around it to finance a project and, at the same time, 80% of the project is meant to be financed by loans. At this stage until this information is provided to Government, we are obviously not able to check on these people.

Mr Speaker: Hon. Li Kwong Wing! That's your question!

Mr Li Kwong Wing: Thank you, Mr Speaker, Sir. The share capital is estimated at Rs1.2 billion and, since the CEB is going to inject Rs300 m., it means that CT Holdings will invest Rs900 m. In view of the size of that investment, can the hon. Vice-Prime Minister inform the House whether an investment certificate has been issued by the BOI to allow this investment to come through?

Therefore, can the hon. Vice-Prime Minister inform the House whether he has ascertained what experience and track record these promoters have in operating and building power plants or similar plants in other countries?

Mr Duval: Mr Speaker, Sir, my mandate is quite clear. It relates to the financial aspect. My mandate is not relating to the technical and operational aspect, and I cannot respond as to what are the experiences. That is not my mandate and we must be very clear on that, Mr Speaker, Sir. Our mandate is to check on the financial capability of the promoters. The shareholding of the venture, Mr Speaker, Sir, will be about US\$70 m., 26% of that is being financed by CEB. The remainder; 74% will be financed by the other shareholders. Now, the other shareholders, therefore, have to come up with about US\$51 m. They will come up, as I mentioned, by themselves and by carrying around them a consortium of people to do so. At the same time, they will raise loan finance for the remainder of the amount. As far as an investment certificate is concerned, Mr Speaker, Sir, investment certificate no longer exists at the BOI. What exists is a certificate by the Prime Minister's Office when you are actually investing in land etc. in Mauritius. Well, if that happens, then obviously the Prime Minister's Office will do the necessary

according to their own regulations and specifications as to issuing investors' permits under the Non-Citizens (Property Restriction) Act. But that is another step, once we know who the shareholders are, and if there is any. I presume there will be land involved, because there is a long list.

Mr Jugnauth: To my question that I put to the hon. Deputy Prime Minister, B/15, he replied that my question will be answered in this question. So, I am putting my question again. Will the hon. Vice-Prime Minister, Minister of Finance say, who are the shareholders of (Mauritius) CT Power Ltd. and if they are companies, who are the shareholders of those companies and the Directors of those companies?

Mr Duval: Mr Speaker, Sir, I have the information as to the shareholders. I don't have the information as to Directors, but I can obtain that if the hon. Member wishes. As far as the information that I have, Mr Speaker, Sir, (Mauritius) CT Power Ltd. is owned by a company called CT Power Holdings Ltd., 100%. That is one. Another company CT Holdings Ltd. owns CT Power Holdings Ltd, and the owners of CT Holdings Ltd, are one Mr Subramaniam Mariappan, 90%, Mr Chay Kwong Min 10%. This is the information that I have.

(Interruptions)

Mr Bhagwan: Mr Speaker, Sir, can the hon. Vice-Prime Minister, Minister of Finance who is a responsible professional, at least, give a guarantee to the House and to the nation that until and unless he receives all the proof of the financing of this project by foreign investors he will make sure that no dirty money is being used to finance this project. We all know the intricacies that have happened. So, I will stop here. The Vice-Prime Minister knows what I am saying, printing of posters and other trips abroad. Apart from money given to some social cultural organisations and persons sitting here in the House ...

(Interruptions)

... will the Vice-Prime Minister make sure that these people also have not benefited from the dirty money?

Mr Duval: Mr Speaker, Sir, I don't know about these allegations, and I cannot respond to the allegations. Allegations should not be made in the House, but at ICAC, if there is anything to be made.

(Interruptions)

As far as the checking by the Ministry of Finance is concerned, I must say that this condition was included at Government's request, at Cabinet's request. This provision, Article 15 of the EIA licence was specifically included. It is quite unusual, I understand, uncommon to have that sort of paragraph in an EIA licence, and it was specifically included and if I may, with your permission, read that paragraph, Mr Speaker, Sir, it says -

“The proponent shall undertake to provide proof of its financial capabilities for the duration of the project to the satisfaction of the Ministry of Finance and Economic Development.”

It is quite an unusual clause and it shows the determination of Government, Mr Speaker, Sir, so that we do all the necessary due diligence and we check fully who these people are and that they have the financial capabilities. I must say, Mr Speaker, Sir, that the checks that we have made so far shows that there are no adverse reports on these gentlemen at all. Thank you.

Mr Speaker: Hon. Uteem!

Mr Uteem: Mr Speaker, Sir, the hon. Vice-Prime Minister just gives us the assurance that he will ensure that they have the financial soundness. The project has increased in value. May I ask the hon. Vice-Prime Minister if he can give the similar assurance that neither the CEB nor the project will be used as guarantee to provide security for the promoters so that they can raise money to meet that?

Mr Duval: Mr Speaker, Sir, I must say that the EIA licence has been issued subject to a number of conditions. But, of course, Mr Speaker, Sir, they will obtain financing on the basis of the project. How could they not use the project to obtain financing? They have a project, they have income that is coming and it would not make any sense for them not to be able to use the project to obtain financing. So, I cannot agree with the hon. Member there.

Mr Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Thank you, Mr Speaker, Sir. The majority of shareholders are foreigners and whereby this project has benefited from so many acres of land from Government. Therefore, can I ask the hon. Vice-Prime Minister, if he will agree with me, that this project is

against the concept of democratisation of the economy, whereby the concept of democratisation of the economy is for the Mauritians and by the Mauritians?

Mr Duval: Mr Speaker, Sir, this is a multi-million-rupee project. I don't think that this is a project for the man in the street and it involves, of course, a very complicated technology. The issue of land has been raised, Mr Speaker, Sir, and I wanted to raise it here. Obviously, the land is not given free to the CEB or given free to the promoters. It is valued by the Government Valuer and the rent, Mr Speaker, Sir, equates to the annual value of the land. So, there is no question of capitalising the land and putting the value on the land when the job of the Government Valuer is to equate the value of the land and obtain adequate rental for the land every year.

Mr Speaker: Hon. Li Kwong Wing!

Mr Li kwong Wing: Thank you, Mr Speaker, Sir. At a time when we have already committed to pay a price for the electricity to be generated by CT power, may I ask the hon. Minister, how is it that, at this stage, he has still not been able to ascertain the financial credentials of the owners and does not even know who the owners are because ultimately...

(Interruptions)

Mr Speaker: No, put the question, don't give reasons!

Mr Li Kwong Wing: I am asking the question: is the hon. Vice-Prime Minister aware, therefore, that CT power holdings are held ultimately by Mr Subramaniam and Mr Chay Kwong Min, but these people are book printers, they are in the printing industry and they have no experience in power plants? I am going to table a paper from the Registrar of companies...

(Interruptions)

Mr Speaker: I am on my feet. Hon. Li Kwong Wing, when you put a question, you are supposed to ask for information, not to give information. That is why you have to know where to stop.

(Interruptions)

Mr Li Kwong Wing: I am asking the hon. Vice-Prime Minister whether he is aware that ultimately, the promoters of this project have no experience in power plants and they are book

printers, and I have a copy of Registrar of Companies in Malaysia, which shows that the ultimate owners..

(Interruptions)

Mr Speaker: You are not looking at me, you see!

Mr Li Kwong Wing: No, I am asking whether he is aware that the ultimate owners are not these two characters, but one Mr Muhammed Arif Bin Ally who is a motor dealer in Mitsubishi cars.

Mr Duval: I am sorry. I must say I miss the gist of the last part. Perhaps the hon. Member can repeat it in a moment. As far as I understand, Mr Speaker, Sir, the promoters have satisfied the CEB and the Ministry of Public Utilities as to their abilities in a technical capacity to carry out this project. Our role at the Ministry of Finance, I repeat, is limited to Article 15 of the EIA and I do not want to overstep my role in this issue. It relates to Article 15. We intend to complete our duty as far as Article 15 is concerned to the satisfaction of Government, Mr Speaker, Sir. I would ask the hon. Member to repeat the last part of the question because I miss that point.

Mr Speaker: Yes. Hon. Jugnauth!

Mr Li Kwong Wing: Can I just repeat the last part, Mr Speaker, Sir?

Mr Jugnauth: With regard to CT Power Holdings Ltd, may I know from the hon. Vice-Prime Minister whether there has been, at any time, any transfer of shares?

Mr Duval: I am not aware, Mr Speaker, Sir. I think also we are missing the gist of the matter here, Mr Speaker, Sir, that is, Article 15 is an additional condition that Government has put in the EIA. It is, therefore, being at our request, at Government's request that an additional condition as to the financial standing and capability of these people are concerned, that is, has been added to the EIA licence. Mr Speaker, Sir, it is not correct for the Opposition to criticise on this issue saying that we should do this and that, because we have taken the initiative to include Article 15 in the EIA licence.

Mr Bérenger: Can I ask the hon. Minister the date on which this condition was made public by the EIA Tribunal? Why has it taken so long for his Ministry to check on the financial

capability of the companies? And again, I ask him whether he finds it normal – he has not yet checked, he cannot certify as he is required to do and yet the project is going full steam ahead?

Mr Duval: A very simple answer, Mr Speaker, Sir, to a simple question. The matter, as far as the original shareholders, as they stand, the Board of Investment, as I said in my answer, carried out at a request of Government, in August 2013, a long time back, a due diligence exercise on these people and that is where it came out that they were actually building a consortium to finance the project. I cannot check on the consortium until and unless the consortium is presented to us. Mr X is financing 10%, Mr Y is financing this and that and these are the people who are lending the money. So, I cannot do that and that is why I have not done it.

Mr Bhagwan: Can the hon. Minister of Finance check with the Customs Authorities, in all the enquiries which his Ministry is conducting, whether the promoter, Mr Mariappan financed the publication free importation, all the posters of *Alliance sociale* of 2005 General Elections and there are papers that the Customs' bill of entry and so on, whether the Minister can check with the Customs and make a statement to the House later on?

Mr Duval: Mr Speaker, Sir, there is a substantive question, I will reply to it.

Mr Jugnauth: I just heard the hon. Vice-Prime Minister saying that there is a consortium and up to now we cannot check how much shareholding belongs to whoever in that consortium. Is he aware that, according to law, the promoters have to disclose the shareholding and whenever there has been any transfer of shares, they have to disclose to the authorities about this? So, how is it now that he is not even aware, he is going to check in the future, the law is not being respected, therefore?

Mr Duval: Mr Speaker, Sir, I am not clear which law we are talking about firstly.

Mr Speaker: You have to be precise about the law.

Mr Duval: Secondly, I told the hon. Member so many times, their consortium is not yet built, we do not have a consortium yet. So, how can I check on the names of people in the consortium when there is no consortium at the moment? The consortium will be presented to Government at the financial close of business, that is, when the consortium will be presented. How can I put it in any other language, Mr Speaker, Sir? When the consortium is presented, we will check upon it - *point final!*

CAMP LEVIEUX HOUSING ESTATE – WATER SUPPLY

(No. B/17) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Housing and Lands whether, in regard to the Camp Levieux Housing Estate, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to if it has been informed of the irregular water supply thereat and, if so, indicate

–

- (a) the measures, if any, taken in relation thereto, and
- (b) if all the water pumps thereat are operational and, if not, why not.

Dr. Kasenally: Mr Speaker, Sir, I refer the hon. Member to PQ No. B/129 replied on 22 May 2012 regarding the issue of water supply and installation of water pumps at the Camp Levieux NHDC Housing Estate.

Mr Speaker, Sir, at Camp Levieux Housing Estate, there are three different housing estates and they are equipped with different modes of water supply. The Camp Levieux Alpha Housing Estate is equipped with a storage tank and a main pump for distribution of water to each housing unit. At Camp Levieux Malaysian I Housing Estate there are two roof galvanized mild steel water tanks for each block of apartment. The third Housing Estate, Camp Levieux Exim, is equipped with individual water supply.

Following several representations from residents regarding irregular distribution of potable water at Malaysian I and Alpha Housing Estates, a major water reticulation network rehabilitation programme is being implemented. This programme also covers 13 other NHDC housing estates.

Since the reply to PQ in May 2012, there have been significant improvements in the water supply in the Camp Levieux Housing Estate. For the Malaysian I Housing Estate, the contract for works was awarded on 15 April 2013 for a sum of Rs29.68m. The rehabilitation work caters for the provision of ground water tanks, water pumps, replacement of water pipes internal to housing units, cleaning, repairing and securing galvanized roof water tanks and construction of pump rooms so as to avoid vandalism and theft of water pumps.

Mr Speaker, Sir, I wish to inform the House that the original water reticulation pipes were located inside the wall of all apartments. The rehabilitation of pipes has been a long and

tedious exercise as it involved installation of the water pipes on the outside of the apartments. In addition, difficult access to individual apartments has resulted in the works taking more time than expected. To date, 80% of the water pipe works have been completed.

As regards the construction of new pumps, 50% of the works have been completed. It is expected that the pumping equipment will be installed as from the end of this month. I am informed by the NHDC that the project will be completed by May 2014.

Mr Speaker, Sir, once water pumps have been installed and operational in the housing estates, the elected Syndics will take over all the new utility infrastructure for its operation and maintenance. The Syndic will also be responsible for the payment of electricity bills for the running of the pumps.

Regarding Camp Levieux Alpha Housing Estate, there is a pump system whereby water may be conveyed from the ground water tank to the roof tanks. The Syndic is responsible for the operation of the pump, which is in good condition, and for meeting the costs thereof from its funds. Although the water supply situation is satisfactory, there is an ongoing project for upgrading the infrastructure, particularly the water reticulation system. Works started in January 2014 and 15% of the work has been completed so far and the project will be completed by September 2014.

Mr Speaker, Sir, I wish to draw the attention of the hon. Member that the Syndics, which are already operational at the Camp Levieux Housing Estate, will have to ensure that the water reticulation networks, the pump rooms and the pumps therein are properly maintained along with a good security system.

As the House is aware, the Syndics are being substantially assisted to meet the cost of expenditure relating to the upkeep and maintenance of common areas and utility services for which Government is contributing an amount of Rs 200 per housing unit per month.

Mr Nagalingum: Mr Speaker, Sir, can the hon. Minister inform the House whether he is aware that the project of water reticulation on NHDC project on the Malaysian site at Camp Levieux had stopped? If yes, what is the reason that the contractor stopped the work?

Dr. Kasenally: I am not aware that it had stopped. If it had stopped it must have been done temporarily, but I have my housing unit staff which go there, they supervise regularly and

the latest report which I got was that everything is on target. But then, you have contractors and contractors. Some of them are not performing as we would have wished. So, we have to apply penalties to them, but as far as I am concerned, it is ongoing and I am following this project regularly because the hon. Member keeps phoning me about any problems he has and I'll make sure that everything is done.

Mr Nagalingum: Regarding water pumps installation, Mr Speaker, Sir, and their maintenance, can the hon. Minister tell us when the said project will be terminated? Because now it is nearly three years that the work has started and it has not finished yet.

Dr. Kasenally: The work will not be terminated. It will be finished, because terminated means before it finishes. But, let me tell the hon. Member that it has taken so much time, as I have said, because we have to replace, as we cannot not get the pump going unless the reticulation has been upgraded. As I said, the reticulation was inside the wall. So, we had to remove it, and at the same time keep water and put new reticulation. That is why it has taken so much time, and it is going to finish in May, as far as the first one is concerned. But, then, the others will follow fairly rapidly.

CASCAVELLE-FLIC EN FLAC ROUTE - SECOND ACCESS ROAD

(No. B/18) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Cascavelle to Flic en Flac route, he will state if the construction of a second access road therefor has started and, if so, indicate where matters stand.

Mr Bachoo: Mr Speaker, Sir, the Road Development Authority is actively working on the identification of the best option to enhancing access to and from Flic en Flac. For that matter, an in-depth study is ongoing, focussing on the feasibility of a link road between Cascavelle and Flic en Flac. The issue of land for the construction of the road has also been looked into, and the hon. Prime Minister himself has announced the construction of a by-pass at Flic en Flac. So, as soon as the study is over, the construction of the link road from Cascavelle to Flic en Flac will be envisaged.

Mrs Hanoomanjee: Pending the study, can the hon. Vice-Prime Minister say where it is proposed to start the road, and what is the *tracé* of this road?

Mr Bachoo: I have been made to understand that it will be between Flic en Flac and Cascavelle. It is about seven kilometres road. I do not have all the details because the study is on.

Mrs Hanoomanjee: Can the Minister tell us also which option is being envisaged, and whether Government will proceed by compulsory land acquisition or does it propose to purchase land?

Mr Bachoo: In fact, Médine Sugar Estate has already been approached by my colleague, the hon. Minister of Local Government and Outer Islands, but it all depends. Approximately, I am told, about 40-45 acres of land belong to the Government in that region, and earlier that was used for our railway. So, it is the *tracé* of the railway. If I am not mistaken, that is the plot of land that we are going to make use of.

Mrs Hanoomanjee: If I understand the hon. Vice-Prime Minister, it has not yet been decided whether it will go by compulsory land acquisition or according to the SIE Act?

Mr Bachoo: The land belongs to the Government. We have to take back our land.

Mr Ganoo: Is the hon. Vice-Prime Minister aware if there will be any displacement of inhabitants of the region?

Mr Bachoo: There will not be any. I can give assurance to the hon. Member. Except in the beginning towards Flic en Flac, there may be some problems, because the road is a bit narrow, and we have to see what actions we are going to initiate to enlarge.

Mrs Hanoomanjee: Is the hon. Vice-Prime Minister in presence of any traffic impact assessment along this road? Because I believe the hon. Vice-Prime Minister must be aware that there are new developments around this road, and there is a new development, where a particular company is selling about 300 plots of land, which will affect the traffic flow along this road.

Mr Bachoo: But the study that is being undertaken comprises environmental, social and traffic impact assessments for the new link road. In fact, the development which is taking place is a bit far away from the road which we are constructing.

Mrs Hanoomanjee: Can I ask the hon. Vice-Prime Minister whether we have a time frame which has been established? Because we can see that in other road projects priority is being given to what I would term as less important roads. Is there any time frame for this project?

Mr Bachoo: In fact, we have put the study on a fast track, and it will be ready towards the end of June.

Mr Speaker: Next question!

FLIC EN FLAC - SOCIETE DE LA RESERVE - LAND CONVERSION

(No. B/19) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Agro-Industry and Food Security, Attorney General whether he will state if his Ministry had received an application for land conversion from Société de la Reserve last year at Anna in Flic-en-Flac and, if so, indicate -

- (a) the date of receipt thereof;
- (b) the extent of land involved, and
- (c) if same has been approved and the company informed accordingly.

Mr Faugoo: Mr Speaker, Sir, last year, on 16 July, my Ministry received an application from Société de la Reserve for land conversion, of an extent of 195 *arpents* and 50 perches at Anna, Flic en Flac, for the setting up of a residential *morcellement* and commercial mix use development project. Upon favourable recommendation of the Land Conversion Committee and approval of Cabinet, a letter of intent was issued on 02 September 2013, wherein payment of a land conversion tax amounting to Rs290,241,175 had to be effected.

Under section 28 of the SIE Act, the applicant had six months to settle the said land conversion tax, and same was paid on 24 February this year.

Mrs Hanoomanjee: According to a statement which was made by the hon. Minister of Housing and Lands in this august Assembly on 21 November, last year, he mentioned that authority was conveyed on 10 January 2013. And according to the SIE Act, that authority - it is not an approval; it is an authority - had already lapsed on 10 July 2013. Was the Ministry of Housing and Lands apprised of this?

Mr Speaker: No! The Minister cannot answer for the Ministry of Housing.

(Interruptions)

Mrs Hanoomanjee: By his Ministry...

Mr Speaker: Put your question, hon. Member!

Mrs Hanoomanjee: Can I ask the hon. Minister whether his Ministry...

Mr Faugoo: Yes, I got the question. Mr Speaker, Sir, indeed, the Ministry of Housing and Lands was informed by a letter dated 09 July 2013.

Mrs Hanoomanjee: According to section 10, the Twelfth Schedule of the SIE Act, whenever an authority has lapsed, any promoter cannot reapply for the conversion of the same plot of land until six months after. Can I ask why this particular promoter applied immediately after, for that same plot of land, for conversion?

Mr Faugoo: Legally speaking, Mr Speaker, Sir, when a letter of intent is issued, the promoter has six months to pay. If there is no payment within the six months, then it lapses. The day starts from the six months, after which he has to wait for another six months. But, in this particular case, before the six months had lapsed, they had withdrawn the application. This is the reason.

Mrs Hanoomanjee: If the promoter had withdrawn the application, can I understand from the hon. Minister that anybody who has not been able to pay his land conversion and has not been able to convert an authority into an approval, and has not paid any promoter, can withdraw his application and reapply immediately after for that same plot of land?

Mr Faugoo: As I said, Mr Speaker, Sir, the law is clear. After six months, if no payment is effected, then he cannot, but before that it depends upon the applicant. If he withdraws the application, I cannot choose for him!

Mrs Hanoomanjee: Mr Speaker, Sir, the SIE Act clearly stipulates that even if he withdraws his application, he cannot apply before six months. He cannot apply for that same plot of land before six months, and this is clear in the SIE Act.

Mr Speaker: To which section the hon. Member is referring?

Mrs Hanoomanjee: It is section 10, Twelfth Schedule of the SIE Act. Can I ask the hon. Minister why this promoter has been allowed to apply again, immediately after he had withdrawn his application?

Mr Faugoo: That is factually not correct, Mr Speaker, Sir. The validity of a letter of intent, it is clear as per the provisions of the SIE Act, which says -

“If payment of tax is not effected within six months from the date of Letter of Intent (LoI) was issued, the authority, that is, the letter of intent, lapses and no further application for conversion for the same land would be entertained before another period of six months as from the date of authority has lapsed.”

In this case, it was not lapsed, because it was withdrawn before.

Mr Speaker: Okay! Do you have a question? Last question!

Mrs Hanoomanjee: Yes. But in a letter dated 19 July, the Ministry of Agro-Industry informed members of the Land Conversion Committee that the promoter had, on 04 July, cancelled his application. But, for the same location, contrary to the provisions of the SIE Act, that application was made for several plots, not in one plot. I believe that was the trick which was used by the promoter to get land conversion. He applied for the same plot, which is a big plot of land, but in nine small plots. Can the hon. Minister confirm this?

Mr Faugoo: That is again not correct, Mr Speaker, Sir. Again, I am making it clear that before the six months had lapsed the application was withdrawn, which means as if there was no application. So, the applicant was free to apply again. He did not have to wait for six months and he applied again factually - the hon. Member is wrong - in the same place, same area and same size. It is only when it was recommended by the Land Conversion Committee, approved by the Ministry, approved by the Cabinet, when he was issued the Letter of Intent, he applied that the Letter of Intent be separated into nine portions so that he can go to *Morcellement* Board - this is what is on the letter - as and when he can afford to do so. That was a practical issue and nothing to do with the application initially.

Mr Speaker: Yes, hon. Mrs Radegonde-Haines!

ARTS & CULTURE - WHITE PAPER - REPRESENTATIONS

(No. B/20) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Arts and Culture whether, in regard to the White Paper on Arts and Culture, he will state if he has received representations from the public and stakeholders in relation thereto and, if so -

- (a) give details thereof, and
- (b) indicate the actions taken in relation thereto.

Mr Choonee: Mr Speaker, Sir, in my reply to PQ No. B/800 I informed the House of the holding of a Workshop with all stakeholders in the fields of Arts and Culture on Saturday 27 July 2013 with a view to having a Consensus on the White Paper.

Following these consultations, the draft White Paper ‘Creative Mauritius – Vision 2025’ was released in December 2013 for comments, views and suggestions from all stakeholders. The closing date for receipt of views was end of February 2014 and as at the closing date only three proposals were received.

Mr Speaker, Sir, the second phase of the consultative process concerns some 11 Government Institutions that will have to support the implementation of the proposals in the draft White Paper which contains some 120 recommendations.

Mr Speaker, Sir, this exercise is due to start in April 2014. Thereafter, an implementation plan will be worked out for the Short Term, Medium Term and Long Term along with its financial implications.

Mr Speaker, Sir, funds will be earmarked in the next Financial Year once the Implementation Plan and financial implications are finalised. However, some recommendations are already in the pipeline such as the review of the Assistance Schemes to artists and the New Copyright Bill of which the Second Reading is scheduled for today.

Mrs Radegonde-Haines: Mr Speaker, Sir, I did not get an answer.

Mr Speaker: The Deputy Speaker will take the Chair!

At this stage, the Deputy Speaker took the Chair.

The Deputy Speaker: Yes, Hon. Mrs Radegonde-Haines!

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, I did not really get an answer from the hon. Minister since I asked details of the representation. Can the hon. Minister tell us whether policies on cultural rights of artists into all legislation, including labour law, social security, intellectual property and other related legal entities have been discussed and will be considered?

Mr Choonee: Mr Deputy Speaker, Sir, I replied to PQ No. B/21.

(Interruptions)

Mr Deputy Speaker, Sir, I am sorry, I replied to PQ No. B/21 - that's why.

(Interruptions)

I apologise.

(Interruptions)

May I?

(Interruptions)

I have a set of questions. It is only PQ No. B/21 which is on my list. I understand there has been some misunderstanding somewhere. I apologise for that. I will reply to PQ No. B/20 later if the hon. Member wants.

Mrs Radegonde-Haines: Can I know what to do now?

(Interruptions)

Mr Choonee: Well, in that case, offhand I am going to reply to PQ No. B/20.

The Deputy Speaker: Let us proceed in the order the Questions appear! So, start with PQ No. B/20 first, and then we will see PQ No. B/21.

ARTS & CULTURE - WHITE PAPER - REPRESENTATIONS

(No. B/20) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Arts and Culture whether, in regard to the White Paper on Arts and Culture, he will state if he has received representations from the public and stakeholders in relation thereto and, if so -

- (a) give details thereof, and

(b) indicate the actions taken in relation thereto.

Mr Choonee: Mr Deputy Speaker, Sir, I have received representations from the public and stakeholders in relation to the White Paper and I don't have the details. I can table the details of the representations I have received and the actions that I have taken are included in the White Paper. All the proposals that have come are included in the White Paper, which is 'Vision 2025'.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, since the hon. Minister said that he will table a paper, I would like to ask him to table a progress report policy review showing clearly all policies, challenges and gaps identified and major legislative challenges that would be addressed.

Mr Choonee: Mr Deputy Speaker, Sir, I don't know whether the hon. Member has gone to our website to see the White Paper *in extenso* - the total White Paper with all the recommendations. If she has seen it, then of course, that will facilitate her access to the White Paper and to the understanding of what all is there in the White Paper, but whatever information I have, whatever complaints and suggestions that have come from the different stakeholders, I don't mind tabling them here in this House.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, first of all, I want to say that I read the Paper, but he has invited for review; that's why I am asking to have a progress report on this policy review, but still, I have a question to the hon. Minister.

Can the hon. Minister tell us whether policies on cultural rights of artists - since the hon. Prime Minister mentioned that this morning - into all legislation, including labour law, social security, IP and other related legal entities have been discussed with the stakeholders and will be considered?

Mr Choonee: Mr Deputy Speaker, Sir, all discussions have been undertaken by officers and stakeholders because there was a closing date, it was the end of February. So, after the closing date, I don't think we can entertain any more requests, but whatever have been submitted up to the closing date have been considered and, definitely, I will provide the House with further information if need be.

The Deputy Speaker: Hon. Obeegadoo!

Mr Obeegadoo: The White Paper as it stands, entails significant legislative changes and institutional re-engineering. May I know from the hon. Minister whether he can today state if legislation is being brought and, if so, which legislation and when?

Mr Choonee: Mr Deputy Speaker, Sir, I cannot state which legislation right now which are being brought in, but, one, the legislation that comes immediately is the Copyright Bill which is on today's agenda. Other legislation will definitely come after consultations with the different Ministries. At least eleven Ministries are concerned with this new White Paper. So, this is what I said, it is the second phase. Once we sit with the different Ministries concerned, get their recommendations, then only we can talk about the legislation on the various aspects of the White Paper.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, since the hon. Minister mentioned eleven Ministries involved, I would like to insist on the status of artists. Can the hon. Minister tell us whether there has been any policy implication or proposal of new legislation for the social security and protection of artists discussed in light of the national security strategy?

Mr Choonee: Mr Deputy Speaker, Sir, as I said, eleven Ministries are involved. The Ministry of Social Security, National Solidarity and Reform Institutions will be one of the parties that will be consulted.

Mr Obeegadoo: One of the issues rather superficially dealt with in this White Paper concerns the legal status of artists. May I know how the hon. Minister proposes to address this issue?

Mr Choonee: For us, at the Ministry, Mr Deputy Speaker, Sir, when we talk of legal status of our artists, we refer mainly to the Copyright Act which we are reviewing. This is where all artists fit in and this is why I am coming up with the new Bill for Copyright. After discussions and debates, definitely we will come to know exactly where we stand.

Mr Jugnauth: Apart from the Copyright Bill, does the hon. Minister have an idea what other legislations he intends to come forward with?

Mr Choonee: Mr Deputy Speaker, Sir, I cannot talk about other legislations right now. I said the second phase of our discussions will be with different parties and institutions of

Government - and I said there are 11 Ministries - how can I pre-empt what will be the discussions and what will be the legal implications right now?

Mr Barbier: Mr Deputy Speaker, Sir, following the issue of the White Paper, there have been many stakeholders working to make so many very valuable proposals. May I know whether following that, there has been any committee set up at the level of the Ministry of Arts and Culture, whether they are working on all these proposals, whether there is a time frame for them to give a report and, if so, by when can we expect the Ministry of Arts and Culture to come out with a final report on this issue?

Mr Choonee: Definitely, Mr Deputy Speaker, Sir, we have a Committee at the level of the Ministry working and this is why I have said as from April, we will get into contact with all the different Ministries concerned, get the recommendations, views and everything and then, of course - as I said, when the question was asked about the budget and all, definitely it is only this year that we have to complete the whole exercise for us to get inclusion of our request in the budget for next year.

Mr Jugnauth: The hon. Minister has just answered to say that he does not have an idea what other legislation he can come forward with. Can he say whether there is right now or there has been any discussion on intellectual property rights?

Mr Choonee: Intellectual property rights?

The Deputy Speaker: Intellectual property rights.

Mr Choonee: Intellectual property, that is along with the Copyright Bill. It comes with the Copyright Bill.

Mr Obeegadoo: Mr Deputy Speaker, Sir, I would like to come back to this issue of legal status of artists which is the main expectation that artists have as regards this White Paper. Now, being given that the White Paper refers to a legal framework concerning creative endeavours, that it refers to enhanced legal protection, that it refers to recognition as a form of trade, profession; how can the hon. Minister today tell this House that this issue of the legal status of the artists rests only with issues pertaining to copyright.

Mr Choonee: Mr Deputy Speaker, Sir, the Copyright Bill will cover almost everything. However, the concern of the hon. Member is whether all aspects of creativity, artwork and

everything will be considered. I would like to point out that copyright and intellectual properties are very complex issues and these are not being dealt with only with the Ministry of Arts and Culture. We have a few Ministries concerned; the hon. Minister of Foreign Affairs is the Minister responsible for the Intellectual Property Bill which is in the pipeline. It will be coming soon and that will cover all other aspects which may include aspects having to do with other Ministries as well.

ARTS & CULTURE - WHITE PAPER – FUNDS EARMARKED

(No. B/21) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Arts and Culture whether, in regard to the White Paper on Arts and Culture, he will state if funds have been earmarked therefor and, if not, why not.

Mr Choonee: Mr Speaker, Sir, in my reply to PQ No. B/800 I informed the House of the holding of a Workshop with all stakeholders in the fields of Arts and Culture on Saturday 27 July 2013 with a view to having a Consensus on the White Paper.

Following these consultations, the draft White Paper ‘Creative Mauritius – Vision 2025’ was released in December 2013 for comments, views and suggestions from all stakeholders. The closing date for receipt of views was end of February 2014 and as at the closing date only three proposals were received.

Mr Speaker, Sir, the second phase of the consultative process concerns some eleven Government Institutions that will have to support the implementation of the proposals in the draft White Paper which contains some 120 recommendations.

Mr Speaker, Sir, this exercise is due to start in April 2014. Thereafter, an implementation plan will be worked out for the Short Term, Medium Term and Long Term along with its financial implications.

Mr Speaker, Sir, funds will be earmarked in the next Financial Year once the Implementation Plan and financial implications are finalised. However, some recommendations are already in the pipeline such as the review of the Assistance Schemes to artists and the New Copyright Bill of which the Second Reading is scheduled for today.

Mrs Radegonde-Haines: I heard the hon. Minister saying that funds will be earmarked for next year, but still I wanted to know if there has been any consultation because we have over

100 proposals in the White Paper. I would like to know if, at least, the hon. Minister has consulted or presented the paper to the hon. Minister of Finance.

Mr Choonee: Mr Deputy Speaker, Sir, the White Paper has been circulated...

(Interruptions)

... first in Cabinet. All the Ministers are aware and then, after that, I have it on the website of the Ministry which means everybody is aware. This is what I am telling; we are starting consultations as from April this year.

Mr Obeegadoo: The hon. Minister is very proud of the fact that his White Paper contains 120 proposals. I would like to know whether this has been the subject of a preliminary costing and, if so, can he tell us what it will cost to implement?

Mr Choonee: No, Mr Deputy Speaker!

The Deputy Speaker: Next question, hon. Uteem!

MAURITIUS/INDIA - DOUBLE TAXATION AVOIDANCE AGREEMENT

(No. B/22) 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 the Double Taxation Avoidance Agreement between the Government of India and the Government of Mauritius, he will state where matters stand as to the negotiations in relation thereto.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, as the House is aware, Mauritius has signed a Double Taxation Avoidance Convention with India in August 1982 and the Convention came into effect in June 1985. However, the Mauritius-India Double Taxation Avoidance Treaty has continuously been subjected to attacks from various quarters. The question of amending the Convention has been ongoing for quite a long time.

In order to address the concerns on the treaty, a Joint Working Group comprising senior officials from the relevant authorities of our two countries was set up in 2006. The Joint Working Group looked at two important issues namely: putting in place safeguards to prevent misuse of the India-Mauritius DTA without prejudice to the economic interests of either country

and strengthening the mechanism for the “Exchange of Information”. The Joint Working Group has so far met on ten occasions and all along various actions have been taken by Mauritius to address the concerns of India.

At the meeting held in December 2011 in Mauritius, India has proposed certain changes to the Double Taxation Avoidance Convention. Discussions thereon are still ongoing although agreement has been reached on a comprehensive tax information exchange agreement which also provides for mutual assistance in the collection of taxes.

Mr Deputy Speaker, Sir, I wish to refer the hon. Member to my reply to PQ B/81 of 09 April 2013 where I provided an update on the status of the negotiations regarding the Double Taxation Avoidance Convention.

In fact, I indicated that a meeting of the Joint Working Group took place in April 2013 and that discussions were still ongoing and that another meeting of the Joint Working Group would be scheduled soon.

In this connection, I wish to inform the House that a meeting was held in November 2013 in Mauritius and another meeting of the Joint Working Group was scheduled to take place in New Delhi during the period 28 to 31 January 2014.

However, the Indian High Commission informed us that Mrs Sujata Mehta, the Secretary Economic Relations and the new Head of the Indian delegation would, due to unforeseen political developments between India and Sri Lanka, need to travel urgently on 29 January 2014 and as a result, would not be able to meet the Mauritius delegation. Accordingly, the Indian Authorities requested that the meeting be rescheduled. We are waiting for Indian Authorities to propose fresh dates for the next meeting of the Joint Working Group.

Mr Deputy Speaker, Sir, I wish to reiterate that as discussions are still ongoing, it would not be proper at this stage to disclose details of the proposed changes to the DTAC. However, we will at all times ensure that the interest of Mauritius is preserved.

Mr Uteem: Mr Deputy Speaker, Sir, is the hon. Vice-Prime Minister aware that according to data released by the Indian Department of Industrial Policy and Promotion, the percentage of investors who invest in India through Mauritius fell from 42% in 2012/2013 to only 21% in 2013/2014, that is, half and during the corresponding period, the investment routed

in India via Singapore has doubled to reach almost 20%. In these circumstances, wouldn't the hon. Vice-Prime Minister agree that the inability of his Government to resolve the Double Taxation Avoidance Treaty issued is badly affecting business in Mauritius?

Mr Duval: Mr Deputy Speaker, Sir, there is no doubt that the prolonged negotiations have caused uncertainty. The latest figures that I have show that, compared to Singapore, Mauritius is still ahead in terms of challenging FDI to India although it is correct to say that, in terms of proportion, Singapore is catching up. This is obviously not a situation which pleases the Government of Mauritius. It is subject to an earlier question to which the hon. Prime Minister has replied and I reiterate the fact, Mr Deputy Speaker, Sir, that we are doing everything in our power to reach an early conclusion, but also a successful conclusion to the negotiation. These two are important and they have to be early and successful. For that reason, Mr Deputy Speaker, Sir, I met Mr Chedumbrum, the hon. Prime Minister has recently met Mr Chedumbrum and negotiations are pursuing with the Government of India. We are waiting; probably, I would presume now after the election, for a new round of the Joint Working Group meeting.

Mr Uteem: Mr Deputy Speaker, Sir, may I know from the hon. Vice-Prime Minister whether the issue of Double Taxation Agreement between Mauritius and India is being considered on its own or is it part of the bigger negotiation involving other issues between Mauritius and India?

Mr Duval: As far as the Joint Working Group is concerned, Mr Deputy Speaker, Sir, it is on a standalone basis, the double taxation agreement.

The Deputy Speaker: Hon. Li Kwong Wing!

Mr Li Kwong Wing: Thank you, Mr Deputy Speaker, Sir. The Vice-Prime Minister mentioned since last year that the Tax Information Exchange Agreement is ready to be signed and yet it is still not signed when that between Singapore and India and that between Cyprus and India have already been signed. Can we know why this is being delayed especially in view of the fact that the Joint Working Group is still not yet convened when the *échéance* is arriving in April 2015 whereby India would be applying the General Anti-Avoidance Rule (GAAR) which will override the treaty?

Mr Duval: Mr Deputy Speaker, Sir, the question of overriding the treaty is a question of legal interpretation. Some people think that it will not override provided the treaty has certain provisions in that. Now, as far as the date for the meeting, I explained that it was scheduled for January. It was postponed. Now, we have the election coming. As far as the Tax Information Exchange Agreement is concerned the hon. Member is perfectly right. It is a matter of concern, a matter of surprise for us that although we have actually finalised the Tax Information Exchange Agreement with the Government in India, it still has not been signed. It is our understanding that the Government there wishes to sign both at the same time. It would be our wish, of the Government of Mauritius, that the Tax Information Exchange Agreement being ready would be signed before the amendment, if any, to the DTA, but obviously we cannot agree on that. So, we are waiting obviously. For the agreement to be signed there need to be two people, and we are working for the Government of India to tell us when they are ready to sign this TIEA.

The Deputy Speaker: Hon Jugnauth!

Mr Jugnauth: Is the hon. Vice-Prime Minister satisfied with the state of affairs that just after the hon. Prime Minister has expressed his unhappiness to the Indian Minister of Finance that the Joint Working Group meeting, which was to be held in Delhi, had been cancelled at the request of India and, up to now - we are in March - from January to March, no date has been suggested by the Indian side for the meeting?

Mr Duval: Mr Deputy Speaker, Sir, there are three things. One thing is that I had a courtesy call with the new Indian High Commissioner and he did mention to me that it was a complete coincidence, those were his words, that these two things happened at the same time or happened in the same week; that they were very genuine reasons for the unavailability of these very senior persons to chair the JWG and that they wish to have a very senior person to chair the JWG. That is why they prefer to postpone and not cancel the meeting.

The second thing, Mr Deputy Speaker, Sir, is, of course, that there are elections coming and it could not be in our best interest either to be part of the political campaign in India and I think that we can quite easily see why.

The third thing, Mr Deputy Speaker, Sir and as importantly we hope that this time period will enable India to relook at the whole question and come up with perhaps a more favourable disposition. Thank you,

The Deputy Speaker: Mr Uteem!

Mr Uteem: Thank you, Mr Deputy Speaker, Sir. I think I heard the hon. Vice-Prime Minister, when talking about the General Anti-Avoidance Rule (GAAR) in India stating that there would not be any treaty override meaning that if we negotiate DTA then this will take precedence over that. May I know who in the Indian authorities gave this reassurance?

Mr Duval: It is not a fact, Mr Deputy Speaker, Sir, the Member is a lawyer. In fact, there is a legal interpretation in some quarters that provided the structure be treated properly; the GAAR would not apply to that. So, that is the position and that is what I stated before. It does obviously depend on the proper structuring of the amended treaty, if any. Thank you.

The Deputy Speaker: Next question hon. Li Kwong Wing!

D.Y. PATIL MEDICAL COLLEGE – OPERATION PERMIT

(No. B/23) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the D.Y. Patil Medical College, he will, for the benefit of the House, obtain from the Tertiary Education Commission, information as to if it was issued with a permit to operate in Mauritius and, if so, indicate -

- (a) the date of issue thereof, and
- (b) if all the conditions for the registration thereof were met.

Dr. Jeetah: Mr Deputy Speaker, Sir, with your permission, I shall reply to PQ B/23 and B/32 together as they refer to the same issues.

I wish to inform the House that the Tertiary Education Commission has set up a Fact Finding Committee to establish all the facts regarding the D.Y. Patil Medical College. Since the issues raised by the two questions are within the scope of the Terms of Reference of the Committee, I am informed that it would be advisable to wait for the findings of the Fact Finding Committee.

(Interruptions)

At this stage, Mr Speaker took the Chair.

Mr Speaker: Yes, hon. Jhugroo!

Mr Jhugroo: B/23 if the hon. Minister can answer.

Mr Speaker: Has the hon. Minister said that he will not answer the question?

Mr Jhugroo: B/23!

Mr Speaker: B/23, yes hon. Jhugroo! Yes Minister of Tertiary Education. For PQ No. B/23, is there any supplementary?

Mr Jhugroo: There are many supplementary questions, Mr Speaker, Sir. Can the hon. Minister inform the House whether he was aware that D. Y. Patil Medical College was blacklisted in India, and, if so, has he verified this information and inform the House today?

Dr. Jeetah: Mr Speaker, Sir, with your permission, I wish to reiterate that the Tertiary Education Commission has set up a Fact-Finding Committee which is...

(Interruptions)

...chaired by a former Chief Justice.

(Interruptions)

Mr Speaker, Sir, this is being chaired by a former Chief Justice. Now, I would like to seek your guidance, would you like me to answer?

(Interruptions)

Mr Speaker: Well, the matter is not before a Court of law.

(Interruptions)

It is before a Fact-Finding Committee. Any supplementary question is proper.

(Interruptions)

Order! Silence! Yes, proceed, hon. Minister!

Dr. Jeetah: Yes, Mr Speaker, Sir, I have read in the press that there was a certain case where this institution had gone through its registration, etc, but I do not think it would be proper to say that it was blacklisted.

Mr Speaker: It is for the hon. Minister to decide whether he is prepared to answer the question or not, but, as far as a Fact-Finding Committee is concerned, my ruling is that any supplementary question is in order.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, since the hon. Minister mentioned that he will be answering PQ No. B/32 simultaneously, I would like to ask him whether he is aware that the D. Y. Patil Medical College was not supposed to enroll any students who have not been registered with the Medical Council for specialisation? Would the hon. Minister explain how students without registration with the Medical Council were allowed to enroll at the D. Y. Patil Medical College?

Dr. Jeetah: This is, in fact, the very purpose of setting up this committee which will look at all the facts. I was not there, Mr Speaker, Sir...

(Interruptions)

Mr Speaker: I say silence!

(Interruptions)

Order! Order, please!

(Interruptions)

Order! Order!

(Interruptions)

If there is no order, I'll suspend.

(Interruptions)

Order! Next question!

(Interruptions)

Hon. Minister, there is a question.

Mr Jhugroo: Can the hon. Minister confirm whether there was an MoU signed between D. Y. Patil Medical College and TEC and, if so, can we know when and who signed these documents? Is the hon. Minister prepared to table a copy of these documents?

Dr. Jeetah: Yes, Mr Speaker, Sir, I have in my notes here that there is a letter of the Tertiary Education Commission dated 27.02.09 informing them of the approval of the application of D.Y. Patil.

Mr Jhugroo: Can the hon. Minister explain to the House whether it is ethical for UTM to sign an MoU with D. Y. Patil Medical College when it does not have its own faculty of medicine?

Dr. Jeetah: Mr Speaker, Sir, historically this has been the practice in Mauritius. Such was the case with the SSR Medical School which wanted to have courses in medicine and they collaborated with the University of Mauritius. The University of Mauritius has been doing...

(Interruptions)

Mr Speaker: Address the Chair, please!

Dr. Jeetah: Yes, Mr Speaker, Sir. The University of Mauritius has been running a course in Medical Science, I think. So, they have been through an International Monitoring Committee which vetted the process. Besides, I must say that when this process started in 2007 by the then Minister of Education, we were in a situation where we needed specialists and I think it is good that we gave ourselves a chance. Now, there are problems. I would admit that there seems to be problems. Let us sort out these issues and then move on.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, since the hon. Minister mentioned the case of SSR and the University of Mauritius, may I ask the hon. Minister, as Minister for Tertiary Education, whether he is aware that the University of Mauritius was carrying courses in medicine along with Bordeaux and had a faculty of Medicine and Biomedical Sciences at the University of Mauritius which is certainly not the case with UTM?

Dr. Jeetah: Mr Speaker, Sir, it is only recently that the University of Mauritius, through our intervention with the University of Geneva...

(Interruptions)

Let me answer.

Mr Speaker: Allow the hon. Minister to answer!

Dr. Jeetah:...that they have started offering a full-fledged medical degree. Previously, it was a course in Biomedical Science and then last year they started the M1 with Bordeaux and they have yet to offer the full degree. So, it has been a learning process for all these institutions.

Mr Jhugroo: Can the hon. Minister inform the House whether he apprised the Cabinet of the setting up of the D. Y. Patil Medical College in Mauritius in the year 2009 and, if so, can we know when and whether hon. Mrs Bappoo was present at that particular Cabinet Meeting?

Dr. Jeetah: Mr Speaker, Sir, I recall that the first meeting held with regard to this Institution dates way back to 2007. Allow me to give you the exact dates. Please, bear with me, Mr Speaker, Sir. It was, in fact, on Wednesday 26 September 2007 at the Ministry of Education and this is where all the process started. I can give all the information afterwards. I do not have the notes of Cabinet Meeting, but this is when it started under the Chairmanship of the then Minister.

Mr Jugnauth: Well, the hon. Minister is looking into the facts. May I know whether he is aware that this institution is violating the last agreement that was made between TEC and UGC and one of the main provisions of that is that authority and consent must be given by UGC for the operation of an Indian University in Mauritius? Is he aware that there is continued violation, continued illegality with respect to both foreign students and students in Mauritius?

Dr. Jeetah: The hon. Member is wrong, Mr Speaker, Sir. There is no requirement in our own law, what I want to call the Obeegadoo law of 01 July 2005, when the then Minister Obeegadoo wrote the framework. There is no requirement whatsoever for any institution here to seek any UGC recognition. That's what it is.

(Interruptions)

Mr Speaker: Silence! Let's listen to the question!

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister how many students are studying at the D. Y. Patil Medical College for the first, second and third year and whether he can confirm that each student is paying 1 million Mauritian rupees which is 2 million Indian rupees per year?

Dr. Jeetah: I suppose I can provide the information. I do not have the information, but I can certainly provide the information and I think the fees are on the website.

Mr Jhugroo: Can the hon. Minister inform the House when he was made aware that students of D. Y. Patil Medical College who were not registered with the Medical Council of Mauritius were indeed permitted to see patients at the Jawaharlal Nehru Hospital and what action has been taken on his part?

Dr. Jeetah: I just said, Mr Speaker, Sir, as soon as this information came out, the Tertiary Education Commission has taken the decision to name a Fact-Finding Committee which is presided by a former Chief Justice.

(Interruptions)

They are going to listen to all the stakeholders and they will come up with recommendations.

Mr Speaker: Yes, hon. Mrs Dookun-Luchoomun!

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the hon. Minister is stating that the Tertiary Education Commission has asked for the setting up of a Fact-Finding Committee. I will ask the hon. Minister whether he is not aware that the Tertiary Education Commission itself is in the wrong because it has allowed D.Y. Patil Medical College to enrol students without ascertaining the fact that it has the level required for meeting the international standards?

Mr Speaker: I am afraid the hon. Member is giving the answer!

Mrs Dookun-Luchoomun: I am asking the hon. Minister whether he is aware of that!

Mr Speaker: Let the hon. Minister answer!

Dr. Jeetah: There are two things that I wish to say, Mr Speaker, Sir. First, there is an International Monitoring Committee which comprises of experts in the field of Medicine since the Tertiary Education Commission does not have the medical know-how to vet the courses. They did have professors from overseas. I am given to understand that the former ones were from South Africa from the University of Pretoria and there was a gentleman from India. Secondly, one of the terms of reference of this Fact-Finding Committee is - if I may be allowed to read -

“to look into the role and responsibility of TEC’s management in ensuring compliance by the relevant institutions with the guidelines of TEC, the establishment and registration of D.Y. Patil Medical College and the accreditation of its programmes.”

So, they are going to look at it in an independent manner. Let us wait and we will take the necessary actions!

(Interruptions)

Mrs Dookun-Luchoomun: May I ask the hon. Minister whether D. Y. Patil Medical College has the required number of Doctors and Lecturers and Associate Professors and Professors to supervise the students doing their specialisation at the Jawaharlal Nehru Hospital?

Dr. Jeetah: These issues are looked into by the International Monitoring Committee where even the...

(Interruptions)

... Chairperson of the Medical Council sits on that Committee and it is their responsibility to have a look at the standards that the hon. lady is referring to.

(Interruptions)

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister...

(Interruptions)

...whether his Ministry or the TEC will be accountable to the students who have been enrolled in this institution and whether they will be accountable to the poor parents who are spending a lot to ensure that their children come up with the proper qualification?

Dr. Jeetah: Mr Speaker, Sir, for the first time this country managed to have a school teaching medicine at Post Graduate level.

(Interruptions)

...and I think...

(Interruptions)

Mr Speaker: No interruption! Let the hon. Minister answer!

Dr. Jeetah: Without wanting to qualify, I think that we need to give this institution a chance.

(Interruptions)

Mr Jhugroo: Is the hon. Minister aware that the management is refusing to refund the fees to the students and, if so, what action has been taken on his part?

Dr. Jeetah: I am not aware, but I certainly will pass on the message to the Tertiary Education Commission and they will have to look at it.

(Interruptions)

Mr Roopun: Does not the hon. Minister consider that he...

(Interruptions)

Mr Speaker: Let us have some order, please!

Mr Roopun: That he lamentably failed to take proactive action once he was aware of the whole issue and it was up to him to take measures to have a full-fledged enquiry? Now that a Fact-Finding Committee has been set up by no other one than the TEC itself who is also to be blamed in the whole exercise, whether he is going to use his position as Minister responsible and ask that all TEC members should step down whilst the Fact-Finding Committee is being set up?

(Interruptions)

Dr. Jeetah: Mr Speaker, Sir, I think that this is a very bad impression. Let me try to answer that. First of all, this Fact-Finding Committee is being chaired by a former Chief Justice.

(Interruptions)

... and two other assessors. Secondly, Mr Speaker, Sir, my Ministry has been in touch with the University College London (UCL) and they have been requested to support our medical institutions to achieve GMC standards. Thirdly, I have requested my Permanent Secretary to look at the fees structure and fourthly, to look at the affiliation structure. The work has already started at the level of my Ministry.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I heard the hon. Minister saying that he would like to give a chance to the institution. May I ask the hon. Minister whether it did not come to his mind that he should have given a chance to the poor students aiming at getting a proper certificate?

(Interruptions)

Mr Speaker, Sir, I think it is fair for the Government of Mauritius, for the Minister responsible for Tertiary Education to ensure that students who are enrolled in institutions in Mauritius get a fair deal and that they get value for money and that we should not be giving chances to institutions, but rather to our own children and students.

(Interruptions)

Mr Jhugroo: Can I ask the hon. Minister how many Mauritian and foreign students are enrolled by the D. Y. Patil Medical College and after all these events has the Minister convened a meeting with these students? If yes, when? And if no, why not?

Dr. Jeetah: With regard to the list of students, I have already agreed that I will submit the information. With regard to meeting the students, I have not had any request for meeting with the students. My doors are open!

Mr Speaker: Next question hon. Jhugroo!

ALTIMA & EBENE HEIGHTS BUILDINGS - RENT

(No. B/24) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the Altima and the Ebene Heights Buildings, she will state -

- (a) if any advertisement was made before the renting thereof;
- (b) if her Ministry carried out renovation works in respect thereof and, if so, indicate the cost thereof, and
- (c) the names of the tenants, indicating in each case, the -
 - (i) floor space occupied, and
 - (ii) rental per square foot.

Mrs Bappoo: Mr Speaker, Sir, with your permission, I would wish to reply to Parliamentary Questions B/24 and B/46 together as they relate to the same subject matter.

I wish at the very outset to inform the House, Mr Speaker, Sir, that as the purchase of both Altima and Ebene Heights buildings was done on 28 December 2010, following the

decision of the NPF/NSF Investment Committee to invest in real estate, I can only provide information as from that date.

When I assumed office in August 2011 as Minister of Social Security, National Solidarity and Reform Institutions, I took note, Mr Speaker, Sir, amongst other things, of the low rate of occupancy at Ebene Heights building and the number of outgoing tenants at Altima building.

Both the National Pensions Board and the NPF/NSF Investment Committee were being informed of the situation. The advice of the Procurement Policy Office was sought on the way forward. The latter stated that the lease of building does not fall under the purview of the Public Procurement Act.

So, Mr Speaker, Sir, I wish here to state yes, a press advertisement was widely published in October 2011 to call for prospective tenants for both buildings.

Moreover, the NPF participated in response to invitation to bids by different public bodies and a university. But, unfortunately, Mr Speaker, Sir, both exercises had no result. They were both unsuccessful.

The NPF was thus in a critical situation. The contributions of employees and employers to the National Pensions Fund were at stake. In the face of...

(Interruptions)

Yes! Please allow me to give the answer!

(Interruptions)

Mr Speaker: I say no interruptions!

Mrs Bappoo: Please allow me to give the answer!

(Interruptions)

Mr Speaker: No interruption! Proceed hon. Minister!

Mrs Bappoo: In the face of such a difficult situation, the NPF started to consider proposals being made directly by potential tenants for the lease of premises at both buildings, namely a multinational company in March 2012 and DYP Worldwide Ltd. in May 2012 and the other local tenants, namely Altima Ltd, Coetzee and Partners Limited, the Financial Intelligence

Unit, the EcoVadis (Mauritius) Ltd, all based on the same rental rate recommended by the Government Valuation Department.

With regard to parts (b) of both questions, no renovation works have been carried out by the NPF for the tenants. Following tendering procedures, only “fit-out works” have been carried out to meet the requirement of the tenants to suit their business operations, amounting to Rs40 m. for the multinational company, Rs13.66 m. for DYP Worldwide, Rs2.2 m. for FIU, and Rs132,261 for EcoVadis Ltd. No fit-out works have been carried out by NPF for the other tenants, and I wish to emphasise here, Mr Speaker, Sir, that all costs relating to fit-out works that are borne by the NPF are recouped in terms of rent.

Mr Speaker, Sir, as regards part (c) of the question, I am tabling the names of tenants, indicating the floor space, the rental per square foot, except that of the multinational company, in view of the confidentiality clause contained in the lease agreement. May I reiterate that the rental rate in respect of all the tenants is as recommended by the Government Valuation Department.

With regard to part (b) (ii) of PQ No. B/46 -

- (a) the date for the signature of the lease agreement between NPF and DYP Worldwide Ltd. is 12 September 2012.
- (b) The period of lease is five years.
- (c) The monthly rent payable by the company amounts to Rs1,124,365.82 monthly.
- (d) Service charges amount to Rs91,090.35 monthly.
- (e) Thus, the total monthly amount payable by the tenant is Rs1,215,456.17.

The company is in full compliance, Mr Speaker, Sir, with its total monthly payment of rent and service charges. The last payment was effected, I am informed, only in March 2014, and the company has no fees due to the NPF.

I wish to point out that a number of prospective tenants have taken firm commitment to occupy all the remaining vacant spaces, and the NPF is, therefore, optimising returns from rental of both its buildings.

Mr Speaker, Sir, I am satisfied that I have fulfilled my legal and moral duty as Minister responsible for administration of the Fund with the utmost diligence, and have ensured - and I shall always ensure - that the...

(Interruptions)

Mr Speaker: No interruptions, please!

Mrs Bappoo:...interest of employers...

(Interruptions)

This is not public funds, Mr Speaker, Sir. It is the money of employers; it is the money of employees contributing to the National Pension Fund. I am there to safeguard their contribution, and I'll never do what others have done in the past, that is, approving and allowing public funds to go in the *coffre-fort* of families, family Trust; and I am not here to enrich any of my family! I am not here to enrich any of my relatives! You go and see your family!

(Interruptions)

Mr Speaker: No, no, no. Please, cool down!

(Interruptions)

There is too much heat. Cool down! Cool down!

Mr Jhugroo: Can the hon. Minister inform the House whether she was aware of the discussions that were held between D. Y. Patil Medical College, the NPF, and also her Ministry with regard to the renting of that space?

Mrs Bappoo: Yes, the procedures are being followed! I am the Minister responsible for management of the NPF funds. I am being made informed! I am aware!

Mr Jhugroo: As a Minister responsible, have you declared your interest?

Mrs Bappoo: What interest, Mr Speaker, Sir? I want to know what the interest is.

Ms Anquetil: Mr Speaker, Sir, can the hon. Minister state who signed the lease agreement between NPF and D.Y. Patil Worldwide Ltd.?

Mrs Bappoo: The lease agreement, Mr Speaker, Sir, was signed by the then Permanent Secretary of the Minister and the Managing Director of the company, Mr Sanjay Patil.

Mr Jhugroo: Can I ask the hon. Minister the name of the Director of the D.Y. Patil Medical College who accompanied the hon. Minister in year 2009 at the Third Convocation Ceremony of Padmashree D.Y. Patil Medical College in Mumbai on 04 February 2009?

Mrs Bappoo: I missed the question, Mr Speaker, Sir. The question was who accompanied...

Mr Jhugroo: Who is the Director of the D.Y. Patil Medical College?

Mrs Bappoo: The Managing Director is someone else, if you mean it is my spouse! My spouse is not going to accompany me! Is the hon. Member going to accompany me?

(Interruptions)

Mr Speaker: Order! I say order! Order! Order! Order!

(Interruptions)

Well, what is happening now?

(Interruptions)

I want some order, please! No more!

Mr Jhugroo: Being given that I have got a lovely wife at my place, I have no need to accompany such a '*poutou rassi*'.

(Interruptions)

Such a '*poutou rassi*'!

Mr Speaker: I want some silence! Some silence, please!

(Interruptions)

I want some silence!

(Interruptions)

Well, well, well, I said no more on spouses, wives and husbands, please!

(Interruptions)

Mr Jhugroo: Can the hon. Minister confirm whether there have been tender procedures which were carried out for the renovation or uplifting - I don't know what she mentioned before - of the D.Y. Patil Medical College and, if so, can we know when and, if not, why not?

Mrs Bappoo: I said in the main answer, Mr Speaker, Sir, that 'following tender procedures.' Tender procedures have been done, if the hon. Member wants to see the list of bidders, I will table; the lowest bidder as usual! So, don't put questions as if there have not been tender procedures, *ça a été seulement du favoritisme en faveur de la compagnie, parce que Monsieur Bappoo c'est l'époux de la ministre Mme Sheilabai Bappoo. Pa vine badine are moi coumsa do!*

(Interruptions)

Ki assez! veille cote toi labas! Ale veiller cote ou !

Ms Anquetil: Mr Speaker, Sir, can the hon. Minister inform the House whether there has been any specific reason why the sale of the two buildings at Ebene was fixed on 28 December 2010?

(Interruptions)

Mrs Bappoo: Mr Speaker, Sir, I just...

(Interruptions)

Mr Speaker: I want some order! Yes, please! Proceed!

Mrs Bappoo: Mr Speaker, Sir, if you will allow me, I just want to explain to this august House. I have been informed that there has been very lengthy negotiation with the owner of these two buildings in order to bring down the cost for the sale of these two buildings.

Finally, in December 2010, the then Minister of Finance and Economic Development came in with a new budgetary measure. It was announced that there would be, as from January 2012, a 15% tax on the capital gains tax to be paid to any sale transaction of buildings.

The owner on 27 December wrote to the Ministry, requested to have the purchase of the building by NPF done before 31 December in order not to pay the Capital Gain Tax. So, what happened, Mr Speaker, Sir, ...

(Interruptions)

Mr Speaker: Silence!

Mrs Bappoo: What happened, Mr Speaker, Sir, I have been informed...

(Interruptions)

Mr Speaker: I want some order!

(Interruptions)

Mrs Bappoo: *Laisse mo kozé! Alle dehors si pas envi tendé!*

(Interruptions)

Mr Speaker: Hon. Roopun! I say no provocation from both sides of the House!

(Interruptions)

Hon. Minister of Local Government! Yes, hon. Minister Bappoo!

Mrs Bappoo: Mr Speaker, Sir, I am informed that without coming prior for a Cabinet decision, the then hon. Minister of Social Security, personally, on that same day she received the letter, that is, 27 December, wrote to the Notary Mr D. and requested...

(Interruptions)

...that immediate action be taken for the purchase of the NPF. I have copy of the letter with the signature of the hon. Minister.

(Interruptions)

The then hon. Minister herself signed the letter. She herself signed a letter – things that I will never do in my life - for the Notary and, consequently, Mr Speaker, Sir, the purchase was done on the very next day, the 28 December, in the interest of the owner and to the detriment of the Government benefitting from the new tax as from...

(Interruptions)

Mr Speaker: I say, please!

(Interruptions)

Mrs Bappoo: I will table the letter.

(Interruptions)

Mr Speaker: I am on my feet now!

Mrs Bappoo: I am tabling the letter signed by the hon. Minister.

Mrs Dookun-Luchoomun: May I ask the hon. Minister although she was not the hon. Minister of Social Security at that time, she was a member of the Cabinet and she knows very well that when – and I'll ask her now as she is the Minister – the information paper went to the Cabinet, and when the Cabinet approved same regarding the purchase...

(Interruptions)

Ki arrivé pa pou ecouté! Pas pou ecouté!

(Interruptions)

Mr Speaker: Well, I expect hon. Members to behave properly. This is not a stadium! Please!

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I want to ask the hon. Minister at what time, in which month the NPF Committee which the hon. Minister herself said came with the decision...

(Interruptions)

Pas pou ecouté! Pena courage pou ecouté!

Mr Speaker: No, please allow the hon. Member to put her question.

Mrs Dookun-Luchoomun: I want to ask the hon. Minister in which month the NPF Investment Committee decided to purchase the buildings, on which date the Cabinet was apprised of it and when approval was received from Cabinet? If the hon. Minister is now the hon. Minister of Social Security, she should be in a position to give the answer.

Mrs Bappoo: Mr Speaker, Sir, all these issues mentioned by the hon. Member of the Opposition have been submitted to Cabinet for information, approval, etc. This is right.

(Interruptions)

The letter coming from the owner asking the Ministry to do the sale immediately, that letter never came to Cabinet for approval!

(Interruptions)

The hon. Minister approved the letter herself.

(Interruptions)

Mr Speaker: Well, I would invite hon. Jhugroo to put a supplementary question. Time is over. I just want to give him the chance to put his question. This is his question. Hon. Jhugroo!

Mr Jhugroo: Can the hon. Minister....

(Interruptions)

Mr Speaker: Allow, please!

Mr Jhugroo: Can the hon. Minister confirm whether she has been the chief guest of honour on the third convocation ceremony of Padmashree D.Y. Patil Medical College in Mumbai on 04 February 2009?

Mrs Bappoo: I have been requested, Mr Speaker, Sir, by the hon. Prime Minister who was the Chief Guest, to attend on his behalf. I don't find anything wrong and I will continue to attend whenever the hon. Prime Minister will ask me to attend.

(Interruptions)

Mr Jugnauth: Is the hon. Minister aware that after students had protested to Mr Raj Bappoo, Director of D.Y. Patil, Mr Raj Bappoo has stated to those students not to worry, he is going to work out for them to be exempted from the Medical Council and that he will tell his wife at night to talk to the hon. Minister of Health to do the needful with regard to the exemption? Is she aware of that?

(Interruptions)

Mr Speaker: I am sorry!

(Interruptions)

I am on my feet, please! Well, I have to remind the hon. Member that any question has to be factual, so no hearsay is allowed.

(Interruptions)

Mr Jugnauth: Will the hon. Minister say whether she is aware...

(Interruptions)

Mr Speaker: I say, order!

(Interruptions)

Well, I say order! Hon. Mrs Bappoo! Hon. Mrs Bappoo!

(Interruptions)

I say, order! I will allow the last question, but this question has to be factual. Rephrase it.

(Interruptions)

If the question is not factual and amounts to hearsay, I will not allow it.

(Interruptions)

Mr Jugnauth: Mr Speaker, Sir, there is not only a public recording, but there is also a video whereby ...

(Interruptions)

Mr Speaker: The Assembly is not in presence of any public recording or video, I am afraid.

Mr Jugnauth: I am asking the hon. Minister whether she is aware...

(Interruptions)

...that the Director of D.Y. Patil, after students had protested to him with regard to exemptions that they were supposed to get from the Medical Council, that Director has stated that he will talk to the hon. Minister of Social Security and that the hon. Minister of Social Security ...

(Interruptions)

...will talk to the hon. Minister of Health in order to do the needful? Is the hon. Minister aware of that?

(Interruptions)

Mr Speaker: Well, the hon. Minister may answer or she may not answer. It is up to her to decide.

Mrs Bappoo: I will answer, Mr Speaker, Sir, because I am the only one and I am the wife of Mr R. Bappoo and if I am not there to speak with him in bed at night and he to speak with me, he is not going to speak to any other wife or any other woman, he needs to speak with me!

(Interruptions)

Mr Speaker: Okay. Time is over!

(Interruptions)

Time is over!

(Interruptions)

Now, I say order, please! I suspend.

(Interruptions)

Order!

(Interruptions)

Well, I am warning hon. Members.

(Interruptions)

I am warning hon. Members. Just be careful!

(Interruptions)

I do not want to hear any provocation from any quarters.

(Interruptions)

Well, I'll have to announce that the Table has been advised that the following Parliamentary Questions have been withdrawn: B/26, B/27, B/28, B/29, B/30, B/34, B/35, B/42 and B/43.

MOTION

SUSPENSION OF S.O. 10 (2)

The Deputy 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 Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval) rose and seconded.

Question put and agreed to.

PUBLIC BILLS

First Reading

On motion made and seconded, the Mauritius Research Council (Amendment) Bill (No. 1 of 2014) was read a first time.

Mr Speaker: Well, my attention has been drawn that we have to break for tea. So, we break for tea for let us say 40 minutes.

At 4.35 p.m. the sitting was suspended.

On resuming at 5.18 p.m. with Mr Speaker in the Chair.

Second Reading

THE COPYRIGHT BILL

(NO. XXX OF 2013)

Order for Second Reading read.

The Minister of Arts and Culture (Mr M. Choonee): Mr Speaker, Sir, I move that the Copyright Bill (No. XXX of 2013) be read a second time.

Mr Speaker, Sir, today, we are making history. We are making history because we are bringing in the appropriate legislation that will herald a new era for creators in this country. These creators, be they authors, composers, writers, performers, publishers, architects, designers, software developers, inventors had been expecting a new legal framework that would address issues close to their heart, especially the theft of intellectual property. Since some time now it is indeed with a sense of duty accomplished that I am bringing this Bill to this House.

Today, through this new Copyright Bill, we are not only addressing the crucial matter of copyright, but we are also widening the circle of opportunities by creating further rights for

creators and, at the same time, taking on board yet more stakeholders like our fellow citizens who are visually impaired.

The existing Copyright Act dates back to 1997 and the same Government that introduced it, is today revisiting it in the light of the major technological transformation that the World has witnessed. The 1997 Act has played its role and the time has come for change. Copyright is such a highly technical matter. Coupled to that, everyday, new inventions are bringing in new windows of opportunities for intellectual property pirates. Therefore, we should grow above partisan politics and discuss dispassionately to come up with the best for this country.

Mr Speaker, Sir, the issue of copyright is linked to all spheres of life. The Berne Convention, which is the cornerstone for copyright, defines it as a bundle of exclusive legal rights concerned with the protection of literary and artistic works whose aims are to promote science, culture and the arts.

As the Creative Sector is moving from the margins to the mainstream of the Economy, the needs, expectations and aspirations of creators, artists and performers have changed especially with the pace of change in Information Technology.

Creators, performers and artists expect to earn a living out of their talents and creativity. This can only be achieved by rewarding them properly and by granting them some rights. However, at the same time, we ought to strike a fair balance between these rights, those of entrepreneurs, that is, publishers, record companies, broadcasters & others and the interests of the public. It is a fact that a well-balanced system of granting and exploiting intellectual property rights is central to economic growth as it helps artistic and cultural creativity to thrive while yielding social benefits.

Economic growth is the only way to ensure higher income and better quality of living.

Mr Speaker, Sir, the contribution of copyright industries as engines of growth cannot be underestimated. The key findings of the Intellectual Property Alliance on the economic contributions of the copyright industries in the US economy revealed that copyright industries:

- (i) added over \$930 billion USD in value to the US economy, almost 6.4% of the total GDP in 2010, and

- (ii) Employed nearly 5.1 million US workers, that is, nearly 5% of the total employment in the private sector, with jobs paying an average of 27% more than elsewhere in the economy.

They also accounted for \$134 billion USD in foreign sales and exports, that is, far more than sectors such as aircraft, automobile and agriculture.

Mr Speaker, Sir, the need to have a robust and effective legislation for the protection of creativity is one of the major objectives of this Government. Recognising the contribution of copyright industries, the review of copyright legislation is a worldwide trend these days to cater for emerging needs and deal with dynamic issues related to the internet and to the removal of trade barriers.

The issue of copyright in the digital age is so complex that the US and the European Union released guidelines for fundamental reforms of copyright law in April 2010.

Mr Speaker, Sir, the history of copyright is linked with technological developments since the first establishment of the Berne Convention in 1886. The protection of works assumed more importance to avoid illegal copying and piracy on larger scales. Since then, the Convention has been revisited to accommodate for new technological developments. However, the recent Conventions such as the 1994 World Trade Organisation (WTO) Agreement on Trade related Aspects of Intellectual Property Rights (the TRIPS Agreement) and the 1996 WIPO Copyright Treaty (WCT) also refer to the Berne Convention.

Mr Speaker, Sir, it is a recognised fact that technology evolves faster than the law. This creates new challenges regarding piracy of works, which are on the increase. With rapid technological developments, the advent of the internet, new means of communications, accessing of contents through these means allows for easier pirating of works. The existing legislation does not cater for these new issues. Piracy, today, is not limited to making hard copies such as photocopying or selling of counterfeited luxury goods and unauthorised copy of music CDs.

The traditional methods have changed with peer-to-peer transfers, downloading and streaming. With the advent of cloud computing, this has become even easier, as there is no need for a hard support for saving files. Today, counterfeiters are producing fake foods and beverages, pharmaceuticals, electronic items, electrical supplies, auto parts and everyday household

products. The common examples of today's pirating of works include internet and mobile piracy, end user piracy of business software, illegal camcording of theatrical motion pictures, piracy of books and journals, optical disc piracy, pay TV Piracy and signal theft, and market access - just to mention a few. Counterfeiting and piracy impact virtually every product category. I am sure hon. Members present in the House also get junk mails advertising the virtues of not-so-honourable products.

Mr Speaker, Sir, copyright pirates have also created multi-million dollar networks to produce, transport and sell their unauthorised copies of music, video and software. Millions of fake products are being produced and shipped around the world to developing countries and developed markets alike at increasingly alarming rates.

A study by the International Chamber of Commerce in the United States estimated the value of digitally pirated music, movies and software at around \$55 billion USD in 2010. This amount is forecast to increase by 400% by 2015!

Within the music community specifically, the theft of sound recordings has contributed to more than 60% reduction in the work force at the major record labels during the past decade. On the other hand, the Entertainment Software Association (ESA) members in the US detected 144 million peers sharing select titles on peer-to-peer networks. It is also a recognised fact that 90% of illegal movies sold on the streets or on the internet are originally sourced from illegal camcording.

Furthermore, it is estimated that, at least, 24% of all internet traffic worldwide relates to the transmission of infringing content. Pirate sites across the world generate 146 million visits daily and this excludes illicit adult contents, that is, pornography.

Mr Speaker, Sir, Mauritius is neither immune nor safe from the threats which affect intellectual property. As a responsible Government we have to take bold measures to reduce if not eliminate the rise in piracy. We have, at the same time, to instill confidence in both investors and creators, who will not come to our country if their creations are not protected. We have also to honour our international obligations for the protection of works.

Mr Speaker, Sir, the Copyright Act of 1997 is being overhauled in the light of new emerging issues. At the outset, I would like to mention that the drafting of this new copyright

legislation has not been an easy task. The need to bring amendments was felt since 2002. Several versions of the Bill have since then been prepared. Since 2006, the collaboration of WIPO (World Intellectual Property Organisation) has been enlisted for this exercise. Two consultants were hired by WIPO to conduct an in-depth needs evaluation with regard to intellectual property, with the goals of -

- (i) updating and strengthening intellectual property policy and legal framework;
- (ii) modernising intellectual property administration infrastructure and building institutional capacity, and
- (iii) strengthening intellectual property enforcement and regulation, and using intellectual property for development, promoting innovation, creativity and transfer of technology.

In 2009 another study was carried out by Trade.com, which is an African Caribbean Pacific/ European Union (ACP/EU) initiative. The consultants from Trade.com proposed another draft which according to WIPO was overly elaborate and would be complicated to follow. A third draft which would serve as the basis for finalisation of the legislation on intellectual property was submitted by WIPO in 2010.

Mr Speaker, Sir, since then my Ministry and the State Law office have been having extensive consultations with WIPO, the US Copyright office, the US Patents and Trade Marks office, the International Confederation of Authors and Composers Societies (CISAC) and other copyright scholars. Extensive consultations have also been held with the artist community in Mauritius since November 2011. A draft zero of this Bill was presented to the artist community during a workshop held at Domaine les Pailles. Other consultations were also held either on sectoral basis or in groups. The latest consultation with artists in Mauritius was held in September last. The views and concerns expressed during these consultations have been taken into consideration while formulating the new proposals.

The Bill was again reviewed by the consultants of WIPO and WTO (World Trade Organisation) this month itself, during a consultative meeting on TRIPS and intellectual property

related issues organised by my colleague the hon. Minister at the level of the Ministry of Foreign Affairs, International Trade and Regional Cooperation.

Mr Speaker, Sir, the guiding principles of this new legislation have been to ensure that copyright law balances the interests of the public and those of the copyright owners. i.e. the need to -

1. encourage and support creation, dissemination and enjoyment of works of authorship in order to promote the growth and exchange of knowledge and culture;
2. promote the creation and dissemination of new works in three distinctive and complementary ways by -
 - (a) encouraging the provision of capital and organisation needed for the creation and dissemination of creative works,
 - (b) providing budding and emerging creators opportunities to convey their works to their intended audiences, and
 - (c) by limiting control over uses of creative works, as appropriate, to aid education, cultural participation, the creation of new works and the development of new forms of creative output;
3. facilitate the provision of capital and organisation for creative works by providing a set of rights over which parties can reliably transact;
4. give creators opportunities to convey works to their intended audiences by vesting exclusive rights in the authors of works and encouraging authors to explore different ways of reaching their audiences for the works;
5. limit control over uses of creative works by setting boundaries on the rights of copyright owners and on remedies for infringement;
6. support opportunities for innovation and competition in technologies for disseminating and experiencing creative works and also support rights holders'

reasonable interests in effective protection of their rights in the face of technological change, and

7. recognise that the system in which creative activity occurs and in which creative works are circulated is increasingly global.

Mr Speaker, Sir, the main objectives of this new Copyright Bill are *inter alia* to -

- (i) be compliant with the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty;
- (ii) address the issues related to the internet and piracy;
- (iii) provide for protection of performers, producers of phonograms and broadcasting organisations;
- (iv) provide for limitations and exceptions in specific circumstances;
- (v) review the role and functions of the Mauritius Society of Authors (MASA);
- (vi) provide for quick remedies to authors, composers and other copyright holders in cases of infringement;
- (vii) provide for anti-circumvention measures for effective protection of works digitally, and
- (viii) make special provisions for adaptations for visually impaired persons so that more reading materials are made available to them.

Mr Speaker, Sir, the integration of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty are meant specifically to take successfully into account to a substantial extent the needs of the digital era and the information society. The new legislation takes on board the major improvements of these Treaties that can be summarized as follows -

- (i) it includes computer programs and databases within the scope of copyright;
- (ii) it introduces a right of distribution of copies of works;

- (iii) it introduces a rental right in relation to computer programs, cinematographic works and works embodied in phonograms;
- (iv) it extends the right of communication to the public to cover all types of works and it introduces the right to authorise online transmissions within the scope of communication right;
- (v) it equates photographic works to any other work concerning their terms of protection, and
- (vi) it obliges contracting parties to adopt adequate legal protection against the circumvention of technological measures and also adopt measures necessary for the enforcement of rights.

Mr Speaker, Sir, the new copyright Bill provides for the protection of performers, producers of phonograms, broadcasting and communication organisations in the digital era and the inclusion of intangible cultural heritage such as folklore as part of the definition of performers.

At the same time, it also extends their scope of protection.

Mr Speaker, Sir, allow me to emphasise on this aspect that by including folklore, we are also protecting our largely unwritten cultural expressions, such as the traditional Mauritian Segga, the Bhojpuri Folk songs and dances which have already been circulated to UNESCO for inscription on the World list of intangible cultural heritage. We are now preparing the dossier for Segga tambour of Rodrigues and Segga Chagos for submission.

Mr Speaker, Sir, the protection measures provided in this new Bill would have been incomplete without the provisions for anti circumvention measures.

The technological developments in the digital age have made it easier, cheaper and faster to copy and distribute works and performances. The same technological developments have also made it possible for right holders to use that technology to protect their rights. Performers and producers of phonograms increasingly include technological devices or measures designed to stop making illegal copies or performing any other acts that would lead to an infringement.

However, technical devices can be circumvented through the use of the same technology. To deter the circumvention of devices and measures and, at the same time, providing increased protection to right holders, the new Copyright Bill provides for anti circumvention measures and makes it an offence to circumvent technological protection measures.

Mr Speaker, Sir, another major improvement in the Bill is to provide for limitations and exceptions in specific circumstances in relation to works.

Mr Speaker, Sir, Mauritius has signed and ratified the UN Convention for the fights of persons with disabilities. Thus we are bound to ensure that all steps are taken for persons with disabilities not to be discriminated against. The volume of reading materials presently available to visually impaired persons is around 5% only. Making more reading materials available to the visually impaired persons by adapting works is one of the major recommendations of the Marrakech Treaty for Visually Impaired Persons, which was adopted last year. As a caring Government we cannot deprive our fellow citizens who are visually impaired from having access to reading materials which is their legitimate right. The measures proposed in the new Bill will provide for adaptation of works for such category of persons.

Mr Speaker, Sir, another major aspect of this Bill is to review the role and functions of the Mauritius Society of Authors (MASA). Review the role and functioning of the Mauritius Society of Authors (MASA).

Mr Speaker, Sir...

(Interruptions)

Mr Speaker, Sir, allow me at the very outset to dispel the wrong belief: Copyright does not mean MASA and MASA does not mean Copyright!

In fact, MASA, Mr Speaker, Sir, was established under the Copyright Act only to act as a Collective Management Society and it was supposed to work in the interest of the artists. Has MASA delivered on this score?

No one, I repeat, no one - starting with the artists themselves - is satisfied with the management and performance of this singular institution. Yet, year in year out, internal audits

and even the ICAC report of 2010 highlighted the sheer mismanagement of resources and the unprofessional and opaque management of funds over the years, so much so, that MASA diverted away from its very objectives. Let me quote an unexhaustive list of corporate misdemeanours at the Kingdom of MASA -

(Interruptions)

- MASA produced 10,000 DVDs for an event. FAM Ocean Indian in 2009 for sale. No money was collected because none of the DVDs were sold. They are still lying in the stores of MASA.
- MASA purchased some 50,000 holograms for Nigeria. Indeed, Nigeria and like these famous DVDs, they are still lying in the stores. And all of this when there was no request and justification for the purchase.

No need to comment on the several instances of purchase of the holograms without going through the proper procedures.

I am informed that more than 200,000 old stamps that had to be destroyed in conformity with procedures are still kept in hoarded for reasons best known to the management, the then management! Now, it's clear, the then management!

(Interruptions)

I appointed the new Board. He is there! He is a Member!

(Interruptions)

Yes, he is a Member. I appointed.

- No annual report has been prepared by the Society.
- Bollywood singers and artists were left out of the system.
- The functioning of the Artist Solidarity Scheme (Pension) has not been clear.
- Procedures for the recruitment of staff have been bypassed, leading to overstaffing and square pegs in round holes *clairement une 'politique de petits copains!'*

- *Et pour couronner le tout, M. le président la MASA utilise elle-même des copies pirates de logiciel... C'est un sacrilège!* And, I am saying again, this happened before the new Board took over. Can we imagine the harm done to our image with such a move?
- I will not comment on the charges of conspiracy and of authorising of works without having ascertained the legitimacy that has been laid on the Director of MASA and also of his Deputy. They have been interdicted after being arrested by the police.
- The 400 and so members of the MASA – I mean those whose applications have not been blocked for obscure reasons, are not representatives of the artist community of Mauritius. Only 40 to 50 of them attend the AGM and most have no confidence in the board and its functioning.
- What about the amount of royalties paid to local artists? I will not use the words used by the artists themselves, like “*guette figure pour payer*”, but clearly, the situation is alarming on this score. They collect funds for artists and remittances are tainted with scepticism!

Mr Speaker, Sir, there are so many things that are unfortunately rotten at the MASA! Unfortunately, under the current law, the Minister of Arts and Culture has limited powers to check and correct the abuses.

But we cannot continue to tolerate this state of affairs. “*Il faut crever l'abcès!*”

M. le président, ceci dit, the question arises: where were those in charge of supervising MASA? What did the Board do to bring some sanity to this rotten state of affairs?

They may even ask where was the Minister? Yes. You will say appointed by me...

(Interruptions)

'Zot pas pou gagne zamais ça zot! Reste dans l'Opposition! Pourri dans l'Opposition! Zamais pou gagner!'

(Interruptions)

'To pa pou gagne zamais...

(Interruptions)

Mr Speaker, Sir, my friends on the other side of the House, and I have to pinpoint here particularly hon. Barbier. Hon. Barbier, don't get offended, you may be bold, but you wear several caps. One cap that the hon. Member wears is that of being an artist and a member of MASA, whom I met, and with whom I discussed some issues. I took on board some of his proposals. I have brought in some amendments already which were proposed by experts, but we are open. I will come to that in a few minutes. Hon. Barbier knows very well that MASA is that institution where the Ministry injects funds, and the Minister has almost no say on its functioning. He has very limited powers to give directives. That's why, with the current legal set-up, he cannot stop the decay of MASA! Hence, the importance of this new Copyright Bill which corrects this anomaly, and sets the stage for the Rights Management Society.

A new vision and mission is required for the delivery of a quality service, based on the following values -

- Openness and Transparency
- Credibility and Trust
- Responsibility and Professionalism
- Efficiency/Quality Service
- Equality/Equal Treatment
- Good Corporate Governance, and
- Accountability

Behind such a backdrop, as a Government, we cannot be insensitive, Mr Speaker, Sir. As a Government which is committed to the protection of intellectual property, we have to take bold measures and propose concrete actions, so that we instil the confidence that international investors are looking for. It is only then that we will have a flourishing creative industry in Mauritius.

Mr Speaker, Sir, in this new Copyright Bill, we have redefined the objectives and functions of MASA. A new Rights Management Society is being called upon to replace MASA.

A fundamental change has been brought to the law, whereby an individual now has the choice to manage his own rights or delegate it to his lawfully authorised agent under a written contract, or come to the Rights Management Society. Another fundamental change which has been proposed is that the Society will also manage related rights, also known as neighbouring rights, which are the rights of performers, producers of phonograms and broadcasting organisations.

Mr Speaker, Sir, the present structure of the Board of Management, with 15 members, is quite heavy, and at the same time absorbs a substantial amount of funds for its functioning and those of its sub-committees. The present structure will accordingly be reviewed with four representatives of Government agencies, and another four other members who have knowledge and experience in the field of copyright and related rights.

Mr Speaker, Sir, the appointment of these four representatives will be made after consultations with the Rights Management Society, along with other associations.

Mr Speaker, Sir, for too long, MASA has been a « *chasse gardée de certains copains au détriment des artistes!* ». The Rights Management Society *va leur redonner leurs lettres de noblesse!* We need to be honest to realise that the current model on which MASA is being run has been a disaster! And the only remedy is change! Change for the better!

L'île Maurice, M. le président, est une nation arc-en-ciel. Donc, nous devons donner l'occasion à tous les artistes de s'épanouir, en leur donnant des chances égales.

Mr Speaker, Sir, with a view to instilling confidence among the artist community and allow the management of finances in a professional, efficient and transparent manner, the Bill provides for the accounts to be audited by the Director of Audit, and these will be tabled before the National Assembly annually, so that any person may have access to them, which is not the case presently.

Mr Speaker, Sir, one of the major concerns of the artist community has been the remedial measures when their works are being pirated, coupled with cumbersome and costly legal processes.

The new Bill, Mr Speaker, Sir, provides for quick and effective remedial measures in case of infringement. The Supreme Court may, in accordance with section 53 of the Bill, grant such remedies, by way of damages, injunction, forfeiture of any infringing copy and of any apparatus, article or thing used for making of the infringing copy or otherwise as the Court thinks fit.

Another measure which has been proposed is the grant of a “*mesure conservatoire*”, which a right holder may apply to a Judge in Chambers when his right is likely to be infringed.

However, the major change in this respect is the provision for cases of infringement to be heard and determined by the Intermediate Court. This provision, Mr Speaker, Sir will allow for more expeditious determination of copyright cases.

Mr Speaker, Sir, effective protection of copyright and related rights, while at the same time taking into consideration public needs in making these works available, require effective and efficient legislation. Striking the right balance between the rights of authors, composers, publishers, performers and the interest of the public is not an easy task. We must be bold and decisive if we want a strong creative industry to emerge.

The enactment of this Copyright Bill is only a step towards the setting up of an Intellectual Property Office in Mauritius, which is already in the pipeline.

Mr Speaker, Sir, this Copyright Bill is the fruit of long and serious consultations in the interests of artists. Hence, my solemn appeal to the House; let us keep politics out of it. Let us have the humility to set aside our ego and political agenda, and contribute to the realisation of the creative industry. Respect for artists can only be demonstrated through our readiness to make constructive proposals in the interests of all artists.

I would like to inform the House that I have started getting representations from various quarters. I am taking good note of all the requests, and whatever is constructive we will take on board to get things done for the benefit of the artists. I am, therefore, open to reasonable

suggestions from hon. Members of the House for the uplifting of the status of performers, producers, dancers and artists in general. What is important is that, at the end of the day, these people, the artists, are empowered to earn a decent living through their creative talents. This is the real test, Mr Speaker, Sir.

Mr Speaker, Sir, before concluding, I would like to mention what Victor Hugo, famous writer, and who was also the Chairman - this is good for information - of the International Literary and Artistic Association which prepared the initial draft of the Berne Convention, said at the opening ceremony of the conference in 1878. I quote –

“A book belongs to its author, but the ideas belong to humankind (...)”

(Interruptions)

Oui, gagne droit sa!

(Interruptions)

Let me end on this good note. I repeat –

“A book belongs to its author, but the ideas belong to humankind. If either the right of the writer or the right of the ‘human spirit’ must be forfeited, it is assuredly the right of the writer that must be, because public interest is the sole preoccupation and must come before everything else. One must recognize literary property, but at the same time established public domain.”

With these words, Mr Speaker, I commend the Bill to the House and I thank you for your attention.

Dr. A. Boolell rose and seconded.

Mr Bérenger: Mr Speaker, Sir, I move that the debate be now adjourned.

Mr Ganoo rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Deputy Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 01 April 2014 at 11.30 a.m.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X.L. Duval) rose and seconded.

Mr Speaker: The House stands adjourned.

The Deputy Speaker will now take the Chair.

At this stage the Deputy Speaker took the Chair.

(6.02 p.m.)

MATTERS RAISED

RODRIGUES – CARGO VESSEL

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): Mr Deputy Speaker, Sir, I shall be very brief as there is a long list of orators who wish to intervene.

M. le président, je me fais le porte-parole de mes amis de Rodrigues, la communauté des éleveurs de Rodrigues et aussi de ses habitants en général. En fait, mon interpellation s'adresse au vice-Premier ministre, l'honorable Bachoo. J'espère qu'il est en train de prendre note des problèmes que rencontrent les habitants de Rodrigues depuis que le *Mauritius Pride* a cessé de desservir l'île Rodrigues. Il y a pas mal de mauriciens aussi qui rencontrent des problèmes, ceux qui ont l'habitude d'aller à Rodrigues par bateau. Il y a aussi les mauriciens entrepreneurs qui exportent leurs produits à Rodrigues et qui ont pas mal de difficultés au niveau du *Mauritius Shipping Corporation* pour faire parvenir leurs marchandises à travers le *Mauritius Trochetia*. Il y a aussi les employés du port qui font du travail au ralenti. On m'a informé qu'il y a un risque de pénurie des produits essentiels, tels que le riz, les produits laitiers et autres.

Je fais un appel au ministre d'informer la population de Rodrigues, et aussi les Mauriciens, sur les mesures prises par lui et la *Mauritius Shipping Corporation*, pending l'achat d'un *new vessel* car avec seulement le *Mauritius Trochetia* ce problème va devenir plus aigu de jour en jour.

Je fais un appel pressant au ministre, au nom des amis de Rodrigues, d'informer la Chambre – et de leur informer aussi – sur les mesures qui ont été prises ou qui vont être prises pour donner un soulagement à ces éleveurs et aussi aux mauriciens qui aiment partir pour Rodrigues par bateau.

Merci, 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, I thank the hon. Member for having raised this issue. As you know, Mauritius Pride is 20 years old and it has outlived its economic life. There have been frequent breakdowns and on the experts' advice we had to lay off the vessel. It is very costly to repair. It would be costing us almost Rs100 m. yearly and even though we are going to put Rs100 m. yearly, I don't think that the vessel will get its certificate according to the International Maritime Organisations (IMOs) and that is why we believe that the vessel is no longer sustainable.

In the meantime, the Mauritius Trochetia will be servicing Rodrigues three or four times a month. Earlier it used to be only once. The cargo capacity of Mauritius Trochetia is twice as much as that of the Mauritius Pride. There won't be any danger, shortage of materials, foodstuffs or gas oil, because three or four times the vessel will be going to Rodrigues. At the same time, it will go to Agalega. We have taken one barge on lease from the Ports Authority to facilitate embarkation and disembarkation of passengers and cargo at Agalega as well and we are trying to modify containers so that we can carry livestock.

In all, we will be having about 11 to 12 containers and once those containers are ready, let's say within 10 to 15 days, there won't be any problem as far as export of livestock to Mauritius is concerned.

Mr Deputy Speaker, Sir, we are on the lookout for the purchase of a second-hand vessel that can act as a back-up to Mauritius Trochetia, and that will be a cargo vessel.

The only problem which we are facing actually is as far as passengers are concerned; because Mauritius Trochetia's capacity is only 108 passengers at one go, as compared to 268 of Mauritius Pride. Here, we have a problem; Mauritius Trochetia is a bit more expensive than

Mauritius Pride, because in Mauritius Trochetia you have got cabins while in the Mauritius Pride it was open.

I would request the hon. Members to bear with us. We are trying to do our best to see how we can get a cargo vessel to act as a back-up to the main one.

Thank you.

The Deputy Speaker: Hon. Dr. S. Boolell!

MORCELLEMENT LES CAMPHRIERS - BRIDGE

Dr. S. Boolell (Second Member for Curepipe & Midlands): Mr Deputy Speaker, Sir, I would like to invite the attention of the hon. Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land transport and Shipping to a bridge which links *Morcellement Les Camphriers*. I came up with it in the past at Eau Coulée which links it to the main road and there are about 50 houses there and they have to go around, therefore causing an obstruction in the traffic at the level of Eau Coulée, Curepipe.

Mr Deputy Speaker, Sir, I know this bridge is about 25 metres long and it needs some support to be able to restore, if not heavy vehicles, but at least slight vehicles to get out of this *Morcellement*.

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, I have already given instructions to issue works orders and I had also conducted a site visit about one and a half months ago.

I'll try to check up what is the cause which is creating the delay. But, in fact, instructions were given to issue work orders.

HARRIS STREET, PORT LOUIS - SPORTS COMPLEX

Mr R. Uteem (Second Member for Port Louis South and Port Louis Central): Mr Deputy Speaker, Sir, it is a question addressed to the Minister of Youth and Sports. It concerned the playground at Harris Street, Port Louis which was inaugurated a few weeks ago by the hon. Minister. I would like to draw his attention to the fact that there is a total opacity as at today as to who can play on that playground and under what conditions.

Answering to a PQ earlier this year, the hon. Minister told the House that the playground would be vested in the Mauritius Sports Council. So, I wrote to the Mauritius Sports Council to ascertain what are the terms and conditions to rent these playgrounds. I did not receive any written communication, but verbally I was informed by an Officer there that they are still working it out, so they have not yet decided what they are doing. In the meantime, there are a lot of people who are coming to see me because they want to use the playgrounds. But there are other people who are playing and, apparently, there is a partition which goes around telling people - through his agents - that they have to come to see him and he will allocate the programme to them.

Worst! There is even one agent who is now taking money from these poor children, especially at the Ward 4 area to let them play. This is totally unacceptable! I urge the hon. Vice-Prime Minister to look into the matter, to talk to the Mauritius Sports Council because you cannot live in anarchy.

Thank you.

The Minister of Youth and Sports (Mr S. Ritoo): Mr Deputy Speaker, Sir, I would like to thank the Deputy Prime Minister and the PPS, hon. A. Hossen for the construction, supervision and opening of this Sports Complex. In fact, I should say that at this Sports Complex at Harris Street, we have got a synthetic pitch and also lights for the first time. It is a good initiative of the teams. In fact, we had 20 teams for the inauguration. All the teams are registered with the Registrar of Associations. So, they decided to form a committee to take charge of how to open, close and manage this complex.

At the level of my Ministry, we do the maintenance of the complex and we also pay all the utility bills. So, these teams which were 20 as at the day of the inauguration, have now

reached 30. So, it was on a roster basis. If you have any teams who are willing to play, they should register with the Registrar of Associations and then we can accommodate for them also to get the opportunity, because 30 teams in a small pitch of 40 x 20 metres, 4 x 4, 5 x 5 football teams. If there is any possibility for us to accommodate them, then they should come and register, and then we'll talk to the Managing Committee, because they contribute voluntarily to pay for one attendant who does the opening, closing and managing this complex.

EX-BEL OMBRE & EX-ST FELIX SUGAR ESTATES – EMPLOYEES – VRS

Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River): Mr Deputy Speaker, Sir, I am going to raise an issue which concerns the Minister of Agro-Industry, but, unfortunately, I note that he is not here and I hope that there is somebody who can transmit...

(Interruptions)

The Deputy Speaker: I want some silence, hon. Hossen.

Mrs Hanoomanjee: May I continue?

The Deputy Speaker: Just go ahead!

Mrs Hanoomanjee: So, I hope there is somebody who can transmit the message to him. In fact, it relates to an issue which I have raised myself in this House at least three times. Each time, the Minister of Agro-Industry has said that he will look into the matter and that he will try to see whether there is a fast track, but, up to now, I see nothing has been done. It concerns the 236 employees of ex-Bel Ombre Sugar Estate and 236 employees of ex-St Félix Sugar Estate who took their VRS since 2006 and 2007. Up to now, they are still waiting for their plot of land. I mentioned some time back, I raised that issue last time; it was in July last year. I said that already about 15 persons have already passed away and they have not been able to reap the fruit of their labour. The hon. Minister of Agro-Industry then replied and said that he will look into the matter; he will see whether there can be a fast track to deal with this. Now already nine months have elapsed and these poor employees are still waiting for their land.

So, can I ask somebody to transmit to the Minister of Agro-Industry this message so that he can see to it that, at least, there is a follow-up at the level of his Ministry and that justice is done to these employees?

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): I will transmit your message to the hon. Minister.

CITÉ LOYSEAU – SPORTS INFRASTRUCTURE

Mrs F. Labelle (Third Member for Vacoas & Floreal): Mr Deputy Speaker, Sir, I would like to raise the issue of sports infrastructure at Cité Loyseau. I think it concerns the hon. Minister of Public Infrastructure as well as the hon. Minister of Local Government.

I would like to talk about the football ground, the basketball pitch, the *pétanque* pitch. Regarding the football ground, Mr Deputy Speaker, Sir, during the past seven years, I have regularly raised this issue in the very House and after seven years, the inhabitants of Cité Loyseau still do not have an appropriate football ground. The hon. Minister would probably tell me that he has received several requests from hon. Mrs Bappoo, hon. Ms Anquetil, as he said previously, but my main concern today, is to know whether there is a scheduled completion date for the works which have been mentioned since years now, that is, the leveling and the completion of the lighting works and, maybe, he could inform the House whether there will be automatic or manual system to switch on and off the lights and if it is manual who will be responsible for the lights.

Mr Deputy Speaker, Sir, I am tabling photos of the football pitch as seen yesterday. It is not a sugar cane field; it is the football ground at Cité Loyseau. On one of the photos, you can see heaps of rock sand covered by the grass, *les herbes éléphants, comme on appelle, qui sont à hauteur d'homme à la Cité Loyseau. Et quel gaspillage! Il faudra apporter d'autres rock sand, parce que c'est éparpillé et c'est couvert par de l'herbe.*

Very quickly, my second issue is the basketball pitch. Here too, will the Minister inform the House whether work order has been issued to upgrade this pitch, including additional lights? Presently, there is only one light, Mr Deputy Speaker, Sir, which is in a bad state, and more so, here too, I have some photos. More so, Mr Deputy Speaker, Sir, you can see electrical wires hanging over. I have seen yesterday at Cité Loyseau.

(Interruptions)

Yes, here it is. I think there is no need to be an engineer to say that it can be very dangerous.

The other thing, Mr Deputy Speaker, Sir, between the football ground and the community centre, there is supposedly a path. Here too, it is only *pire qu'un 'carreau cannes'* and the grass, *toujours les herbes d'éléphants à hauteur d'homme, il n'y a plus de sentier, mais tout simplement un carreau d'herbes d'éléphants. Malheureusement, il n'y a pas assez de cabris ou de bœufs, on aurait pu les mettre là-bas, on aurait eu des bœufs et des cabris bien, bien gras. Donc, là aussi, M. le président, je vais mettre les photos à la disposition des ministres concernés.*

Il y a, M. le président, un jardin d'enfant qui a été fermé il y a plusieurs mois. Malheureusement, la ministre, qui est responsable des centres communautaires, est partie – peut-être qu'elle a trouvé la journée longue. Elle est déjà partie. Là aussi, ce jardin d'enfant est dans un état pitoyable avec des balançoires cassées depuis des mois. Je ne parlerais pas du centre communautaire, parce que la ministre n'est pas là, cela ne vaut pas la peine d'en parler, mais je parle du jardin d'enfant, là aussi, qui est dans l'état le plus déplorable. Il y a le terrain de pétanque et là on avait commencé les travaux. On avait arrêté les travaux, mais à hier on a recommencé.

It seems that the workers were sent to another site before completion. I was talking to those workers there yesterday. So, what I am saying is based on actual facts. It is workers from Tourism Authority who are doing the upgrading of this *pétanque* pitch and I hope that these workers will not be sent to another site before completion of this particular work.

Mr Deputy Speaker, Sir, I think that I have been very brief, but the House is now aware of the treatment that the inhabitants of Cité Loyseau are receiving regarding their infrastructures. It is the real picture.

Je pense, M. le président, que les habitants de la Cité Loyseau ont le droit d'avoir des infrastructures appropriées et il n'y a pas lieu de faire des visites de temps en temps comme cela avec 15 personnes pour faire croire que les travaux vont avancer, mais pendant des années ils attendent.

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, the lighting and the fencing were done by my Ministry, I remember that. Only once I visited that

place and again we had given work orders and we had given instructions to the Municipality of Curepipe to undertake the leveling and the turfing work, it is about three or four weeks ago. So, for that works order, we have already requested the Municipality of Curepipe to go ahead.

Secondly, the hon. Member was talking about the dangerous wires, there might have been acts of vandalism, if I am not mistaken. Everything was properly done there. We are not going to inspect on a daily basis whatever mischief people are committing, but it is an act of vandalism.

Finally, in that region lots of work orders have already been issued in different parts of that Constituency so, nobody can say that we are neglecting it. I will have to remind the Municipality of Curepipe to go faster.

The Deputy Speaker: Hon. Seeruttun!

ST. HUBERT/CUREPIPE & ST. HUBERT/MAHEBOURG – BUS SERVICE

Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle): Merci M. le président. Le sujet que je vais aborder concerne le ministre responsable du *Land Transport*.

M. le président, je me sens dans l'obligation de revenir sur un sujet pour la troisième fois et à chaque fois on me dit qu'il va accorder une attention à ce problème mais jusqu'à maintenant rien n'a été fait. Je parle d'un problème de transport sur les routes numéros 87 et 11 donc St. Hubert/Curepipe et St. Hubert/Mahebourg.

A chaque fois, j'ai fait appel au ministre de veiller à ce que ce problème soit résolu d'une manière rapide. Les habitants en ont marre, M. le président. Ils ont essayé par toutes les manières de voir comment régler le problème. Ils ont fait appel aux autorités concernées mais, jusqu'à présent, rien n'a été fait. Pourtant lorsque la dernière fois j'avais parlé du problème ici, le ministre m'avait dit qu'il allait tout de suite s'attaquer au problème mais jusqu'à maintenant rien n'a été fait. Donc, on est arrivé à un point aujourd'hui où les habitants sont prêts à descendre dans la rue pour manifester. Je demande au ministre d'intervenir le plus vite possible afin que ce problème soit résolu. S'il n'y a aucun problème avec les opérateurs des autobus actuels, il faut bien trouver d'autres solutions afin que ce problème soit résolu assez rapidement une fois pour toutes.

Merci, 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, since last week, the last ten days, we have been sending two NTC buses in the morning. Though we are running at a loss, we still sent two buses in one of the lines of Constituency No. 11. That route is so uneconomical that nobody would dare to go because anyone, who is plying on those routes, needs money at the end of the month. So, how much are we going to spend? In fact, we have been sending two buses from NTC.

I will try to follow it closely and see what else we can do. I do not think we can do better than that because there are two buses of NTC which, since the last ten days, are plying in that region.

NHDC CAMP LEVIEUX - BUS STATION

Mr D. Nagalingum (Second Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, I would like to reiterate a request that was made in the past by my colleague hon. Mrs Ribot. It is addressed to the hon. Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping.

Mr Deputy Speaker, Sir, very often at the NHDC Camp Levieux, as there is no bus station, there are six to seven buses lining up waiting for the time to depart on a new trip. Those buses park on the pavements and people have to walk aside to allow buses to park.

Mr Deputy Speaker, Sir, this can be very dangerous and may cause accident at any time.

In a reply at Adjournment Time in November 2013, the hon. Vice-Prime Minister stated that he will make provision in the Budget for a mini station to be constructed. Therefore, I will kindly ask the hon. Vice-Prime Minister to give this project utmost priority on his agenda.

Thank you.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, unfortunately, funds are not available for that project, but still I am trying to see methods how I am going to improve the situation in that region. I have already given my word, but funds are not available for that project.

CITE MARTIAL & ROCHE BOIS – DEBOUCHE STREET - WATER SUPPLY

Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East): The problem I am raising today is in relation to irregular water supply in my Constituency namely, in the regions of Cité Martial and Roche Bois, more specifically, at Debouche Street where last Sunday people did not have water for more than 24 hours. I, myself, had to intervene with the CWA to send water tankers there. Therefore, can I appeal to the hon. Deputy Prime Minister to remedy the situation?

Thank you.

The Deputy Prime Minister: I thank the hon. Member for his intervention and I know that he has been trying to help. With the heavy rains - and we go back again - water is very muddy in GRNW. The filters are blocked and the CWA had to resort to water tankers. The hotline is there; there is an emergency cell and I will communicate the appropriate numbers to all hon. Members of the Assembly so that they can do the right thing.

I'll repeat again, this is one reason why we had to accelerate the Pailles water treatment plant.

MAHEBOURG - PUBLIC TOILET

Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien): Mr Deputy Speaker, Sir, the issue that I am going to raise this evening concerns the access to the public toilet found at Mahebourg close to the village hall. This part of the country, famous for its scenic view, attracts thousands of tourists and local people every day.

C'est triste et déplorable, M. le président, de constater que les toilettes publiques sont toujours fermées et pas accessibles au public surtout que ce gouvernement se considère comme un *caring government putting people first!*

Je tiens à faire ressortir que ces toilettes sont ouvertes seulement quand il y a des fonctions officielles, quand le ministre est présent ou bien...

(Interruptions)

quand il y a des fêtes religieuses...

(Interruptions)

Ce n'est pas possible! Ce n'est pas possible, M. le président. En l'an 2014 les membres du public ainsi que les touristes doivent aller faire leurs besoins dans des endroits inappropriés alors qu'il existe déjà des toilettes publiques!

Donc, je fais un vibrant appel au ministre concerné de s'assurer que les toilettes soient ouvertes tous les jours à partir de demain et entretenues dans des conditions sanitaires acceptables.

The Minister of Local Government and Outer Islands (Mr H. Aimée): I take note of what the hon. Member has said and needful will be done.

POINTE AUX SABLES - COASTAL ROAD - WIDENING

Mr J. C. Barbier (Second Member for GRNW & Port Louis West): Mr Deputy Speaker, Sir, my plea today is in favour of the inhabitants of Pointe aux Sables and the road users in general. It is not the first time I am raising the issue. It is again about the widening of the coastal road, not to be confused with the branch road of Pointe aux Sables/Petite Rivière as it was the case last time when the question was put.

Mr Deputy Speaker, Sir, now for years, each time we meet the *Forces Vives* of these regions and the public in general, the same request is coming regularly to us - me, my friends hon. Baloomoody and hon. Mrs Navarre-Marie. It is the same request about the widening of the coastal road and, as the hon. Vice-Prime Minister may know, both sides of this coastal road is State land. It is not a complicated situation where there is need for compulsory acquisition and compensation. Both sides of the road, Mr Deputy Speaker, Sir, are State-owned property. As was the case in the past, it is still the same.

I hope it is the last time I am raising this issue because regularly there are accidents there. I am sure that the hon. Vice-Prime Minister and the Government must be aware of it. I, myself, had witnessed an accident on this road.

May I, once again, appeal to the hon. Vice-Prime Minister to see to it that an appropriate decision is taken; that funds be provided for the enlargement of the coastal road - I insist on the words - the coastal road of Pointe aux Sables.

Thank you, Mr Deputy Speaker, Sir.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, it is a highly expensive project and we will have to include it in one of our capital projects. Definitely that will take a bit of time.

CONSTITUENCIES NOS 19 & 20 - PARLIAMENTARY PRIVATE SECRETARY

Mrs L. Ribot (Third Member for Stanley & Rose Hill): Ma requête s'adresse à l'honorable ministre des infrastructures publiques.

M. le président, depuis que l'honorable Reza Issack a démissionné en tant que PPS des Circonscriptions 19 et 20, nous nous sommes retrouvés orphelins. Nous n'avons tout simplement pas de PPS. L'honorable Bhagwan a soulevé la question à un moment l'année dernière et s'est entendu dire que c'était l'honorable Mme Bholah qui a nié tout de suite disant que tel n'était pas le cas. Depuis, nous n'avons pas de PPS. Malheureusement, il vient de partir. Ainsi, M. le président, ...

The Deputy Speaker: Kindly raise the issue so that the appropriate Minister can react to the problem.

Mrs Ribot: Yes. *M. le président,...*

The Deputy Speaker: There is no need for any introduction.

Mrs Ribot: This is the issue, Mr Deputy Speaker, Sir.

The Deputy Speaker: Just raise the issue!

Mrs Ribot: This is the issue.

(Interruptions)

The issue is that we have got no PPS.

The Deputy Speaker: But you don't have any specific problem in the Constituency that should be addressed by the Minister concerned.

Mrs Ribot: Liés à cela, des projets qui devraient être implémentés par la NDU ne le sont tout simplement pas. Ma requête, en attendant qu'un PPS soit enfin attaché aux circonscriptions numéros 19 et 20, est celle-ci : que la somme qui aurait dû être allouée au PPS pour des projets spécifiques soit remise à la municipalité qui se voit avoir à mettre des bouchées doubles pour mener à bien des projets dans la ville.

Je vous remercie.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, lots of projects are already in the *sentier* and I am willing to submit a list. I think there is one written answer which I am supposed to submit and you are going see the number of projects which is being undertaken in Constituencies Nos.19 and 20. I will give the hon. Member a list.

BEAU BASSIN - STATE LANDS

Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière): M. le président, ma requête ce soir s'adresse au ministre de l'environnement et aussi à celui des administrations régionales et concerne les terrains appartenant à l'Etat et qui ne sont pas entretenus principalement dans la circonscription No. 20 et, en particulier, dans la région de Chebel et Chebecs et Morcellement La Confiance à Beau Bassin.

Alors, comme je le disais, à Résidence Chebec, il y a un très grand nombre de terrains, M. le président. Des terrains vagues qui appartiennent à l'Etat et qui sont dans un état déplorable et qui représentent une nuisance à l'environnement causant ainsi beaucoup de mécontentement parmi les habitants de la région. C'est la même chose au Morcellement de La Confiance où il y a un très grand terrain que le ministère des terres a obtenu de Médine. Ce terrain qui se trouve dans un quartier hautement résidentiel se transforme régulièrement en dépotoir et en repère pour voyous entre autres.

Donc, je fais un pressant appel aux deux ministres concernés afin qu'ils délèguent une équipe pour nettoyer ces terrains et de même si c'est possible d'effectuer un relevé de tous les terrains de l'Etat non entretenus dans la circonscription no. 20. Et je suis moi-même disponible -

si les ministres concernés veulent déléguer quelqu'un de leur ministère - à accompagner cette personne pour faire ce relevé.

Je vous remercie, M. le président.

The Minister of Local Government and Outer Islands (Mr H. Aimée): M. le président, je prends note de tout cela et je vais voir avec la municipalité quels sont ces terrains concernés.

(Interruptions)

Je sais de quoi je parle.

(Interruptions)

Maintenant il y a un budget et les municipalités ont l'autorisation de nettoyer les terrains qui sont des *bare lands* et ensuite, mettre un *mortgage* sur la terre afin, qu'à chaque fois, quand ils viennent pour le BLP, cela va s'imposer directement, si on ne connaît pas les clients.

The Deputy Speaker: Time is up!

At 6.34 p.m. the Assembly was, on its rising, adjourned to Tuesday 01 April 2014 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

MOZAMBIQUE - LAND LEASE

(No. B/7) Mr P. Roopun (Third Member for Flacq & Bon Accueil) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the lease of land by the Government of Mozambique to Mauritius, he will, for the benefit of the House, obtain information as to the -

(a) names of the selected promoters for the allocation thereof, indicating in each case the

-

(i) extent of land allocated;

- (ii) projects to be implemented, indicating the number of food security and renewable energy projects, if any, implemented as at to date, and
- (b) expenses incurred by Government and/or State-owned agencies/subsidiaries as at to date, in terms of -
 - (i) overseas trips;
 - (ii) promotional tours;
 - (iii) consultancy fees, and
 - (iv) salaries and other benefits.

The Minister of Foreign Affairs, Regional Integration and International Trade (Dr. A. Boolell): With respect to part (a), I am informed that six companies namely: Ispat Industries Ltd (Indian company), Mozpeize SA (Mozambican company), the British American Investment Co.(Mtius) Ltd (Mauritian company), La Cie Des Trois Amis Ltée (Mauritian company), Nirmal Seeds Pvt Ltd (Indian company) and Sir Rajeshwari Oils Traders(Indian company) were selected following Calls for Proposals launched on 06 August 2010 and 06 April 2011 in the context of Food Security and Renewable Energy Projects in Mozambique by the Regional Development Co. Ltd, a private company wholly owned by the Government of Mauritius.

Out of the six selected companies, only three companies namely the British American Investment Co. (Mtius) Ltd, La Cie Des Trois Amis Ltée and Nirmal Seeds Pvt Ltd maintained their interest for Mozambique and were offered land subject to approval by the Mozambican Authorities and the Investment Promotion Centre of Mozambique. The land offered is as follows -

- (i) British American Investment Co. (Mtius) Ltd was offered 6,084 hectares of land in the province of Manica for cultivation of food crops on 10 August 2011;
- (ii) Nirmal Seeds Pvt Ltd, was offered on a first phase for processing an area of 1,100ha of land in the district of Marracuene, within the province of Maputo for production of rice seeds on 31 October 2013. The remaining area to complete the 2000ha initially requested

by the Company, will be gradually released to the Company in function of the initiation and the development of the proposed project;

- (iii) La Cie des Trois Amis, was offered 4000 ha land in the district of Marracuene, within the province of Maputo for rice production on 08 November 2011.

As I indicated earlier, projects in Mozambique need to be approved by the Investment Promotion Centre of Mozambique (CPI) and foreign companies must incorporate a company in Mozambique in accordance with prevailing laws. As regards land transfer, it is a complex issue whereby land has to be released first by the local community where the traditional chief plays a key role. Subsequently, the land transfer is endorsed by the district administrator and approved by the Governor of the Province. Finally, it is the Central Government which signs the land lease and gives the project its fiscal regime. Meanwhile, the certificate of project approval by the CPI serves to initiate the necessary actions for respective projects to take off.

I would like to recall the previous experience of Mauritius in Mozambique in respect of the rehabilitation of sugar factory at Marromeu with the provision of a social package to promote economic and social development in Mozambique. It was a lengthy process before it materialized. Medium sized companies attempting to start from scratch on bare land with lack of infrastructural facilities often find it difficult to start off.

The Regional Development Company Ltd (RDC) was incorporated in December 2009 as a Private Company with the Government of Mauritius as sole shareholder with a share capital of Rs5M. It was set up to act as a facilitator to acquire agricultural lands for food security and create development zones in the region and mobilise resources for the development of land and sites, within the framework of Government's policy on Cross Border Initiative. In order to facilitate the development of land in Mozambique, the Regional Development Company Mozambique (Limitada) (RDC Moz), a State of Mauritius Company and subsidiary of the Regional Development Company Ltd was incorporated in June 2010 with a capital of 3,000 US\$ and two Mauritius-based State Companies – the State Investment Company Ltd and the Regional Development Company Ltd as shareholders. It acts as interface between prospective investors and the Government of Mozambique. RDC Moz. is providing a package of services to RDC

investors such as land identification, demarcation and mapping of land with limits, technical reports, advisory services on investment, legal and tax matters, incorporation of company in Mozambique, assistance in submission of projects to CPI, and other work required by business regulations in Mozambique.

At this stage, Nirmal Seeds Pvt Ltd (Nirmal Seeds), British American Investment Co. (Mtius) Ltd (BAI) and La Cie des Trois Amis have incorporated their subsidiaries in Mozambique and their projects .have been submitted to the CPI. However, only Nirmal Seeds and BAI have obtained final approvals of their projects from the CPI in 2013. Nirmal Seeds has requested documents related to the land lease prior to kick start, whilst BAI has requested some time to finalise some technical and financial partnership to support its project.

With regard to part (b), the expenses incurred by Regional Development Co. Ltd (RDC Mauritius) and Regional Development Company (Mozambique) LDA (RDC Moz) since their incorporation were as follows -

Combined figures for RDC Mauritius and RDC Moz (December 2009-December 2013)

Overseas trip (for attendance of Board meetings by Mr R.Virahsawmy- Board Member)	Rs 134,331
Promotional tours	Nil
Consultancy fees	Rs 145,799
Salaries & benefits (4 Analysts and 1 Legal Advisor cum Analyst)	Rs 1,949,752
TOTAL	Rs 2,229,882

WOOTON FOOTBRIDGE PROJECT - TENDER

(No. B/25) 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 Wooton Footbridge Project, he will state -

(a) when tender therefor was launched, indicating the names of the -

- (i) bidders, and
- (ii) successful bidder, and

(b) if the contractual date thereof was respected and, if not, why not.

Reply: I am informed by the RDA that bids were invited on 20 April 2012 for the design and construction of two footbridges over Motorway M1 in the vicinity of Doha Secondary School and near Wooton roundabout on a design/build basis. On the submission date, that is, 23 May 2012, only one bidder namely EDCC Co. Ltd submitted a bid.

The bid was evaluated and was found to be responsive. As the bid amount compared favourably with the engineer's estimate, the contract was awarded to EDCC Co. Ltd for the sum of Rs26,843,166.60 inclusive of 15% VAT on 07 August 2012.

The order to commence the design and execution of the works was issued on 05 September 2012. The contract duration was 300 days and works were expected to be completed on 01 July 2013.

The contractual date was not respected by the contractor and had experienced several delays due to the following reasons -

- (i) the design of the foundations had to be reviewed because of bad soil conditions;
- (ii) existing CEB high tension underground cables falling under the proposed foundations had to be relocated, and
- (iii) persistent bad weather conditions at the project site.

All the above delays are attributable to the contractor and furthermore, no extension of time has been granted to the contractor.

The progress on site so far is 85% and the contractor has undertaken to complete the whole project during the first week of April 2014.

Liquidated damages for late delivery are being applied as per contract provisions.

STATE LAND - HOUSING - LOW INCOME & VULNERABLE FAMILIES

(No. B/26) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Housing and Lands whether, in regard to the project to allow low income and vulnerable families to become owners of houses on State land, he will state the number of applications received in relation thereto, as at to date, indicating the timeframe and procedures laid down therefor.

(Withdrawn)

RING ROAD PHASE I - FISSURES - REPAIRS

(No. B/27) 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 Ring Road Phase I, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the actions taken against the contractor in relation to the fissures which have appeared thereat as at to date, indicating -

- (a) if the contractor has been paid therefor and, if so, on whose recommendations, and
- (b) the remedial measures taken for the repairs thereof as at to date, indicating the guarantees, if any, against risks of future cracks and undermining thereof.

(Withdrawn)

LES ASSISES DE LA FAMILLE - PROPOSED HOLDING

(No. B/28) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the proposed holding of *Les Assises de la Famille*, she will state where matters stand.

(Withdrawn)

FOOTBALL - SEMI-PROFESSIONALISATION

(No. B/29) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the project for the semi-professionalisation of football in Mauritius, he will state where matters stand.

(Withdrawn)

**HEALTH AND SPORTS COMPANY OF REUNION ISLAND - FOOTBALL MATCHES
- EUROPEAN CLUBS**

(No. B/30) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the proposal for the Health and Sports Company of Reunion Island to organise annually football matches between prestigious European Clubs in Mauritius, including the holding of a first match between the Liverpool Football Club and either the Manchester City Football Club, the Newcastle United Football Club, the Tottenham Hotspur Football Club or the Chelsea Football Club later this year, he will state where matters stand.

(Withdrawn)

CT POWER (MAURITIUS) LTD. PROJECT - EIA LICENCE

(No. B/31) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Environment and Sustainable Development whether, in regard to the CT Power (Mauritius) Ltd. Project at Albion, he will, for the benefit of the House, obtain from the Environment Impact Assessment Committee, information as to -

- (a) the mechanisms put in place to ensure that all the conditions laid down in the Environment Impact Assessment Licence be adhered to, prior to the commencement of the works in relation thereto, and
- (b) if the concerns of the inhabitants of Albion, Pointe aux Sables and of the vicinity thereof have been taken into consideration and, if so, give details thereof.

Reply: I wish to inform the House that the EIA Licence for the Coal Fired Power Plant project at Pointe aux Caves was granted to the (Mauritius) CT Power Ltd on 23 January 2013, following the determination of the Environment Appeal Tribunal on the appeal lodged by the proponent against the decision of my Ministry to reject the application.

Regarding part (a) of the question, as provided under Section 28 A of the Environment Protection Act, there is already established an EIA/PER Monitoring Committee at the level of the Ministry, to ensure compliance with all the conditions laid down in the EIA Licence.

In addition, prior to commencement of works and in accordance with the conditions of the EIA licence, the proponent is required to submit amongst others, an Environmental Monitoring Plan as per provisions of Section 18(2)(I) of the Environment Protection Act for approval by my Ministry. However, in the case of CT Power, the Environmental Monitoring Plan has not yet been submitted and works have not started on site.

Furthermore, prior to the start of works and, in line with Conditions No. 16 and 17 of the EIA Licence, the proponent has also to submit the following -

- i. the design of the plant as certified by a registered/competent firm and approved by the Central Electricity Board;
- ii. a compliance certificate duly signed by a registered/competent firm certifying that the design of the plant is in strict compliance with the conditions of the EIA licence as well as the proposal in the EIA report, additional information and the Supplemental EIA, and
- iii. all necessary clearances/permits from the relevant authorities.

The above requirements are still being awaited from the proponent.

Concerning part (b) of the question, I wish to inform the House that during the processing of the EIA application, the original EIA Report as well as the Supplemental EIA Report were opened for public comments. The concerns of the inhabitants of the region were duly taken into consideration, which in fact led to the imposition of strict conditions in the EIA Licence.

On the other hand, the Environment Appeal Tribunal has in its determination, further imposed other conditions, for compliance with the most stringent standards of the World Health Organisation, the US EPA or the European Environment Agency for air emissions to safeguard the health of the inhabitants of the region.

Furthermore, I wish to add that Condition No. 26 of the EIA Licence also requires the proponent to keep a line of communication with the inhabitants through the setting up of a Community Liaison Committee to facilitate community communications and for agreement on community enhancement measures. In a letter dated 14 March 2014, the promoter has informed that the Community Liaison Committee will be set up in due course.

I am informed that the promoter had nine consultative meetings with inhabitants of Albion and the nearby localities, whereby the queries and concerns raised by these inhabitants have been discussed.

D.Y. PATIL MEDICAL COLLEGE - COURSES & TRAINING FACILITIES

(No. B/32) 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 D.Y. Patil Medical College, he will, for the benefit of the House, obtain from the Tertiary Education Commission, information as to if any operation permit was granted thereto and, if so, indicate if needful was done to ascertain that the courses and training facilities offered thereat meet international standards, prior to allowing the enlistment of students thereat.

(Vide reply to P.Q No. B/23)

COMMUNITY CENTRES - OFFICERS - TERTIARY COURSES

(No. B/34) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Community Centres, she will state the -

- (a) activities scheduled to be carried out thereat for the year 2014, indicating the respective scheduled time, and
- (b) number of officers thereof who are following courses at -
 - (i) the University of Mauritius;
 - (ii) the University of Technology, and
 - (iii) any other tertiary education institution, together with the time and number of days per week.

(Withdrawn)

UNIVERSITY OF MAURITIUS - PROFESSIONAL MBBS PROGRAMME - RESIT

(No. B/35) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the MBBS courses at the University of Mauritius, he will, for the benefit of the House, obtain from the University, information as to -

- (a) the number of students enrolled therefor, if any, who have not been allowed to resit in the third Professional MBBS Programme for the years 2011, 2012 and 2013 respectively;
- (b) the maximum number of attempts provided for each programme, and
- (c) if any exit point is provided in such cases.

(Withdrawn)

SPORTS CLUBS & FEDERATIONS - CSR FUNDS

(No. B/36) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to sports clubs and federations, he will state if funds from the Corporate Social Responsibility are available therefor and, if so, indicate -

- (a) since when, and
- (b) the eligibility criteria therefor.

(Withdrawn)

MEDICAL NEGLIGENCE - MRS S. D. - ALLEGED CASE

(No. B/37) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Health and Quality of Life whether, in regard to the alleged case of medical negligence in respect of one Mrs S. D., in February 2014, he will state if his Ministry has carried out an inquiry thereinto and, if so, indicate the outcome thereof.

Reply: Following a report submitted on 03 March 2014 by the Regional Health Director of Victoria Hospital, I immediately directed that a full-fledged internal inquiry be carried out at the level of my Ministry to look into the alleged case of medical negligence in respect of one Mrs S.D.

I also wish to inform the House that I have received a request from the relatives of Mrs S.D. for an inquiry to be carried out.

The report of the full-fledged internal inquiry has been submitted on 21 March 2014. The observations and findings are being looked into by a Technical Committee of my Ministry and recommendations are awaited for appropriate action.

HOSPITALS - CONSULTANTS/SPECIALISTS - ROTATION

(No. B/38) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to the public hospitals, he will state the protocol applied for the rotation of the consultants/specialists.

Reply: The overriding concern of my Ministry is to ensure that all patients attending public hospitals get the required treatment by a qualified medical workforce in the most effective way. The posting and movement of Consultants/Specialists in the public hospitals is quite dynamic due to the following factors -

- retirement of officers;
- recruitment at regular intervals;
- assignment of higher duties;
- promotion;
- prolonged leaves for personal reasons, and
- expansion of existing services.

Certain critical factors need to be taken into consideration in any protocol worked out for rotation of Consultants/Specialists -

- maintenance of a balance between experienced and less experienced staff;
- super-specialist expertise of certain Consultants/Specialists and facilities existing within only certain Regional Hospitals for provision of super-specialist service;
- distance from home to place of work given the requirement for Consultants/Specialists to attend hospitals repeatedly outside normal working hours in the shortest possible time in case of emergencies in certain specialities;
- scarcity of specialists in certain specific fields;
- training of staff and transfer of know-how to ensure capacity building, and

- exigencies of service.

The protocol in place for the rotation of Consultants/Specialists takes into consideration all the factors I have just mentioned.

ANJALAY COOPEN STADIUM - INDEPENDENCE DAY - CELEBRATION

(No. B/39) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Arts and Culture whether, in regard to the show staged at the Anjalay Coopen Stadium for the celebration of Independence Day, on 12 March 2014, he will state the total cost thereof, giving details of each item paid for and indicating -

- (a) the source of funding thereof, and
- (b) if tenders were launched therefor.

Reply: The show staged at Anjalay Coopen Stadium for the celebration of Independence on 12 March 2014 was under the responsibility of *Film Confluences Co. Ltée* which comprises representatives from the Government and the Private Sector.

Although the show was organised by a company which is governed by the Companies Act, I will give details as requested by the hon. Member for the sake of transparency.

I am informed that the cost of the show is expected to turn around Rs12 m. This amount comprises two distinct aspects namely -

- (i) the artistic creation, presentation and administrative costs (which include the conception, music creation and recording, cachet for artists, costumes, choreography) costing around Rs7 m. with the participation of some 300 artists; and
- (ii) the technical aspect comprising logistics such as stage, sound, light effects and accessories for the show costing around Rs5 m.

With regard to part (a), the show was funded by Government through the Government owned Company *Film Confluences Co. Ltée*.

Regarding part (b), three proposals were received by my Ministry from the following -

- (a) *Circo de Bakuza*, a company based in Paris;

- (b) *LFE*, a company with head quarters in Mumbai, and
- (c) *Move for Art*, a company based in *Mauritius*.

The three offers were handed over to “*Film Confluences Co. Ltée*” for consideration.

I am informed that “*Film Confluences Co. Ltée*” examined the three proposals and awarded the contract on a turnkey basis to *Move for Art* in view of its high level proposal, proven track record and experience in the conception and staging of events of international standards.

GRAND' BAIE CONFERENCE CENTRE - MAURITIUS-MALAYSIA BUSINESS FORUM

(No. B/40) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the working session organised by the Board of Investment at the Grand'Baie Conference Centre, on 12 March 2014, he will state if he is aware that the Mauritian Ambassador based at Kuala Lumpur effected a walk out in the course thereof and, if so, indicate the incidence thereof, if any.

Reply: I am advised by our High Commissioner based in Kuala Lumpur that on 12 March 2014, he had to leave the Mauritius-Malaysia Business Forum organised at the Grand' Baie Conference Centre before the close of the meeting to pick up members of his family at his residence, so as to reach in time for the National Flag Hoisting Ceremony at the Anjalay Stadium. The question of a so-called “walk-out” therefore does not arise.

ANSE LA RAIE VILLAGE – HOTEL DEVELOPMENT - APPLICATION

(No. B/41) Mr A. Gungah (First Member for Grand' Baie & Poudre d'Or) asked the Minister of Housing and Lands whether, in regard to the *Anse La Raie* Village, he will state if his Ministry has approved any application for hotel development thereat and, if so, indicate where matters stand.

Reply: I wish to refer the hon. Member to the reply I made to Parliamentary Question No. B/868 wherein the House was informed that one application for Hotel Development at Anse La Raie Village has been approved in favour of Tirupa Tourism Enterprises Ltd in April 2009.

In February 2014, another plot of State Land of an approximate extent of 4A00 at Anse La Raie has been reserved in favour of Southern Comfort Holdings Ltd for a tourist related development project comprising, *inter alia*, a boutique hotel/bungalow complex with 100 rooms, two restaurants and a business centre. The reservation letter was issued on 25 February 2014.

**DOMESTIC VIOLENCE - 2007 NATIONAL ACTION PLAN - EVALUATION
EXERCISE**

(No. B/42) 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 2007 National Action Plan to Combat Domestic Violence, she will state if, to ensure its effective implementation, an evaluation exercise has been carried out and, if so, indicate the findings thereof.

(Withdrawn)

DOMESTIC VIOLENCE - 2007 NATIONAL ACTION PLAN - SHELTERS

(No. B/43) 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 Specific Objective 7 of the 2007 National Action Plan to Combat Domestic Violence, she will state where matters stand as to the proposed setting up of additional shelters with rehabilitative support services for the victims of domestic violence.

(Withdrawn)

D. Y. PATIL MEDICAL COLLEGE - ALTIMA BUILDING - RENT

(No. B/46) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the renting of two floors of the Altima Building at Ebène to the D. Y. Patil Medical College, she will state if -

- (a) tenders were launched therefor, and
- (b) her Ministry carried out renovation works in respect thereof and, if so, indicate the -
 - (i) cost thereof, and

- (ii) date the contract was signed, giving details thereof, including the rental and other fees due.

(Vide reply to PQ No. B/24)

INSTITUTIONS (LOCAL) - OVERSEAS REGULATORY AUTHORITIES - COMPLIANCE

(No. B/47) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the notice issued by the Tertiary Education Commission, dated 16 September 2013, requiring compliance of the local institutions with their overseas regulatory authorities, he will, for the benefit of the House, obtain from the Commission, information as to if the local authorities have complied therewith.

Reply: I am informed by the Tertiary Education Commission that all the post-secondary institutions registered by the Commission, which are affiliated to Indian Universities, have complied with the TEC Regulations, dated 01 July 2005 for the Registration of Private Institutions or Branches, Centres or Campuses of Overseas Institutions offering post-secondary education. These Regulations do not specify the need for UGC approval.

I am further informed by the Tertiary Education Commission that, following the Communiqué which is issued on 16 September 2013, the situation is as follows –

JSS Academy, affiliated to Visvesvaraya Technological University, has produced –

1. A letter dated 05 July 2006 from the UGC stating that the engineering colleges do not fall under the purview of UGC and that it should contact the All India Council for Technical Education (AICTE). I am tabling a copy of the letter.
2. A letter from the AICTE dated 04 July 2006 stating that it is not within the scope of the jurisdiction of AICTE to give a no-objection certificate for starting colleges outside India. I am tabling a copy of the letter.

3. Further, the Council of Registered Professional Engineers had initially granted provisional approval to JSS Academy for the running of engineering programmes to be awarded by Visvesvaraya Technological University.
4. There is also a correspondence from Visvesvaraya Technological University that it has resolved to continue affiliation granted to JSS Academy, which is subject to final orders of the High Court of Karnataka. According to information from JSS Academy, a case had been lodged by JSS Academy against the University Grants Commission and Visvesvaraya Technological University and a Stay Order has been obtained in favour of JSS Academy.
5. On 17 March 2014, JSS Academy has entered an application for judicial review against the Tertiary Education Commission and the Council of Registered Professional Engineers in the Supreme Court of Mauritius. The matter is therefore *sub judice*.

As regards Arya Sabha, which is affiliated to Kurukshetra University, the Registrar of Kurukshetra University has informed Arya Sabha that no new students should be enrolled on Kurukshetra programme.

In the case of Intraconsult Ltd., trading as Global Learning affiliated to Manipal Sikkim University, further clarifications are awaited by the Tertiary Education Commission.

Mauras College of Dentistry and Hospital, affiliated to Bhavnagar University, was approved in August 2002. The institution has submitted a document to Tertiary Education Commission regarding Bhavnagar University Act 1978 stating that the University can go outside its territories subject to restrictions as the State Government thinks fit to impose.

EIILM has also submitted a document stating that University Sikkim does not require approval from UGC India for EIILM to operate outside India. Tertiary Education Commission is seeking further clarifications from EIILM and Mauras.

I am also informed by the Tertiary Education Commission that it has directed all five institutions not to enrol new students.

MILITARY ROAD - NHDC HOUSING ESTATE - BENEFICIARIES

(No. B/49) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Housing and Lands whether, in regard to the NHDC Housing Estate at Military Road, Port Louis, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd. information as to -

- (a) the number of housing units which have been constructed, indicating the -
 - (i) total project cost thereof;
 - (ii) selling price per housing unit; and
 - (iii) names and addresses of the beneficiaries thereof; and
- (b) if land on which stand the housing units are being leased and, if so, indicate the annual rental and duration thereof.

Reply: With regard to part (a) (i) and (ii) of the question, 36 housing units have been constructed at Military Road Port Louis for a total project cost of Rs79m. comprising Rs40m. for the housing units and Rs39m. for infrastructure works. The selling price of one unit is one million one hundred and eighty-five thousand rupees (Rs1,185,000) except for two corner units, the price of which is one million and two hundred thousand rupees (Rs1,200,000).

As regards part (iii) of the question, the list of the beneficiaries is being placed in the Library of the National Assembly.

Regarding part (b) of the question, individual lease will be drawn soon in the name of each purchaser. The rental will be as per established policy for lease of State land for residential purpose.

Furthermore, as the House is aware, in Budget 2014 provision has been made for the sale of residential plots of State land to the owners of housing units built on the said plots of State land. In due course, consideration will be given to adopt the same principle to the owners of housing units at Military Road.

**CT POWER (MAURITIUS) LTD. PROJECT - BOARD MEMBERS – VESTED
INTEREST**

(No. A/3) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the CT Power (Mauritius) Ltd. Project at Albion, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to -

- (a) if any of its Board Members is also member of any company having an interest in an electricity undertaking related to the project;
- (b) if the fact that the Board is production owner, buyer and seller of electricity prejudice the interests of the consumers, and
- (c) when the Regulator of Electricity will be nominated.

Reply: I am advised by the CEB as follows -

Part (a)

The General Manager of the CEB, who is also a Board Member, is one of the three directors of CEB Investment Company Ltd, (CEBICL), a subsidiary of the CEB which will hold shares in CT Power (Mauritius) Ltd to the tune of 26%.

Part (b):

The fact that the CEB produces, buys and sells electricity is not prejudicial to the interests of consumers. In the absence of a Regulator, my Ministry is responsible to safeguard the interest of the public, at large.

Part (c):

I refer the hon. Member to my reply to PQ B/143 of 2013.

MEDICAL & HEALTH OFFICERS - RECRUITMENT

(No. A/5) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Quality of Life whether, in regard to the Medical and Health Officers/Senior Medical & Health Officers, he will -

- (a) give a list of the latest recruits, indicating their respective posting;
- (b) state the present number thereof employed on contract, and
- (c) when will the next recruitment exercise therefor be carried out, indicating the number of vacancies to be filled.

Reply: The information asked for at part (a) of the question is being placed in the Library.

With regard to part (b) of the question, eight Medical & Health Officers/Senior Medical & Health Officers are employed on a contract basis.

76 Medical and Health Officers/Senior Medical & Health Officers will be recruited during the course of this year.

**MINISTRY OF PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT,
LAND TRANSPORT AND SHIPPING - ADVISERS**

(No. A/6) 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 advisers posted in his Ministry, he will state their respective -

- (a) qualifications;
- (b) terms and conditions of appointment, and
- (c) respective address.

Reply: This question was already replied earlier as PQ A/277 during the last session of the National Assembly.

BEAU BASSIN & PETITE RIVIÈRE – FLOODING - MEASURES

(No. A/7) 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 Cité Marcel Cabon, Albion, Cité Betel, Petite Rivière, Coromandel/Belle Etoile, Chebel Branch Road, Cité Chebel and Mont Roches, in Constituency No. 20, Beau Bassin and Petite Rivière, he will state the remedial measures his Ministry proposes to take in relation to the flooding problems which recur thereat.

Reply: With regard to the Cité Marcel Cabon, Albion also known as Camp Créoles, works order for the construction of drains thereat was issued in February 2014. However, due to way leave problems, the drain alignment is being modified and works will start in due course.

With regard to the other sites, such as Petite Rivière, Coromandel/Belle Etoile, Chebel Branch Road and Mont Roches, a firm of Consulting Engineers has completed a preliminary study of the areas. Subject to availability of funds, taking into account the extent of the drain system to be put up, the project will be implemented in stages.

BEAU BASSIN & PETITE RIVIERE – NDU PROJECTS

(No. A/8) 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 Constituency No. 20, Beau Bassin & Petite Rivière, he will give a list of the ongoing projects initiated by his Ministry in respect of -

- (a) football grounds;
- (b) construction of drains;
- (c) road resurfacing and construction of new roads;
- (d) children playground equipment, and
- (e) street lanterns.

Reply: The projects being undertaken by my Ministry are as follows -

(a) Football grounds

SN	Locality
1	Lighting of Football Ground at Albion
2	Construction of Football Ground at Maingard, Beau Bassin

(b) Construction of Drains

SN	Locality
1	Rennards Street, Beau Bassin
2	Mamzelle road, Mont Roches
3	Emmaeus Street, Coromandel
4	Chamroo Lane, Petite Rivière
5	Riverside Lane, Belle Etoile
6	Cite Chebel, Petite Riviere (nr Social Hall Baby Chetty)
7	Dr. Lesur Road (MITD), Beau Bassin
8	Camp Créoles, Albion
9	St Martin Road (B101)
10	Petite Rivière (near Toyota Showroom)

(c) Resurfacing of Roads

SN	Locality
1	Poivre Street, Beau Bassin
2	Lislet Geoffroy Street, Hugo Street, Beau Bassin
3	Lane off Commerson Street, Beau Bassin
4	Maganlall Desai Street, Beau Bassin
5	Guy Rozemont Street, Beau Bassin
6	Butterfly Street, Beau Bassin
7	Middle Road, Beau Bassin
8	Andreannum Ave, Beau Bassin

9	Taxi Stand, Beau Bassin
10	Reverend Lebrun Street, Beau Bassin
11	Ramdhiane Lane, Coromandel
12	Jamalac Street, Coromandel
13	Impasse Stein (Nr Veerasamy House)- Lane Off Stein, Beau Bassin
14	Iris Street, Morc Montreal, Coromandel
15	Dwarka Lane, Coromandel
16	Colonel Maingard St (Junction Pope Henessy to Dead End), Beau Bassin
17	Impasse Colonel Maingard Street, Bassin
18	Impasse Schuman, Beau Bassin
19	Impasse Maganlall Desai, Beau Bassin
20	Dada Lane (off Napier Broome Street) Beau Bassin
21	Kalimaye Road, Chebel, Beau Bassin
22	Albion (B78 from Primary School to junction B 105)

(d) & (e) Children Playground Equipment and Street Lanterns

SN	Locality
1	Children playground equipment and Street Lanterns have not yet been delivered

PORT LOUIS SOUTH & PORT LOUIS CENTRAL - METHADONE DISTRIBUTION CENTRES

(No. A/9) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Health and Quality of Life whether, in regard to the Methadone Distribution Centres in Constituency No. 2, Port Louis South and Port Louis Central, he will state if he has received complaints in relation thereto and, if so, indicate if consideration will be given for the relocation thereof and, if not, why not.

Reply: Since 2009 to-date, my Ministry has received seven complaints in respect of the Methadone Distribution Centres in Constituency No. 2, Port Louis South and Port Louis Central, namely three regarding the Vallée Pitot Dispensing Point and four regarding the Dr. A.G. Jeetoo Hospital Dispensing Point.

My Ministry has been holding regular consultations with all the stakeholders concerned in the region, including the complainants to identify a more convenient site for the distribution of methadone for Vallée Pitot.

In this respect, joint visits with the stakeholders have been held at Terre Coupe (near Champ de Mars), Boulevard Victoria Street (near Vallée Pitot Police Station) and La Citadelle (Sebastopol Street) for the relocation of Vallée Pitot Dispensing Point. However, none of these sites was found suitable by the stakeholders.

As regards the dispensing point at Dr. A.G. Jeetoo Hospital, it has to be noted that the present dispensing site is only a temporary arrangement. A dedicated space has been earmarked in Phase 3 of New Dr. A.G. Jeetoo Hospital for the distribution of methadone.

HAJJ PILGRIMAGE - SUNNIY ULAMA & AIMMAH COUNCIL - REPORT

(No. A/10) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Arts and Culture whether, in regard to the organization of the Hajj pilgrimage, he will state if he has taken cognizance of a report prepared by the Sunniy Ulama and the Aimmah Council in relation thereto and, if so, indicate if same contains recommendations and, if so, if consideration will be given for the implementation thereof and, if not, why not.

Reply: I am informed by the Islamic Cultural Centre that the Sunniy Ulama and the Aimmah Council has submitted a Report on Hajj 2013.

The ICC regularly receives Reports/memorandum/letters/suggestions from the Muslim Civil Society and also from different group of religious leaders. Each one tries to give recommendations, suggestions and observations on how to improve the organisation of Hajj.

Whatever is realistic and achievable in the interest and welfare of the pilgrims are given due consideration by the ICC Board.

SPEED LIMIT ZONES – COMMITTEE - RECOMMENDATIONS

(No. A/11) Mr P. Roopun (Third Member for Flacq & Bon Accueil) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Speed Limit Zones, he will state if the committee set up for the review thereof has completed its exercise and, if so, give details thereof, indicating if the recommendations contained therein will be implemented and, if so, when.

Reply: A committee comprising members from the Police Traffic Branch and the Traffic Management and Road Safety Unit has been set up by the Ministry to review the speed limit zones.

The exercise has already been completed and amendments are being proposed to the Road Traffic (Speed) Regulations 2011. The draft Regulations are being finalised by the State Law Office.

The implementation of the revised speed limit will be undertaken after the Regulations are made.

FLIC-EN-FLAC PUBLIC BEACH - STRAY DOGS

(No. A/12) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Agro-Industry and Food Security, Attorney-General whether he is aware of the problems caused by stray dogs on the Flic-en-Flac public beach and, if so, indicate if remedial measures will be taken in relation thereto.

Reply: The Mauritius Society for Animal Welfare (MSAW) has received complaints as regards the nuisances being caused due to the presence of stray dogs along the Flic-en-Flac public beach.

The Dog Control Unit of the MSAW did carry out 26 interventions and caught 51 stray dogs for the period January 2014 to 20 March 2014 along the public beach and its vicinity.

The MSAW is working in close collaboration with the *Force Vives* of the locality as well as the Police with a view to control the presence of stray dogs on the public beach and its vicinity.

FLIC-EN-FLAC PUBLIC BEACH – CAMPING ZONE

(No. A/13) **Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River)** asked the Minister of Local Government and Outer Islands whether, in regard to the Flic-en-Flac public beach, he will state if his Ministry is proposing to delimit a camping zone thereat for the campers during weekends or public holidays and, if so, give details thereof.

Reply: I wish to inform the House that my Ministry is not proposing at this stage to delimit a camping zone for the campers during weekends or public holidays on any public beach.

CASSIS – HINDU HOUSE – FOOTBRIDGE

(No. A/14) **Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the pedestrians crossing found near the Hindu House, at Cassis, in Port Louis, he state if consideration will be given for the advisability of putting up a fly over in replacement thereof and, if so, when and, if not, why not.

Reply: On motorways and dual carriageways, it is advisable that pedestrian and vehicles movements be segregated and the safest crossing facility for pedestrians on such roads is a footbridge. However, the construction of a footbridge is dependent on many other factors and one critical factor is the land availability. Adequate space is required for the provision of stairs and ramps to access the footbridge and for other structures and sub-structures.

The design and construction of footbridges on motorways is the responsibility of the Highway Authority i.e. the Road Development Authority (RDA).

The latter would carry out a detailed survey to ascertain whether the construction of a footbridge near the Hindu House at Cassis is warranted and technically feasible.

**GRNW - CENTRE FRATERNITÉ MAURICIENNE DES MALADES ET HANDICAPÉS
– RETAINING WALL**

(No. A/15) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the *Centre Fraternité Mauricienne des Malades et Handicapés* at Canal Dayot, Grand River North West, where a retaining wall will be erected, he will state if he will ensure that the extent of land on which the centre is built is not negatively affected and reduced.

Reply: A meeting was held with the Vice President of *Centre Fraternité Mauricienne des Malades et Handicapés* on Friday 21 March 2014 and it was agreed that there would not be any significant reduction in land extent. Proper rock revetment will be constructed to mitigate flooding and fencing will be consolidated to provide safety and security to the Centre.

DOMESTIC VIOLENCE – VICTIMS - ASSISTANCE

(No. A/16) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to domestic violence, she will state the number of reported victims thereof, since 2005 to date, indicating if they have been provided, if required, with –

- (a) assistance to find employment, and
- (b) financial assistance and, if so, indicate the quantum and duration thereof.

Reply: In regard to domestic violence, the number of cases of victims thereof reported at the six Family Support Bureaux of my Ministry from 2005 to February 2014 stands at 16,759.

Victims requiring support, including assistance to find employment, are referred to relevant institutions. The quantum and duration of assistance vary depending on the specific needs and requirements of victims.

CHILD DAY CARE CENTRES – LICENCE - ISSUE

(No. A/17) 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 Child Day Care Centres, she will -

- (a) give an updated list thereof to which a licence to operate has been issued, and
- (b) state the number of -
 - (i) qualified carers, and
 - (ii) applications received therefor, indicating the names of those who are on the waiting list.

Reply: In regard to part (a) of the question, I am informed that 106 Child Day Care Centres are registered in accordance with the Institutions for Welfare and Protection of Children, Regulations 2000. A list thereof is being placed in the Library.

As regards part (b) (i) of the question, 942 Child Caregivers are compliant with section 8(3) of the Regulations 2000.

In regard to part (b) (ii), there are 390 incomplete applications. A list indicating the names of the applicants is being placed in the Library.

DEBARCADÈRE, POINTE AUX SABLES - CENTRE POLYVALENT

(No. A/18) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the Centre Polyvalent recently inaugurated at Debarcadère, Pointe aux Sables, she will state the –

- (a) amount of public funds injected therein, and
- (b) names of the Officer-in-Charge of the management and maintenance thereof.

Reply (Minister of Social Integration and Economic Empowerment): The National Empowerment Foundation has informed that an amount of Rs153,106 has been spent in connection with the setting up of a Learning Corner at the Multi-Purpose Centre at Debarcadère, Pointe aux Sables.

According to the Foundation, a non-governmental organisation active in the locality for the past eight years, namely *La Joie de Vivre*, has been identified to run and operate the Centre which will carry out a series of activities to empower the vulnerable inhabitants of the region.

The Foundation will be responsible for the maintenance of the Centre.

KENSINGTON PLACE, POINTE AUX SABLES – WASTE WATER

(No. A/19) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to Kensington, in Pointe aux Sables, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to if they are in presence of complaints emanating from the inhabitants thereof in relation to the waste water management thereat and, if so, indicate if remedial measures will be taken in relation thereto and, if so, when.

Reply: I am informed by the Wastewater Management Authority that Kensington Place is a private housing complex comprising of 110 houses. These houses are equipped with septic tanks which are connected to a communal leaching field.

Further to complaints received from the inhabitants, the Ministry of Health and Quality of Life and the Bambous Health Office, the WMA carried out several investigations in 2012 and 2013 and it has been observed that the existing wastewater disposal system is not functioning properly and is deemed to be the source of the nuisances causing stagnation of foul water within the region.

The WMA is currently carrying out a Feasibility Study, in the Pointe aux Sables region which also encompasses the region of Kensington Place. The Feasibility Study Report is due to be completed by end of April 2014. Thereafter, approval would be sought for the inclusion of the project in the Public Sector Investment Programme.

RICHE TERRE – FIRE STATION, HEAD OFFICE & TRAINING CENTRE - CONSTRUCTION

(No. A/20) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the proposed construction of a new Fire Station, Head Office and Training Centre at Riche Terre, he will, for the benefit of the House, obtain from the Mauritius Fire and Rescue Service, information as to where matters stand, indicating when works are expected to start.

Reply: I wish to refer to the reply I made on 22 October 2013 to Parliamentary Question A/272 on this issue and to inform that a request has been made by the Mauritius Fire and Rescue Service to the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping for submission of technical details namely cost estimate of the project as well as the cost for a feasibility study.

I am informed that once this information would be made available, a request would be made to the Ministry of Finance and Economic Development for the provision of the required funds to conduct the feasibility study for the project as required by the Investment Project Process Manual.

ABERCROMBIE - DIVISIONAL POLICE HEADQUARTERS - CONSTRUCTION

(No. A/21) 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 proposed construction of a new and modern Divisional Police Headquarters at Abercrombie, he will state where matters stand.

Reply: The Survey of the land with respect to the construction of a New and Modern Divisional Headquarters at Abercrombie has been completed. Following discussions with the Police Department, the project brief has been updated on 13 March 2014. The preliminary design has already started and will be completed by 15 April 2014. The Building Plans Committee will examine the project plans by end of April 2014 and the detailed design and bid documents would be ready by mid August 2014.

The project has also received the Project Plan Committee clearance and is listed in the Public Sector Investment Programme. The Police Department has already received budgetary allocation for the project as follows -

Financial Year	Amount earmarked
• 2014 -	Rs5 m.
• 2015 -	Rs40 m.
• 2016 -	Rs15 m.

CITÉ MARTIAL – SEWERAGE NETWORK PROJECT

(No. A/22) 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 proposed sewerage network project for the sewerage connection of house number 20 to 26, at the Alfred Gellé Street, in Cité Martial, in Port Louis, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to where matters stand.

Reply: I am informed that house number 20 to 26 at Alfred Gellé Street forms part of the six priority sites identified for the rehabilitation of its sewerage infrastructure and is being considered under contract WW236C – Consultancy Services for Detailed Design and Supervision for the Rehabilitation/Provision of Sewerage Infrastructure on CHA and Low Cost Housing Estates – Phase IV.

The Detailed Design Report and Bidding documents have already been submitted by the Consultant. Financial clearance would be sought and the works would be carried out in the next financial year.