



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**TUESDAY 06 OCTOBER 2015**

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Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit
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Hon. Nandcoomar Bodha	Minister of Public Infrastructure and Land Transport
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Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
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Hon. Sudarshan Bhadain	Minister of Financial Services, Good Governance, Institutional Reforms, Minister of Technology, Communication and Innovation
Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives

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Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Civil Service and Administrative Reforms
Hon. Sodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training

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**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 33 of 2015**

**Sitting of 06 October 2015**

**The Assembly met in the Assembly House, Port Louis at 11.30 a.m.**

**The National Anthem was played**

*(Madam Speaker in the Chair)*

**PAPERS LAID**

**The Ag. Prime Minister:** Madam Speaker, the papers have been laid on the Table -

**A. Prime Minister's Office –**

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Certificate of Urgency in respect of the National Flag Bill (No. XV of 2015).

(In Original)

**B. Ministry of Finance and Economic Development -**

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(a) The Statutory Bodies Pension Funds (Amendment of Schedule) Regulations 2015 (Government Notice No. 183 of 2015).

(b) The Statutory Bodies Family Protection Fund (Housing Loan) (Amendment) Regulations 2015 (Government Notice No. 184 of 2015).

**C. Ministry of Local Government –**

.

(a) The Municipal Town Council of Beau Bassin Rose Hill (Fees for Classified Trades) (Amendment) Regulations 2015 (Government Notice No. 188 of 2015).

(b) The Municipal Council of Vacoas-Phoenix (Fees for Classified Trade) (Amendment) Regulations 2015 (Government Notice No. 189 of 2015).

- (c) The Municipal Town Council of Vacoas-Phoenix (General Rate) (Amendment) Regulations 2015 (Government Notice No. 190 of 2015).
- (d) The District Council of Pamplemousses (Cemetery/Crematorium) Regulations 2015 (Government Notice No. 191 of 2015).
- (e) The District Council of Pamplemousses (Disposal of Refuse) Regulations 2015. (Government Notice No. 192 of 2015).

**D. Ministry of Industry, Commerce and Consumer Protection –**

- (a) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 24) Regulations 2015 (Government Notice No. 185 of 2015).
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 25) Regulations 2015 (Government Notice No. 186 of 2015).
- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 26) Regulations 2015 (Government Notice No. 187 of 2015).

**E. Ministry of Gender Equality, Child Development and Family Welfare**

–  
The Report of the Director of Audit on the Financial Statements of the National Women’s Council for the year ended 31 December 2011.

**F. Ministry of Financial Services, Good Governance and Institutional Reform, Ministry of Technology, Communication and Innovation –**



The National Identity Card (Extension of Validity Period) (Amendment No. 3) of Regulations 2015 (Government Notice No. 182 of 2015).

## ORAL ANSWERS TO QUESTIONS

### PORT LOUIS HARBOUR – MASTER PLAN

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Ag. Prime Minister whether, in regard to the Port Louis Harbour, he will, for the benefit of the House, obtain from the -

(a) Mauritius Ports Authority, information as to where matters stand concerning the -

(i) implementation of a new Master Plan therefor;

(ii) extension of the berths at the Mauritius Container Terminal;

(iii) setting up of a new cruise ships quay thereat;

(iv) refurbishment of cranes thereat, and

(v) development of the Island Container Terminal, and

(b) Cargo Handling Corporation, information as to if Dubai Ports World has been chosen as strategic partner therefor and, if so, indicate the conditions of the partnership and whether it has been discussed with the trade unions and the local private sector.

**The Ag. Prime Minister:** Madam Speaker, I would like first of all to point out that, as the principal gateway of the country, Port Louis harbour plays a vital role in the national economy by handling about 99% of the total volume of external trade and through which all strategic imports such as food and petroleum products, raw materials for the textile industry and major exports such as sugar and textile, transit.

Additionally, Port Louis by virtue of its location and the significant growth in traffic between Asia, Europe, Africa and South America, is ideally located for container

transshipment activities and therefore represent an excellent opportunity for enhanced economic development in Mauritius, particularly in the region of Port Louis.

Our strategic objective is to make of Port Louis harbour a well-equipped, professionally managed and constantly upgraded Port so as to maintain high productivity and enhanced service levels at competitive rates. To this end, we will pursue a policy of constant improvement and opening to the outside world and encourage further investments so as to respond to the needs of shipping lines and other Port stakeholders.

Madam Speaker, as regards part (a) of the question, I wish to inform the House that under the Ports Act 1998, the Mauritius Ports Authority is required to prepare and periodically update a Port Master Plan and also implement the recommendations of the Master Plan. The last Port Master Plan study was undertaken by Messrs Halcrow in 2009. Port Louis harbour has since then experienced a major change in the traffic pattern. As from 2009, the Port traffic registered an average growth of more than 10% annually. This was the result of major developments in the different sectors of the country's economic activities and the increase in transshipment traffic.

Most of the projects recommended in the Port Master Plan have already been implemented or are in the process of being executed.

In the Port sector, it is foreseen that Port Louis harbour has the potential to be developed as a hub for containers transshipment and petroleum products and also as a destination for home porting of cruise tourism as well as other Port related activities.

Following a tender exercise, the bid from Messrs Royal Haskoning of Netherlands was retained. The contract sum is Euro 489,500 plus MUR 3,640,000. Royal Haskoning is an international consultancy firm with extensive experience in the preparation of Port Master Plans and development of Ports and harbours.

The scope of services for the Port Master Plan Study include *inter alia* -

- (i) preparation of traffic forecast including a transshipment study;
- (ii) assessment of the potential of Port Louis harbour as a hub for transshipment, petroleum products and bunkering;
- (iii) preparation of a land use plan of Port Louis harbour and other sites such as Terre rouge, Grande Rivière Nord Ouest and Albion;

- (iv) recommendation for future Port infrastructure requirement, and
- (v) a risk assessment.

The Consultants have mobilised a team of experts in Mauritius since 01 September 2015.

The Consultants have engaged consultations with Port stakeholders and will also assess projects already submitted to the MPA for consideration.

The Preliminary Port Master Plan Report is expected to be submitted by December 2015 and the final report by June 2016.

The Port Master Plan will be the roadmap for Port land use development over the next 25 years up to the horizon 2040.

As regards part (a) (ii) of the question, the MPA is implementing the extension and strengthening of the Mauritius Container Terminal (MCT) berth and associated dredging works so as to accommodate large vessels of over 8,000 TEUs (TEU: 20 foot equivalent units) and the increasing container traffic. The project is being implemented under three separate packages and the status is as follows -

a) **Bund construction**

In order to contain the dredged materials, MPA has embarked on the construction of bunds to enable land reclamation of about 35 ha at Fort William and 4 ha at Fort George respectively. The contract for the construction of the bund wall package was awarded to Messrs PAD & Co Ltd. for the total amount of Rs365,284,000. Works on site started in August 2013 and have been completed.

b) **Marine and Civil Works**

The contract for the marine and civil works was awarded to JV Strabag International Gibb/Archirodon in August 2014. The works comprise -

- Extension of the existing MCT berth by 240m
- Strengthening of the existing 560m long berth
- Expansion of the Container Stacking Yard by 7.5 ha

The project for an amount of Rs4.2 billion will be executed over a period of 27 months and is expected to be completed around March 2017.

c) **Dredging Works Package**

The work comprises the dredging of the Navigational Channel to 16.5 m below chart datum and associated land reclamation of about 35 ha at Fort William and 4 ha at Fort George.

Proposals for prequalification were received at the CPB from four potential contractors and following assessment, three contractors were shortlisted. The shortlisted contractors submitted their bids at the Central Procurement Board. The bid prices received exceeded the estimated cost by more than 80% and the bidders exercise has been cancelled. New bidding exercise has now been launched with a view of completing the works by end 2016.

Expression of interest from nine potential contractors have been received by the Central Procurement Board and are presently being evaluated.

The whole project, i.e. the three packages detailed above, is expected to cost around Rs5.7 billion. Following commissioning of the project, the capacity of the terminal would increase from 530,000 TEUs to 750,000 TEUs and two large vessels of about 9,000 TEUs capacity will be able to be accommodated at berth at any one time without any restriction.

As regards part (a) (iii), the MPA commissioned the cruise jetty at Les Salines in January 2010 with a view to further improve the reception facilities at Port Louis. MPA is proceeding with the construction of a cruise terminal building.

MPA will proceed with the appointment of a consultancy firm by end of October 2015 and it is intended to complete the construction of the building by end 2017.

As regards part (a) (iv) of the question, I wish to inform the House that Cargo Handling Corporation Ltd (CHCL) has five ship to Shore Cranes (Portiques).

Three of these are more than 15 years old and CHCL was having problems in the maintenance of those cranes and same was affecting the overall productivity.

Following an assessment of the three Hanjung Ship to Shore Cranes, the CHCL Board of Directors approved the repairs and refurbishment works for these on 25 January 2012.

Messrs MGM-OMG were appointed as Consultants following a restrictive bidding.

Following specifications prepared by MGM-OMG, bids were invited through International Open Advertised Bidding under the aegis of the CPB and the Bid Evaluation Committee recommended that the contract be awarded to Messrs Aliani Project SRL - Tecnomontaggi Division at the cost of Rs160,887, 000.

On site works started on 15 August 2014 and was completed on September 2015.

As regards part (a) (v), of the question, the development of the Island Container Terminal comprise of construction of breakwater, dredging of the navigational channel, land reclamation, construction of Access Bridge, berths and container stacking yard.

However, given its exposed condition and its proximity to the Terre Rouge River Estuary (a Ramsar site) and the Baie du Tombeau residential area, a detailed technical and economic study is necessary.

MPA is proceeding with the techno-economic Feasibility Study. The African Development Bank is funding the study through a grant. Expression of Interest for the selection of potential consultancy firms has been launched. Proposals have been received from 45 firms which are being evaluated by the MPA. Shortlisted consultants will subsequently be invited to submit their proposal. It is planned to complete the study by mid 2017.

Madam Speaker, as regards part (b) of the question, I wish to apprise the House that no strategic partner has so far been selected for the CHCL Ltd. The House may note that the issue of appointing a strategic partner for CHCL has been on the table since 2001, with a view to increasing productivity and efficiency of cargo handling facilities at Port Louis harbour. The project was at that time put on hold to enable CHCL Ltd. to attain financial stability. A second initiative was started in 2005 with the objective to develop Port Louis Harbour into a major transshipment hub to enable the capture of substantial traffic in the region. However, the exercise undertaken between 2007 to 2009 by the Consultant IFC to select an appropriate bidder proved to be inconclusive. In fact, following a selection exercise only one bid was received and assessed as non-responsive and therefore non-compliant.

A fresh attempt is now being made to explore avenues to give a new boost to the activities of the CHCL Ltd. In this context, a collaboration with DP World of Dubai is being examined.

This Project consists of, *inter alia* -

- (i) development and operation of a Freeport, logistics park and other Port related activities;
- (ii) development and investment in new and state-of-the-art port infrastructure in Mauritius and transformation of Port-Louis into a major logistics and maritime hub;
- (iii) expansion and operation of current and future cargo handling capacities in Mauritius and Rodrigues based on market demand;
- (iv) promotion and marketing of Mauritius as a platform for Port related and maritime activities in the Indian Ocean Region, and
- (v) provision of a wide variety of new maritime and Port related services.

We are of the view that there could be substantial benefits to be derived from such a collaboration in consideration of the fact that DP World is one of the largest marine terminal operators in the world, and has a portfolio of more than 65 marine terminals across six continents, including new developments in India, Africa, France, UK, Australia and the Middle East. DP World also owns the Jebel Ali Free Zone, one of the world's largest free zones which serves as a dynamic base for thousands of businesses from over 100 countries, sustaining over 135,000 jobs and attracting more than 20% of the United Arab Emirates' foreign direct investment. Over 80% of the shares of DP World are indirectly owned by the Government of Dubai, with the remainder of the company's shares listed on the Nasdaq Dubai stock exchange.

The Container Terminals operated by DP World in Dubai handled a container throughput of 15.2M containers in 2014 and Dubai was ranked 9<sup>th</sup> worldwide in Container Port ranking. Worldwide DP World is the 4<sup>th</sup> largest Port Operator and handled some 70M containers in 2014.

So far, the project has progressed as follows -

In early June 2015, the Sultan Ahmed Bin Sulayen, Chairman of DP World, together with a team of technical experts, effected a visit to Mauritius and had meetings with the Prime Minister, the Minister of Finance and Economic Development, the Minister of Housing and Lands and myself to elaborate on the avenues of operations between the two parties. Meetings were also held with Government Officials.

Subsequently, in September 2015 a technical team from DP World carried out a prospection visit in Mauritius to discuss with stakeholders and to collect information. Working sessions were held with MPA and CHCL Ltd. The delegation also visited the Mauritius Container Terminal and the proposed logistics park.

From information received from the Ministry of Finance and Economic Development, the delegations also had meetings during their visit with the following stakeholders -

- (i) Board of Investment;
- (ii) Ministry of Fisheries;
- (iii) Enterprise Mauritius;
- (iv) Chamber of Commerce and Industry;
- (v) Joint Economic Council;
- (vi) MEXA;
- (vii) State Development Company Ltd (SLDC).

A business plan is expected from DP World in November 2015.

Madam Speaker, at this juncture, the project is still at discussion stage.

**Mr Bérenger:** Madam Speaker, if I can start with the Master Plan, the new version thereof is being prepared, from what we have heard. I understand that they called for proposals, that the tender for carrying out the new Master Plan, the tender was issued on March 2014. It is a long time back. The terms of reference must have been put out then. In the meantime, especially the hon. Minister of Finance and Economic Development has been talking about developing the whole of the harbour from Pointe aux Sables all the way to Baie du Tombeau. Obviously, that cannot have been included in the terms of reference of the Port Master Plan. So, can I know whether the terms of reference are being updated/completed in

view of this new vision of this whole area, from Pointe-aux-Sables to Baie du Tombeau, as being the new Port Louis Harbour area?

**The Ag. Prime Minister:** Madam Speaker, as I understand, the terms of reference for the Master Plan are quite vast, including traffic forecast, use of land, potential for economic development, etc. I am not aware that it needs to be changed. What I can say is that all the projects that had been submitted to MPA have been given to the consultants, and they are also having discussions directly with these promoters to see how viable these projects are and how they can be incorporated in the Master Plan if they need to be incorporated in the plan.

**Mr Bérenger:** Madam Speaker, as far as the extension of the berths at the Mauritius Container Terminal is concerned, I listened, of course, carefully to the hon. Ag. Prime Minister, and the impression that he gave was that everything is going fine. There is no problem at all. My information is not to that effect. My information is that the project has met with very serious problems to the extent that works had to stop at a moment. Can we be enlightened on that?

**The Ag. Prime Minister:** I am aware, Madam Speaker, that there is delay of some two months in the completion of the project. I am not aware whether the works have stopped, but I am aware that there is some delay.

**Mr Bérenger:** Delay is delay! My information is that there are big problems, that is, as the works have progressed, the piling and so on has been done – something like Bagatelle Dam saga – it has been found that very serious problems have been met with. The Ag. Prime Minister said that he is not aware that works have stopped. My information is that the works have stopped and that there are very serious problems. I would like to be reassured that we are not heading for another Bagatelle Dam saga.

**The Ag. Prime Minister:** Madam Speaker, the note I have from my colleague is that works have not stopped and that, as I mentioned, there are some technical problems. Works have not stopped. There is a two-month delay, but everything else is going to plan.

**Mr Bérenger:** My question, Madam Speaker, is whether works had stopped. I did not ask whether works have stopped at present. My question was whether the situation is so serious that, in fact, works had stopped.



**The Ag. Prime Minister:** I am not aware. I am informed, Madam Speaker, that works had not stopped and have not stopped. I repeat, Madam Speaker; had not stopped.

**Mr Bérenger:** If I can move on, therefore, leaving the harbour as such to the Dubai Ports World issue or rather the strategic partnership. I listened again to the hon. Ag. Prime Minister and he said that no strategic partner has so far been chosen, but - if I heard him correctly- that a fresh attempt at finding a strategic partner is being carried out and this now involves Dubai Ports World, DP World as they are known. Can I know whether this aspect of DP World being taken on board by the Cargo Handling Corporation has been discussed with the recent delegation?

**The Ag. Prime Minister:** The recent delegation from DP World Ltd! Madam Speaker, there have been a number of discussions, as I mentioned, with various Ministries. We don't yet have a final or even a preliminary written proposal from DP World. The last team that was here was here to collect information and gather as much information as possible, to come up with a proposed business plan to submit to Government in November. It is at that point in time that DP World will have submitted something in writing as to exactly what it wants to do. At the moment, I doubt whether they know themselves what they want to do because they wanted to gather all the information and come up with a firm proposal.

**Mr Bérenger:** It would seem from what I have heard that the DP World delegation talked to the private sector, especially the Mauritius Chamber of Commerce and Industry and the Joint Economic Council. Can I know why they did not meet with the trade unions also?

**The Ag. Prime Minister:** Madam Speaker, I think we have to get it right, in sequence. At the moment, we have an idea, but we don't have a precise description of project proposal from DP World. That project proposal has not been approved by Government yet. So, it would be premature to go and talk to the unions. Let the proposal come, let it at least be analysed and assessed by Government and, if it looks likely to go ahead, that will be the time that all the stakeholders will be put on board. But I must say also that, at the preliminary discussions, the whole question of taking on board the labour force was discussed at length with the Sultan himself and the other members of the delegation and, obviously, it is clear that this issue is of paramount importance to the go-ahead of the project.

**Mr Bérenger:** The Minister in charge of Port Louis Harbour is the Ag. Prime Minister. Can I know whether Government as a whole has considered the security dimension of this whole project? I am sure the hon. Ag. Prime Minister is aware that, some years back, when DP World acquired P&O, as a result of that acquisition, they became owners of operations across all around the United States, from Miami to New York and so on, and that raised hell – if that is parliamentary – in the United States. And, in fact, the elected Members of Congress refused that, voted against that - quoting security reasons, terrorism reasons, and so on. As a result, DP World sold all its interests in the United States.

**The Ag. Prime Minister:** Madam Speaker, the USA may have its reasons for having acted that way, but I must say that DP World operates 65 terminals around the world, including Australia, Canada, Belgium and France. So, it is not something that is being sort of taken as an outcast. Secondly, Madam Speaker, we are talking about the Mauritius Container Terminal here. It is only part of the Port. The rest of the Port or the other terminals, including the general purpose terminals which will continue - at least, it seems at the moment – to be Government owned, continue as previously. So, we are not talking about the whole Port at the moment. We are talking part of the Port, which is the Mauritius Container Terminal, which handles amongst other things transshipment for the rest of the region.

**Mr Bérenger:** The hon. Ag. Prime Minister was out of the country when the team from DP World visited Mauritius a few days ago. They met the hon. Minister of Finance who made statements to the local Press. In fact, *'L'Express'* of last Friday quoted the Minister. He must have liaised with his colleague. Is he aware that, in that Press article which quotes the hon. Minister of Finance - more than a possibility - the probability of a strategic alliance with DP World is discussed and the hon. Minister even allows himself quite threatening words in the direction of trade unions? Has he had the opportunity of discussing that with his colleague?

**The Ag Prime Minister:** Madam Speaker, I have given the exact position as it stands. Obviously, as far as the unions are concerned, I myself raised this issue with the Sultan himself and he assured me that he has tremendous experience in taking on board unions and labour force all around the world. He told me himself that he was 100% confident to be able to come to a win-win situation with all the workers. Let us not forget, Madam Speaker, that, after all, we are talking about a much bigger Port. We are talking about far greater

employment, directly import activities and also in the hinterland so far as the Freeport is concerned. We are talking about hundreds of additional jobs in the Port that can only satisfy people working there and living in the vicinity and indeed all over Mauritius. We will have hundreds of jobs in the Port itself and thousands of jobs in the Freeport, if that develops as we expect. That is in addition to the other developments that are happening. For instance, we've discussed, I think, last week before, about the Chinese proposed project at Bain des Dames. So, all this is coming and offering great opportunities for everyone in the region to obtain well-remunerated and satisfying jobs.

**Mr Bérenger:** I will have a last one. We have been talking about...

**Madam Speaker:** Is that your last question, hon. Leader of the Opposition?

**Mr Bérenger:** Yes.

**Madam Speaker:** Because there are other Members who wish to intervene. Hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. The hon. Ag. Prime Minister has said - if I understand correctly - that there will be a report submitted with regard to the global plan and the proposals that DP World would like to make to the Government of Mauritius and there are no exact ideas to what exactly they would propose as yet. Now, in that context, he has also said that there would be thousands of jobs that would be created. So, could he tell us and how does he reconcile, therefore, not knowing exactly what the plan of DP World is, how exactly does he not know what the proposal would be? What exactly would be the thousands of jobs that would be created, in what category or for what type of workers, for men, for women, what age group, what would be those thousands of jobs that would be created?

*(Interruptions)*

**The Ag. Prime Minister:** Madam Speaker, we are talking about a project. I think everybody understands. We are talking about a project that has not been submitted in writing, but has been discussed. So, we are talking about what? We are talking about the transshipment hub, we are talking about the freeport and we are talking about developing cruise and other port related activities and, I must say, in order to look at it in a dispassionate way, we are dealing here with the fourth largest port operator in the world. It is not everyday

that you attract this sort of gold chip company, if I may say so, to Mauritius. We have mentioned that it operates in Australia, Belgium and all that - great countries. So, it is not everyday. So, we have to have also some leeway, give it some time and invest our own time in allowing DP World to come to finalise its project. At the same time, Madam Speaker, this has been going on since 2001, various means of trying to find a strategic partner, because as a huge potential with the development of Africa and with the thousands of ships that are coming this way. So, that is the situation. Obviously, as it stands, we are going to create 200/300 jobs with the port extension as it stands. Now, when we are talking about the freeport, if it comes online, and I have just mentioned in my reply, Madam Speaker, that in Dubai, there are 135,000 people working there. I don't know whether men, women – I hope not children – working there.

*(Interruptions)*

There are 135,000 people! So, we are talking about 325 acres of land for this project. So, we can just imagine that this is going to create thousands of jobs for Mauritians, hopefully, who will want to go and work there. Same, for the cruise, same for everything.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Thank you, Madam Speaker. The hon. Ag. Prime Minister informed the House that DP World has had various discussions with Ministries and the private sector. My question is: with regard to this new project, who will hold the majority of shareholding, will it be the Government or DP World?

**The Ag. Prime Minister:** Shareholding in what? So, this is the first thing. The project itself is of various parts. The shareholding has not yet been finalised at all. So, we do not know yet what are the financials, what is the investment. So, we wait for the business plan and we wait for the proposal of DP World and then we are open to discussions with Government.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** The hon. Ag. Prime Minister just mentioned that there have been many consultations, but the unions are the ones who know the ins and outs of the Port. Why is it that there has been no consultation with the unions? The more so that we know that the

project has been underlined and, as from this Friday, following the declaration made by the hon. Minister of Finance and Economic Development, there is much concern among the unions about their future.

**The Ag. Prime Minister:** I take this opportunity to reassure the House and reassure the workers at the Port that the whole idea of this project is to bring economic development and prosperity to the Port. That is the whole idea. And the first people to benefit from that will, obviously, be the workers. So that is the whole point of it. As far as the discussions are concerned, there have been discussions to help them work out the business plan. Once that is finalised, then it will come to the discussions with the unions. As you mentioned, any statement that is made, tends to create some uncertainty here and there.

Let us reduce the uncertainty because, at the moment, we don't have any final proposal or even a preliminary proposal in writing from DP World. So, it is premature to cause uncertainty or unrest in the Port based on that. Once we have this, it will be public. This is what we are talking about; the proposal will be put to the unions and, as I have mentioned, they have guaranteed that they have excellent experience in getting everybody on board.

**Madam Speaker:** Yes, hon. Leader of the Opposition, a last question!

**Mr Bérenger:** We have been discussing at length DP World and their eventual involvement in the Port Louis harbour. As we know, Madam Speaker, in August, the hon. Minister of Finance and Economic Development was in Singapore and from what we've read, had discussions with the Minister concerned, Minister of Transport, but also the port of Singapore authority. So, can I know which is which? What did we discuss with DP World, what did we discuss with the port of Singapore authority? How eventually is the port of Singapore authority to be involved in those developments?

**The Ag. Prime Minister:** Well, I have seen no reference in the papers, Madam Speaker, of the Singapore Ports Authority, but I'll reassure my colleague, I am not aware of what was discussed.

**Madam Speaker:** Time is over! Hon. Members, the Table has been advised that Parliamentary Question No. B/623 has been withdrawn. Hon. Dr. Sorefan!

## POLICE QUARTERS – LOCATION

(No. B/614) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Police Quarters, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the respective location thereof, indicating the number thereof which –

- (a) are presently
  - (i) occupied and
  - (ii) unoccupied
- (b) have been converted into offices, and
- (c) have been recommended for demolition, indicating the project earmarked for implementation on the site thereof, if any, in each case.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that there are 812 Police Quarters, including seven in Rodrigues.

As regards parts (a) and (b) of the question, I am tabling the information requested by the hon. Member.

As regards part (c) of the question, I wish to refer the hon. Member to PQ No. B/519 wherein I stated that 39 Police Quarters which are situated at Abercrombie, Vacoas, are vacant and in a bad state. As recommended by the Ministry of Public Infrastructure and Land Transport, they will be pulled down.

**Dr. Sorefan:** Madam Speaker, is the hon. Ag. Prime Minister aware that many unoccupied Police Quarters have been left in abandoned state and whether a survey will be carried out in order to implement new project on these lands?

**The Ag. Prime Minister:** Madam Speaker, I am submitting a full list and the hon. Member will see where, in fact, the Police consider that major renovation works are required, but I must say that there is no money in the current Budget for this and so we would have to wait for the next financial year.

**Dr. Sorefan:** Madam Speaker, since 2011, I asked a question and the same reply is going on for the next five years. With regard to a specific case, Police Quarters situated at Piton, will the hon. Ag. Prime Minister state if Government is envisaging to pull them down, being given the old age and bad state, and to construct a new modern Police Division for Headquarters on that land?

**Madam Speaker:** Hon. Member, this is a specific question!

*(Interruptions)*

Yes, but your question is of a general nature and this is a specific question for which I understand the Ag. Prime Minister does not have the information. Do you wish to reply?

**The Ag. Prime Minister:** I am submitting it, but I can read it for the hon. Member -

Piton (Lower Land): there are 9 Police Quarters, 5 are occupied and 4 have been converted into offices.

Piton (Upper Land): for the 11 Police Quarters, 4 are unoccupied and requiring major renovation works and 3 have been converted into an office.

I can submit this and the hon. Member can see.

**Madam Speaker:** Next Question, hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Parliamentary Question No. B/615, subject to correction of typographical error.

#### **DISTRICT COURTS – BAIL APPLICATIONS - HEARING**

**(No. B/615) Mr S. Rutnah (Third Member for Piton & Rivière du Rempart)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to bail, he will, for the benefit of the House, obtain from the Master and Registrar, information as to since when District Courts have ceased to hear applications submitted by provisionally charged accused for the granting thereof, indicating the –

(a) reasons therefor, and

(b) number of applications therefor heard by the Bail and Remand Court on a daily basis, since then.

**The Ag. Prime Minister:** Madam Speaker, in reply to part (a) of the question, I am informed by the Master and Registrar of the Supreme Court that the Bail and Remand Court first came into operation in the year 2000 under the Bail Act 1999 in order to allow easier access to justice to applicants under provisional charges and who are moving to be released on bail before their main cases are lodged.

I am also informed that the Bail and Remand Court, located at New Court House, Port Louis, has centralised all services in respect of bail and remand applications, inasmuch as Chambers of all legal professionals, the Office of the Director of Public Prosecutions, the Attorney General's Office, as well as Police Headquarters are all located in Port Louis.

Furthermore, video-conferencing facilities introduced since November 2000, have expedited bail hearings and resulted in improvement of security in all Courts since detainees no longer have to be taken from Remand Centres to Court and back. Such video-conferencing facilities are available at Beau Bassin Central and New Wing Prisons, Grand River North West Prison, Eastern High Security Prison and Women Prison.

Madam Speaker, the centralisation of all bail matters at the Bail and Remand Court has also reduced the risk of inconsistency in bail conditions, as used to be the case in the past when such matters were being dealt with by different Courts across the island.

I am informed that as far as practicable, bail applications are fixed for hearing within a week of the motion being made depending on the calendar of the Court. In order to meet the heavy workload at the Bail and Remand Court, the service is provided during weekends and public holidays since 2012, and there is more than one Magistrate sitting thereat. In most cases, Rulings are delivered on the same day. This was not the case when all bail applications under provisional charges were entertained by District Courts across the island.

I am informed by the Master and Registrar of the Supreme Court that District Courts have not formally ceased to hear bail applications and therefore still retain their jurisdiction in such matters, although the Bail and Remand Court now hears most matters pertaining to bail.

Madam Speaker, I understand that there have been complaints from certain quarters relating to the delay in the hearings. However, this is a matter which falls under the Judiciary. If need be, once the Judiciary has adequate infrastructural facilities across the island, to accommodate all Court personnel including Magistrates, it may consider the possibility of having more than one Bail and Remand Courtroom. In the meantime, the Attorney General will initiate discussions so as to bring further improvements, as approved by the Judiciary.

Madam Speaker, in regard to part (b) of the question, I am informed by the Master and Registrar that an average of 12 to 14 bail applications are dealt with on a daily basis by the Bail and Remand Court.

**Mr Rutnah:** Is the hon. Ag. Prime Minister aware that as a result of a circular that has been sent to District Courts, Magistrates tend not to hear any bail hearing at all in any



District Courts in Mauritius and this is contrary to the very spirit and intendment of Section 3 and Section 5 of the Constitution that deal with the liberty of citizens of this country?

**The Ag. Prime Minister:** Madam Speaker, I am aware that there is a Ministerial decision for District Courts not to hear bail applications; as for the rest, Madam Speaker, whatever is the situation.

**Mr Ramful:** Madam Speaker, given that we are dealing with the right of liberty of the individual, for the time being, at present, we have only one courtroom and one Magistrate sitting at a time to hear various bail applications. Now, would the Ag. Prime Minister consider the possibility of having, at least, two or three courtrooms for hearing bail applications?

**The Ag. Prime Minister:** Absolutely, Madam Speaker, we are, obviously, as a Government, concerned with civil liberties and the right to freedom as anybody else and the Attorney General has begun discussions with the Judiciary in order to have at least two courtrooms available.

**Mr Ganoo:** My question will have been on the same line, Madam Speaker. Although much progress has been made as regards the release of prisoners and detainees since the setting-up of this Court, yet, there are many complaints from Barristers in view of the backlog of cases since there is only one Court sitting and there are two Magistrates for the BRC, but, I think, in view of the logistics prevailing at the moment, lack of infrastructure and so on, may I appeal to the hon. Ag. Prime Minister to use his good offices so that the two Magistrates might sit at two different Courts at the same time at the new Court House?

**The Ag. Prime Minister:** Madam Speaker, the Attorney General has agreed to look into the matter without hampering in any way the independence of the Judiciary.

**Mr Rutnah:** Can the hon. Ag. Prime Minister, as a result of what we know about the bail situation, use his best endeavour to actually get rid of the whole system of provisional charge so that this matter comes into control?

**The Ag. Prime Minister:** This does not arise from this question, Madam.

**Madam Speaker:** Next question, hon. Jhugroo!

**PMO - PROFESSOR A. S. – SERVICES**

(No. B/616) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Professor A. S., he will state the capacity in which Government retained the services thereof over the period July 2005 to December 2014, indicating in each case the –

- (a) amount of fees/salaries and allowances paid out thereto, and
- (b) number of visits he effected to Mauritius in connection therewith, further indicating -
  - (i) the dates thereof;
  - (ii) the purposes therefor;
  - (iii) the expenditure incurred in terms of air tickets, accommodation and other facilities, if any, and
  - (iv) if Government car facilities had been provided thereto.

**The Ag. Prime Minister:** Madam Speaker, Professor A. S. was employed on contract at the Prime Minister's Office as part-time Senior Adviser on Economic Matters. He was, in fact, employed with effect from 16 March 2006 on a one year contract which was successively renewed. His duty, according to his contract, was to advise the then Prime Minister on Strategic International and Economic issues. He resigned on 14 December 2014.

As regards part (a) of the question, Professor A. S. was being paid a fee of 16,000 pound sterling per annum for his services, payable in two equal instalments. The total fees paid to him for the period March 2006 to November 2014 amounted to 142,667 pound sterling. Professor A. S. was also provided with air tickets and accommodation for a maximum of three visits to Mauritius per year, including tickets and accommodation for his spouse and his three children for one trip only.

In regard to part (b) of the question, I am informed by the Passport and Immigration Office that as from 16 March 2006 to 14 November 2014, Professor A. S. has, in all, effected 44 visits to Mauritius. The expenditure incurred by Government on air tickets ...

*(Interruptions)*

The expenditure incurred by Government on air tickets and accommodation were as follows -

Air tickets : Rs4,144,634

Accommodation : Rs1,128,825

I am not in a position to provide information on the expenses on air tickets for the years 2006 and 2007 and on accommodation for the years 2006 and 2011, as I am informed that such records are not available at the Private Office of the Prime Minister's Office.

A chauffeur-driven car was also put at the disposal of Professor A. S. during each of his visits to Mauritius.

Madam Speaker, I am tabling the information available in regard to expenditure incurred in terms of fees, air tickets and accommodation, together with the dates of the visits of Professor A. S.

**Mr Jhugroo:** Will the hon. Ag. Prime Minister inform the House on what criteria the former Prime Minister has selected Professor A. S. to serve as his personal Economic Adviser, a foreign Economist paying fat foreign currency when he had so many local Economic Advisers like Dr. Rama Sithanen, Mr Rajiv Servansingh and Mr Rajah Ramdaursing.

**Madam Speaker:** Please, don't mention names!

*(Interruptions)*

**The Ag. Prime Minister:** The then Prime Minister never discussed the matter with me, Madam Speaker.

**Mr Jhugroo:** Will the hon. Ag. Prime Minister state whether in addition to payment of a *gros pactole* from Government funds, Professor A. S. was also paid fees and allowances by State-related enterprises like SBM where he was paid Rs110,000 daily ...

**Madam Speaker:** Don't provide information, hon. Member; you should ask for information.

**Mr Jhugroo:** ...for each sitting and free air tickets from Air Mauritius and enjoyed privileges like travelling to India and Myanmar at the invitation of the former Chairman of SBM.

**Madam Speaker:** Hon. Member, just to draw your attention, allow the hon. Ag. Prime Minister to reply!

**The Ag. Prime Minister:** What I can confirm, Madam Speaker, is that he was a member of the Board of the State Bank of Mauritius; I don't have details of his remuneration.

**Mr Jhugroo:** Will the hon. Ag. Prime Minister inform the House whether at the invitation of the former Prime Minister, Professor A. S. was also paid first class ticket on Emirates with a stipend of 2,000 pound sterling which comes around Rs110,000 per day for holidays at Le Paradis Hotel in Le Morne with one of his girlfriends Ms D.M.

*(Interruptions)*

**Madam Speaker:** Okay. Hon. Jhugroo!

*(Interruptions)*

**Mr Jhugroo:** ...twice a year by the SBM.

**Madam Speaker:** Hon. Jhugroo, please! Ask your question!

**The Ag. Prime Minister:** I am not aware of that particular episode.

*(Interruptions)*

**Madam Speaker:** Last question on this, hon. Jhugroo!

**Mr Jhugroo:** Will the hon. Ag. Prime Minister inform the House whether Professor A. S. had submitted any report or recommendation to the Government on the Budget or economic issues like hoarding foreign currencies in unused notes in private safes kept at home?

*(Interruptions)*

**The Ag. Prime Minister:** On a serious note, Madam Speaker, we have not been able to trace any written reports by Professor A. S.

**Madam Speaker:** Yes, one last question!

**Mr Mohamed:** Madam Speaker, I thank you for that. Since the hon. Chief Whip has rightly put very interesting questions about the specific period of time and he is talking about public funds as though there was such a crime that has been committed, could the hon. Ag. Prime Minister just confirm that, at that time in question, those responsible for the finances of the country happen to be himself and hon. Jugnauth?

**The Ag. Prime Minister:** Madam Speaker, my friend was Minister of Labour for some time.

*(Interruptions)*

And he ought to know that a budget is allocated for each Ministry at the beginning of the year, a global budget which is item-wise, including consultants, and that the Ministry of Finance and Economic Development does not intervene in every cent that is spent. I am surprised that the hon. Member does not know that.

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo, next question!

### **PRIME MINISTER (FORMER) - FOREIGN CURRENCY - SEIZURE**

**(No. B/617) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the foreign currency notes seized at the residence of the former Prime Minister, in February 2015, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the inquiry carried out thereinto has revealed the sources thereof and, if not, why not.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that the investigation in the case of foreign currency notes seized at the residence of the former Prime Minister in February last is ongoing, and the sources thereof are yet to be established.

**Mr Jhugroo:** Can the hon. Ag. Prime Minister confirm whether the US Dollar currency notes seized were crispy, consecutively numbered, brand new ones and had never been in circulation within the monetary system?

**The Ag. Prime Minister:** Madam Speaker, this is a Police enquiry. I don't have any information.

**Madam Speaker:** Yes, hon. Jhugroo!

**Mr Jhugroo:** Can the hon. Ag. Prime Minister say whether he has any information about how the new dollar notes which were apparently sent from the US to Europe have landed in the safe of the former Prime Minister in Riverwalk, Vacoas?

*(Interruptions)*

**The Ag. Prime Minister:** Again, Madam Speaker, I am not aware.

**Madam Speaker:** Last question!

**Mr Jhugroo:** Can the hon. Ag. Prime Minister confirm whether these US Dollar notes have been declared to Customs when they were physically brought to Mauritius?

**The Ag. Prime Minister:** I pass again, Madam Speaker.

**Madam Speaker:** Next question, hon. Ramano!

#### **QUATRE BORNES - PROSTITUTION - ARRESTS**

(No. B/618) **Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Quatre Bornes, in the vicinity of the St Jean Road, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of arrests effected thereat in connection with prostitution related offences since January 2015 to date, indicating the additional measures, if any, that will be taken to curb the proliferation thereof.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that from January to 01 October 2015, three cases of prostitution related offences have been established by the Police in the vicinity of St Jean Road, and three persons have been arrested. Two of them have been fined and the third one is awaiting Court decision.

I am further informed by the Commissioner of Police that with a view to preventing and detecting offences related to prostitution in that region adequate measures are already in place. These are as follows -

- crack down and /or joint operations with the assistance of the Special Support Unit and the Special Mobile Force;
- regular patrols;
- making use of the 39 CCTV cameras which are operational in the region of Quatre Bornes - which I installed myself, and
- developing intelligence for targeted operations.

The Police has now intensified control by effecting more patrols.

Moreover, the Police regularly conducts sensitisation programmes for the public, more particularly the youth, with the support of the Police Crime Prevention Unit, the Police

Family Protection Unit and the *Brigade pour la Protection des Mineurs*, on the different types of sexual offences, including prostitution. I am informed that as from January to 01 October 2015, 2,325 persons in the region which includes Quatre Bornes and Sodnac have been sensitised by the Police.

Madam Speaker, I am also informed by the Ministry of Gender Equality, Child Development and Family Welfare that officers of the Ministry are called upon to attend to cases related to prostitution in its six Family Support Bureaux across the country, to provide appropriate psychological counselling and legal advice.

**Madam Speaker:** Hon. Ramano!

**Mr Ramano:** Madame la présidente, le problème de la prostitution est flagrant dans cette région qui est à quelques mètres de la station de police. Est-ce que le ministre, qui est aussi le député, est d'accord pour vérifier s'il existe un sentiment de complaisance de la part de certains policiers face à ce problème de prostitution sur la route royale de St. Jean?

**The Ag. Prime Minister:** I am not able to obviously comment on *complaisance*, but I must say, looking at the figures submitted by the Police Department, that the number of crackdown operations which were, for instance, 37 in 2012, 21 in 2013, have been reduced to four in 2014 and three up to now in 2015. Same sort of trend, Madam Speaker, as far as arrests are concerned, so, there is a point and I will raise that with the Commissioner of Police.

**Madam Speaker:** Hon. Ramano!

**Mr Ramano:** La presse de ce matin fait mention de l'arrestation de quelques personnes relatives à ce problème de prostitution dans le Morcellement St. Jean, plus précisément à l'Avenue Trianon. Est-ce que le ministre peut confirmer que parmi ceux arrêtés il y a aussi des policiers ou ex-policiers, ce qui explique cette impression de complaisance des habitants de Quatre Bornes vis-à-vis des policiers?

**The Ag. Prime Minister:** I will raise the matter with the Commissioner of Police, Madam Speaker.

**Madam Speaker:** Hon. Dr. Sorefan!

**Dr. Sorefan:** Thank you, Madam Speaker. The hon. Ag. Prime Minister mentioned CCTV camera. Is he aware that most of them are not functional because I heard it from the Police Officers' mouth? They are not functional in the region where I work.

**The Ag. Prime Minister:** Madam Speaker, the CCTV cameras were installed some time ago. I am not aware that they are not working. If the hon. Member informs me so, I will check and see what is the problem.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can the hon. Ag. Prime Minister - especially as he is the MP for the area - give a reason to the House why Quatre Bornes is the most preferred town for these sex workers?

**The Ag. Prime Minister:** Because it is by far the best town in Mauritius, Madam Speaker, that is why. But, as I mentioned quite seriously - it has the best MPs also - Madam Speaker, it is apparent, and I thank the hon. Member for the question, that the amount of crackdown operations - maybe since the closure of Ti Vegas the matter has dropped down in terms of priority, but I will raise that - is far less than it used to be and so are the number of arrests. So, I will raise it quite seriously with the Commissioner of Police.

**Madam Speaker:** Next question, hon. Baloomoody!

#### **INDEPENDENT POLICE COMPLAINTS COMMISSION - SETTING UP**

**(No. B/619) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the proposed setting up of an Independent Police Complaints Commission, as mentioned in the Presidential Address on the Government Programme, he will state where matters stand.

**The Ag. Prime Minister:** Madam Speaker, I am informed that on 11 June 2015, drafting instructions were given to the Attorney General's Office to review the existing legislations with a view to converting the Police Complaints Division of the National Human Rights Commission into a full-fledged Independent Police Complaints Commission.

As already enunciated in the Government Programme 2015–2019 and the Budget Speech 2015, the Independent Police Complaints Commission will be presided by a former Judge of the Supreme Court.



The Commission will be a body corporate separate from the National Human Rights Commission, and no serving Police Officer will form part of the Independent Police Complaints Commission.

Madam Speaker, I am also informed that the preparation of the relevant Bill is in progress and it is intended to introduce same in the House in the near future.

**Madam Speaker:** Next question, hon. Ameer Meea!

### **ROAD ACCIDENTS - HIT & RUN CASES**

**(No. B/620) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to road accidents, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of hit and run over the past two years, indicating -

- (a) the number thereof in respect of which the vehicle drivers/cyclists have not been identified as at to date, and
- (b) if consideration will be given for a toughening of the penalties in relation thereto.

**The Ag. Prime Minister:** Madam Speaker, in regard to road accidents, I am informed by the Commissioner of Police that since 01 January 2013 to 30 September 2015, 294 hit and run cases causing injury or death were reported to the Police, as follows -

- 109 cases, including four causing death, in the year 2014;
- 111 cases, including eight causing death, this year as at 30 September.

In regard to part (a) of the question, in-depth enquiries have been carried out in all cases, but in 195 cases the drivers/cyclists involved in the accidents have remained unidentified. However, these cases have not been closed definitely and any new clues may enable the Police to investigate further into these cases with a view to tracing out the drivers.

Madam Speaker, with a view to reducing road traffic violations which are closely linked to the number of road accidents and casualties, the Police has taken the following additional measures to increase its visibility on the roads -

- (i) deployment of more riders of the Traffic Branch on the motorways and major roads across the country to deter such violations, and

- (ii) more frequent targeted operations are carried out during weekends in regions where there are high level of nightlife activities.

Furthermore, new measures being envisaged by the Ministry of Public Infrastructure and Land Transport, and which will include, where necessary, legal amendments, are as follows -

- (i) the time delay to report an accident is being reduced from four hours to two hours;
- (ii) in certain instances of reckless driving, the offence might be qualified as motor manslaughter;
- (iii) stiffening of the laws for hit and run, including provision for longer term of imprisonment;
- (iv) driving under the influence of intoxicating liquor and drugs to be categorized as an arrestable offence;
- (v) provisional suspension of licenses for serious violations;
- (vi) studies are being carried out to relocate speed cameras in dark spots, and to use modern technology to detect effectively zone-speeding over a certain distance;
- (vii) a focus on education of drivers and road users;
- (viii) a National Road Safety Strategy 2015-25 is being developed to reduce the rate of fatal and serious injury accidents, based on the United Nations Safe System approach, and
- (ix) establishment of a National Road Safety Commission chaired by the Prime Minister.

The Commission will address the following three issues -

- (a) infrastructure and state of roads;
- (b) state of vehicles, and
- (c) focus on education, discipline, enforcement of laws and punishment.

The Commission will also look into policy issues in relation to any review of penalties for road traffic offences.

Madam Speaker, in the 2014 budgetary measures, I had announced the establishment of the Insurance Industry Compensation Fund for, *inter alia*, the payment of compensation, subject to set criteria, to persons suffering from personal injury in traffic accidents where the tortfeasor or the vehicle which caused the injury is untraceable. The relevant Regulations have been worked out and are being finalised by the Ministry of Financial Services, Good Governance and Institutional Reforms.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Thank you, Madam Speaker. In many cases of hit and run, one of the problems is that the registration plates of vehicles are not clearly identified, that is, the registration plates are sometimes modified so that people or policemen cannot catch the registration plates. Therefore, my question to the Ag. Prime Minister is to ensure that the Police carry regular checks to ensure that plates of vehicles, especially modified ones, are being checked?

**The Ag. Prime Minister:** Madam Speaker, I am sure hon. Members of the House would have noted that the Police presence especially on weekends have been stepped up considerably and very seriously. During the Police checks, obviously, the licence of the driver is checked, insurance of the vehicle is checked and also the state of the driver, whether he has consumed alcohol or drugs is verified and if necessary, he is asked to use appropriate equipment. I will also raise this matter of the licence plates.

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** I have just heard that 195 cases where those guilty of hit and run offences have not been identified and daily we see - these days - cases of hit and run. We have been informed that the hon. Minister of Public Infrastructure with the State Law Office is actively preparing a law.

Can I insist that that law should also include people who take part in a cover-up, repairing the car *en catimini* and so on, that this should be taken care of as well?

**The Ag. Prime Minister:** Madam Speaker, we have noted the point.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** I heard the hon. Ag. Prime Minister saying that Government is preparing legislation to set up an authority or a fund in order to compensate the victims of hit and run accidents. Can I ask the hon. Ag. Prime Minister whether the Association of Motor Insurers has been taken on board and whether that authority will be funded only by State fund or will also the insurers contribute in that fund?

**The Ag. Prime Minister:** Madam Speaker, this dates back to my last Budget. In fact, yes, everybody has been taken on board and *il y a un barème* in terms of compensation and, as far as I remember, Madam Speaker, there is a contribution. If someone takes an insurance policy, there is a small contribution made to that fund as well as a seed fund paid by Government at the start.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** I raised the issue before. The hon. Ag. Prime Minister just mentioned that there are more riders on the road. It is true, we see more riders during the day, but at night apparently, my information is that they do not have a shift at night. Most of the hit and run cases occur at night. Can I ask the Ag. Prime Minister to ask the Commissioner of Police to review the scheme of duty of these riders?

**The Ag. Prime Minister:** Madam Speaker, I think this is a major national issue. I have raised the matter on many occasions with the Police and I only hope that they take on board Government's concern and this House's concern as to the seriousness, dynamism and energy that need to be put in terms of controlling; it is not an impossible task. It just needs energy and dynamism and the Commissioner of Police is well aware of the wishes of Government in that respect. The Minister of Public Infrastructure and myself, we have had many meetings and we can only hope that not only during the day - as we can see now more and more - but also right through the early hours of the morning that the Police are active and vigilant.

**Madam Speaker:** Time is over. Hon. Members, the Table has been advised that PQ B/642 in regard to all inclusive packages proposed to the tourists by tour operators addressed to the hon. Minister of Public Infrastructure and Land Transport will now be replied by the hon. Ag. Prime Minister, Minister of Tourism and External Communications. The Table has further been advised that PQ B/635 and B/650 have been withdrawn. Hon. Dr. Sorefan!

### **BAI LTD - SUPER CASH BACK GOLD - REFUND**

(No. B/624) **Dr R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the policy holders of the Super Cash Back Gold Plan of the former British American Insurance Co. (Mtius) Ltd., he will, for the benefit of the House, obtain from the National Property Fund Ltd., information as to-

- (a) the number thereof who have not yet been refunded, indicating where matters stand as to the policies which are assigned in favour of other financial institutions, and
- (b) when the debentures certificates will be issued.

**Mr Bhadain:** Madam Speaker, with regard to part (a) of the question, I am informed by the National Property Fund Ltd that, as at date, out of 14,590 policyholders concerned, 1,554 policyholders have not yet benefitted from a refund as follows –

- (i) 771 of these policyholders have taken loans from banks, financial institutions and other organisations and have pledged their insurance policies accordingly;
- (ii) 773 policyholders have either not registered with NPFL, have not submitted complete documentation or are the subject to further due diligence work being conducted by NPFL and the Special Administrator;
- (iii) 55 policyholders are companies which do not meet the eligibility criteria for repayment, and
- (iv) Five policyholders' properties are subject to a freezing order from the Supreme Court of Mauritius.

Madam Speaker, in respect of policies which have been assigned in favour of banks, financial institutions and other organisations, this category includes 1,023 policies out of 25,071 policies which are held by 771 policyholders. I am informed that the National Property Fund Ltd is having consultations with the relevant banks, financial institutions and other organisations which have granted loans to these policyholders who have pledged their Super Cash Back Gold Policies, with a view to finding an appropriate and acceptable solution for each case.

Madam Speaker, with regard to part (b) of the question, I am informed by the National Property Fund Ltd that a Press Communiqué will be issued in due course to inform the public of the dates on which the debentures certificates will be issued. Meanwhile, the Special Administrator and NPFL, National Insurance Company Limited, the Ministry of Finance and Economic Development and my Ministry are working on possible solutions to enable earlier redemption, so that the sufferings of the victims of the BAI Ponzi scheme are further alleviated.

**Dr. Sorefan:** Madam Speaker, the hon. Minister mentioned some 1,500 who have not been paid. Can the hon. Minister inform the House whether letters have been sent to each of them informing them of the status of their refund, why they have not been refunded, that is, on a personal basis rather than a communiqué?

**Mr Bhadain:** No, Madam Speaker, letters have not been sent individually to these policyholders, as far as I am aware, but I do know that many of these policyholders have either been in touch by phone or have actually turned up physically to the offices of NPFL. This issue is being looked at, as I have stated, and the Committee will soon find an answer to the problem.

**Mr Mohamed:** Madam Speaker, could the hon. Minister confirm - according to information that I hold and has been circulating around in Mauritius until recently - that all the policyholders of the former British American Insurance Company (Mauritius) Limited were made to sign a document before the entering into play of the National Insurance Company? In that document, there are two paragraphs where all the advantages and all the benefits of the policy are literally transferred to the National Property Fund Ltd. One of the paragraphs of that document which all policyholders were made to sign, failing which they would not be allowed to receive any money, reads that –

“From the effective date, the policyholders and beneficiaries shall have no further rights against and obligations under the policy. Whenever and whoever arising, all of which shall vest with the National Property Fund Ltd. and the policyholders and beneficiaries shall accordingly be released from obligations - and worst - shall cease to enjoy any rights under that policy.”

Is it the case that, as it stands, in order to go through the operation, which the hon. Minister describes as having had to be done, today, as we speak, in view of all the forms that those people have been made to sign, they cease to hold any rights thereupon and their

beneficiaries also have no rights whatsoever? Because they were made to give all those rights to the National Property Fund, as clearly stipulated in that document which they were made to sign.

**Mr Bhadain:** Madam Speaker, it is perfectly normal that when Government decides to repay the victims of the fraud, whose money has been stolen, when they come and claim the amount which Government has decided to repay in the light of the financial crisis or social crisis which could unfold, this person has to surrender the policy. It is very normal. In this case, it is like a thief going into somebody's house, stealing the money and the person asking the Government to refund the money and, when Government is refunding the money, then you want to keep the loot as well.

**Dr. Sorefan:** Madam Speaker, regarding debentures, as the hon. Minister is aware, I am sure, we have many Mauritians abroad who have their money in this Super Cash Back Gold. Can the hon. Minister consider that those people who are abroad be informed on a personal basis? Because they do not get real access to communicate that the Minister is contemplating to go through it.

**Mr Bhadain:** I believe, Madam Speaker, that the NPFL has also issued the communiqué on the worldwide net, on the internet, and this is one way, probably, for people who are not in Mauritius to be informed of these issues. I am sure, Madam Speaker, that the NPFL is doing their utmost best to get all these people having their money back because we understand how they have been suffering out of this fraud.

**Mr Ameer Meea:** Madam Speaker, the hon. Minister just informed us that there are about 700 or so policies that have not been returned because they were pledged by financial institutions. My question is why is it that, with regard to the new debentures that are being issued, these people cannot pledge these debentures in turn to financial institutions.

**Mr Bhadain:** There are two aspects to this, Madam Speaker. Firstly, in terms of people who have pledged their insurance policies with banks and financial institutions. What these people have, in fact, done, is that when they put their money into that insurance policy, they took that policy and went to the bank saying: "Can I have a loan out of this?" So, they got money and then they went and spent the money invested and they repaid on a monthly basis. When they are coming back to Government after what has happened with Super Cash Back Gold and are saying: "Give us our policy money back", the issue is whether this has to be repaid to the bank or it has to be repaid to the person or whether part of the loan has been

repaid and partly the insurance policy has got some value left, for which that person has to be repaid. So, this is the exercise which NPFL is currently doing and it is taking the time that it is taking now. Now, with respect to debentures, I have stated before that we are trying to find solutions to even have an early redemption system, so that we can repay people even before the five years that we have said that the debentures would be redeemable at zero coupon for five years, 20% each year. We are trying to find those solutions, and we want the BAI problem to go away as much as anybody else.

**Madam Speaker:** Hon. Dr. Joomaye, last question on this!

**Dr. Joomaye:** Thank you, Madam Speaker. I would like to ask the hon. Minister whether, for policyholders pledge in favour of the ex-Bramer Bank, these would be considered for refund at this moment.

**Mr Bhadain:** Again, it is the same situation. What BAI has done is that they have taken the money and given the policies and then they told the people: “Go to Bramer Bank and you’ll have the money back via a loan.” So, now, we have to look at the loan and look at the insurance. Then, there are issues regarding interests. Of course, there will be an offset procedure, I believe, but I leave that in the capable hands of NPFL.

#### **PORT LOUIS – ROAD DECONGESTION PROGRAMME**

(No. B/625) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the city of Port Louis, he will state if a decongestion plan has been developed therefor and, if so, give details thereof.

**Mr Bodha:** Madam Speaker, as Members of the House are aware, Government will embark on a vast Road Decongestion Programme as from July 2016. Some of the components of the programme will address the problem of congestion in Port Louis given that there will be multiple entrances into Port Louis as follows –

- a tunnel at the level of Volcy Pougnet in line with Ring Road Phase 2 and 3;
- an entrance into Port Louis at De Caen through a Grade Separator, and
- a review of the bus stations at Victoria Square and Immigration Square.

Moreover, the Road Decongestion Programme for the City of Port Louis will comprise several other components, namely –

the Traffic Management Scheme;



the relocation of hawkers;

the relocation of the administrative centre;

the delocalisation of public offices to Highlands City, and

the conversion of certain streets in the City centre into pedestrian ones.

The implementation of these projects will reduce significantly the volume of traffic in Port Louis and thereby impacting on the congestion.

**Dr. Sorefan:** May we know from the hon. Minister what is the role of Mr Gaëtan Siew in this Port Louis roads redevelopment?

**Mr Bodha:** This is the Road Decongestion Programme. From what I understand, Mr Gaëtan Siew is working on the project of Port Louis 2030, which includes the whole Master Plan with the Port area. We are interested, in fact, with the traffic component of this 2030 plan.

**Dr. Sorefan:** In a news article, there is mention that there will be connection of the Caudan Flyover through Deschartes Street to A1, next to Line Barracks. Can we know from the hon. Minister whether ...

**Mr Bodha:** The most important thing, Madam Speaker, is that about 10,000 cars enter Port Louis at the Port area in front of the Government House. So, from the traffic point of view, what we are trying to do is that the traffic coming from the South enter Port Louis further up, that is, at the level of Caudan and De Caen and the traffic coming from the North would enter Port Louis at the level of Immigration Square, thereby the traffic would be fluid at the level of the Port.

#### **GOVERNMENT OFFICE MANAGEMENT UNIT - SETTING UP**

**(No. B/626) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed setting up of a General Office Management Unit, he will state where matters stand.

**Mr Bodha:** Madam Speaker, with a view to rationalising the use of office space for public services, Government decided then to set up the Government Office Management Unit under the aegis of my Ministry.

The functions of the Government Office Management Unit are as follows -

- (i) To formulate policies and strategies regarding office accommodation for both owned and leased buildings;
- (ii) To develop and issue guidelines in respect of space requirements for various grades of officers;
- (iii) To issue a standard lease agreement containing standard compulsory clauses together with provisions for optional clauses;
- (iv) To formulate norms and standards of office buildings;
- (v) To give final approval for the leasing of office accommodation;
- (vi) To build up and maintain a database containing relevant details of all rented and owned buildings by Government;
- (vii) To build up and maintain a database of all potential landlords willing to lease their buildings to Government, and
- (viii) To deal with all requests relating to office accommodation received from Ministries and Departments.

Madam Speaker, several meetings were held with different stakeholders in order to decide on the appropriate structure and other requirements to this Unit to become operational. However, this Unit could not be set up as the staffing and other resource requirements were not provided to the Ministry.

In spite of the above, Madam Speaker, my Ministry is already carrying out some of the functions of the Government Office Management Unit. For instance -

- (i) a Model Lease Agreement has been developed in consultation with the State Law Office and incorporated in the Standard Bidding Documents for renting of office space issued by the Procurement Policy Office;
- (ii) the final approval for leasing of office space is given to by my Ministry after ascertaining that the building is structurally safe and sound and fit for renting;
- (iii) a software has been developed to build up and maintain a database of all rented and Government-owned buildings. The software is actually being finalised by the Central Information Systems Division, and
- (iv) dealing with all requests relating to office accommodation in rented buildings.

Madam Speaker, I am also informed that efforts were made to build up and maintain a database of all potential landlords willing to lease their buildings to Government. However, this did not materialise as there were poor response from the landlords.

Furthermore, my Ministry has also prepared draft guidelines on office accommodation on rental premises. Discussions thereon are being held with all stakeholders before their finalisation.

**Dr. Sorefan:** Madam Speaker, the hon. Minister has not replied - if I heard him right – as to when the Ministry is going to set up the General Office Management Unit. Is there a time frame?

**Mr Bodha:** From the answer I have given, Madam Speaker, in fact, the idea came in 2000. It was in 2004 that some of the Units purposes started to be implemented by my Ministry. In fact, the Unit does not exist as such. So, maybe in line with what is being done with the Highlands Administrative City, we can think of setting up such a Unit so that we can monitor all the issues relating to accommodation by Ministries and Departments.

**Dr. Sorefan:** Is the hon. Minister aware that the total expenditure incurred since 2010 is around Rs2.9 billion and which is likely to increase in the near future? What steps have been taken to minimise the rental, especially when in the city we pay about Rs380 m. for year 2014 to some 50 privately-owned buildings? And to my information, the decision was taken by the then Government to rent about 10 floors from the Citadel Mall located very near here. Is the hon. Minister aware if this is true and what action will be taken by this Government?

**Mr Bodha:** The figures given by the hon. Member are correct. In fact, we are spending around Rs600 m. on rent payment for office buildings in Port Louis and elsewhere. I think the answer to all this is the Highlands Administrative City.

#### **UNITED ARAB EMIRATES – VISA ENTRY**

**(No. B/627) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the United Arab Emirates, he will state where matters stand as to the talks engaged with the Government thereof to exempt the Mauritian nationals from the requirement of a visa entry therefor, indicating if they have -

- (a) been requested to reciprocate the visa exemption granted to their nationals when entering Mauritius, and
- (b) requested for an increase in the number of direct flights between our two countries.

**Mr Sinatambou:** Madam Speaker, I thank the hon. Member for his question and I am pleased, once again, to inform the House that Mauritius is one of the few countries in the world whose nationals do not require a visa prior to travelling to no less than 106 countries. However, it is to be noted that, out of those 106 countries, Mauritian nationals travel totally visa free to 81 countries and for the remaining 25 countries, visa is granted on arrival.

As regards part (a) of the question, I wish to confirm to the House that the United Arab Emirates Authorities have indeed been requested to reciprocate the visa exemption granted to their nationals entering Mauritius.

On 10 March 2015, while replying to Parliamentary Question No. B/182 from the First Member for Port Louis Maritime and Port Louis East, I actually informed the House that, in the context of his presence in Mauritius during our National Day Celebrations, I had met with the UAE Ambassador, H.E. Essa Abdullah Al Basha Al Nuaimi, and had raised the issue of visa exemption with him. I even impressed upon him for an early conclusion of the visa exemption agreement.

I can state to the House that on 17 February 2015, the Embassy of the UAE in Cairo informed our Embassy in Cairo that the draft Visa Exemption Agreement was still under consideration and that the competent authorities would inform us of any development in due course.

On 22 April of this year, our Mission in Cairo informed my Ministry that a reminder had been sent to the UAE Embassy in Cairo.

On 28 June 2015, our Embassy in Cairo informed my Ministry that another reminder dated 22 June 2015 had been sent to the UAE Authorities by our Mission.

On 06 July 2015, the Embassy of the UAE in Cairo informed our Embassy that the draft Visa Exemption Agreement is still under study, I quote, “*by the concerned authorities in the United Arab Emirates*” and that a reply will be provided in due course.

I wish to inform the House that at the beginning of this month I have personally written to H.E. Sheik Abdulla Bin Al Nahyan, Minister of Foreign Affairs of UAE, requesting him to expedite matters for an early conclusion of a reciprocal Visa Exemption Agreement.

As regards part (b) of the question, I did inform the House that Air Access Policy falls under the purview of the Prime Minister's Office and that Government is currently reviewing its national Air Access Policy. In that respect, the National Advisory Council has already set up a Task Force under the chairmanship of the Secretary to Cabinet and Head of the Civil Service which is looking into the whole matter.

**Mr Ameer Meea:** Madam Speaker, in reply to Parliamentary Question B/182, as the hon. Minister just stated, he mentioned that the draft visa exemption submitted to UAE dates back as far as 05 February 2014, where the exemption agreement has been submitted there. Since then, there have been so many reminders and the hon. Minister himself just stated to the House that he met the Ambassador in his Office on 09 March of this year, that is, more than six months have now been elapsed. Until now, we have not seen anything substantial from UAE.

My point is that the UAE, more specifically the Emirates Airline which is a hundred percent control Airline Company by the UAE, Mauritius there were only three flights per week.

**Madam Speaker:** What is the question of the hon. Member?

**Mr Ameer Meea:** My question is now we have more than three flights per day. One of the arguments is that we have given so many in terms of landing rights to the United Arab Emirates, if this can be used as an argument so that we can have our Mauritian national when going to Dubai being exempted for visa.

**Mr Sinatambou:** Madam Speaker, of course, all relevant points are being and will be taken with the authorities of the United Arab Emirates, but I think that the House ought to know that the citizens of the United Arab Emirates have been waived from any visa requirement since 1993. So, for the last 22 years, they have been coming here without visa. We have started and initiated some discussions. I think we should give enough time for matters to progress.

**Madam Speaker:** Yes. Hon. Shakeel Mohamed!

**Mr Mohamed:** It seems as though with regard to the Arab States, I mean, if I understand correctly, could the hon. Minister just confirm that ever since he has been in office, there have been at least five reminders, which is consistent and good work. At least we are reminding them. So, five reminders have gone and also with regard to Saudi Arabia,

another Arab country, a lot of reminders are going and nothing seems to be coming concrete, positive, structured, solutions are coming out apart from numerous reminders that keep on increasing. So, could he please tell us when would the reminders stop and when could we get reassured with positive results? It is clear that the reminders don't seem to be working. Maybe hon. Soodhun could help.

**Mr Sinatambou:** I am afraid the hon. Member is totally mistaken, Madam Speaker. Let me just remind the House that as regards Saudi Arabia we had a question about the opening of the Embassy and among the supplementary questions which arose is that the former Government, to which the gentleman belonged, actually wanted, did express in 2010 that they were going to open an Embassy, but they themselves three years later said that they would not open it. So, it is very easy to now come and speak about reminders and reminders and on the issue of Saudi Arabia...

*(Interruptions)*

I think the hon. Member should allow me to finish.

*(Interruptions)*

**Madam Speaker:** Hon. Mohamed, please! Allow him! You have asked your question. Allow him!

*(Interruptions)*

Would the hon. Member allow the hon. Minister to reply, please?

**Mr Sinatambou:** Yes, and I hope that the hon. Member will stop interrupting, Madam Speaker. Let us say again! The issue about Saudi Arabia which he has just raised is not an issue of reminder. Already, we have informed the House, last week, that a General Cooperation Agreement has been signed at the United Nations...

*(Interruptions)*

**Madam Speaker:** Hon. Dr. Sorefan! Next question!

*(Interruptions)*

**Mr Sinatambou:** I am not being allowed by the hon. Member to reply, Madam Speaker. Now, he just mentioned himself that we are speaking of reminders and he referred to last week's question on Saudi Arabia.

**Madam Speaker:** Indeed.

**Mr Sinatambou:** And I am just reminding the House that last week we did explain that there is indeed what I called a diplomatic itinerary. Now, I believe that this had to go through the General Framework Agreement on cooperation between Saudi Arabia and Mauritius which has been signed less than two weeks ago. Now, coming back...

*(Interruptions)*

Coming back to the United Arab Emirates...

*(Interruptions)*

Will he stop interrupting, Madam Speaker?

Coming back to the UAE, the reminders are three reminders in 10 months. For 22 years, they have done nothing. So, who are they to speak!

*(Interruptions)*

**Madam Speaker:** Hon. Dr. Sorefan!

*(Interruptions)*

Would you allow hon. Dr. Sorefan to ask his question, please!

**Dr. Sorefan:** Thank you, Madam Speaker. May we know from the hon. Minister whether he will confirm, as per newspaper article, that hon. Showkutally Soodhun will travel to Dubai in October to meet the Chairman and Chief Executive of Emirates Airline & Group, Sheikh Ahmed bin Saeed Al Maktoum to look into the abolition of visa for stay of less than 15 days? If this is so, there won't be a problem of reminders. Hon. Soodhun will do it.

*(Interruptions)*

**Mr Sinatambou:** I am not aware, Madam Speaker.

**Madam Speaker:** Hon. Ameer Meea! Last question!

**Mr Ameer Meea:** Yes. Madam Speaker, now that Emirates and UAE are dealing with this Government - we are talking now - Emirates has just requested Government to increase their flights for December and January. They already have three daily flights. They also requested to increase the number of flights. Now, we are talking of this Government, this can be put on hold until we, Mauritians, get visa exemption from Emirates.

**Mr Sinatambou:** I think we should start realising that we are not *le nombril du monde*.

**Madam Speaker:** I suspend the sitting for one and a half hours!

*At 1.07 p.m. the sitting was suspended.*

*On resuming at 2.43 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Hon. Members, the Table has been advised that PQ B/651, B/652 and B/653 have been withdrawn. Hon. Jhugroo!

### FACEBOOK SOCIAL MEDIA - FAKE PROFILES

**(No. B/628) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the facebook social media, he will state the measures that have been/will be initiated for the timely identification of the owners of fake profiles thereon in the light of the number of anonymous negative and communal and/or comments recently posted thereat and, if so, indicate where matters stand.

**Mr Bhadain:** Madam Speaker, in light of a number of anonymous harmful and racist comments recently posted on the Facebook social media, my Ministry has had working sessions with the ICT Authority (ICTA), the National Computer Board, the Computer Emergency Response Team of Mauritius (CERT-MU) and the Cybercrime Unit of the Police Force to look into ways and means to prevent misuse of social media that tends to propagate harmful and unlawful contents that could disrupt the social harmony of our country.

I am informed that procedures have been put in place for –

- (i) identification of the owner of the fake profiles and postings of harmful and racist comments, and



- (ii) prompt notification to CERT-MU for the removal of the harmful and racist comments.

My Ministry is, in consultation with the Attorney General's Office and the ICT Authority, in the process of making Regulations under the ICT Act, with a view to enhancing existing legal provisions on ways and means to tackle the curtailing of harmful and unlawful contents on the Internet and social networking websites in a comprehensive manner.

A committee has also been set up within my Ministry with the assistance of the SLO for Mauritius to seek Mutual Legal Assistance from the State of California, so that in cases where there are harmful and illegal contents on Facebook in Mauritius, not only those contents may be deleted, but the author of those contents will also be identified and evidence could also be gathered to prosecute the author, promptly.

**Mr Jhugroo:** Will the hon. Minister state whether there is any agreement or contract signed between the Facebook media operator and the Government of Mauritius whenever there is any inquiry going on?

**Mr Bhadain:** As I have stated, Madam Speaker, there is no agreement which has been signed, but there are initiatives which have started with the State Law Office to seek mutual legal assistance with the State of California and, therefore, we will be able to achieve the objectives which we are setting ourselves to achieve.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Madam Speaker, although I know that in view of the Standing Orders I cannot ask for a legal opinion, but can I ask the hon. Minister if making a false Facebook profile is illegal in itself or is the user only violating the terms of service so that a false Facebook depends, in fact, on the action, the utilisation made and the intention and it is not by itself illegal?

**Mr Bhadain:** We are working on a Regulation to that effect, Madam Speaker, but just to inform the hon. Member, section 18 (1) of the ICT Act 2001 as amended, states that one of the functions of the ICTA is to-

“(...) take steps to regulate or curtail the harmful and illegal content on Internet and other information and communication services”

So, that would fall under that section.

**Madam Speaker:** Hon. Hurreeram!

**Mr Hurreeram:** Thank you, Madam Speaker. Will the hon. Minister inform the House whether the agreement which is supposed to have with Facebook in order for them to provide the identification of the fake profile user, whether either the Police or the ICTA will be empowered to ask for that information so that eventually it is admissible in Court?

**Mr Bhadain:** As I have answered before, there is a committee which is looking into that, and it is not only ICTA, it is ICTA, CERT-MU, the National Computer Board and also the Police Cybercrime Unit. So, that committee is actually addressing those issues and we are going to come up with a proper regulation under that section of the ICTA Act to basically address this issue, shortly.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Thank you, Madam Speaker. Is the hon. Minister aware that there are many countries like France who have signed contract with the Facebook operator just to safeguard the interest of the country?

**Mr Bhadain:** Yes, I am aware.

**Madam Speaker:** Next question, hon. Ramano.

#### **EBENE - CULTURE HOUSE - CONSTRUCTION**

**(No. B/629) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Arts and Culture whether, in regard to the proposed construction of a Culture House at Ebene, he will state –

- (a) if a site has been identified therefor;
- (b) the amount of funds earmarked therefor, and
- (c) the Mauritian cultural sectors concerned with the proposed Culture House.

**Mr Baboo:** Madam Speaker, I wish to reply to parts (a) and (c) together. A portion of land of an extent of 3.5 acres was identified and vested in my Ministry for the construction of the Culture House. The land is located at Réduit Triangle, Moka behind the Apollo Bramwell Hospital.

In November 2014, a team of Chinese experts comprising *inter alia* engineers and architects, visited Mauritius for a preliminary investigation of the site and concluded that the site was not appropriate.

An alternative site consisting of two plots of land of 1.5 acres each, adjacent to the above land was considered more suitable by the Chinese experts for the project. However, these plots have been leased to the Hindi and the Urdu Speaking Unions.

During a site visit held in November 2014, the Chairpersons of both Unions stated that they were agreeable to the proposal of the Ministry for the swapping of the land leased to them against the portion vested in my Ministry.

However, it is to be noted that the project started since 1999 and over the years, there have been various proposals on what should constitute the Culture House project, that is, which institutions will be housed there and at the same time provide facilities to artists.

My Ministry is currently reviewing the Culture House project, in consultation with all stakeholders, with regard to the institutions to be accommodated therein.

Madam Speaker, with regard to part (b) of the question, I am informed by the Ministry of Finance and Economic Development that the Chinese Authorities were approached for financing of the project. During the visit of the Chinese delegation in November 2014, discussions were held with the Chinese experts on the total cost estimate and the mode of financing of the project. No consensus has yet been reached.

For the financial year 2015-2016, an amount of Rs1 m. has been earmarked to carry out preliminary studies on the Culture House project.

**Madam Speaker:** Hon. Ramano!

**Mr Ramano:** Madame la présidente, nous avons célébré cette année le Bicentenaire des Archives Nationales qui se trouve dans le centre industriel de Coromandel. Les Archives Nationales se trouvent dans un état déplorable, et là nous parlons de l'histoire du pays. Est-ce que je peux savoir du ministre quelles sont les mesures urgentes qu'il compte entreprendre pour préserver l'histoire même du pays ?

**Mr Baboo:** Well, I do agree with the hon. Member. We have got several sessions of work with the Ministry of Environment and, at our level, we are waiting for the report in

order to go ahead so that our main objective will be that we will put the Archives at Ebène in case the report is good.

**Mr Baloomoody:** Can I know from the hon. Minister whether, as from now on, this Culture House will be financed by the Mauritian Government itself and there will be no finance by the Chinese authorities?.

**Mr Baboo:** Well, so far, I don't have the answer because we are waiting for the report. Once we've got it, then we will go back to the Ministry of Finance.

**Mr Ramano:** Est-ce que je peux savoir du ministre s'il y a eu des consultations avec les artistes du pays dans l'élaboration du projet ?

**Mr Baboo:** Yes, we did have a work session with the artists regarding the Culture House at Ebène.

**Mr Bhadain:** Hon. Members, the Table has been advised that PQ B/632 and PQ B/633 have been withdrawn. Next question, hon. Mohamed!

#### **MBC – EMPLOYEES – TERMINATION OF EMPLOYMENT**

**(No. B/630) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to since December 2014 to date, the number of employees

- (a) whose contract of employment have been terminated, and
- (b) who have taken employment thereat.

**Mr Bhadain:** Madam Speaker, with regard to part (a) of the question, I am infomed by the Mauritius Broadcasting Corporation that since December 2014 to date, the contract of employment of 10 employees were terminated. This includes the then Director General, Mr V. K. Pritam Parmessur.

I am tabling a list submitted by the MBC of those 10 ex-employees, including names, position held and employment category.

With regard to part (b) of the question, Madam Speaker, I am informed that the only person who has been employed by the MBC since December 2014 to date was Mr V. K. Pritam Parmessur, whose services were no longer required as from 24 August 2015.

Therefore, excluding Mr Purmessur, the number of persons who has taken up employment at the MBC is zero.

The MBC has, since 27 August 2015, advertised for nine positions, including Director General, Deputy Director General and Director of News. These posts will be filled in the coming weeks, if not days.

**Mr Mohamed:** If the list has been tabled, maybe, I could have a look at it before I put my next question. Thank you.

So, in my question which I have asked the hon. Minister, I would like to find out with regard to the list of those whose contracts have been terminated ever since December 2014, whether all of them have been communicated reasons for termination and, if so, what are the reasons?

**Mr Bhadain:** Well, I do not have the specific information, Madam Speaker, but I am sure that if somebody had his/her employment terminated, then that person must have been told why.

**Mr Mohamed:** I have in my hand a letter which was addressed to Ms Hemowtee Salaye on 04 August 2015 and, basing myself on the last answer just given by the hon. Minister, where he is sure that had someone's employment been terminated, the reason would have been specified. In that particular letter, the Board of the Mauritius Broadcasting Corporation, after having put her on the roster, just a day before, she is sent a letter where her employment is terminated and no reason whatsoever is stipulated therein. Now, how does the hon. Minister reconcile his previous answer where reasons most probably would have been given when we see in this letter, no reasons are given.

**Mr Bhadain:** Well, Madam Speaker, I don't have a copy of the letter.

**Mr Mohamed:** I give it to him, before he answers, he could look at it.

**Mr Bhadain:** Yes. Please do!

**Madam Speaker:** Meanwhile, hon. Ameer Meea!

**Mr Ameer Meea:** May I ask the hon. Minister what are the reasons why the Director General's contract has been terminated?

**Mr Bhadain:** His services were no longer required.

**Mr Jhugroo:** Can the hon. Minister state whether the MBC has been overstaffed due to the fact that the previous regime has recruited persons without proper mode of recruitment and qualifications, sometimes recruiting *des petits copains, petites copines* and earning high salaries?

**Mr Bhadain:** Madam Speaker, I informed the House on the last occasion when a PQ was asked about the MBC that the MBC currently has 898 employees, that the MBC has run into debt of Rs1.2 billion and all the licence fees which are being paid by all the subscribers in Mauritius are not sufficient to pay only the salaries of the amount of people who have been thrust into the MBC by the previous Government. This Government has not, since December 2014 until now, until this Government is in power, not one single person has been recruited, except for the Director General who has had his services terminated, which was the different approach which is being taken to streamline the MBC and to put those new procedures and methodologies in place and also to advertise for posts like Director General, Deputy Director General, Director of News, Human Resource and so on and so forth. I mean this is in line with good governance.

**Mr Bhagwan:** In line with the reply which the hon. Minister has just given, can he inform the House when, at last, a full-fledged Board of the MBC will be appointed with all the representatives, as stipulated by the MBC Act?

**Mr Bhadain:** Very soon, Madam Speaker.

**Mr Rutnah:** Can the hon. Minister confirm whether, as at to date, the way the Board of the MBC is constituted, does actually the Board itself take the decision of whether to terminate or not to terminate a contract and not the Ministry directly?

**Mr Bhadain:** Of course, there is a Board which is there, but having said that, just to go back on the letter of hon. Mohamed, I can read out the letter. It says –

“I am directed to inform you that the MBC Board has, at its meeting of 03 August 2015, decided to terminate your services forthwith. You will be paid 3 months’ wages in lieu of notice, accrued benefits, as well as compensation as provided for by law.”

If it is by law, it is by law, Madam Speaker, and it is being paid, probably.

**Mr Mahomed:** I would like to ask the hon. Minister who is at the head of the MBC right now?

**Mr Bhadain:** The Ag. Officer-in-Charge is Mrs Cheong, who is doing a very good job.

**Madam Speaker:** Yes, one last question!

**Mr Mohamed:** The hon. Minister has done something which we have all done, Madam Speaker, which is read a letter and I am happy to see that he can read the letter very well and we have got the same information. I also know the Standing Orders which say that I cannot insist on obtaining an answer from an hon. Minister who can give the answer he wishes, I bow to that.

**Madam Speaker:** Ask your question.

**Mr Mohamed:** But my question is: could the hon. Minister, please, answer the question and say: why is it that therein, in this particular letter - when he said that normally he would expect them to provide a reason for having put someone out – no reason is provided? Does he agree that this goes against his own statement when he was giving his answer?

**Mr Bhadain:** I can see my hon. friend is being very theatrical again. Now, it is very simple.

*(Interruptions)*

It is very simple. I do not go to such clubs...

*(Interruptions)*

But it is very simple. The services of the person, by reading the letter, it is very clear, Madam Speaker...

*(Interruptions)*

It is coming.

**Madam Speaker:** Hon. Shakeel Mohamed, it is up to the Minister to reply. Okay!

*(Interruptions)*

You cannot insist.

**Mr Bhadain:** Madam Speaker, the answer is that the letter shows that the services of that person were no longer required and by law that person has been paid. Now this was done by the then Director General and he himself had his services terminated afterwards.

**Madam Speaker:** Next question, hon. Shakeel Mohamed.

**DOMAINE LES PAILLES - EMPLOYEES – TERMINATION OF EMPLOYMENT**

**(No. B/631) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance and Economic Development whether, in regard to the *Domaine Les Pailles Ltd.*, he will, for the benefit of the House, obtain from the State Investment Corporation, information as to the number of employees thereof whose contract of employment have been terminated since December 2014 to date, indicating the reasons therefor in each case.

**Mr Lutchmeenaraidoo:** Madam Speaker, I wish to refer the hon. Member to my reply to PQ No. B/435 of 08 September 2015, where I, *inter alia*, highlighted the precarious financial situation at *Domaine Les Pailles*, which has been making losses for years. In fact, its total losses had reached Rs443 m. by July 2015. The company was unable to generate enough revenue to cover even its operating costs and had become a heavy financial burden on the SIC.

Madam Speaker, I am informed that the employees were offered the options of staying in post or taking voluntary leave against payment of a compensation. After consultations with all employees and their Union, all parties agreed to a compensation amounting to two months salary for each year of service. Thus, in July 2015, all 142 employees opted for voluntary leave.

**Mr Mohamed:** I thank the hon. Minister for his very clear answer. It seems as though that the reason for termination - if I read between the lines - is for economic reasons, since the precarious situation of the *Domaine Les Pailles*. Could the hon. Minister inform the House whether, with regard to the relevant sections of the law in the Employment Rights Act, which talks about 'last in first out' and necessary consultation prior to the decision of terminating the agreement for economic reasons, there was prior consultation with the unions to discuss all the possibilities and then the last possibility being to terminate the agreement under the principle of 'last in first out'? Have those conditions, which are statutorily imposed conditions, been adhered to? And if they have been adhered to, could the hon. Minister please give the House the dates of all those meetings and table the Minutes of Proceedings of those meetings to show that, indeed, to terminate their employment, the law was adhered to?



**Mr Lutchmeenaraidoo:** Madam Speaker, there was no termination of contract. It was a voluntary scheme and all the 142 employees opted for the proposal of SIC. They received two months of salary for each year of service. So, there was no firing; no one was fired. It was just a voluntary scheme and all accepted the scheme.

**Mr Jhugroo:** Madam Speaker, can the hon. Minister of Finance confirm to the House whether the Casino of *Domaine Les Pailles* started making losses since the previous Government came to power and, if so, can we know why?

**Mr Lutchmeenaraidoo:** The ambit question does not relate, but anyway, if the hon. Member comes with a substantive question, I will answer it.

**Mr Rutnah:** Madam Speaker, can the hon. Minister confirm whether the action taken by *Domaine Les Pailles* was motivated because this place was heavily overstaffed, thus contributing significantly to sustain losses and that it does, in fact, make business sense to actually provide the voluntary retirement scheme to those employees?

**Mr Lutchmeenaraidoo:** Well, we forget about the type of personnel who was recruited there. Once again, it was like the Casino of Mauritius. Most of them were political recruits, but that was not the reason why we acted this way. When I say that we lost Rs443 m, it is public funds. I put the question to the House. Can we continue using public funds to bail out sick companies?

**Mr Mohamed:** I have one question for the hon. Minister. We have heard, in his answer that he had communicated to the House only recently, about a new investor coming from China to pick up this company. In those circumstances, I am sure that there must be - and we all hope that there must be - some development agenda; something would be prepared, some beautiful project there. Could the hon. Minister, together with his colleague from the Ministry of Labour, consider that possibility of imposing upon or asking and requesting, but in a firm way - as he is used to and he has experience in that matter - the new promoters or the new company that will come up that, if ever they are to - I am sure they will - recruit new personnel for this new operation, they would give priority to those people who have been retrenched either voluntarily or otherwise, but who had no choice, but at least who collaborated with the idea of being retrenched and did not pose any difficulty?

**Mr Lutchmeenaraidoo:** Madam Speaker, this will be done.

#### **SUBOXONE - IMPORTERS**

**(No. B/632) Mr S. Mohamed ( First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to Suboxone, he will, for the benefit of the House, obtain from the Pharmacy Board, a list of the importers thereof, indicating if any loss thereof has been reported thereto.

*(Withdrawn)*

#### **HALAAL FOOD - REGULATIONS**

**(No. B/633) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to halaal food, he will state where matters stand as to the proposed amendments to be brought to the Food Act and the regulations made in relation thereto, indicating when the regulations that had been finalized last year would come into operation.

*(Withdrawn)*

#### **MERS VIRUS – MAURITIAN PILGRIMS – SCREEN & FOLLOW-UP**

**(No. B/634) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the emergence of the virus causing MERS in Saudi Arabia which has recently caused several deaths, he will state -

- (a) if adequate information have been given to the Mauritian pilgrims accomplishing the Hajj 2015 in relation thereto, and
- (b) the measures that have been taken to screen and follow-up the pilgrims on their arrival.

**The Minister of Social Integration and Economic Empowerment (Mr P. Roopun):** Madam Speaker, I am informed that the Middle East Respiratory Syndrome (MERS) is a viral respiratory disease caused by a novel corona virus (MERS- CoV) that was first identified in Saudi Arabia in 2012. Corona viruses are a large family of viruses that can cause diseases ranging from common cold to Severe Acute Respiratory Syndrome (SARS).

Since the virus was first identified, a protocol has been established for the screening of Hajj pilgrims. As for the years 2013 and 2014, 296 and 87 specimens respectively have been tested and all of them have been found to be negative. For this year, as at 27 September, 53 specimens have been tested and all of them have been found to be negative.

Since September 2012 to 30 September 2015, the World Health Organisation has been notified of 1,589 laboratory confirmed cases of Middle East Respiratory Syndrome infection, out of which 567 related deaths have been noted globally.

Madam Speaker, as regards part (a) of the question, I am informed that all pilgrims proceeding for Hajj 2015 have been offered free medical check-ups at our hospitals and health centres during which they have been sensitized on the MERS Corona Virus disease.

Furthermore, the Ministry has forwarded 1,200 pamphlets to the Islamic Cultural Centre for distribution to all Hajjis prior to their departure. This pamphlet gives information on the precautionary measures to be taken by those visiting and returning from the Middle East countries. These include, *inter alia* -

- hand hygiene;
- avoiding direct contact with patients suffering from influenza, and
- covering of mouth and nose while sneezing or coughing.

The travellers are also informed of the disease and its symptoms, which include -

- fever;
- cough, and
- respiratory distress.

Details of hot lines for emergencies have also been included in the pamphlet. A copy of the pamphlet is being tabled.

In addition, all passengers travelling to affected countries in the Middle East are being informed by the International Vaccination Centre about the precautionary measures to be taken during their travel. I am tabling a list of those countries.

Madam, Speaker, as regards part (b) of the question, at the outset, I would like to inform the House that all Hajj pilgrims will benefit from a fast track service without neglecting public health issues in view of the traumatic experience they encountered during the stampede in Saudi Arabia.

Furthermore, I would like to inform the House that, during a meeting chaired by the Vice-Prime Minister, hon. S. Soodhun, yesterday, where, *inter alia*, it has been decided that psychological support will be provided to the pilgrims in need of such care by the Ministry of Social Security, National Solidarity and Reform Institutions.

I am further informed that -

- i. the Virology Department of the Central Health Laboratory at Victoria Hospital has the necessary expertise to test for MERS Corona virus. They have been provided with the necessary reagents to detect the virus;
- ii. furthermore, information on MERS Corona Virus was sent to the Private Medical Practitioners Association and the Private Clinics Association for circulation among their members to increase vigilance;
- iii. all Hajj pilgrims on their arrival at the airport will be screened by Medical and Health Officers and nursing staff of the Ministry. For this purpose, there is a thermal scanner at the airport which detects any incoming passenger with fever;
- iv. counselling will be provided by Principal Public Health and Food and Safety Inspectors about the symptoms of the disease and measures to be taken in case of illness;
- v. all pilgrims will be closely monitored for a period of 14 days from their date of arrival by Principal Public Health and Food and Safety Inspectors of the respective regional health offices;

Provision has already been made for isolating, if any, those infected with the virus in special wards at Souillac Hospital.

**Dr. Joomaye:** Madam Speaker, I would like the hon. Minister to confirm whether the thermo scan at the airport is present and really functional.

**Mr Roopun:** Yes, I am so informed.

**Mr Leopold:** I would like to ask the hon. Minister whether there is any known vaccine for its prevention or if there is any treatment for the disease?

**Mr Roopun:** I believe there is none.

**Madam Speaker:** Next question, hon. Bhagwan!

#### **PARIS - EMBASSY OF MAURITIUS - MR L.O. - APPOINTMENT**

**(No. B/635) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to Mr L. O., he will state the capacity in which the Embassy of Mauritius in Paris retained the services thereof, indicating the -

(a) period thereof;

(b) terms and conditions of appointment thereof, including the salaries and other fringe benefits drawn, and

(c) official missions he undertook during his term of office, including the total amount of money paid out thereto in terms of air tickets, *per diem* allowances and other facilities extended thereto.

*(Withdrawn)*

### **EBENE CYBER CITY - LESSEES**

**(No. B/636) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Ebene Cyber City, he will, for the benefit of the House, obtain from the Business Parks of Mauritius Ltd., information as to the number of plots of land thereat which have not yet been developed, indicating in each case the -

- (a) name of the lessee thereof;
- (b) date of allocation thereof;
- (c) project submitted therefor, and
- (d) quantum of money deposited therefor.

**Mr Bhadain:** Madam Speaker, I am informed that, as at date, 12 plots of land at Ebene Cyber City have not been developed yet. I am hereby tabling all the information requested for by the hon. Member.

The list of companies/entities are –

- Mauritius Post Ltd.
- Cell Plus
- Mauritius Telecom
- Burford Investments
- State Bank of Mauritius
- Kingsgate Holding Ltd.
- Centreview Investment Ltd.
- Ebene Car Park Ltd.
- Cyberplex Ltd.
- B & S Park Ltd
- Indian High Commission

- IBIZA Investment Ltd.
- Centreview Development Ltd (GAMMA).

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** Thank you, Madam Speaker. In reply to Parliamentary Question B/90 of 24 February 2015, I drew the attention of the then Minister to the chaotic situation within the cyber city area on these State lands with regard to illegal parking and hawking, and the then Minister stated that he was going to follow up and take immediate action. Can the hon. Minister inform the House what is the situation presently? What action has been taken because this chaotic situation is still prevailing at the Ebene Cyber City?

**Mr Bhadain:** Yes, Madam Speaker, I do agree with the hon. Member that there is a parking problem in the Cyber City and there is a Committee which has been set up which I chaired myself with the representatives of BPML and other organisations to address this issue. So, one of the issues which is being looked at is whether BPML can come up with a parking tower which is going to sort out the problem in the long-term. But, in the meantime, there are alternative solutions which are being worked on. I will inform the House accordingly as soon as these are implemented.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** To pick up from the last question which was put by hon. Bhagwan, there is a parking problem indeed and I am happy the hon. Minister himself recognises that. If memory serves me correctly, only recently a company was allotted a plot of land there and the previous regime had approved that a parking problem is real and the issue was to put up a parking tower at their cost in order to satisfy those urgent requirements of proper parking facilities, in order for pavements to be set free and for pedestrians to walk around in a more secure manner. What has happened to that particular issue? Is that project going to go ahead soon, if the hon. Minister could please clarify matters?

**Mr Bhadain:** Well, Madam Speaker, I don't have all the details, but I can say on the list that there is a company called Ebene Car Park Ltd., No. 7 on the list which has been tabled. Probably this is the project that the hon. Member is referring to. I am not aware as to why they have not started their activities, but I do know, as I said before, that BPML is looking into the building of a parking tower itself and also the hawkers' problem, looking at one of the sites where all the hawkers can be moved to that one site with an infrastructure put

in there so that everybody who has to go and purchase food can actually go there, rather than having all the hawkers all across Ebene. At the same time, BPML is also looking at the cleaning up of all those plots of land where there are bushes which have grown over one metre high and it does not look nice at all.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** In my PQ No. B/90 of 24 February, I made mention of a Report of a Ministerial Committee where several shortcomings were found, especially with regard to the previous Chairperson - the previous Mr D.N. Can the hon. Minister inform the House what action has been taken, whether any Police action has been taken concerning Mr D.N., Executive Chairperson of the BPML and what is the situation now?

**Mr Bhadain:** I don't have this information at this present moment in time, Madam Speaker, but I think everybody is aware as to the abuses which had taken place in BPML prior, by the previous regime and Mr D.N. who had been heading BPML at that time. I am sure that the enquiry which has been referred to the Police must be in progress. I also asked BPML to look at certain issues which they are currently looking at because we are also the Ministry of Good Governance, and once we have further details on that we will inform the House accordingly.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** One of the main problems which was brought to light was the land speculation where names were put and then removed on lands which were supposed to be leased. Can the hon. Minister inform the House - he has given us a list - apart from land which has been vested to the Indian High Commission, whether these companies, which have been given land, have been given a time limit to develop these lands and what are the actions which are being taken to prevent further cases of land speculation within the Cyber City area?

**Mr Bhadain:** Yes, I am aware, Madam Speaker, that under the previous regime there were a lot of extensions which were granted to these companies after the deadline had passed. On many occasions, those leases have been renewed again and again. I have asked BPML to look into that, now that we have a Government which is moving in line with all best practices and good governance and to tell these people: 'look, you have to start construction, if you don't start, then we will have to take the land back. We have other things to do. We are moving to Highlands now.'

**Madam Speaker:** Last question, hon. Jhugroo!

**Mr Jhugroo:** Thank you, Madam Speaker. Can the hon. Minister confirm with regard to parking space whether all the promoters who constructed huge buildings there did abide by the rules and regulations that are governed before issuing the building and development permit?

**Mr Bhadain:** I don't think they have. I know that there are certain rules in terms of the height of the buildings and also the colour of the buildings. There should have been a harmony in the Cyber City, but under the previous regime some people have painted the buildings whatever colour they wanted, and they have developed universities and so many other things which were not meant to be in a Cyber City where you have an intelligent building, you have fibre optics facilities and which was meant to be a Cyber City. But, hopefully, this is not going to happen with the new project that this Government is going to do - which is in Highlands.

**Madam Speaker:** Next question, hon. Bhagwan!

**Mr Bhagwan:** I have one last supplementary, Madam Speaker.

**Madam Speaker:** Next question! I think this question...

**Mr Bhagwan:** One last, because...

**Madam Speaker:** No! Hon. Bhagwan, I have given everybody the chance to ask a question. You have asked so many questions. I think it is fair for all those whose questions are on the agenda to have a question. Next question!

### **BATS POPULATION – CULLING**

**(No. B/637) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Agro-Industry and Food Security whether, in regard to bats, he will state the urgent measures taken to prevent the disastrous effects thereof on fruits, especially on mangoes and litchis.

**Mr Seeruttun:** Madam Speaker, let me first of all thank the hon. Member for having brought this question to this House. It shows that the damages caused by fruit bats are a matter of concern to all of us.



As a matter of fact, my Ministry has been receiving loads of complaints from fruit growers regarding the significant damages caused by fruit bats in commercial orchards and more significantly in backyards which mainly affect mango and litchi production.

According to reports from the Food and Agricultural Research and Extension Institute (FAREI), fruit damage recorded for the year 2014 for litchi reaches as high as 73% in orchards whilst damage caused to mango is estimated up to 42% in backyards.

I am also informed that the fruit bats have now started to affect some banana plantations.

My Ministry has, in fact, been registering complaints from fruit growers since 2006. In that year, action was taken to reduce the bats population through a controlled culling on selected private orchards. However, the culling was done between 16.00 hours to 18.00 hours, but did not prove effective given that fruit bats normally fly at night.

*(Interruptions)*

**Madam Speaker:** Order, please!

*(Interruptions)*

**Mr Seeruttun:** In 2009, a bird net fruit protection scheme was introduced whereby the price of bird net was subsidised up to 75% by Government. Each grower benefitted from the scheme for a maximum of 10 bird nets. This scheme is still ongoing and as at to date, a total of 4,449 applications were entertained for a total amount of Rs29.5 m.

However, despite the measures taken to protect fruit plantations from bats, the damages caused are increasing. This is explained mainly by the significant increase in the bats population during the last years.

The Mauritian fruit bat is a species endemic to Mauritius only and was in the early 1970s classified as “critically endangered”. With the gradual increase in the bats population over the years, the status was down listed to ‘endangered’ and is presently classified as ‘vulnerable’ by the International Union for the Conservation of Nature (IUCN).

A survey carried out in 2010 estimated the bat population at 55,000. The latest survey carried out by the National Parks and Conservation Service in November 2013 indicated that

the population has increased to around 90,000 and the population is likely to have increased further during the last two years.

The bat population is normally controlled naturally through strong cyclones. As we have not been visited by strong cyclones during the past decade, the bat population is continuing to grow and may have reached a pest level. In view of the huge economic losses being incurred by fruit growers, bold and urgent action is required to reduce the bat population and hence reduce the damages caused to fruits.

Government has, on Friday last, agreed to a campaign being launched as from the mid-October for the controlled culling of bats in targeted farms found outside residential areas. The exercise will be carried out by the Special Mobile Force in collaboration with the National Parks and Conservation Service, the Veterinary Services of my Ministry and the FAREI. The culling will take place over a period of three weeks, after which the situation will be assessed and the strategy reviewed. All measures will be taken to ensure that the existence of the fruit bat is not threatened and, in this regard, a monitoring committee under the Chair of the Permanent Secretary has been set up to look into all modalities for the culling exercise.

Madam Speaker, I am also informed that the damages caused to fruits in orchards is less than that caused in backyards and one of the reasons is that the installation of nets is extremely difficult on tall trees found in backyards and tree owners are very reluctant to prune their trees as this would reduce production of fruits for the first three to four years.

My Ministry is conducting a sensitisation campaign island wide to encourage fruit growers and members of the public to prune their trees for a maximum use of bird nets. They are also being advised to plant dwarf varieties of fruit plants which are less susceptible to be attacked by bats. Moreover, our native forests which are primary roosting and feeding sites for bats are being increased and appropriate fruit trees such as Jack Fruit, mangoes and guavas are being planted to provide food for bats.

Madam Speaker, the measure which Government will be implementing, i.e. the culling of bats, may attract criticisms from conservationists at both local and international levels. While we are conscious of the need to protect a threatened species and to fulfill our obligations vis-à-vis international conventions, mainly the Convention on Biological Diversity, we cannot afford to maintain the *status quo* and continue to see fruit growers

suffering considerable losses for consecutive years. I hope that the public will not get carried away by the criticisms and will appreciate that by this action, we are ensuring that fruits will be available in sufficient quantity and at reasonable prices during the forthcoming fruiting season and at the same time ensuring that the endemic bat species does not disappear in the long run by taking all necessary precautions.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Madam Speaker, I would like to thank the hon. Minister for the action which he has initiated because we have seen, as rightly stated, that during the past years, this question of nets has not given the result that was expected. Can the hon. Minister inform the House whether in this venture of using the Special Mobile Force, the assistance of the Minister of Environment and his Ministry has been sought because there are conventions where the Minister of Environment...

*(Interruptions)*

...can be involved?

**Mr Seeruttun:** Madam Speaker, it is indeed very true that the hon. Minister and the Ministry of Environment is also involved in that....

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo!

**Mr Seeruttun:** ... particular issue and I can inform the House that we have had discussions over that issue and he is very willing to help and I am sure his contribution will be a very great value to the success of that particular exercise.

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** I hope the hon. Minister won't use a machine gun and the helicopter.

*(Interruptions)*

Can the hon. Minister inform us about the criticisms which we can have? Can the hon. Minister inform the House whether the Mauritian Wildlife Society and the international Wildlife Foundation have been informed of the problem of Mauritius?

**Mr Seeruttun:** Madam Speaker, indeed, we have had discussions with the people from the Mauritian Wildlife Foundation and also we have written to the international organisations and, as you can expect, they are here and their mandate is to protect and for the conservation of protected species. So, they are very reluctant to accept that kind of decision, but we have to, unfortunately, resort to that kind of decision because with the amount of bats in existence in this country at the moment, it has passed the level of being 'endangered' to the level of 'being a pest'. So, that is why we are taking that kind of decision.

**Madam Speaker:** Yes!

**Mr Bhagwan:** Can the hon. Minister at least inform these people that it is allowed when these bats have become a pest? So, it is allowed for national convention that they be removed as we have had the problem of rhino in Kenya. Can the hon. Minister also inform the House of the action that would be taken by the SMF and so on as from October or November? Can he, at least, give a timetable to the population, especially those fruit growers who would earn their living at the end of December through the sale of these fruits? Can these people be enlightened of the calendar of activities of the SMF?

**Mr Seeruttun:** Madam Speaker, as I said in my earlier reply that this exercise will start in mid-October. A committee is already in place to look at how we are going to go forward with that exercise and it is going to last over a period of three weeks and to see how that kind of exercise is effective. We expect to reduce this population by 20%. So, we expect to mobilise enough resources so that within the three weeks that we have set, we are able to attain that target.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. I thank the hon. Minister for his detailed answer. I was just wondering when he talked about the sensitisation campaign, whether that includes taking to the air, going in a helicopter and looking at the bats closely.

*(Interruptions)*

Because I guess this is a detailed appreciation from the air following the good footsteps of hon. Dayal.

*(Interruptions)*

Is that what it was about or will it take you further higher up? I don't know!

**Mr Seeruttun:** Madam Speaker, if the hon. Member is trying to be funny, I am not trying to be funny with regard to an issue of such importance especially for growers and consumers.

*(Interruptions)*

**Madam Speaker:** Hon. Dr. Sorefan!

**Dr. Sorefan:** Thank you, Madam Speaker.

*(Interruptions)*

The hon. Minister has mentioned subsidies being renewed to the tune of 75% for the nets and he has talked also for long-term to reduce the population of bats. This is very good, but it is long-term. But the short-term, right now, we are talking on nets, is the hon. Minister aware or has his Ministry got the information that the bats are cutting the nets and this year, I learn, that the bats have got teeth?

**Mr Seeruttun:** Madam Speaker, like I just, in my earlier reply, stated that we have seen that even with the Bats Net Scheme, the losses have been on the increase, it shows clearly that the scheme has not worked. That's why we are coming up with the decision to cull bats.

**Madam Speaker:** Last question, hon. Bhagwan.

**Mr Bhagwan:** Madam Speaker, I am sure the hon. Minister must be aware that the whole population is concerned because we have fruit trees. The hon. Minister has informed us about *les craintes de certaines organisations*. Can I ask him if the population could be sensitised, through the MBC or radio, by arranging for programmes, at least, to further inform them what is being done in the interest of one and all?

**Mr Seeruttun:** I take good note of that particular remark and I am sure the committee will look into that as well.

## **SOLAR WATER HEATER SCHEME – REGISTRATION EXERCISE**

**(No. B/638) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the Solar Water Heater Scheme, he will state the number of applications received during the last registration exercise therefor, indicating –

- (a) the number thereof which have been approved and granted;
- (b) the budget earmarked therefor, and
- (c) when the next registration exercise will be held.

**Mr Dayal:** Madam Speaker, as regards part (a) of the question, the last registration exercise for the Solar Water Heater Scheme was held on 11 and 12 July 2015.

27,750 applications were received during this exercise.

16,480 applications have been approved and grants are being disbursed as follows –

- Rs10,000 to 11,480 households earning less than Rs25,000 per month;
- Rs5,000 to 5,000 households earning more than Rs25,000 per month.

Madam Speaker, with regard to part (b) of the question, an amount of Rs175 m. has been approved for the New Solar Water Heater Scheme and I thank the hon. Minister for that.

As regards part (c) of the question, my Ministry is presently attending to those who have already applied and based on the processing of all applications a decision will be taken for the next registration exercise.

**Mr Ameer Meea:** Can I ask the hon. Minister if he is aware that during the last exercise, old people had to queue up for a very long time and this has been a very difficult and tiring exercise for all those who have applied and Finally, not all of them have received their grant for the application that they have made?

**Mr Dayal:** I am aware of the situation, but then Mr Bhadain gave directives. He had information at the material time to take action thereat because he was responsible for that exercise as the Chairman. I can assure the hon. Member that timely intervention was done so that each and every one queuing was registered. That exercise was carried out, but then to make sure that next time we won't have this type of problem, I have directed the committee to look after other avenues in this connection.

**Mr Ameer Meea:** Madam Speaker, now, we just heard the hon. Minister stated that Mr Bhadain was in charge of the operation. Concerning the complaints that were received against the suppliers of the solar water heaters, may I know whether the hon. Minister has some statistics regarding how many complaints have been received against accredited suppliers and what has been the outcome of any inquiry?

**Mr Dayal:** I need notice of this question.

**Mr Mahomed:** Madam Speaker, may I ask the hon. Minister what are the measures that are being taken to ensure that those who have benefitted from the solar water heaters actually get them connected and running, because its connection is also quite costly.

**Mr Dayal:** Rightly so, we are aware of this problem. Based on previous arrangements where we have found that the regime before us did not attend to the malady of this system, I am curing that system in a way, whereby I am making sure that we have a committee looking after the installation and the maintenance in a very timely manner.

**Dr. Sorefan:** Can I ask the hon. Minister whether he has inspectors who are qualified in technical matters to see to it that those listed companies that supply the solar water heaters do supply them as per the specification listed in his Ministry to the beneficiaries? I understand they do fiddle inside the appliance and they are not providing the required appliance to the beneficiaries.

**Mr Dayal:** Madam Speaker, specific attentions are given to the fact that the appropriate equipment is installed based on specifications and we have, at the level my Ministry, staff dedicated for this exercise.

**Mr Ameer Meea:** May I ask the hon. Minister what is the eligibility criteria for an accredited supplier and also for the list of suppliers, whether any sanction has been taken against those who have default.

**Mr Dayal:** This is being tackled at the level of the authority mandated to look after the whole process.

*(Interruptions)*

I think everybody knows it.

**Madam Speaker:** Hon. Ameer Meea, your question is very specific. I think the question which has just been asked is outside the ambit.

**Mr Dayal:** Just to clarify matters, Madam Speaker, it is Mr Bhadain from the DBM with his staff.

**Madam Speaker:** Next question, hon. Mrs Monty!

***ZONE D'EDUCATION PRIORITAIRE HOT MEAL PROJECT -  
IMPLEMENTATION***

**(No. B/639) Mrs M. C. Monty (Third Member for Port Louis North & Montagne Longue)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the *Zone d'Education Prioritaire* Hot Meal Project, she will state where matters stand as to the implementation thereof, indicating the time frame set thereof.

**Mrs Dookun-Luchoomun:** Madam Speaker, I would like to inform the House that hot meals were being provided to pupils of the ZEP schools as from January 2013. However, following a case of food poisoning which occurred at Bambous Government School on 07 February 2013 and an analysis effected by the laboratories of the Ministry of Health and Quality of Life which showed presence of E-Coli beyond acceptable norms in some samples of meals taken, it was then decided to suspend the provision of hot meal in all ZEP schools.

Subsequently, alternative arrangements had been made in consultation with the Ministry of Health and Quality of Life, for pupils of the ZEP schools to be provided with bread, butter, cheese, fruit and this was later supplemented with biscuits and fresh fruits. This arrangement is still in place to date.

Madam Speaker, the security and health of our pupils is of utmost importance and taking this into account, my Ministry has decided to invest the schools with proper infrastructure and facilities so that provision of hot meal can be resumed in salubrious conditions and that all necessary sanitary and hygienic precautions are taken at every step in the production, storage, handling and distribution of a hot meal to our children.

In this regard, a pilot project involving four ZEP schools, namely Bois des Amourettes Government School, Cascavelle Government School, Pointe aux Piments Government School and Aimé Cesaire Government School were undertaken where kitchens and eating areas will be constructed on the school premises.

Construction works have already started at Cascavelle Government School and Bois des Amourettes Government School and are expected to be completed by December 2015



and February 2016 respectively. For the construction of kitchens of the remaining two schools, same is still at the tendering stage.

Madam Speaker, my Ministry is working out an implementation plan in respect of the four pilot schools for the supply of hot meals under appropriate health and sanitary conditions.

Madam Speaker, based on the feedback received from the pilot project, same will be replicated in other ZEP schools as far as possible. Other options would be envisaged for the provision of hot meals in schools where space is not available to put up additional infrastructure. The hot meal programme will resume once all the conditions for the provision of such meals under acceptable sanitary and hygienic norms and standards are complied with.

**Mr Baloomoody:** Can the hon. Minister confirm that there is a pilot scheme for school which is working now? Are they being provided with hot meal?

**Mrs Dookun-Luchoomun:** As I have just mentioned, Madam Speaker, works are still on and they are expected to be completed by December 2015 in one school and in 2016 in the other school and in the other two schools tendering procedures are on.

**Mr Ganoo:** Can the hon. Minister indicate to the House whether she has an idea of the cost that would be involved in terms of providing the hot meals only to the ZEP schools?

**Mrs Dookun-Luchoomun:** In fact, the amount that had been planned to be used was Rs75 per student for 180 days. So, it will come to around Rs130 m.

**Mr Baloomoody:** The hon. Minister is talking about the structure in the school, but can I know from the hon. Minister who will prepare the food and who will deliver the food to the children?

**Mrs Dookun-Luchoomun:** I have just mentioned, Madam Speaker, that we have to make sure that the providers will satisfy all the requirements, namely the MS133HACCP standard by the Mauritius Standards Bureau to cater for the food and food related supplies.

**Mr Baloomoody:** Can I ask the hon. Minister whether the Parent-Teachers Association will be taken on board for the preparation of the meal and for the supply of the meal?

**Mrs Dookun-Luchoomun:** Presently, it is a decentralised system whereby the PTAs are involved in the choice of the food providers. However, when it will come to hot meals, we will have to ensure that proper sanitary and hygienic conditions are met.

**MBC - NEWS DEPARTMENT - POSTS**

**(No. B/640) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)**

Minister of Technology, Communication and Innovation whether, in regard to the News Department of the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) name of the incumbent of the post of Head thereof, indicating the terms and conditions of employment thereof and;
- (b) number of Chief Editors and news editors/journalists posted thereat respectively, indicating in each case, the;
  - (i) names;
  - (ii) date of appointment, and
  - (iii) terms and conditions of employment thereof.

**Mr Bhadain:** Madam Speaker, I am informed by the Mauritius Broadcasting Corporation (MBC) that Mr Parsadee Jugdish Jatoo, Desk Coordinator (formerly Chief News Editor/Desk Coordinator), has been assigned as Director of News of the MBC as from 22 May 2015 by the then Director General, Mr V. K. Preetam Parmessur. There is no 'Head of News' in post as such - the post of Director of News has been advertised and will be filled within a matter of days.

The terms and conditions of employment are as set out in the Pay Research Bureau Report 2013.

Madam Speaker, as regards part (b) of the question, there is no post of Chief Editor and News Editors/Journalists at the Corporation. With the PRB Report 2013, the new appellations are as follows -

- Desk Coordinator – formerly Chief News Editor/Desk Coordinators
- *Journaliste Reporteur D'Image* – formerly News Editor and Senior News Editor

Madam Speaker, I will table a list of all the journalists who work at the MBC as requested by the hon. Member. I am informed that it exceeds 69 journalists who have all been

recruited in the past because since this Government is in power nobody was recruited at the MBC, but I will table the information in due course.

**Mr Bhagwan:** *Carapate change lichien.*

**Madam Speaker:** Please refrain from making these remarks from a standing position.

**Mr Bhagwan:** This is a fact.

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo!

**Mr Bhagwan:** Madam Speaker, coming to the news department of the MBC, can the hon. Minister inform the House whether, as Minister, and being given that his Permanent Secretary acts as Chairperson of the MBC/TV, he is satisfied that the MBC/TV is doing what it should be done to give a fair and balance reporting of all the political news activities in its 7 p.m. and 7.30 p.m. news daily and whether there is no discrimination on behalf of the Opposition party politics?

**Mr Bhadain:** Madam Speaker, we are doing our utmost best to achieve that level of fairness. In fact, since the Director General of the MBC, services were no longer required, there has been a new methodology which we have tried to put in place with regard to news broadcasting and even for covering the activities of Ministers, PPS and even representatives of different Constituencies. There has been a methodology which has been put in place in terms of assessing the news worthiness for the public to know really whether a particular issue is of concern to them and then this is broadcasted on TV. Now, we are trying to change things, we are trying to make things better. We know how things were done in the past, not only under the Labour Government, but since MBC has existed, we know how it has worked. Now, we are also advertising for the posts of Director General, Deputy Director General, Director of News; this is new. It has never been done, it is innovation and we do hope that we will get the successful candidates with the required level of competence, we will take the MBC into a different dimension in terms of bringing them in line with best practices as we have worldwide in developed countries. Of course, there are improvements to make, people who have been trained to operate in a particular manner are not going to change overnight. This is not the on/off *taquet* which has to be pressed ...

*(Interruptions)*

and then everything is changed. It is not like that. So, there is a whole process of training people, of getting them to understand the new concept. It is a paradigm shift and it will happen, but it will happen with time, with the new team in place who will basically do the job as they should and I believe it is going to work like everything else. This is what this Government is trying to do.

**Mr Bhagwan:** The hon. Minister has talked of *taquet* and on and off. Can the hon. Minister inform us whether his office where he has his Chairperson in his SICOM Building, Gooljaury Tower, whether this on and off cutting of the political broadcasting of the different political parties, how can the hon. Minister explain to the House that at the 6.00 p.m. news, you have one type of news which is being given, broadcasting of one activity of one political party, the MMM and then at 7.00 nothing and at 7.30 another news item? Is this the new methodology of the MBC/TV under your direction as Minister and your Chairperson who is your Permanent Secretary?

**Mr Bhadain:** Well the Permanent Secretary ...

*(Interruptions)*

**Madam Speaker:** Please don't interrupt the hon. Minister, allow him to reply, if he wants to reply because you are diverting away from the question.

**Mr Bhadain:** Just to inform the ...

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan please!

**Mr Bhadain:** Madam Speaker, there are a number of initiatives which are being put in place ...

*(Interruptions)*

Of course, things are going to improve going forward, hon. Uteem was invited in a programme on BAI. I understand my ...

*(Interruptions)*

**Madam Speaker:** May we have some order please!

**Mr Bhadain:** *Non, du tout. Pas vrai sa. Pas coze menti, demand Reza. Zot ine faire un joli programme. Pas coze menti. Tout dimoune ine guetter.*

*(Interruptions)*

**Madam Speaker:** Hon. Minister, can you come back to your reply please!

**Mr Bhadain:** Just to say also, Madam Speaker, it is good for the House to know that the hon. Member himself was invited at the MBC programme with hon. Minister Dayal on Environment and he refused to go. But the new processes, the new methodologies, the new procedures are being put in place. The MBC will indeed become one of the best TV stations in this part of the world, I have no doubt about it.

*(Interruptions)*

**Mr Mohamed:** The hon. Minister has talked about the best TV station that it has to become in the world and I hope so, we all hope so. Could he consider the possibility of another methodology which would be to ensure that there are no ties between himself, his Ministry and the Mauritius Broadcasting Corporation in that you have a Civil Servant from his Ministry who is chairing at this moment in time the Mauritius Broadcasting Corporation and this is the very same person who is going to chair the Board at the time of appointment of those vacancies that have been publicised? So, there is clearly no independence. What I humbly suggest is for good governance - and he knows better than I do, I am sure. Maybe, a humble suggestion would be that he cuts the tie and then the picture would be perfect.

**Mr Bhadain:** I can assure the hon. Member that the Chairman of the Board of the MBC is not going to form part of the panel which is going to recruit the Director of News and all these other people who are there.

Madam Speaker, efforts are being made. We all know what we are talking about when we talk about how things have been happening at the MBC. It is not a secret. *Un secret de polichinelle*. We know what the Labour Government has done to the MBC and how it was being used as Gestapo tool. Now things are being changed; things will be changed. I think the hon. Member, himself, knows that efforts are being made and that these efforts will be fruitful going forward. I have no doubt!

**Madam Speaker:** Hon. Rutnah, you have a question?

**Mr Rutnah:** Would the hon. Minister agree with me and confirm to the House that, in fact, there was an established culture for the last nine years or so at the MBC to broadcast without any impartiality insofar as political news were concerned and in doing so, those people who were at the time Editors and News Editors and members of the Board are still in this regime, same Editors, same journalists with the same endemic culture, and that this Government...

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah, ask your question!

**Mr Rutnah:** And that this Government is doing everything...

**Madam Speaker:** Don't make a speech!

*(Interruptions)*

Don't interrupt the hon. Member! Please, order! Order, I said!

*(Interruptions)*

Please, ask your question! Don't make a statement!

**Mr Rutnah:** And this Government, Madam Speaker, is doing everything possible to bring MBC back to its...

**Madam Speaker:** Hon. Rutnah, what is your question? Ask your question!

*(Interruptions)*

**Mr Rutnah:** That this Government is doing everything to bring back the old glory that MBC had.

**Mr Bhadain:** Absolutely. Madam Speaker, as I have already stated to the House, there are...

*(Interruptions)*

898 people who are working at the MBC right now. Since December 2014 to date, ten persons had their employment terminated, which basically means that the 800 odd number of people who are working there were appointed before. The hon. Member is absolutely right.

So, all the News Editors and everybody who are there are people who were working before. Now, it is absolutely true to say also that we are doing everything to bring the MBC in line with best practices. We will continue to do that.

**Madam Speaker:** Last question on this issue, hon. Bhagwan!

**Mr Bhagwan:** Since the hon. Minister has mentioned my name, I was invited supposedly by the MBC.

*(Interruptions)*

I say supposedly. I don't take any instructions with Mr Joy Neeraye! Let me tell your friend! So, can ...

*(Interruptions)*

*'To pa ti la! De suite! To telephone exister.'*

Madam Speaker, since the hon. Minister has mentioned my name, that I was supposedly invited to participate in a programme, let it be known to the public through this National Assembly that we are not going to participate in any manipulated programme under the Bhadain Broadcasting Corporation. This should be...

*(Interruptions)*

**Madam Speaker:** Order, please!

*(Interruptions)*

I am going to suspend the session if there is no order! Hon. Bhagwan!

*(Interruptions)*

I am suspending the session!

*At 3.55 p.m. the sitting was suspended.*

*On resuming at 4.38 p.m. with Madam Speaker in the Chair.*



**ANNOUNCEMENT****NATIONAL ASSEMBLY - STANDING ORDERS & RULES**

**Madam Speaker:** Hon. Members, it is a matter of regret that I have had to suspend the sitting in view of the unruly behaviour of hon. Members who have chosen to disregard the authority of the Chair. Many hon. Members present in this House are seasoned politicians who ought to be aware of the Standing Orders and Rules governing the conduct of business of the House. Standing Order 39(14) stipulates that, and I quote -

“Whenever the Speaker, or the person presiding, rises during a debate, any Member then speaking [...] must sit down and the Assembly [...] shall be silent so that the Speaker [...] may be heard without interruption.”

This is one of the most elementary rules of procedure that should be observed by every hon. Member to show respect to the Chair. I wish to draw your attention to the fact that you are hon. Members and that your conduct should reflect your status. Your conduct this afternoon does not in any way uphold the dignity and decorum of the House. Question Time is an important mechanism that allows for the oversight of Government action that has to be used judiciously by Members when asking questions and by Ministers when replying.

I have observed that many hon. Members use Question Time to make gratuitous allegations, provocative remarks and gestures from a sitting position which disturb the orderly conduct of the business of the House.

Having said so, with a view to upholding the decorum and the dignity of the House, I will not hesitate to take action as appropriate.

We will now continue with Question Time! Hon. Bhagwan!

### MBC – ANIMATORS/PRODUCERS – TERMINATION OF CONTRACT

(No. B/641) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Broadcasting Corporation Television, he will, for the benefit of the House, obtain therefrom, over the period January 2015 to date-

- To (a) the list of the programmes thereof which have been cancelled, indicating in each case, the reasons therefor, and
- (b) information as to the names of the animators or producers whose services have been terminated, indicating in each case, the -
- (i) date of termination of the contract of appointment, and
  - (ii) reasons therefor.

**Mr Bhadain:** Madam Speaker, if I may on point of order, I would very humbly request hon. Bhagwan to withdraw the word ‘manipulated’ which was used by him.

**Madam Speaker:** I will take the Minister’s point of order after Question Time.

**Mr Bhadain:** Thank you, Madam Speaker.

Madam Speaker, with regard parts (a) and (b) of PQ No. B/641, I will be tabling the information requested for by hon. Bhagwan as it is a lengthy list of all programmes of the MBC, in due course.

**Madam Speaker:** Hon. Bhagwan.

**Mr Bhagwan:** I have a supplementary question, Madam Speaker. Can I know from the hon. Minister why the services of Mr Bruno Raya, a well-known national artist, has been terminated? He was presenting a very popular programme on television, namely ‘*Live N Direk*’ Can I know whether it was for a specific reason?

**Mr Bhadain:** Madam Speaker, I believe the previous Director General of the MBC had come up with a restructuring plan for programmes of the MBC and also on Radio

Mauritius. Now, what had been implemented was according to that plan which had been looked at by the previous Director General. I am not aware of the reason as to why a particular programme has been changed to another programme, but I can assure the hon. Member and the House that the new team of the MBC, the new Director General, Deputy Director General and all the other staff will be recruited very soon as part of the management team; we will relook at all of this.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Madam Speaker, despite the fact that the management of previous Director has taken the decision, the fact that Mr Bruno Raya, I mentioned his name because he is a well-known national artist who has served the country and who is from my Constituency along with Mr Ram Joganah who was giving a programme of ‘*Balad dan Vilaz*’, can the hon. Minister, at least, enquire on these national artists, and being the fact that they have been given three days’ notice without any reason for their services to be terminated after having worked for many, many years at the MBC/TV? Can the hon. Minister make an enquiry and see to it that justice is done to these artists?

**Mr Bhadain:** Madam Speaker, I wouldn’t want to get into the affairs of the MBC like that. I will let the new management team which will be appointed very soon to look into the matter, but I take on board what has been said.

**Madam Speaker:** Next question, hon. Ramful!

#### **ALL-INCLUSIVE PACKAGE – TAXI OPERATORS - REPRESENTATIONS**

**(No. B/642) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the all-inclusive package proposed to the tourists by the tour operators which also includes the provision of transport, he will state if he has received representations from taxi owners in connection therewith and, if so, indicate the actions that will be taken in relation thereto, if any.

**The Ag. Prime Minister:** Madam Speaker, with your permission, I shall reply to this question.

I would like to inform the House that on 13 August 2015, the Federation of Hotel Taxis’ Association remitted a petition to my colleague, the Minister of Public Infrastructure

and Land Transport. The petition contained a number of representations purportedly affecting the business activities of taxi operators and which included the all-inclusive package offered by hotels.

Madam Speaker, the House will appreciate that Government immediately after, set up a Ministerial Committee under my Chair to look into the representations of the Federation and to make recommendations.

The other members of the Ministerial Committee are my colleagues -

- The hon. Minister of Public Infrastructure and Land Transport;
- The hon. Minister of Social Integration and Economic Empowerment;
- The hon. Minister of Industry, Commerce and Consumer Protection;
- The hon. Minister of Civil Service and Administrative Reform, and
- The hon. Minister of Labour, Industrial Relations, Employment and Training.

The Ministerial Committee has, so far, met on two occasions, namely on 07 and 14 September 2015, during which the representatives of taxi operators, AHRIM and AIOM were each heard.

Both sides have shown an interest to collaborate with a view to alleviating highlighted problems. Accordingly, a number of proposals have been mooted such as -

- (i) Review of the allocation of taxis based at hotels;
- (ii) Grouping of taxis based at hotels into zones;
- (iii) Reintroduction of taximeter for taxis based at hotels and the airport;
- (iv) Introduction of desk for taxi operators inside hotels;
- (v) Affixing of taxi fares at the reception of all hotels;
- (vi) Training of taxis operators based at hotels by the Tourism Authority, including training in language skills;
- (vii) Amendment of legislation to differentiate between leased contract cars and chauffeur-driven contract cars;

- (viii) Introduction of legislation to -
  - (a) Ban commission;
  - (b) Oblige taxi operators based at hotels to be well-dressed and wear uniform, and
  - (c) Compel taxi operators to offer reasonable care and assistance to clients entering or leaving the taxi.

Madam Speaker, I must point out that the Ministerial Committee is still pursuing its assignment and will, upon conclusion of its deliberations, make recommendations to Government.

**Madam Speaker:** Yes, hon. Ramful!

**Mr Ramful:** Would the hon. Ag. Prime Minister agree that this all-inclusive package is benefitting only a few stakeholders, namely the hotels and the contract car owners to the prejudice of the taxi owners who are based at these hotels? Does the hon. Ag. Prime Minister consider the desirability of bringing legislation to make it compulsory for hotels to hire taxis that are found at their base?

**The Ag. Prime Minister:** Madam Speaker, when a tourist takes a package holiday in Mauritius, usually it includes the transfer from the airport to the hotel whether it is an all-inclusive package or a normal package. That is normal, not only in Mauritius but everywhere around the world. Now, the question of all-inclusive package usually means that you have your food, your full board, local drinks, etc. paid for but, in addition, the tour operator may have pre-sold some excursions to the tourists. Now, some of that are absolutely normal international practices. But, as far as the Committee is concerned, we are also concerned with the welfare of the taxi owners and we can understand that it is no fun at all if you are just waiting outside the hotel and you see business coming in and out, for instance, by normal contract cars, not limousine being chauffeur-driven, and that, I think, my colleague, the hon. Minister of Public Infrastructure is determined to put a stop to that - taxis from other bases coming and picking up people in the hotels. So, we are looking at the whole thing to find a middle way because some of the practices are absolutely normal international practices and we wouldn't wish Mauritius to be on a different level to what is offered elsewhere but, at the same time, we believe that things like, perhaps, having a taxi desk inside the hotel premises would go a long way to offering a fair chance to the taxi drivers to offer their services. At the

same time, Madam Speaker, and I will finish on that, it is also not normal for taxis dealing with tourists not to have a taxi metre, because I can understand the reluctance of some tourists to go into a taxi when they don't know on what basis the fare will be charged or whether they have been offered a fair fare or not a fair fare. That is something also that we need to look. We need to have a system that is both conducive to encouraging the tourists to use the taxis and, at the same, ensuring that the taxi drivers are discriminated against.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. The hon. Ag. Prime Minister has talked mainly about the issue of hotels. There is one aspect in relation to this particular question that I would like to draw his attention to, whether he could look into the possibility of sorting out the same type of disorder that exists at the level of the Port area. The Port areas Taxi Owners Association also have tour operators that come there where cruise ships *accostent*. They take a lot of tourists and go away and the taxi owners end up with nothing. They are not even allowed to go inside the Port area to collect passengers and give the choice to the passengers to take a taxi, whereas tour operators with their buses are allowed inside, discriminating against taxi drivers. I recall there was a meeting some time in 2014 where promises were made. Could the hon. Ag. Prime Minister, please look into it that the promise is kept.

**Madam Speaker:** Yes, we have understood your question! Hon. Shakeel Mohamed, please, we have understood your question.

**The Ag. Prime Minister:** I will look into it, Madam Speaker. That problem has been raised a number of times. I will look into it and see what can be done.

**Mr Fowdar:** In fact, I was going to ask the hon. Ag. Prime Minister to look into the possibility of having a taxi desk within the hotel. This is thing done. I thank the hon. Ag. Prime Minister for that. I would also request the hon. Ag. Prime Minister to review the role of *canvasseur* which is another troublemaker for the taxi drivers and to see whether their role could be reviewed in order to ease up matters for the taxi drivers.

**The Ag. Prime Minister:** The matter of the taxi desk has been mooted and will be taken as much forward as we can. *Canvasseur* is not the issue. Most of them do not have a permit, but they ply their trade and offer services, Madam, Speaker. So, the whole thing needs to be looked at to find an acceptable win-win solution.

**Mr Ganoo:** The hon. Ag. Prime Minister gave a long list of proposals that have been mooted out and so on as a result of the different meetings. This is not the point. The point of this question and the main complaint of the taxi drivers which drove hundreds and hundreds of them to come down the streets in Port Louis is because they are facing an unfair competition.

**Madam Speaker:** What is your question, hon. Ganoo?

**Mr Ganoo:** My question is: in view of the fact that it is the NTA itself, which is a Government agency, which provides the licence to these taxi drivers on the different basis in front of the hotels, the taxi drivers can understand that when the tourists come, the operator provides a *mode de taxi*. When a rich tourist needs a Limousine, it is Okay, but he cannot be deprived of his living and allow operators to come and drive the tourists when the tourists are leaving the hotels instead of retaining the services of taxis.

**Madam Speaker:** You have asked your question, hon. Ganoo!

**The Ag. Prime Minister:** Madam Speaker, this is exactly what I said, that is, part of it is quite acceptable, but part of it is not and we are looking at it. This is exactly what I said. But I must also inform the House that there has been a very friendly way of allocating taxis to hotels. The normal ratio is, I think, one taxi for four rooms. Now, in some hotels, you have one taxi for 10 rooms and in some hotels one taxi for maybe one or two rooms, in which case never can the taxi driver - if it is one taxi for two rooms and, if say, the hotel is not full, anyway, how on earth is the taxi driver ever going to get his living? So, what I think my colleague will do is reallocate the taxis so that they all respect sort of the one to four norms so that they have a better chance of earning a living. So, it is also a fact that there has been a misallocation of taxis to hotels.

**Madam Speaker:** Last question on this, hon. Ramful!

**Mr Ramful:** May I request the hon. Ag. Prime Minister to see to it that this committee that has been set up comes up with proposals as soon as possible so that we can find a solution to this problem?

**The Ag. Prime Minister:** Yes, I think we agree with that.

**Madam Speaker:** Next question, hon. Ramful!

## **BUS REPLACEMENT MECHANISM – SEMI-LOW FLOOR BUSES**

**(No. B/643) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Bus Replacement Mechanism for the replacement of existing buses by semi-low floor buses, he will state if he has received representations from the Bus Owners Association in connection therewith and, if so, indicate the actions that will be taken in relation thereto, if any.

**Mr Bodha:** Madam Speaker, with regard to the bus replacement mechanism, I am informed that the construction and use of semi-low floor buses are provided for, under the Road Traffic (Construction and Use of vehicles) Regulations 2010 which said that semi-low floor buses should be used instead of the high floor buses as is presently the case.

However, provisions of the new regulations were not implemented as there were representations from bus operators to the effect that they were facing financial difficulties.

In order to assist them the bus replacement mechanism was set up in 2014. This mechanism provides for a subsidy of Rs1 m. and VAT exemption to bus operators holding a road service licence on the purchase of a semi-low floor bus. Under this scheme, operators were eligible for the subsidy to purchase a bus either to implement a new licence or in replacement of his existing bus.

On 30 September 2014, bus operators were informed, through a press communiqué that, henceforth, the provisions of the Road Traffic (Construction and Use of Vehicles) Regulations 2010 would be enforced.

As at to date, 30 such buses have been acquired as follows: the Rose Hill Bus Transport Services Ltd: 18, the NTC 2, TBS Ltd: 2, MBT Ltd: 1, and one by an individual bus operator.

Madam Speaker, I am informed by the National Transport Authority that in June 2015, the Bus Owners Co-operative Federation made representations to the effect that individual bus operators were facing difficulties to replace their standard buses by semi-low floor buses due to the following – and they gave the following reasons, Madam Speaker -

- The replacement of a 60-seater bus will necessitate additional buses with additional labour and additional operating costs in view of the (2 x 2) seating layout with a total of 44 seats.



- The buses are heavier than conventional buses and as such, they consume more diesel;
- Being a new type of bus, its cost effectiveness was doubtful;
- The actual bus stands and the conditions of the roads especially in rural areas where humps are found might not be suitable to accommodate semi-low floor buses, and finally
- Drivers would need to be trained to drive those semi-low floor buses.

Madam Speaker, my Ministry has examined these representations together with the National Transport Authority and we have found out that most of them are unjustified and cannot be entertained.

In fact, it was noted that bus companies were already operating those semi-low floor buses on all routes of Mauritius, except in intra urban ones and in Rodrigues, with good performance in terms of fuel consumption, comfort and passenger satisfaction. Furthermore, road tests carried out by the National Transport Authority have, in fact, confirmed that these types of buses could ply on most routes except in intra urban ones and in Rodrigues. Moreover, semi-low floor buses with a seating capacity of 50 and standing capacity of 12 exist on the market. In fact, the NTC is in the process of purchasing 100 such buses.

Madam Speaker, it would be contrary to our policy of bus fleet modernisation, if we were to entertain favourably the representations of the Bus Owners Co-operative Federation.

Members of the House would agree with me that if we want to have an attractive, efficient, cost effective and modern public transport geared towards customer satisfaction, we can no longer continue with the poor quality of services provided by some individual operators. In fact, many shortcomings have been reported to my Ministry, the NTA and through the press that individual bus operators fail to pick up students and old age passengers on bus stop even when seats are available. Moreover, they often break routes or fail to respect timetables thus causing much hardship to travelling passengers. At times, passengers are made to alight one bus and board other buses for a single trip. Sometimes we have a speeding exercise and sometimes we have a slow motion exercise at other times.

Madam Speaker, my Ministry has embarked on a public transport modernisation programme in order to encourage our citizens to shift to public transport and individual bus operators are requested to contribute to our vision of a modern bus transport system. Our

endeavours are in line with the world trend which is to provide comfortable semi-low floor buses to commuters. Many European countries have, in fact, already shifted to low floor buses, while the Delhi Transport Corporation has renewed most of its fleet with semi-low floor buses.

In Mauritius, the bus replacement is far too slow. To provide new opportunities for bus operators to renew their fleet, we have already initiated a series of measures with the introduction of the smart line project. New buses will ply along dedicated routes with new bus shelters, a new passenger information system as well as with Wi-Fi and a GPS system.

Madam Speaker, I am, however, making an exception for Rodrigues and intra-urban routes in view of the topography and geometry of the roads in Rodrigues and the narrowness of the roads in our cities. My Ministry is amending accordingly the Road Traffic (Construction and Use of Vehicles) Regulations, 2010.

**Mr Ramful:** The hon. Minister has made mention of road tests that have been carried out. May I know from the hon. Minister whether a report has been done by the NTA and if he can table a copy of the report?

**Mr Bodha:** Yes. The report has been done, in fact, and I can table the report.

**Mr Jhugroo:** Can the hon. Minister inform the House, with regard to a bus conductor refusing to pick up a student or an old person at a bus stop, what action is being taken against the bus driver?

**Mr Bodha:** In fact, warnings are given and in some cases we have the suspension of the permit for a short period of time.

**Mr Ganoo:** The hon. Minister has talked about disciplining the individual operators, I don't think anybody has a quarrel with him on that aspect. Since the hon. Minister has himself given the figure that in spite of the Rs1 m. grant or subsidy provided to these operators, only one of them has bought one of these semi-low floor buses so far, doesn't that mean that the case of these individual operators is a good one and imposing upon them the purchase of these semi-low floor buses will mean the death of this community which is already suffering a lot in terms of operating cost?

**Mr Bodha:** There are three reasons to this, Madam Speaker. First of all, we are paying a subsidy of Rs50,000 to each bus every month even though students are not travelling. The second thing is semi-low floor buses have not been bought by operators, but

they have not bought the other bus either because the rate of renewal of the fleet is only 4%. The third reason, Madam Speaker, is that we must have a standardised system, we have to make the public transport more attractive. And in one study we have come to the conclusion that in 75% of cases, it is either Government or the private sector which is paying for the fare. When it comes to the individual operators, we have so many complaints as regards the free transport and we know exactly what happens about the buses going to the garage at five o'clock, not respecting the timetable, not respecting the speed limits. I think that some order has to be put. I am very conducive to the fact that we should sit down and see how to help them to be able to integrate a modern land transport system.

**Madam Speaker:** Hon. Sorefan, last question!

**Dr. Sorefan:** Thank you, Madam Speaker. May I know from the hon. Minister whether the policy of the low-floor buses was, in the first place, to help the old-age pensioner to get in, to move because those buses that we have now are paid by the Government and the old-age pensioner can hardly climb the bus. Probably, that was the policy, in the first place, for the low-floor buses.

**Mr Bodha:** That is why we have to come to the semi-low floor buses. There is one thing which is very important. In fact, we never had buses in Mauritius, there were chassis of lorries which have been converted into buses without specifications and standards. It is now that we are having the semi-low floor buses, that is, buses made for land transport to allow for handicapped people and old-age pensioners. Now, we are moving from the high-floor to the semi-low floor buses. In Europe, the system is already moving to low-floor buses. In fact, you move from the ...

*(Interruptions)*

You move from the station to the bus.

**Madam Speaker:** Time is over! The Table has been advised that PQ No. B/646 has been withdrawn. A point of order, hon. Bhadain!

**Mr Bhadain:** Yes, Madam Speaker. On a point of order, I would humbly request hon. Bhagwan to withdraw the word 'manipulated' which was used, imputing motives and inferences that I would have been manipulating programmes of the MBC which is a very serious allegation and which is totally false, Madam Speaker.

**Madam Speaker:** I have taken note of your point of order. I will consult the recordings and I'll come back with a ruling.

### MOTION

#### SUSPENSION OF S.O. 10 (2)

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

**Mr Jhugroo rose and seconded.**

*Question put and agreed to.*

### PUBLIC BILLS

#### *First Reading*

*On motion made and seconded the National Flag Bill (No. XV of 2015) was read a first time.*

**Madam Speaker:** I suspend the sitting for half an hour.

*At 5.06 p.m. the sitting was suspended.*

*On resuming at 5.45 p.m. with the Deputy Speaker in the Chair.*

#### *Second Reading*

### THE ROADS (AMENDMENT) BILL

**(No. XII of 2015)**

*Order for Second Reading read.*

**The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):** Mr Deputy Speaker, Sir, I move that the Roads (Amendment) Bill (No. XII of 2015) be read a second time.

Mr Deputy Speaker, Sir, the purpose of this amendment to the Roads Act *section 27-discharge of water on roads* and *section 42 - soil erosion* and refuse is to provide a fast and efficient mechanism to the Highway Authority to address the issue of illegal discharge of water and refuse by owners and occupiers of lands on public roads and drains. However, this is not an end in itself. We need to have wide scale consultations with institutions like the

National Development Unit, the Local Authorities, the Ministry of Agro-Industry and Food Security as well as the Ministry of Environment, National Emergency Centre and Beach Authority and come up with a holistic solution to address all problems of land drainage in Mauritius.

The amendment that is being presented now is addressing only two specific issues pertaining to roads. The rationale of this amendment, *M. le président, c'est de responsabiliser les gens sur leur devoir envers les autres concernant les problèmes liés à la décharge illégale de l'eau, des ordures sur les routes et des drains.*

Mr Deputy Speaker, Sir, it is to be pointed out that in the recent past, many areas, such as l'Amitié, Bel Ombre, D'Epinay, Souillac have been affected by floods and also Mauritius has witnessed a number of flash floods which have caused a lot of inconveniences to the population. There is no doubt that somewhere these occurrences are the direct consequences of poorly planned private developments. The consequences of climate change should also be considered. It is quite important that while acknowledging the need for developments to boost our economic growth, it is imperative to ensure that all planning precautions are taken so as not to adversely disturb the natural topography.

Mr Deputy Speaker, Sir, the illegal discharge of water from private developments onto the road surface and drains has been identified as one of the main causes of floods. The existing drains, although properly designed initially to cater for road surface water only, soon became inadequate as a result of illegal connections or direct discharge from adjoining roads and lands.

Mr Deputy Speaker, Sir, it is a fact that the existing agricultural zones of Mauritius have their own internal drainage system which is a feature of their original topography. But it is also a fact that major areas have been bulldozed under the de-rocking schemes. In addition, other portions of agricultural land are being converted and are being developed into residential morcellements, hotels and Integrated Resort Schemes and Golf Courses. Such schemes, Mr Deputy Speaker, Sir, and developments also modify the existing drainage and topography. From 2008 to date, several new floods prone areas have emerged as a consequence of these activities. In the North, East and South, some villages have been flooded by water coming from these lands. Such waters get diverted into the roads and find their way into residential areas.

Mr Deputy Speaker, Sir, another situation which is encountered often is the maintenance of existing drains. It has been observed that most of the times the drains are blocked by debris and other wastes from adjoining owners and occupiers of lands. Had it

been only for rain water it would have been easier to keep these drains in good functional conditions. However, unfortunately this is not so.

Provisions exist under sections 27(1)(a) and 42(1) to the effect that no occupier of premises adjoining a road shall cause surface water from the premises to flow into a road or into a road drain and allow a highway authority to require the owner or occupier of a land adjoining a road to execute such works as will prevent soil or refuse from that land from falling, or being washed or carried, on to the road or into any road drain as to obstruct the road or choke the road drain.

Mr Deputy Speaker, Sir, the existing provision of the law defines the discharges of water and refuse on the road or into the road drains as punishable offences. However, the existing law does not provide a fast mechanism to deal with these offences. Sending a notice to contravenants by the Highway Authority has not produced the expected result because civil cases constitute a long process. At the end of the day, those who contravene at the most, are liable, on conviction, to a fine of no less than 10,000 rupees and to imprisonment for a term not exceeding 12 months. This amendment allows the Court to give the Highway Authority the authority to undertake any actions it feels appropriate to remedy the situation and thereafter have the costs recovered.

Mr Deputy Speaker, Sir, we cannot condone such a situation any further. It cannot be business as usual, as floods represent a danger to human life. It is, therefore, necessary for the Highway Authority to have the means to act fast. This amendment allows the Court to give the Highway Authority the authority to undertake any actions it deems appropriate to remedy the situation and thereafter have the costs recovered.

Mr Deputy Speaker, Sir, it is anticipated that owners and occupiers will be discouraged to commit an offence under this act following this amendment or face the consequences. The public is warned that everyone will be accountable for his acts and doings. It is high time that everybody should act responsibly just as we are acting as a responsible Government in bringing forward this amendment to the House.

Thank you, Mr Deputy Speaker, Sir.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo) rose and seconded.**

**The Deputy Speaker:** Hon. Bhagwan!

(5.53 p.m.)

**Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière):** M. le président, entendre les objectifs de cet amendement par l'honorable ministre, rendre illégal tout déversement non autorisé de l'eau pluviale sur les routes ou les *road drains* et combattre l'érosion aux abords des routes, on ne peut qu'accueillir un amendement qui contribuera à accroître la sécurité sur nos routes et réduire les dégâts causés par l'absence de drains proprement dimensionnés et, par conséquent, des coûts d'entretien.

*Mr Deputy Speaker, Sir, we have witnessed over the years, grâce à de mauvaises planifications à l'urbanisation, ce problème aigu de land drainage. Cela me fait me rappeler qu'en 2002 il y a eu de grosses pluies, et le gouvernement d'alors avait commissioned GIBB & Partners pour faire une étude sur l'état de situation en ce qu'il s'agit de land drainage. Dans ce rapport il y a eu des recommandations pour la création d'un Land Drainage Committee. Des fonds ont été alloués à la NDU, qui était responsable de mettre en application les différents projets de land drainage à travers l'île Maurice. Malheureusement, il y a eu, après 2005, un stop, un ralentissement, pour plusieurs raisons. Il y a eu aussi, on peut se rappeler, des inondations dans le nord. Je me rappelle toujours de l'ex-ministre Gokhool. Il y a eu un étudiant décédé dans le nord, et le gouvernement d'alors avait commissioned le juge Domah pour faire un rapport et une enquête.*

*(Interruptions)*

Oui, à Mont-Goût ! Et le Juge Domah, je crois en 2009, avait fait des recommandations, et j'en cite une -

*"We recommend that the Ministry of Local Government carries out an audit of those local authorities which have fallen short of their statutory duties, more specifically regarding the drainage system, land development and waste management and bring them to account. At the same time, we urge the Ministry to reinforce its legislative and administrative measures to effectively deter persons from engaging in unlawful activities on the banks and reserves of watercourses, illegal constructions and prejudicial practices with regard to refuse and garbage disposal.*

*We also recommend that the Ministry urges the local authorities to be more imaginative and accommodating on the question of disposal of waste."*

Et puis, il y a eu en 2013 les *flash floods* dont nous avons tous été témoins, avec des pertes de vie. Ce projet de loi a été discuté à plusieurs niveaux et ici même, à travers des questions parlementaires, sur cette irresponsabilité. Je dis non seulement l'irresponsabilité des autorités mais aussi de la population, des *land owners*, des propriétaires de terrains. Aujourd'hui, nous sommes tous des élus. Il y a eu de grosses pluies avant-hier, je crois. Il y a pas mal d'endroits où il y a eu des inondations faute de drains mais aussi de par l'irresponsabilité des propriétaires.

Cet amendement, M. le président, vient à point pour décourager, pour envoyer un message fort, mais moi j'ai une crainte. *What about implementation* ? Nous savons tous par expérience. On parle des autorités. L'honorable ministre parle de *highway authority*. Le *highway authority*, c'est aussi les *local authorities* et la RDA, les *Districts Councils*. Que serait idéal ? Que l'inspectorat des municipalités, l'inspectorat des conseils de districts, mais aussi la RDA, le MPI, fassent des inspections dans le cadre de leur travail normal. Ce qui ne se fait pas!

Nous savons tous qu'il y a quelques inspecteurs dans les municipalités, et faute d'inspectorat il n'y a pas suffisamment d'inspection. Avec le nombre de morcellements ces jours-ci ! Je m'adresse à l'honorable ministre de l'Environnement aussi. Il y a le *EIA*, il y a des *norms* qui sont prescrits dans le *EIA*. Est-ce qu'il y a suffisamment de *monitoring* au niveau des collectivités locales, au niveau du ministère de l'Environnement pour s'assurer que les nouveaux propriétaires, les promoteurs fassent ce qu'il y a dans les conditions ? Ce qu'ils ne font pas ! Dans la majorité des cas, nous constatons qu'il n'y a pas suffisamment - il n'y a presque pas du tout - d'inspections pour agir contre ces irresponsables propriétaires de terrains ou des promoteurs. Ça, c'est un cas. Je crois que l'honorable ministre aura à réunir toutes ces institutions pour leur demander de faire leur *statutory duties*. Sinon, ce serait peine perdue.

Deuxièmement, l'honorable ministre aura à faire du PR auprès de la population, et se servir de la MBC à bon escient pour préparer des spots publicitaires, pour montrer où sont ces gens irresponsables. Il y a de grands promoteurs - je dis même de l'industrie sucrière - qui font des millions en faisant des morcellements. Ils font leurs morcellements, ils vendent des terrains et gagnent des millions, et laissent derrière eux ces problèmes aigus aux collectivités locales et à la population de l'endroit qui souffre en période de grosses pluies. Alors, je demanderai à l'honorable ministre d'organiser un bon PR pour attirer l'attention de la



population. L'honorable ministre vient de dire *'It won't be business as usual'*. Oui, mais quelles sont les amendes ? Maintenant on va mettre des juges en chambre. Quelles sont les pénalités ? Il faut attirer l'attention de ces irresponsables.

Troisièmement, M. le président, mettre tout sur le dos des propriétaires de terrains, mettre tout sur le dos des autorités locales n'est pas suffisant. Il y a des autorités autres qui sont des irresponsables, et on parle de *roads* ! Aujourd'hui, il y a la CWA. La CWA est en tête de liste. Médaille d'or ! Wastewater Management Authority, Mauritius Telecom, CEB ! Maintenant, il y a des promoteurs qui viennent pour installer les *digital cables* et qui font des fouilles. Et, finalement, qu'est-ce que ces contracteurs font ? *Mette ça dans canal!* Là, il y a un manquement au niveau des autorités locales et aussi au niveau des agences. Je crois que le ministre aura intérêt à organiser une table ronde avec ces organisations paraguayennes pour leur dire : «Voilà, la loi n'est pas seulement pour le public!» Il y a des *Chief Executives* qui sont grassement payés. Il y a des *Chairpersons* aussi maintenant. C'est à eux d'aller voir. Nous sommes des députés, nous savons qu'il y a un problème à la CWA. Il y a des centaines de cas tous les jours et on ne respecte pas les normes. Ces organisations sont supposées travailler d'après les normes. Une fois les fouilles terminées, il faut faire le ramassage avant de partir mais ils ne le font pas. Il y a aussi des contracteurs qui viennent faire de grands développements, ils viennent avec leurs pelleteuses JCB et camions remplis de trucs de drainage pour faire passer leurs déchets, puis ils partent; ils mettent même de la boue tout le long des routes. Là aussi, il faut agir contre ces promoteurs et ces utilisateurs de *heavy vehicles*.

Venir avec un amendement, c'est très bien de la part du ministre, mais quid du *follow-up* et quid d'agir en conséquence pour que, quand même, on puisse dire dans quelque temps qu'il y a un progrès. Si venir seulement avec un projet de loi, avec des *safeguards* sur papier, pour prévenir afin qu'il y ait moins d'inconvénient, ce n'est pas suffisant. *We won't achieve what we have been voted to do*. C'est tout ce que j'avais à dire, M. le président. On n'est pas contre cet amendement, cela va dans une bonne direction. C'était *on the card* depuis l'année dernière après les grandes inondations, et aussi depuis plusieurs années. Certains amendements viennent à point, *I would say, an additional point, pour* agir contre les irresponsables. J'espère que le ministre de *Local Government* et les autres ministres qui sont responsables des corps paraétatiques et des organisations vont agir en conséquence pour que ce projet de loi ne reste pas lettre morte ou ne soit voté à une séance du parlement seulement.

Je vous remercie.

**The Deputy Speaker:** Hon. Boissézon !

(6.04 p.m.)

**Mr E. Boissézon (Third Member for La Caverne & Phoenix):** Mr Deputy Speaker, thank you for allowing me to intervene during the debate relating to the Roads (Amendment) Bill.

I congratulate the Minister of Public Infrastructure and Land Transport for addressing the problems of blocked drains and flooded roads which have become acute. *Et je note avec plaisir que cet amendement sur ce projet de loi fait l'unanimité dans cette Chambre.*

An essential feature of road construction is drainage, the very purpose of which is to remove water efficiently from the surface of roads and provide a safe passage for vehicles and pedestrians. Also, it is important to ensure, in exceptional rainfall, that they can cater for changes in the run-off of the neighbouring areas, other roads and low lying residential areas from being inundated. Highway and road drainage systems also impact on the road conditions where drainage is inadequate; it can cause structural damages to the very foundation of the roads, notwithstanding the very high cost of repairs and maintenance. Unfortunately, Mr Deputy Speaker, very often the drains are choked with debris and soil dropped by some antipatriotic, selfish, *insouciant*s, who do not have any respect for others.

As the hon. Member before me said, some developers of *morcellements* do not take appropriate measures to ensure that the rainfall is infiltrated within the *morcellements* and to ensure that, in exceptional cases, the collective drain on the highway can cater for the overflow. Drains are filled for entry convenience from the road to certain premises. Drains are obstructed by building materials during and long after the occupation of the building.

In the past, Government has invested billions of rupees for the construction of drains and storm rain drainage. It is one of the main preoccupations of this responsible Government. Government will invest billions for the construction of drains. This will be a vain initiative if no appropriate action is taken to prevent occupiers and proprietors of premises to dispose water, soil and refuse in the drains or the roads.

Mr Deputy Speaker, the Road Act categorises roads as follows –

- Motorways or main roads shall be those roads so designated and classified by the Minister by Regulations, thus, for the time being falling under the accountability of the Road Development Authority.
- Urban and rural roads or roads within the boundaries of a town have been accepted as regular maintenance responsibility of the local authority.
- The same Act describes the highway authorities as in an authority responsible for the construction, care and maintenance of a road or class of road in accordance with the Act.

I am pleased to observe that this responsible Government is providing a fast and effective mechanism to the RDA and the Local Government Authorities to address illegal disposal of water, soil and refuse in the drains or roads.

Mr Deputy Speaker, another cause of flood is the fact that individual occupiers of houses and buildings do not manage the rainwater run-off from their assets. One may think: what is the importance of one house? As if a glass of water in the sea! But when you take the added surfaces of premises in a street and the prevailing climatic conditions prevailing actually, snap floods and so on, *bonjour les dégâts!*

Mr Deputy Speaker, today if one walks on a road in any town or village, he will see that a large majority of the occupiers of houses and premises dispose of the storm water on the roads and drains. They just fix a water pipe horizontally, as high as their roofs to conduct the water on the road. Furthermore, worse, the majority dispose of their grey water in the drain as well. This is one of the causes of floods and water stagnation in undulating hilly roads, the water travelling down roads and floods low lying areas. This is also another cause of damages to the road as constant impact of water on the road surfaces erodes it and slowly, but surely digs it. It is a danger since water disposables continue long after the rain has stopped. Pedestrians, cyclists and motorcyclists have to swerve towards the middle of the road to avoid the pouring water, putting themselves in danger. In the case of grey water, that is, water from the kitchen and bathroom, I shall not take the time of the House to enumerate its nuisance effect on the environment and sanitation, leaving it for my colleague, the Minister of Environment.

The present Bill will prevent the present situation to prevail in towns and villages and I reiterate my congratulations to the Minister of Public Infrastructure for this.

Mr Deputy Speaker, let us go to the objective of the Bill. The objective of the Bill stipulate –

“to give greater powers to a highway authority to prevent the illegal discharge of water, soil or refuse from any private property on a road or into a road drain.”

It means first - as it was rightly said by hon. Bhagwan – that the Highway Authorities had the power to prevent the situation. But what prevented them to do so? In fact, Mr Deputy Speaker, the law clearly stipulates that no occupier of premises adjoining a road shall cause surface water from the premises to flow on the road.

One can ask himself: “How the prevailing situations have occurred?” I once asked an officer from the Municipal Council: “Why they do not take actions against those who contravene?” He replied that there were ambiguities in the law and that it was difficult for them to implement the law. Secondly, the enforcement of the law will fall under which responsibility, which organisation? The Road Authority for classified roads, the local authorities! We have heard also the same recital: “We are out of resources to control and implement the law correctly.” I shall not linger on frivolous reasons which have allowed this situation to prevail and welcome this Bill as there is no excuse to stop the disposal of water on the roads.

Mr Deputy Speaker, this will be a very difficult task and one can imagine the number of notices for illicit discharge that will be issued in the days following the proclamation of this Bill. As hon. Bhagwan rightly said before me, I suggest that a good communication exercise must be done to inform the public at large of the law regarding disposal of water, on the consequences in case of contravention. A period of grace should be given to the occupiers who will be in illegal situation to remedy the situation, then, apply the law *avec toute sa vigueur* to all inhabitants. In such cases, the Officer of our authority cannot be lenient and start to pick and choose. This will lead to chaos again. Everyone must respect the law; no one is beyond the law.

Mr Deputy Speaker, what has been spoken so far are reactions towards *un certain état des faits*. The procedures to ensure compliances are long and costly and, very often, the difficulties thereon will be a deterrent for the Officers of the highway authority to enforce the law.

Once we shall eradicate the to-day's non-compliances, shall we continue a spiral movement to take action against illegal disposal of newcomers in the illicit circuit? I suggest that we take proactive actions to ensure non-compliance, to ensure that the owners or occupiers of buildings have the appropriate means to collect the rains which fall on their premises. In our endeavour to be proactive regarding the non-disposal of water, refuse and soil, we should not wait to witness the disposal, but rather take necessary measures to ensure proper control on rainfall management. Instead of applying the principle of the fear of the stick, we must start with the self-discipline awareness and implementation. We must educate the population at large of the importance of sustainable drainage system what they call (SUDS). In some countries and States, they call it best management practice and/or storm water control measures. Citizens must be informed of the need of self-infiltration into their premises and *morcellements*. Today, because of the impervious surfaces of premises, that is, the roof impermeable surface like slabs, pavement or concrete, no infiltration into the ground is done and as the premises are surrounded by a concrete wall, all the surplus water goes on the road. In these cases, the occupiers should ensure the capacity to infiltrate more than 80% of the storm water within their premises. In fact, Mr Deputy Speaker, Sir, in certain States, there are standards and norms to follow for the collection of storm and rain water.

Within the changing climate condition prevailing, the advent of flash floods, owners of large surface roofs should apply the principle of attenuation which consists of a reduction of runoff to reduce the peak flow rate and derive a persistence of smooth disposal.

Furthermore, they should implement a system of conveyance, that is, a controlled manner to transfer water from their premises to another site in proper soak pits.

Citizens should be encouraged to store water for future use, an experience that our brothers of Rodrigues know very well. In America, they call it storm harvest and money coming from the sky.

Mr Deputy Speaker, Sir, today, to build a house or building, one has to conform himself to at least five Acts. The Building and Land Use Permit Guide issued by the Ministry of Local Government stipulates that in accordance with Section 117 of the Local Government Act, every applicant for a BLP has to be in accordance with guidelines issued under the Local Government Act, the Building Control Act, the Town and Country Planning Act, the Environment Protection Act, and, in certain cases, the Sugar Industry Efficiency Act and if you go on their website you will see 'for technical guidelines, consult the website of the

Ministry of Housing and Lands.’ I will quote certain parts of those Acts, Section 29 of the Planning and Development Act 2004 says –

“Where an applicant has or is likely to have a significant impact on roads or traffic management, he has to consult the Ministry responsible for the subject of road”.

The Building and Control Act 2012, Section 16, Inspection during building work –

“An authorised Officer shall carry out at least one inspection to a building under construction to ascertain whether the required permit has been obtained and, if so, whether the conditions of the permit are being complied with”.

Are we sure that inspectors are doing their work properly? So, just go to the root cause! I suggest that we codify the law to have a single one which will provide for the promotion and uniformity in the law relating to the erection of building in the area of jurisdiction of the local authorities for the prescribing of basic standard and for matters connected therewith.

Mr Deputy Speaker, Sir, in South Africa, they have enacted the National Building Regulation and Building Standard Act which forms the basis of how buildings in South Africa should be constructed and developed to suit human habitation. The legislation becomes enforceable in 1985 and later was published by the South African Bureau of Standards as SANS 10400

To remain within the scope of the objectives of the Bill, I shall speak of the water issue. SANS 10400-R - stormwater disposal.

“Property owners are responsible for the removal of stormwater from their property. They may not simply discharge excess water onto adjacent land or into the street unless this is permitted by neighbours and/or the local council or municipality”.

The law makes it compulsory for the applicant of a building permit to submit a stormwater system design. The rational design of this system, if required, must be undertaken by a competent person involving a process of reasoning and calculation and which may include a design based on the use of standard or other suitable documents. A competent person required for stormwater system must be a civil engineer who is registered in terms of

the Engineering Profession Act as professional engineer or professional engineering technologist. Alternatively, this person may have a tertiary qualification in civil engineering.

Before I conclude, I wish to raise the attention of the Speaker regarding the documents which have been circulated. When we look at the documents relative to the Bill, section 3 (a), we can read -

“Section 27 of the principal Act is amended -

(a) in subsection (1)(a), by deleting the words “No occupier” and replacing them by the words “No owner or occupier”;

But when we look at the document which was circulated relative to the Act as it is today, we can read -

“27. Discharge of water on roads

(1) (a) Occupiers of premises adjoining a road shall not cause surface water from the premises to flow on to any road or into (...).”

If we apply the words of the Amendment, we shall read -

“No owner or occupier of premises adjoining a road shall not cause surface water from the premises to flow on to any road (...).”

I think we have to see. Perhaps, it is a typing error, but the hon. Minister will investigate, and at Committee Stage we shall have to see about this amendment, Mr Deputy Speaker, Sir.

To conclude, Mr Deputy Speaker, Sir, it is high time for our laws to become more stringent so as to deter and prevent defaults. According to the prevailing law, a notice is served on offenders and it takes a long time to remedy the situation. With the Amendment that is being proposed, the Judge in Chambers will have the power to cause the remedial works to be carried out by the offending party. Alternatively, the highway authority can undertake the remedial work and recover the cost incurred.

On the other hand, although not within the scope of this Bill, it is time to enforce that all new building permit applications should contain a rain and stormwater system and ensure that it is constructed and functional before issuing an occupational permit.

Thank you, Mr Deputy Speaker, Sir.

*(Interruptions)*

(6.25 p.m.)

**The Minister of Local Government (Dr. A. Husnoo):** Mr Deputy Speaker, Sir, I would like first of all to congratulate my colleague, the hon. Minister of Public Infrastructure and Land Transport for coming up with this important piece of legislation. I believe it will certainly contribute in enhancing the environment for the well-being of our citizens in addition to mitigating the potential pollution problem with illegal discharge of water, soil and refuse on roads and roadside drains.

Mr Deputy Speaker, Sir, as the House may be aware, the local authorities and the National Development Unit have been spending significant amount of money in construction and maintenance of drains across the island. The hon. Minister of Finance and Economic Development has announced in his Budget Speech for the Year 2015/2016 that provisions are being made for a total of Rs1.3 billion for priority drain works. Let me point out the fact that local authorities are on their part spending around Rs150 m. on a yearly basis for the construction, care, maintenance, improvement and cleaning of all drains within their jurisdiction areas. As a matter of fact, they have each set up a dedicated unit and established regular programme for the cleaning and maintenance of drains. In addition, a roving team of men from my Ministry is also providing assistance to local authorities for the cleaning and maintenance of drains as and when required and in case of emergency.

Mr Deputy Speaker, Sir, the House has been informed that the objective of this Bill is to give powers to the highway authority to prevent illegal discharge of water, soil or refuse from any private property on a road or into a road drain. We may be asking ourselves why is it so important to have such a piece of legislation? There are so many reasons to that as my colleague, the hon. Minister of Public Infrastructure and Land Transport, has highlighted in his presentation of the Bill to the House. In fact, we do not often realise that ocean pollution originates on land. 80% of pollution to the marine environment comes from land. Water pollution also starts as air pollution which later on settles into waterways and oceans. Soil or slits from fields or construction sites discharge into waterways can harm wildlife habitats as well.



Mr Deputy Speaker, Sir, we are all aware that drains are intended to take rainwater straight to the sea to avoid flooding. Drains which are contaminated with waste and fluid which pollute the neighbourhood can create health risks for children, kill marine life and contribute to localised flooding problems. Therefore, it is very important for us to ensure that efforts and investments put in our roads and drains infrastructure systems are resources well spent. However, increase in both manpower and capital resources for sustainable environmental improvement are not enough if the powers of the authorities are limited and the penalties do not discourage contraveners. It is high time for all Mauritians to be careful and to act in a responsible way especially when our living environment is at stake.

Mr Deputy Speaker, Sir, from past experience we have noted that one of the main cause of our drain system blockage is refuse accumulation other than illegal discharge of water and soil. It is high time for the relevant authorities to initiate legal actions against contraveners. Currently, the different environmental regulations drafted by the local authorities make provision for the imposition of fine up to Rs25,000 upon contraveners in the event they are found guilty. I strongly believe that this proposed Bill will no doubt entrust both the local authorities and the Road Development Authority with additional power to initiate necessary actions against owners and occupiers of premises adjoining any road who cause surface water, soil and refuse from the premise to flow onto the road drains.

Mr Deputy Speaker, Sir, we all know very well that whatever may be the amount of penalty fine imposed upon contraveners would not rectify the damage already done to our environment. It is worth noting that this Bill is making the necessary provision to take care of such situation by empowering the relevant local authorities to have access to the premises and to put an end to this kind of offence. Furthermore, the Amendment also makes provision for the authority to claim from the owner or the occupier, the expenses and the cost incurred in putting an end to such offences. We believe that this measure will act as a deterrent to these practices.

Mr Deputy Speaker, Sir, let me highlight that citizens are the essential resource of a nation. It is the responsibility of the State to draft and enforce laws and regulations which aim at protecting and improving the living environment of its citizens. But however, laws and regulations alone are not going to make a better living environment for citizens. By just improving legislation, would not guarantee, maintain, proper drains. People have to be made aware that they have got a role to play, to assume their responsibilities which can,

undoubtedly, help to keep our country clean. Acting as responsible citizens, would definitely contribute significantly towards a better living environment.

We are confident that with the enactment of this Bill, followed by a public awareness campaign, the population will be more conscious of the powers which are being entrusted to the Highway Authority. This will make people act in a more responsible manner. By doing so, we shall leave a much better living environment as a legacy for our children and the future generation, hopefully.

Thank you for your attention, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Hon. Mohamed!

(6.33 p.m.)

**Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):**  
Thank you very much, Mr Deputy Speaker, Sir. I have, at the outset, to thank the hon. Minister to come up with such piece of legislation to this Assembly.

I recall that this was, indeed, a piece of legislation that had been worked upon for some time now and I am happy to note that the hon. Minister has continued the work of his predecessor actually, because I am informed that the excellent and lot of thought that has gone into the preparation of this Bill, precisely because of issues that had risen in the past and the difficulties that the authorities faced in order to bring a solution, to take action and to prevent any continuing harm being done by occupiers and, in this particular case, owners when water is allowed to come onto the road.

However, allow me to say that I am in agreement with the Bill, and the following words that I am going to pronounce, do not in any way mean that I am against the Bill. I am only here to make certain remarks and tell certain suggestions that go in line with the excellent proposal that the hon. Minister has made.

When one looks at the law, I am sure that anyone would agree that it is in the interest of any Government and also in the interest of the public to be a centralisation of all administrative works or decisions that need to be taken. Imagine a situation where you have a Highway Authority - as is the case nowadays as defined under the Roads Act - that talks about the definition under Section 2 of what a road is, that talks about section 3 or section 4 that talks about all the classification of the roads and which are the authorities responsible for

classified roads, for rural or urban roads. You have, therefore, a situation where you have the RDA responsible for classified roads and, according to law, you have a situation where you have the local councils responsible for other roads.

Therefore, this is far from the centralisation process that could bring order and discipline. In my view, it has been tried and tested. Other authorities such as the RDA or the local councils have all taken their share of responsibility in order to maintain roads, in order to inspect roads, in order to ensure that laws are implemented and do not simply remain as black ink on a white page. But it has not worked and I believe that we have, Mr Deputy Speaker, Sir, to be honest with ourselves that it has not worked. Even if all officers from the Local Councils or the Road Development Authority have the best of intentions, it has not given perfect results.

Very often we hear that people from Local Councils may have the best of intentions and views, but a lot is left over because they thought at one point that it was a classified road and vice versa. Very often, I have come across people from the Municipal Councils saying: "We were not aware. We thought that it was, in fact, a classified road and was not our responsibility, but was the responsibility of the Road Development Authority." What I am trying to get at here, Mr Deputy Speaker, Sir, is as follows: there is no point in having excellent piece of legislation and I am sure the hon. Minister would agree with me, if one cannot implement it, there lies the difficulties. It is true that we have to start somewhere. It is true that we have to, at least, put it on paper and give the tools to officers to implement, but tools will not only be limited to laws. Tools, in my humble view, should extend to the structure of the enforcement authority itself that must change and there will be no change if we continue to have the RDA on one side being the Highway Authority as well as the Local Authorities being the Highway Authority.

Imagine a scenario where there was one Highway Authority - not two - with the same system of verification with proper teams structured and sent out for inspection, that there was one *cahier des charges* which they would adhere to with how does one verify and how does one enforce and how does one implement as opposed to two different types. We would have only one labour force that would be trained and qualified in order to give quality because this is precisely what this Government is proposing. This is precisely what the hon. Minister is proposing: quality and safety and security on our roads. But the question I ask is: can there be such quality? Can there be uniformity? Can there be security? Can there be peace of mind if

we have more than one Highway Authority? In my view, I humbly suggest that I believe it could have been done this time that this Roads (Amendment) Act should also have had an amendment to section 2 where the Highway Authority should not be as it is defined at section 4. A Highway Authority should be only one and centralised. That is the first point I would like to make because I would like to contribute to the work. I would like to contribute to the discipline that everyone of us would like to instill in the creation of a safe environment for the people of this country.

Now, whenever you have only one authority, it is easy to find who is responsible. Whenever you have only one authority, it is easy to know which number to call for the repairs, it is easy to know which number to call and what office to visit in order to make a complaint. It is, therefore, in my humble view, once again, not only necessary for implementation, but it is also necessary for members of the public to have a peace of mind as regards the authority responsible for the roads around them. I come from a Constituency, hon. Dr. Husnoo, the Minister of Local Government comes from the same constituency. Hon. Abbas-Mamode also is here. I do not forget him. There are four hon. Members from my constituency and I am lucky, I guess. Imagine the Constituency we come from, which is Constituency No. 3. When one looks at all the constructions that have happened over the years, there is no one line of buildings. Some have extended, some have come so close to the border of the road, so much so the Local Authority now - I guess, the hon. Minister may be did not think that one day he will be Minister of Local Government at the time when he was elected in 2005, but so be it, he is.

Now he faces a difficult situation. How does one ensure that the Municipal Council of Port Louis carries out proper work for proper drains, when you dig one centimetre square and you end up with so many confusions with regard to what exactly is under there? Telephone lines, water pipes, fibre optics, and there are no plans for it! I am sure the hon. Minister is aware of what I am saying. There is the need, therefore, for one authority to ensure that there is a standard and not multiple types of standards; one for the classified roads and one for the roads under the responsibility of the local authority.

There is an issue which was raised earlier on by hon. Boissézon, which is an interesting point. I, myself, saw that, but I have read the document that was circulated. To be honest and fair, I do not believe that the hon. Minister has committed any wrongdoing, neither has the State Law Office. When I read the section of the Act which clause 3 of the Bill

proposes to amend - I realise that what I am doing here is normally for the Minister to do, but just to be fair and not to play politics, I would like to say it - it is, in fact, most probably, a typing error. Because at no time when one looks at the original law, does the word 'not' appear. When one looks at the original law, the word 'not' does not appear. Therefore, there would be no double negatives. Had it appeared, hon. Boissézon would have been totally right. There would have been the need to correct one of the negatives. So, that being said, I am of the view that this is an issue that could easily be sorted out.

There is something else which I have come across, which I would like to bring to the attention of the hon. Minister. It is the following. I was once upon a time a Member of Constituency No. 13. The hon. Member representing that constituency is here and also we were neighbours in those days to Constituency No. 11 and No. 12. I remember the days - and I am sure a lot of Members here would remember those days - when there were a lot of floodings in the south of the country. I am not talking about the time when it happened in Port Louis, but flooding, serious floodings in the south of the country. We are talking about l'Escalier, Camp Tagore, Trois Boutiques, Mare Tabac. Only recently, a few months ago, the same type of flooding occurred. Whenever it occurred when I was Member of Parliament before 2010 - I was a Member of Parliament of Constituency No. 13 - the same words were spoken by the inhabitants of those constituencies.

Hon. Henry would remember that it was the first time that they had seen such a *déluge*, that they never expected the water to rise so fast, that they had lost their belongings, that they had lost their immovables, that they had lost their family treasures - not necessarily value in terms of money, but important for them emotionally - and the same thing keeps on repeating itself.

It happened again at the beginning of the year, if I am not mistaken, a few months back. Even at Mare Tabac there have been floodings. But each and every time that those floodings occur, it is not simply because an inhabitant has blocked a drain. Very often, we find it so easy to blame this inhabitant, this Mr or Mrs or young man or young girl who, through negligence, threw some plastic bag here and then someone else with a plastic bag and another plastic bag and some of the rubbish and let it go into a drain from his property. We find it so easy to blame this person, this individual. But we forget, in actual fact, that in all three situations and more, Mr Deputy Speaker, the cause for floodings that we have seen and experienced - all Members in this august Assembly have seen it when their constituencies

have been flooded - is because the sugar estates that own wide expanse of land have gone through the process of *mécanisation*.

When they have gone through mechanisation, they have ensured that the land could take such mechanisation, for example, for irrigation. They have ensured that natural drains that exist on those plots of land are covered up. The courses of natural drains are changed and that is why it creates a fertile ground - I am not here talking about fertile ground for the agricultural sense of the word - to carry the water to the roads and, from the roads, into the houses of inhabitants of those localities. It is not the first time that inhabitants have said that. I remember the days when hon. Henry who was in Government together with us for five years almost put questions concerning Constituency No. 12 and the need for the construction of proper drains, which the previous Government carried out.

I am happy with this new law because I believe that now we have to address this issue, the issue of how do we interact with the sugar estates, how do we call the sugar estates to act as responsible citizens. Yes, there is the need for mechanisation. Yes, there is the need to produce more sugar. Yes, there is the need to increase the revenue in terms of sugar revenue. Yes, the cane industry must be encouraged. Yes! But no! It cannot be at the expense of the inhabitants of the locality. It cannot be at the expense of those inhabitants, because I do not know of only sugar estate that has been called to reimburse all those families that have lost refrigerators, clothes, photograph albums, that have lost their livelihoods, that have seen them flow away in drains, not created by men, but drains of muddy water taking everything before their eyes. Never have I heard of a sugar estate or sugar company being asked: "Listen, let's sit down, let's go for arbitration, let's find out, because you are, indeed, responsible for having changed the topography of that land in the name of mechanisation and you have been one of the main causes of the flooding and damage to people's livelihoods."

We are all on the same page, be it the Members of Government and Members from the Opposition. We all do not want our countrymen to suffer from the consequences of flooding. Only recently, in a friendly country, a friend of Mauritius, France, there were more than 17 deaths and so many disappeared; a flash flood. Imagine a country so industrialised and developed and advanced as the Republic of France, having to go through such trauma that they have called for a state of emergency!

The times are such that everything is changing in terms of climate. Times are such that we have to prepare for the worst. That is why I commend and congratulate the hon.

Minister for what he is coming forthwith. Just a last little reminder, a humble suggestion to think about, if not now, but in the months to come - not years - that we could centralise what we call a highway authority. I repeat it, it is for discipline, for there to be one standard and for there to be only one number to call and for there to be only one institution to blame if things go wrong. So, I thank everyone of you for your attention, and I say good luck to the hon. Minister.

Thank you.

**Mr Dayal:** Mr Deputy Speaker, Sir, I move that the debate be now adjourned.

**Mr Wong Yen Cheong rose and seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

#### **ADJOURNMENT**

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 13 October 2015 at 11.30 a.m.

*Question put and agreed to.*

**Mr Bodha rose and seconded.**

**The Deputy Speaker:** The House stands adjourned.

(6.52 p.m.)

#### **MATTER RAISED**

##### **ROAD - HIT & RUN ACCIDENTS**

**Mr A. Ganoo (First Member for Savanne and Black River):** Mr Deputy Speaker, Sir, I thank you for allowing me to raise this specific matter at Adjournment Time. I have given notice to the hon. Ag. Prime Minister. I shall be very brief.

Mr Deputy Speaker, Sir, this morning, in the course of Questions addressed to the Ag. Prime Minister there was one question which dealt with the hit and run cases and the Ag. Prime Minister gave some very interesting and alarming information as well regarding cases of hit and run in our country. From the answer that he gave to the House, in fact, during the past two years and the first nine months of this year, that is, starting 2013, 2014 and up to September of this year, there have been 294 cases of hit and run in our country, among which

there have been 17 cases of fatal accident. Dix-sept cas de *mort d'homme!* Mr Deputy Speaker, Sir, this is quite alarming.

The Ag. Prime Minister also, at the end of his reply, informed the House that some time back Government had announced the setting-up of an Insurance Industry Compensation Fund for the payment of compensation to persons suffering from personal injury in traffic, that is, victims of hit and run accidents, and that the regulations are being worked out and will be finalised soon. Mr Deputy Speaker, Sir, in fact, this was one the points of my intervention. It is the hallmark of a modern and democratic society, of a caring society, of a society *empreint de solidarité* to set up a scheme which will, in fact, enable this process of restorative justice when somebody has been the victim of a hit and run, a blameless citizen, an innocent citizen being the victim of a hit and run and where the driver or the motor car vehicle involved in the accident is untraceable. So, it is good for the State to come up with a Scheme in order to restore justice to that innocent victim.

In fact, in many countries of the world, Mr Deputy Speaker, in India for example, since 1988 such a scheme was introduced to protect the rights of road accident victims, where the identity of the motor vehicle or the tort feaser cannot be established. In India, the compensation is made from a Solace Fund which is contributed by the General Insurance Industry under an agreed formula. In the UK also, one can claim compensation from a Motor Insurance Bureau (MIB) if one is injured because of an uninsured or hit and run driver. So, my appeal to the hon. Ag. Prime Minister is to see to it that these regulations, or a piece of legislation, in fact, be finalised as soon as possible and be introduced urgently.

I will also deal with another category of innocent and blameless victims, Mr Deputy Speaker, Sir. In fact, I entitle my intervention as the Criminal Injuries Compensation Authority. It concerns the advisability of setting up such an Authority. This is a scheme which, in fact, deals where somebody, a blameless, an innocent citizen has been also the victim of a crime of violence. For example, an innocent citizen is walking down the street and a hold-up takes place in a bank nearby and he is unfortunately injured in the process of that hold-up and he becomes a victim of a crime of violence.

In the UK, Mr Deputy Speaker, Sir, there is an Act which was introduced since 1995, the Criminal Injuries Compensation Act, which set up a scheme therefore for that category of blameless victims, people who are injured in criminal cases, in crimes of violence and the law there defines crimes of violence, including a physical attack, a sexual assault, an arson and



even a threat; and the law sets up a scheme which spells out on what basis compensation should be calculated. It is a transparent scheme; the law provides the tariff which indicates each description of injury, the standard amount of compensation to be paid in respect of each specific injury. This Authority has a Chief Executive who has to account for all the disbursements for the sake of transparency, of course. It is a well-regulated scheme and it is even approved by each House of Parliament in the UK. Therefore, the persons who are eligible for this award, the conditions are that he must have been the victim of a criminal injury or a direct victim of a crime of violence committed in a relevant place.

So, this is the point of my intervention today, Mr Deputy Speaker, Sir, to appeal to the hon. Ag. Prime Minister to see to it that Regulations or a proper Bill come before this House in order to restore justice to the victims of hit and run accidents and also a Bill along the lines of the Criminal Injuries Compensation Act in the UK in order also to restore justice to those who have been victims of a violent crime, who are blameless and who are innocent.

Thank you.

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I wish to thank the hon. Member for his intervention. As I mentioned this morning, since the beginning of the year, there have been 111 cases of hit and run, causing injury or death. There have been eight deaths of hit and run since the beginning of the year. I am informed as follows and I will read a statement that has been prepared, Mr Deputy Speaker, Sir.

The issue of compensation for criminal injuries is a complex matter which cannot be treated with levity. This policy has been adopted and implemented in several jurisdictions, including the United Kingdom, Australia, New Zealand, and Trinidad and Tobago, as well in several States of the United States. However, each country has its own scheme of compensating victims of criminal injuries under specific statutory provisions.

Regarding the setting-up of such an authority or scheme in Mauritius, the House will appreciate that we are referring to a very complex issue and given its wide ramification and financial implications, it is proposed that the hon. Attorney General refers the matter to the Law Reform Commission under Section 5(2), of the Law Reform Commission Act. The Law Reform Commission may thereafter study all the implications thereof and, in the light of this report, Government would be in a better position to take a decision as to the most appropriate policy for Mauritius. I wish nevertheless to draw the attention of the House to the fact that Section 88, of the Insurance Act, provides that -

“Subject to regulation being made by the Minister for the establishment of an insurance industry compensation fund for the payment of any claims in respect of risks situated in Mauritius as may be prescribed against an insurer licensed under this Act remaining unpaid by reason of insolvency of such insurer, subjects to such limitation, restriction, (...) and conditions as may be prescribed and payment of compensation to persons suffering personal injury in traffic accidents where the tortfeasor or the vehicle which caused the injury is untraceable subject to such limitations and restrictions as may be prescribed”.

As I have mentioned this morning, Mr Deputy Speaker, I had myself announced in my 2014 Budget that this Insurance Fund would be set up. And I am pleased to note that the regulations have been prepared and have been forwarded to the Ministry of Financial Services, Good Governance and Institutional Reforms and, hopefully, within the forthcoming weeks, we will have the Insurance Compensation Fund set up, as I mentioned, with a schedule of compensation depending on the type of injury or death, and, of course, also with a Seed Fund from Government and a levy on its insurance policy.

So, Mr Deputy Speaker, Sir, I hope that it should go some way towards alleviating the hardship of the victims and, at the same time, as I mentioned, the Attorney General will forward the whole issue of Criminal Injuries Compensation Authority to the Law Reform Commission.

Thank you.

*At 7.01 p.m. the Assembly was, on its rising, adjourned to Tuesday 13 October 2015 at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### BOIS MARCHAND CEMETERY – LARCENY

**(No. B/621) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Bois Marchand Cemetery, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of profanation of tombs in the Chinese section thereof over the past two years, indicating the measures that will be taken to prevent the recurrence thereof.

**Reply:** I presume the hon. Member is referring to the offence of “violating tomb”, as provided for by Section 275 of the Criminal Code.

I am informed by the Commissioner of Police that, over the last two years, no case of “violating tomb” at the Chinese section of the Bois Marchand Cemetery has been reported to the Police.

However, one case of “damaging property” and seven cases of “larceny” at the Chinese section of the Bois Marchand Cemetery, have been reported to the Police.

I am further informed by the Commissioner of Police that, policing of the Bois Marchand Cemetery has been enhanced through sustained mobile patrols, by day and by night, by personnel of the Terre Rouge Police Station, the Divisional Support Unit, the Emergency Response Service and the local CID, as well as through sensitisation campaigns.

#### **US DEPARTMENT OF STATE – TRAFFICKING IN PERSONS REPORT**

**(No. B/622) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether he will state if he has taken cognizance of the Report on Trafficking in Persons 2015 of the US Department of State, and if so, indicate the measures that Government proposes to take to crack down the network of trafficking in persons, if any, in Mauritius.

**Reply:** On 28 July 2015, the Secretary for Foreign Affairs submitted to the Prime Minister’s Office a copy of the extract of the Report on Trafficking in Persons 2015 relevant to Mauritius as released by the US Department of State.

In the 2015 Report on Trafficking in Persons, the US Department of State has placed Mauritius under Tier 2 Watch List, which indicates that Mauritius does not fully comply with the minimum standards for the elimination of human trafficking, but is making significant efforts to bring itself into compliance, and the report has made several recommendations in that respect.

Since issues related to Trafficking in Persons such as child prostitution, child labour and brothel keeping are dealt with by different Ministries and Departments, the 2015 Report on Trafficking in Persons was circulated to them for their views and comments, which are now being examined to decide on the way forward. It is proposed to contest certain aspects and findings of the Report which have not been substantiated. Furthermore, the US Embassy will be consulted on the manner in which information is gathered for the preparation of the Report by the American authorities.

Some of the recommendations in the report are already being implemented. In regard to the use of anti-trafficking legislation to investigate and prosecute trafficking offences, concerned officers of the Police, State Law Office and Office of the Director of Public Prosecutions are being trained on Trafficking in Persons so that investigations and prosecutions are made under the Combating of Trafficking in Persons Act of 2009. Prior to 2009, the law enforcement officers were investigating and prosecuting cases related to human trafficking under other laws such as the Criminal Code Act or the Child Protection Act. These officers, therefore, require relevant training to be able to interpret and enforce the Combating of Trafficking in Persons Act.

I am also informed that the Ministry of Labour, Industrial Relations, Employment and Training has reinforced its Special Migrant Workers Unit by two additional staff.

I am further informed that the Ministry of Gender Equality, Child Development & Family Welfare is working on a comprehensive policy and strategic plan for children. The Police is also working in collaboration with international organisations such as INTERPOL to gather information and intelligence for offences, including those related to human trafficking, having an international dimension.

To ensure proper coordination, an inter-Ministerial Committee will be set up under the chairmanship of the Attorney-General and comprising the hon. Minister of Social Integration and Economic Empowerment, the hon. Minister of Gender Equality, Child Development and Family Welfare, the hon. Minister of Labour, Industrial Relations, Employment and Training, the Secretary for Home Affairs, the Commissioner of Police and the Director of the Public Prosecutions for a concerted response to issues related to Trafficking in Persons including child trafficking and forced labour.

#### **SUBOXONE – DRUG SUBSTITUTION THERAPY**

**(No. B/623) Dr Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the proposed introduction of Suboxone as a new substitution therapy in replacement of Methadone, he will state if amendments will be introduced to the Schedule of the Dangerous Drugs Act to cater therefor.

*(Withdrawn)*

## NINE YEAR SCHOOLING PROJECT - IMPLEMENTATION

(No. B/644) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the proposed implementation of the Nine Year Continuous Basic Education Project, she will state the policy being envisaged by her Ministry concerning private tuition at primary school level.

**Reply:** I wish to draw attention of the House that the Nine Year Schooling (NYS) project being introduced in the context of educational reforms will bring in a transformation of our current educational structure and the accompanying measures are likely to bring about a systemic change which would lay emphasis not only on the cognitive development, but also on the integral development of the Mauritian student.

This is a holistic and integrated approach, Madam Speaker, which will involve a paradigm shift, a change in the mindset of people. The focus will be on the pupil's attainment and achievement.

The pupils would be provided with the opportunity to develop their talents, multi-skills and their personality in a holistic manner. The whole evaluation process itself will be revisited. The new mode of assessment will allow a better evaluation of their cognitive development and recognition of their talents and skills as well.

Another important pillar of the reform is the introduction of the remediation. The implementation of the remediation system right from Grade 1 will allow the early identification of any pupil showing learning difficulties and the provision of pedagogical support in a timely manner helping the latter to overcome his/her difficulties. "*Cela nous permettra de mieux encadrer les élèves et faciliter l'apprentissage*". Putting the pupil back on the right track in a timely manner through remediation during his or her schooling will in the long run reduce the dependence on private tuition.

Moreover, this new system would entail an elimination of the A+ grade.

The National schools will no longer admit students to Grade 7.

The admissions to secondary schools will be done on a Regional basis. All students will get the opportunity to progress to Grade 7 after the Grade 6 exams which will culminate into an achievement certificate, known as the Primary School Achievement Certificate (PSAC).

Pupils will thus be learning in a more conducive, competition -free environment without the intense pressure or stress that currently exists. Parents would themselves realise that, with this new learning set up where the child's cognitive and meta cognitive faculties will be enhanced, private tuition will find less and less space.

We are confident that private tuition will by itself lose its *'raison d'être'* in the near future. The Ministry, therefore, does not intend to come forward with a new policy in regard to private tuition in the Primary sub-sector as we firmly believe that in the long run this demand for private tuition will subside on its own.

We are coming up with a system which will relieve the undue stress that the Mauritian students have been subject to for decades now, it is the duty of one and all, all stakeholders, decision makers, heads of schools, parents and educators to cooperate and make this happen.

### **CIRCULAR MIGRATION PROGRAMMES - BENEFICIARIES**

**(No. B/645) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the Circular Migration Programmes to which Mauritius is a party, he will in each case, state the –

- (a) countries concerned therewith;
- (b) duration thereof, and
- (c) number of Mauritian nationals who have benefitted thereunder.

**Reply:** Mauritius became a member of the International Organisation for Migration (IOM) in 2006. In collaboration with the IOM, the Government is implementing the Circular Migration Programmes which aim at identifying employment and training opportunities abroad for Mauritian nationals.

In regard to part (a) of the question, I am informed that Mauritius has circular migration programmes with Canada, France and Italy.

In regard to the circular migration programme with Canada, I am informed that the programme started in 2007 with the assistance of the IOM (Mauritius) which sought employment opportunities for Mauritian nationals for placement in Canadian enterprises in the following sectors: food processing, cleaning, maintenance and repairs of heavy vehicles, hairdressing, and welding.

As regards the circular migration programme with France, I am informed that the bilateral agreement was signed in September 2008 and the agreement came into effect in September 2010 following the completion of the ratification procedures on both sides. This agreement contains a list of occupations/sectors in which Mauritian nationals may be employed in France and this includes construction, catering, agriculture and fisheries sectors.

Regarding the circular migration programme with Italy, I am informed that the agreement was signed in September 2012. The programme aims at providing training to Mauritian nationals in the skills required to facilitate their placement after training.

In regard to part (b) of the question, I am informed that the circular migration programme with the IOM in respect of Canada is ongoing. The bilateral agreements between Mauritius and France and Italy are for an indeterminate period.

In regard to part (c) of the question, I am informed that so far a total of 489 Mauritian nationals have been sent to Canada and six to France. 100 Mauritian nationals, including 21 from Rodrigues have benefitted from the training programme in Italy for the period 2013 to 2015. Under the circular migration programme with Italy, a first group of 31 Mauritian agro-processors benefitted from a two-week training and placement programme at the Institute of Mediterranean Agronomy in Bari, Italy, in October 2013. A second batch of 69 Mauritians benefitted from a two-week training programme in the Fisheries and Tourism sectors in June this year.

We continue to work closely with IOM to explore employment opportunities for our Mauritian nationals abroad.

#### **ROAD ACCIDENTS (FATAL)**

**(No. B/646) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to fatal road accidents, he will state the number thereof which have occurred between the period

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- (a) January 2015 up to the time when the speed cameras have become operational again and the number thereof which have occurred since then up to 30 September 2015, and
- (b) January 2014 to 30 September 2014.

*(Withdrawn)*

### VEHICLES - SMOKE EMISSION

(No. B/647) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the Survey on Vehicular Emissions and Capacity Building on Emission Testing Project of his Ministry for which smoke meters, sound level meters and axle weighbridge were procured under the *Maurice Ile Durable Fund* in 2013, he will, for the benefit of the House, obtain from the *Police de l'Environnement*, information as to the number of interventions it has conducted in relation thereto, since January 2015 to date, indicating the outcome thereof.

(Withdrawn)

### IMPASSE RAOUL RIVET STREET, PORT LOUIS – RESURFACING

(No. B/648) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Local Government whether, in regard to the Impasse Raoul Rivet Street in Constituency No. 2, Port Louis South and Port Louis Central, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to when the “2014 approved in principle” works to be undertaken thereat in 2015 to the tune of Rs192,000 and Rs150,000 respectively will be carried out.

**Reply:** I am informed by the Municipal City Council of Port Louis that a decision was taken in 2014 to include the project for the resurfacing of Impasse Raoul Rivet and Raoul Rivet Street estimated to cost Rs192,000 and Rs150,000 respectively in Local Development Fund 2015.

I am further informed that since the Local Development Fund 2015 does not cater for road projects, the resurfacing of these roads has been kept in abeyance and will be implemented by the Municipal City Council of Port Louis subject to availability of funds.

### MRA - CUSTOMS DEPARTMENT – VACANCIES

(No. B/649) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Finance and Economic Development whether, in regard to the Customs Department, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the reasons why there has been a reduction of the personnel thereof.



**Reply:** I am informed by the Mauritius Revenue Authority (MRA) that there has not been any reduction in the personnel of the Customs Department since December 2014 to date.

However, there are currently 612 officers in post at the Customs Department on an establishment of 701, resulting in 89 vacancies.

Action has already been initiated to fill those vacancies. The posts of Trainee Custom Officers were advertised in April 2015. Written examinations were held on 19 September 2015 and the selection process is expected to be completed shortly. The successful candidates are expected to be in post at MRA in January 2016.

### **ALLIED HEALTH PROFESSIONS BILL - INTRODUCTION**

**(No. B/650) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the proposed introduction of the Allied Health Professions Bill to regulate the activities of chiropractors, physiotherapists, psychologists, speech therapists, nutritionists, dietitians, phytotherapists and homeopathy practitioners, he will state where matters stand.

*(Withdrawn)*

### **BLUE ECONOMY - JOB CREATION**

**(No. B/651) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the blue economy, he will state if a Blue Growth Study has been conducted to -

- (a) assess the impact thereof on growth and job creation potential and the dynamics for research and development to deliver technology improvements and innovations, and
- (b) identify marine and maritime resources and the potential of each activity thereof.

*(Withdrawn)*

### **ECONOMY - ENTITIES - COLLAPSE**

**(No. B/652) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Minister of Finance and Economic Development whether, following the collapse of the former British American Insurance Co. (Mtius) Ltd. which has warranted the disbursement of substantial funds by Government, he will state the measures taken to identify any other “too-big-to fail” entity in Mauritius which would, in case of collapse, be disastrous to the Mauritian economy, indicating the remedial measures envisaged, if any, in relation thereto.

*(Withdrawn)*

### **CONSTRUCTION INDUSTRY - GOODS & SERVICES - PAYMENT**

**(No. B/653) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the construction industry, he will state if Government will consider the introduction of a Building and Construction Industry Security of Payment Bill with the objective to safeguard the interests of the contractors, of the subcontractors and of the consultants thereof for the timely payment in respect of the goods and services provided.

*(Withdrawn)*

### **RIVIÈRE DES ANGUILLES & SOUILLAC – WATER SUPPLY**

**(No. B/654) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to water, he will, for the benefit of the House, obtain from the Central Water Authority, information as to –

- (a) where matters stand as to the Rivière des Anguilles Dam Project, and
- (b) if an upgrading of the Bois Cheri Water Filtration Plant is being considered, having regard to the irregular supply thereof in Constituency No. 13, Rivière des Anguilles and Souillac.

**Reply:** With regard to part (a), the hon. Member may refer to my reply to Parliamentary Question No. B/31 of 10 February 2015 on Rivière des Anguilles Dam Project.

Following the Expression of Interest launched in November 2014, the Central Procurement Board has shortlisted nine firms for the provision of consultancy services for design review, preparation of bid documents and supervision of works.

My Ministry is currently finalising the Request for Proposal document which should be issued by the end of 2015, after seeking all necessary clearances.

As regards part (b) of the question, the Central Water Authority informs me that the Bois Cheri Water Treatment Plant, which was upgraded in November 2011, supplies water to the regions of Bois Cheri, Grand Bois and part of La Flora where water supply is satisfactory.

As regards, Rivière des Anguilles and Souillac, they are supplied by Rivière du Poste treatment plant which receives water from direct abstractions from Rivière des Anguilles. As water supply is disrupted during heavy rain, the CWA will upgrade the Treatment Plant to treat muddy water. Works are expected to start in 2016.

With the construction of the Rivière des Anguilles dam, scheduled to be completed by January 2021, water supply will be improved in the South.

### **CEB – DIESEL POWER PLANTS - CONTRACTS**

**(No. B/655) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the diesel power plants in mainland Mauritius and in Rodrigues, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the number of contracts awarded in relation thereto over the period 2004 to 2014, indicating in each case the –

- (a) name of the contractor therefor, and
- (b) contract value thereof.

**Reply:** I am tabling the information.

### **BIO-FARMING DEVELOPMENT STRATEGY - IMPLEMENTATION**

**(No. B/656) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Agro-Industry and Food Security whether, in regard to the implementation of a proposed Bio-Farming Development Strategy, as highlighted in the Budget Speech 2015, he will state where matters stand.

**Reply:** The need to boost Bio-Farming and other forms of natural farming has been strongly canvassed in the Government Programme 2015-2019 as well as in the Budget Speech 2015-2016.

Technically, Bio-Farming encompasses Natural Farming, Zero-Budget Natural Farming, Permaculture, Organic Farming and even Smart Agriculture. By promoting the

concept of Bio-Farming, Government is in fact encouraging farmers to gradually shift from conventional agriculture which relies heavily on chemical inputs such as mineral fertilisers and synthetic pesticides with a view to producing high quality and nutritious food free of harmful chemicals and reducing risks of environmental damage associated with heavy reliance on the use of such products.

The House will appreciate that it will be very difficult for planters to shift from traditional agriculture to bio-farming overnight. My Ministry is finalising a Strategy Paper for the Agriculture Sector for period 2015-2019, whereby a Strategy for Bio-Farming Development is being proposed. This Strategy comprises three levels of intervention to encourage the shift from conventional agricultural production to bio-farming systems. These are -

- (a) Upgrading of conventional production practices through the adoption of Good Agricultural Practices and compliance initially with MAURIGAP standards for the local market and eventually Global Gap standards for the export market;
- (b) Smart Agriculture Initiatives, that is promotion of judicious and rational use of agricultural inputs;
- (c) Bio/Natural Farming which is the systematic use of natural inputs such as ruminant waste for the production of bio-fertilisers; and
- (d) Organic Farming which is the ultimate production system targeted through a proper system of certification that would meet international norms and standards in compliance with International Federation for Organic Agriculture Movement (IFOAM)

In line with these interventions, a number of actions have been initiated by my Ministry, namely -

- (i) A Technical Committee has been set up at the level of my Ministry in May 2015 to work out the modus operandi for the implementation of bio-production projects, norms and standards for bio-production, certification of projects and Bio-Farming Development Certificate.
- (ii) To encourage farmers to adopt bio-farming practices and to encourage consumers to use bio-products, these have to comply with international bio-norms and standards. My Ministry is working in close collaboration with the Mauritius Standards Bureau for the preparation of appropriate standards including bio-fertilisers standards.
- (iii) In addition, my Ministry has launched an Expression of Interest for the setting up of a Certification Body for Green Agriculture Certification of agricultural produce.

This Certification Body will ensure, in the first instance, that planters follow good agricultural practices. At a later stage, this will be extended to bio/organic certification

- (iv) An awareness programme has been developed whereby the farming community is being sensitised on benefits of bio-farming. A National Workshop on Zero Budget Natural Farming was launched by the Rt. hon. Prime Minister on 05 September 2015. This workshop was followed by a training programme in both Mauritius and Rodrigues. As at date, 915 farmers have already been trained on this new natural farming system. I am informed that this natural farming concept is an intermediary step to proper organic farming system.
- (v). My Ministry has already released nine Arpents of State Land at Bois Marchand and Arsenal for the setting up of demonstration plots to kick start bio-farming projects. These nine Arpents of land will shortly be allocated to Cooperative Societies who are willing to embark in such projects, following an Expression of Interest.
- (vi) My Ministry in collaboration with the Ministry of Finance and Economic Development is currently working on a bio-farming development certificate as well as on a number of other incentives to encourage farmers to shift from conventional agricultural practices to bio-farming. In parallel, Research Programmes are being elaborated to develop best agricultural practices as well as alternatives to synthetic agro-chemicals to ensure the implementation of bio-farming projects.
- (vii) Technical assistance has also been obtained from the Food and Agriculture Organisation (FAO) through a Technical Cooperation Project for the implementation of the project "Support for the development of organic farming and institutional capacity building in Mauritius" As per this project, technical assistance to the tune of USD 352,000 has been obtained inter alia for the conduct of an assessment on the current status of organic agriculture and value chain constraints of organic products, identification of priority organic crops and pilot zones and preparation of an Organic Agriculture Bill. This project will be implemented shortly once experts have been identified by the FAO. The recruitment of a National Project Coordinator is currently under way to facilitate the project implementation and ensure effective liaison and cooperation between the different stakeholders and the international consultants. .

(viii) The Chemical Fertilisers Control Act 1980 is being reviewed by my Ministry and will be replaced by a New Fertilisers Act so as to also cater for bio-fertilisers

The implementation of this project involves a number of stakeholders and to ensure proper and effective coordination, two Committees have been set up, one at the level of my Ministry and a second one at the level of the Ministry of Finance and Economic Development.

With the strategy that has been developed, I am confident that we are on the right track and the first results will be visible in the near future.

### **PORT LOUIS SOUTH & PORT LOUIS CENTRAL – NDU PROJECTS**

(No. A/5) **Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Constituency No. 2, Port Louis South and Port Louis Central, he will state the projects undertaken thereat by the National Development Unit over the period January 2015 to date, indicating in each case the

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- (a) nature thereof, and
- (b) cost thereof.

**Reply:** No projects were undertaken by the National Development Unit (NDU) for period January to June 2015. The reason for same was that the new Government decided to effect a "*constat des lieux*" in the first instance, given that the NDU had previously awarded contracts well beyond its budget and executing capacity.

For this Financial Year, to circumvent problems encountered previously, the NDU, in consultation with the relevant Parliamentary Private Secretary has prepared a list of projects to be implemented in Constituency No. 2 and same has been approved by Cabinet.

The list of projects is placed in the Library.

### **PORT LOUIS SOUTH & PORT LOUIS CENTRAL – LARCENY**

(No. A/6) **Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the offence of larceny, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to

the number of reported cases thereof having been committed in Constituency No. 2, Port Louis South and Port Louis Central over the period January 2015 to date, indicating –

- (a) the aggregate estimated value of the stolen items;
- (b) the number of –
  - (i) arrests effected in connection therewith, and
  - (ii) cases thereof which have been prosecuted and –
- (c) if consideration will be given for –
  - (i) the installation of additional Closed Circuit Television cameras, and
  - (ii) an increase in Police patrols thereat.

**Reply:** In regard to parts (a) and (b) of the question, the Commissioner of Police has informed that, over the period January 2015 to date –

- (i) 323 cases of larceny committed in Constituency No. 2, Port Louis South and Port Louis Central have been reported to Police;
- (ii) the aggregate value of the stolen items have been estimated at Rs9,041,663; and
- (iii) 68 persons have been arrested, out of whom, 21 persons have been prosecuted.

Regarding part (c) of the question, the Commissioner of Police has informed that installation of additional CCTV cameras in the region concerned is not presently envisaged, in view of the fact that all the identified crime prone areas and red spots are equipped with 164 CCTV cameras. Such zones are determined according to the population density of the area, the prevailing crime rate thereat and the intensity of commercial activities, amongst others.

Furthermore, on a daily basis, Police carry out regular foot and mobile patrols in the region. Regular Police are also assisted by the Emergency Response Service, Divisional Support Unit, CID, Divisional Traffic Police and Field Information Officers. Besides, whenever the need arises, the Special Support Unit and Special Mobile Force are deployed to ensure public safety and public order.

#### **TRANQUEBAR – FOOTBALL GROUND**

**(No. A/7) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Youth and Sports whether, in regard to the football playground at Tranquebar, in Port Louis, he will state –

- (a) the construction costs thereof;

- (b) the scheduled opening date thereof, and
- (c) if consideration will be given for the construction of changing rooms, shower rooms and toilets thereat.

**Reply:** The project for the construction of a football ground at Tranquebar is being undertaken by the National Development Unit (NDU) of the Prime Minister's Office.

From information submitted by the NDU of PMO, the project consists of the following three phases –

- (i) earth works, masonry walls, construction of French drains, levelling sand turfing;
- (ii) fencing and fixing of gates, and
- (iii) lighting of football ground.

NDU has informed this Ministry that the contract for Phase I was awarded to Modern Jurassic Building and Construction Ltd on 07 November 2012 for the sum of Rs3,957,328.00 (VAT inclusive). The starting date was scheduled for 10 January 2013 with a completion date of 10 June 2013. However, the contract was terminated on 30 July 2014 due to delays and non-performance on the part of the contractor. As a result, the levelling and turfing of the football ground remained outstanding.

The scope of work for outstanding works, that is levelling and turfing of the football ground is being finalised. It is envisaged that work order would be allocated to existing contractor before end of October and the works completed before end of December 2015.

As regards Phase II of the project, NDU awarded the contract to Safety Construction Co. Ltd on 01 August 2014 and the works were completed on 27 February 2015 for the sum of Rs7,095,636.60 (VAT inclusive).

Phase III of the project, that is, lighting of the football ground will be considered during the next Financial Year.

As regards part (b) of the question, NDU has informed that on completion of the three phases of the project, the site would be handed over to the Ministry of Youth and Sports which will decide on the opening date.

Regarding part (c) of the question, NDU has informed that no provision has been made for the construction of changing rooms, shower rooms and toilets in the project. Once this Ministry would take over the site, consideration would be given for the provision of these facilities thereat.



### **WORKFARE PROGRAMME - JOB PLACEMENT**

**(No. A/8) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the Workfare Programme, he will state the –

- (a) admission criteria for registration thereunder and;
- (b) number of workers who have registered thereunder since January 2015 to date, indicating the;
  - (i) aggregate amount of Transition Unemployment Benefits paid out thereto;
  - (ii) training or re-skilling provided thereto, and
  - (iii) number thereof who have obtained a job placement thereafter.

**Reply:** The Workfare Programme was established in February 2009. As regards part (a) of the question, according to the provisions of Part IX of the Employment Rights Act, a worker, other than a migrant worker, may join the Workfare Programme where -

- (a) he reckons continuous employment on a full-time basis on a determinate or indeterminate contract of employment with the same employer for a period of at least 180 days;
- (b) he has contributed/ought to have contributed to the National Pension Scheme;
- (c) the determinate contract has come to an end;
- (d) his employment has been terminated on one of the following grounds -
  - (i) ill-treatment by the employer;
  - (ii) failure on the part of the employer to pay wages due;
  - (iii) economic, technological, structural or similar nature affecting the enterprise;
  - (iv) misconduct;
  - (v) poor performance and;
  - (vi) without any justification;
- (e) he has not been paid any compensation/severance allowance by his employer, and
- (f) he has not reached the retirement age.

As regards part (b) of the question, the requested information for period January to 30 September 2015 is at table below.

<b>Statistics for Workfare Programme</b>			
	<b>2015 (January-September)</b>		
	<b>Male</b>	<b>Female</b>	<b>Total</b>
(b) No. of workers registered for the Workfare Programme	2602	1223	3825
(i) Amount paid as Transition Unemployment Benefit for period January 2015 to August 2015	Rs 194,427,467 (inclusive of applications prior to January 2015 and still under payment)		
(ii) No. of worker who opted for Training and re-skilling No. of workers provided with training	82	69	151  Nil (Training not yet started)
(iii) No. of workers who have opted for Job Placement	2249	1056	3305
No. of workers who have obtained a job placement	392	140	532