



SIXTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 06 AUGUST 2019

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Hon. Ivan Leslie Collendavelloo, GCSK, SC	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Minister Mentor, Minister of Defence, Minister for Rodrigues
Hon. Mrs Fazila Jeewa-Daureeawoo	Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare
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Hon. Prithvirajsing Roopun	Minister of Arts and Culture
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Social Security, National Solidarity, and Environment and Sustainable Development
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Hon. Jean Christophe Stephan Toussaint	Minister of Youth and Sports

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Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries and Shipping
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Hon. Marie Cyril Eddy Boissézon	Minister of Civil Service and Administrative Reforms
Hon. Dharmendar Sesungkur	Minister of Financial Services and Good Governance

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MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 26 of 2019

Sitting of 06 August 2019

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

The National Anthem was played

(Madam Speaker in the Chair)

ANNOUNCEMENT

NATIONAL YOUTH PARLIAMENT - SECOND EDITION - 08 & 09 AUGUST 2019

Madam Speaker: Hon. Members, I have an announcement to make. The holding of the National Youth Parliament to provide a platform for young persons to discuss issues of national importance is a key and strategic action which is now well established in our Assembly.

I am pleased to announce that building on the success of the First Edition of the National Youth Parliament held last year, the Second Edition of the National Youth Parliament will be held in the Chamber on the forthcoming Thursday 08 and the morning of Friday 09 August and that the proceedings will be broadcast live on the Parliament Channel.

In the First Edition, the National Youth Parliamentarians debated motions with regard to –

- (1) Sustainable Development, Goal 4 - Quality Education;
- (2) Sustainable Development, Goal 5 - Gender Equality, and
- (3) Sustainable Development, Goal 13 - Climate Action.

In the Second Edition, a slot will be dedicated to –

- (1) Question Time;
- (2) Statements on the three Resolutions adopted in the First Edition, and
- (3) Debates on two motions, namely on –
 - (i) Sustainable Development, Goal 2 - Zero Hunger, and
 - (ii) Sustainable Development, Goal 9 - Industry, Innovation and Infrastructure, respectively.

The National Youth Parliamentarians have, in the course of an Induction Programme, been briefed on the functions and operations of the legislature, on parliamentary history, and etiquette and procedure.

Hon. Members may wish to note that the National Youth Parliamentarians were mentored by a few National Youth Parliamentarians of the First Edition of the National Youth Parliament, including those who performed the roles of the Speaker, Prime Minister and Leader of the Opposition.

Hon. Members are invited to attend both the launching ceremony and the two days event of the Second Edition of the National Youth Parliament. In spite of the fact that there is unanimity on the role which our youngsters will be called upon to assume as leaders of tomorrow, yet it is a matter of regret that only a few hon. Members showed interest in last year's edition.

I would, therefore, invite hon. Members to make a special effort to mark your presence at any point in time convenient to you, so as to provide a source of inspiration and encouragement to the participants. As part of their induction, they have been invited to attend today's sitting.

Thank you.

PAPERS LAID

The Prime Minister: Madam Speaker, the Papers have been laid on the Table.

A. Prime Minister's Office

(a) Certificate of Urgency in respect of the following Bills (In Original):

(i) The Workers' Rights Bill (No. XXIV of 2019);

(ii) The Employment Relations (Amendment) Bill (No. XXV of 2019)

(b) The Annual Report of the Civil Service Family Protection Scheme Board for the period 01 July 2017 to 30 June 2018.

B. Attorney General's Office, Ministry of Justice, Human Rights and Institutional Reforms

The Report of the Director of Audit on the Financial Statements of the Recovered Assets Fund for the period ended 31 December 2013. (In Original)

C. Ministry of Housing and Lands

The Annual Report and Financial Statements of the National Housing Development Co Ltd for the year ended 31 December 2017.

ORAL ANSWERS TO QUESTIONS**PLANET FM – LICENCE & BUSINESS PLAN**

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Minister of Technology, Communication and Innovation whether, in regard to Planet FM, he will, for the benefit of the House, obtain from the Independent Broadcasting Authority –

- (a) a copy of the Application for the issue of a Radio Broadcasting Licence and Business Plan thereof and table same, and
- (b) information as to if –
 - (i) it has effected a market needs analysis and study prior to issuing the said licence, and
 - (ii) the officers thereof have effected an inquiry and site visit at the premises of Planet FM to verify whether the terms and conditions of the licence have been respected.

Mr Sawmynaden: Madam Speaker, with your permission, I will answer to this PNQ together with PQ B/740, as it is addressed to the same company.

After the first exercise of 2001 for the allocation of private free to air FM Radio licences, there have been continuous demands for these licences at the Independent Broadcasting Authority.

By end December 2017, there were 13 such applications. However, due to unavailability of radio frequencies, the applications could not be entertained. Accordingly, negotiations were initiated, by the ICTA and the Multi-Carrier Mauritius Ltd (MCML), with the French regulator (ANFR), in order to identify frequencies that could be allocated to additional radios.

Once negotiation regarding frequencies was successfully completed, it was decided that IBA published a Notice in the local press inviting for applications for private radio licences in February 2018, and 17 applications were received from the potential private FM radio operators. Pursuant to the provisions of the IBA Act, the Authority published a Notice in the local press and in the Government Gazette to invite objections, if any, on the 17 applications received.

Madam Speaker, I am informed that –

- (i) one applicant withdrew its application by way of a letter dated 16 October 2018;
- (ii) an objection had been received from Top FM. The grounds of objection raised by Top FM were not upheld by the IBA, and
- (iii) the 16 applicants were convened for a hearing before the Board of the IBA at the seat of the Authority on 19 November 2018.

The IBA assessed all the 16 applications on the basis of the following –

- (i) proposed programming (local production, language of broadcast of programmes, language of news broadcast and programme schedule);
- (ii) reasonableness of the financial proposal to operate a private FM radio station;
- (iii) mandatory requirements laid down in the application form, and
- (iv) inputs provided during the hearing made before the Board.

Clear guidelines had been set by the Board for detailed allocation of marks at each stage of the assessment. On the basis of the above assessment, the Board granted two radio broadcasting licences to the following two companies –

- (i) Mayfair and Purely Communications Ltd, which operates under Planet FM, and
- (ii) First Talk Ltd, which is Wazza FM.

Madam Speaker, with regard to part (a) of the question, I am hereby tabling a copy of the application submitted by Mayfair and Purely Communications Ltd, which operates as Planet FM. However, I am not in a position to table the business plan as it would not be in order to disclose personal information, including commercial information of a private company.

With regard to part (b) (i) of the question, I am informed that the IBA did not conduct a market needs analysis as the allocation of licences has been made on a demand basis driven by market forces. The already high demand for these licences is a clear indication of the interest of potential private radio operators to join the sector.

With regard to part (b) (ii) of the question, there was an inquiry following contradictory information with regard to shareholding structure of the company. However, as there is a Court case on the same matter, the Authority is collaborating with the Police Department for the conduct of the inquiry.

Mr X. L. Duval: Madam Speaker, may I ask the hon. Minister, with regard to the Independent Broadcasting Authority Act, section 4 requires the IBA to develop broadcasting services which are responsive to the needs of Mauritius. This is why I am asking the hon. Minister why, therefore, a market analysis and study was not effected by the IBA, prior to issuing these licences.

Mr Sawmynaden: Madam Speaker, as I mentioned earlier in my reply, actually the IBA goes according to the market force. If we look at it, since 2002, there had been 13 applications, I mean, coming from 2002 until 2017, asking to be granted FM radio operating licences. And when we put in the local notice to ask for applicants to come in, 17 applicants came in. So, that means that they have done the market surveys and analysis, that there was a market for them to operate within that sector.

Mr X. L. Duval: Madam Speaker, of course, there will be applicants. These licences, once granted, are worth hundreds of millions of rupees. So, you can expect there will be applicants. What I am asking the hon. Minister is this: wasn't it the responsibility of the IBA to ensure that the size of the market was able to cater for two more licences? This is what I am asking. I am not asking whether there are promoters who want to make Rs100 m. from the licence.

Mr Sawmynaden: Madam Speaker, this is an open market and we want fair competition. So, if an operator feels that he has got a market share within that market, we as regulator, we just need to make sure that he operates within the limit, within the regulation of the Authority. That is our job; that is our mission as a regulator, to make sure that they operate within that limit. We are not here to analyse on the marketing part of it because it is up to them to see how they are going to operate and how they are going to make money or not.

Mr X. L. Duval: It is clear that the IBA has failed to respect section 4(b) of its own Act. Madam Speaker, I would like to ask the hon. Minister whether the IBA has not considered, with a 40% increase in the number of radios in Mauritius, that would not have an equivalent reduction in the advertising revenue, leaving them prey to large advertisers like Mauritius Telecom, etc., and others who are now going to be able to control the editorial content of these radios because of lack of other revenue for them.

Mr Sawmynaden: Madam Speaker, as a Government, we are not here to judge on the business viability of a company. This is on the onus of the company itself. This is not the job

of the Government. I mean that each and every company needs to differentiate themselves, how they are going to operate, what is their strategic plan. We are not going to give them their strategic plan. If they feel that they have a market, that they have a potential share or whether they are going to change how they are going to operate, I mean, differentiate themselves from those who are already operating on the market, I think the onus is on them, not on the Government.

Mr X. L. Duval: Madam Speaker, we are not talking about the Government; we are talking about the Independent Broadcasting Authority. The reply of the hon. Minister is clear that he is thinking the Government is doing this and that. So, did he give instructions to the IBA for this? This is what I have to ask him, given his reply 'Government is', 'we are not'. We are not talking about him.

Mr Sawmynaden: Then, in that case, Madam Speaker, the IBA should have replied in my position because I am answering for the Authority. But, as I said, I am answering for the Authority. Okay, I do agree that I said 'the Government', yes. The Authority actually is the one who granted the licence, but they are there to make sure that the operator operates within the regulations of the Authority.

Mr X. L. Duval: We know that there has been no analysis prior to issuing these licences. That is clear now, Madam Speaker. Madam Speaker, I would ask the hon. Minister whether section 6 of the IBA Act does not clearly certify that the Board should have a minimum of three independent members at the time of allocating the licence and, to date, these three independent members are non-existent on the Board and it is completely filled by Government employees and nominees.

Mr Sawmynaden: Can the hon. Leader of the Opposition just repeat the question?

Mr X. L. Duval: Sorry, Madam Speaker, this is section 6 (f).

(Interruptions)

Yes, section 6 (f). I am surprised. His Ministry is a small Ministry. Section 6 (f).

Mr Sawmynaden: I am asking the hon. Leader of the Opposition to repeat the question.

Mr X. L. Duval: Yes, section 6 (f) of the IBA Act requires that there be a minimum of three independent members on the Board of the IBA. These three independent members were not there at the allocation of the licence and are not there today. It is on the website of the

IBA. Therefore, I am asking the hon. Minister whether it has not been illegally constituted given that it does not have the three minimum independent members.

Mr Sawmynaden: Madam Speaker, as I mentioned, actually, all the members sitting on the IBA are independent members. They may be people working within *la Fonction publique* but they are independent members and they take their decision independently. So, the Board sat according to all the regulations and requirements put in place, and all the procedures were followed adequately so that the licence could be granted accordingly.

Mr X. L. Duval: Madam Speaker, all the current members of the IBA are representatives of a Ministry, Attorney General's Office, etc. Section 6 (f) requires that there should be not less than three - not less than three - and not more than five other persons of experience, etc. The hon. Minister is not aware that the Board was not so constituted?

Mr Sawmynaden: Madam Speaker, is the hon. Leader of the Opposition stating that these people who sat on the Board, I mean, these civil servants are not independent people? I think these people are completely independent and they are working within the law, and they are sitting on the Board within the law that we have.

Mr X. L. Duval: I am saying, Madam Speaker, that the three independent members that, by law, need to sit on the Board to give it representativity are not there. Therefore, all the other members are Ministry representatives. I am surprised that he does not know that, but anyway. Madam Speaker, this is on the eve of the General Elections that we are having this issue.

Madam Speaker, last time, around 2002, there were public hearings, and I will come to why, I think, there were no public hearings this time. There were public hearings. It was not required by law, but there were. So, why did not the IBA hold public hearings before issuing the licences?

Mr Sawmynaden: Madam Speaker, it is clear that there was no public hearing. This is the decision of the IBA because the financial aspects of the companies were being disclosed. Was it correct that the public knows what are the strategic plans of each and every company, what are the financial positions and what steps they are taking to promote their own radio? I don't think that was correct. That was the information that was given by the IBA.

Mr X. L. Duval: May I ask the hon. Minister whether the reason why there were no public hearing is because one of the promoters and future Directors of Planet FM is none other than one Mr Akilesh Roopun, who is Senior Adviser at the Ministry of Foreign Affairs

at the moment? His name comes up clearly in the application which we have just tabled. Is not that the reason why there was no public hearing, so that the public would not be aware of this, this person being currently Senior Adviser at the Ministry of Foreign Affairs?

Mr Sawmynaden: Madam Speaker, let me inform the House that all the applications were made public. I mean, anyone can come and consult. This is how Top FM came in with an objection. So, the applications were published so that everyone could consult, but there was no public hearing because also, as per the IBA Act, there is no obligation to have public hearings, as I mentioned earlier, so as not to disclose the financial, strategic and marketing plan of each and every company.

Mr X. L. Duval: It is clear that public hearings and filing somewhere documents are not the same and do not have the same impact. I am going to ask the hon. Minister whether he is aware that this Mr Akilesh Roopun, Adiratha, same Akilesh Roopun, also known, has been offered Rs5 m. worth of shares for facilitating the licence - I said it is worth hundreds of millions of rupees - to Planet FM. Is he aware of that?

Mr Sawmynaden: Madam Speaker, on all the documents, all the information that I have, I don't see the name of Mr Akilesh Roopun. I don't even know who that person is, and the hon. Leader of the Opposition himself mentioned just before that, with two more radios coming in, the market is going to fall, they are going to make losses, and now he is saying that one radio licence is worth Rs100 m. I don't know which is which.

Mr X. L. Duval: I will come to that. We will provide the hon. Minister proof for that in a moment. Mr Akilesh Roopun comes up on the application that the hon. Minister has just submitted. What is the matter? The hon. Minister has not read it? It is here, page 3 or 4. I have highlighted it for the hon. Minister! So, it is there. He cannot say that he did not know, when he tabled a copy of something, that Mr Akilesh Roopun was going to be the Director, even CEO, and that he has been given Rs5 m. of shares whilst being a Senior Adviser at the Ministry of Foreign Affairs to facilitate this transaction.

Mr Sawmynaden: Madam Speaker, I mention, again, that I do not see the name. I know that one Mr Arvind Nilmadhub, who is the Director, who applied for the licence. I don't see the name. The hon. Leader of the Opposition is mentioning the name of Mr Roopun, who does not appear anywhere in my documents.

Mr X. L. Duval: Madam Speaker, this is under section 3 - Board of Directors, of the application form, which he has, I think, just submitted. It says –

“The Company intends to appoint one Mr Adiratha, also known as Akilesh Roopun, as Director of this Company.”

And he is going to be the Director of Planning and, even later, CEO of the Company. And also, Madam Speaker, he is being offered Rs5 m.

I am going to ask the hon. Minister whether this is not a serious contravention, offence under the Prevention of Corruption Act, and then, whether he will now, immediately, advise the ICAC. These documents are available. This is why I asked whether there was an inquiry at Planet FM - these documents are available - and whether these are not serious offences, even up to 10 years in prison for what is alleged, that Mr Akilesh Roopun has been involved in.

Mr Sawmynaden: Madam Speaker, the hon. Leader of the Opposition has just mentioned ‘intends’. So, it doesn’t mean that he is there. I don’t even know whether he is there or not. I don’t even know that person. So, I have got no idea.

Mr X. L. Duval: Madam Speaker, I don’t understand. You can’t protect someone so much!

(Interruptions)

You can’t protect someone so much. I am telling the hon. Minister he is in the application form; he has not seen the application form. I am giving the hon. Minister information that he has asked for Rs5 m. and he has been given Rs5 m., and I am taking responsibility for what I am saying. But I will come to another one. Perhaps, this one, the hon. Minister Yogida Sawmynaden may remember; this one is Roddy Ramsamy. This Roddy Ramsamy has now set up offices as Planet FM, with some help, I am sure, from his friends. He has set up ...

(Interruptions)

No, not marketing. He is the one who is identified, with some support, to take over the Planet FM. Is the hon. Minister aware of that?

Mr Sawmynaden: Madam Speaker, I am not aware of that. The hon. Leader of the Opposition is saying it. So, he takes his responsibility.

(Interruptions)

Madam Speaker: No comments, please, hon. Adrien Duval!

Mr X. L. Duval: Madam Speaker, I am going to ask the hon. Minister whether he is aware that this Roddy Ramsamy, who wants to take over, who is planning to take over Planet FM - he is there at the moment, no doubt - was not the same person who was arrested in the grounds of *l'Express*. But worse than that, Madam Speaker, this person who wants to purchase a radio is, in fact, the subject of a recent statement at CCID and Rose Hill Police Station...

Madam Speaker: Hon. Leader of the Opposition, ask your question, but don't make statements, please!

Mr X. L. Duval: I will ask my question.

(Interruptions)

I will ask my question because it is quite serious.

Madam Speaker: Ask your question!

Mr X. L. Duval: OB Number 618/2019. That person has been accused of threats and intimidating a Police Sergeant from CID, all filmed by camera. Is he aware of that, and is he aware that IBA is tolerating that this person is now running a radio station in Mauritius?

Mr Sawmynaden: Madam Speaker, the information that the hon. Leader of the Opposition has brought to the House is unknown to me. I don't know whether the IBA is aware of that but, as far as I know, as at now, I note that there has been contradictory - alleged transfer of shares within the company itself. The Police is inquiring. There is a case in Court, but whatever the hon. Leader of the Opposition is saying, I can say, as at now, there is no request from the said person to be a shareholder or the Director of Planet FM.

Mr X. L. Duval: Madam Speaker, now that I have given the hon. Minister the information, what is he going to do about it?

(Interruptions)

Mr Sawmynaden: Madam Speaker, this is information that the hon. Leader of the Opposition is saying. What am I going to do about it?

Mr X. L. Duval: Madam Speaker, I would have expected the hon. Minister to tell me that he was going to ask the IBA, who is a regulator here, that they should inquire as to the presence of Mr Roddy Ramsamy, who is not anywhere in that application form, and to

decide whether or not they want the radio to be run by crooks in Mauritius or whether they want the radio to be run by decent, fit and proper persons, as is required in the Act.

Madam Speaker: No! Hon. Leader of the Opposition, you can't make allegations on persons who are not present in the Assembly to defend themselves.

Mr Sawmynaden: Madam Speaker, I am informed by the IBA that there has been no request made to the IBA for any transfer or sale of shares to the said person alleged by the hon. Leader of the Opposition. I don't know whether that person – he is saying that he is a crook. How would I know whether he is a crook or not?

Mr X. L. Duval: Madam Speaker, well, that person, as I am saying, if you verify, was recently accused in the CCID of impersonating a Police Sergeant.

I am going to move on to one thing, Madam Speaker. I am going to ask the hon. Minister whether he is aware that this Planet FM owes substantial sums of money to various people, its own employees, but also to Multi-Carrier (Mauritius) Ltd. Is he aware that this company is running its radio whilst accumulating millions of rupees of debt everywhere?

Mr Sawmynaden: Madam Speaker, as regards their financial position, until and unless this company files its accounts at the Registrar of Companies, and whether they are going, after that, subsequently submit it to the IBA, then we will be aware if there is any case, any financial loss, whether they are operating at a loss or not. Now, as regards non-payment of employees, I think this case should be reported to the Ministry of Labour, Industrial Relations, Employment and Training; they are going to look into the matter if there is any case of that.

As regards MCML, it does not fall under the aegis of my Ministry. So, I am not aware if there is any debt towards this institution.

Mr X. L. Duval: Madam Speaker, I want to ask the hon. Minister whether he is aware that Planet FM, the current people, who, according to law, I must say, need to be fit and proper persons - I am sure the hon. Minister will know that the IBA requires our radios to be run by fit and proper persons, not just every person that comes around - whether he is aware of allegations that have been made and ought to be, in my view, inquired into by the IBA, that the current management of Planet FM have created a new bank account under a new company, with a similar name to this company, Mayfair and Purely, so that cash received for Planet FM is now diverted to this new bank account.

Mr Sawmynaden: Madam Speaker, this does not fall under the portfolio of my Ministry to go and inquire what is the internal running of a company, especially how they run their company internally in terms of transfer of funds or not. We are here as a regulator to make sure that they broadcast within the regulation that we have put in place. So far that they are operating within the regulation of the IBA, it is okay. So, as regards what the hon. Leader of the Opposition has said, I have been informed that there is a case in the Supreme Court between shareholders, between partners. So, we will see what will be the outcome of the case; there is also a Police inquiry going on. The Central CID is inquiring on it and we will see the outcome from there - then we can see. Then, the IBA will definitely take action after those inquiries or the Court judgement will be out.

Mr X. L. Duval: Madam Speaker, at the start of the IBA Act, there is a requirement for the IBA to ensure that our radios are run by fit and proper persons. This is the whole point of my question. I am going to ask you, whether it is of no concern to you, as Minister, that the radio that is being run now, Planet FM, which is going to fall under the control of some dubious individuals, is not being run by fit and proper persons, and the IBA, according to what you say, is going to wash its hands completely of the issue until and such time, in a year or two, that they file accounts at the Registrar of Companies. Is this what the hon. Minister is saying?

Mr Sawmynaden: Madam Speaker, I have never said that the IBA is going to wash its hands; I have just mentioned that the case is before the Court. I think we respect our institution. The Central CID is inquiring into the matter. So, once we have the outcome of these inquiries and the Court judgement, this is when the IBA will take action, if need be. I think this is the role of the IBA. Because I can say that the matter is *sub judice*. So, we will wait for the outcome of the case, then, we will definitely take action if we have to take action.

Mr X. L. Duval: I think *sub judice* about diverting the cash to another bank account ...

Madam Speaker: It is not *sub judice*...

Mr X. L. Duval: I am going to ask the hon. Minister, Madam Speaker, of the Rs80 m. of investment in its fixed assets that this company was supposed to invest, how much has actually been invested – in the fixed assets, radio equipment, etc.

Mr Sawmynaden: Madam Speaker, this is the business plan of a company. I do not think, once we have granted the licence and, within the few months, the IBA is going to

inquire how much assets have been invested or not. This is their own business plan. Actually, it is up to them to see whether they are going to invest Rs80 m., Rs100 m. or Rs50 m. This is according to their needs, according to their requirements. Actually, we as a regulator, we are not there to control how much money they are going to invest. So far that they are broadcasting according to our regulation, so, we will go accordingly.

Madam Speaker: Yes, you have five more minutes.

Mr X. L. Duval: Yes. Madam Speaker, we have a regulator. The regulator must ensure that what was said in the application is, in fact, happening. The hon. Minister is saying that whatever was made in the application, now he does not care at all once the application has been made. He is completely wrong. He should ask the regulator to ensure that whatever was put in the application has been followed by the radio and not actually could be completely wrong and inaccurate.

Mr Sawmynaden: Madam Speaker, when a licence is issued to a company to broadcast, it has got a period of six months to start operation, and they need to abide as per all the regulations put in place so that they can broadcast, they are not going into contradiction to any one of these. When there is any contradiction, then we take action. We have seen, in the past, that some radio operators have had their broadcasting time suspended. Okay. So, in this case, when they were given six months to start operation, they started. We need those six months and they just started operation only in May, I think, this year.

Mr X. L. Duval: Madam Speaker, is he aware that, in the case of this radio, only a few million rupees have been spent, out of the 80 m., on the radio equipment? In fact, all the shareholders and the Directors are busy acting as courtiers, with the help of some people in Government, trying to sell their shares at high values to other people. Is the hon. Minister aware of that?

Madam Speaker: Hon. Leader of the Opposition, please, do not make allegations and do not impute motives. I think what you have just said is “with the help of certain in Government.” That is imputing motives.

Mr Sawmynaden: Madam Speaker, how can I be aware of that? Until and unless there is a request from the shareholders for a transfer of shares, then the IBA will be aware of it if they want to sell their shares or not.

As far as how much money they have invested, we are not experts to say whether this equipment cost Rs80 m. or Rs20 m. Actually, we are not here, as an Independent

Broadcasting Authority, to look into the financial aspect of it. We have authorities like the Registrar of Companies, like the MRA. They are the ones who are going to assess, and the accountants and auditors who are going to do their job and are going to file their accounts. Then, from there, we can say whether they have invested 'X' amount of money or not.

Mr X. L. Duval: Madam Speaker, I am not making mere allegations. There is one, Mr Raphaël Eggenzieler. You must have read about it at least. He has said that he is paying Rs40 m. and this is an investment which, according to the business plan, is only Rs500,000, according to your application which you have just submitted. He is paying Rs40 m. for 20% of the shares. Can the hon. Minister tell me whether there has been a formal application made at the IBA? Because this is everywhere stated by Mr Choolun, in the Press, everywhere. Has the hon. Minister bothered to see whether this 20% for Rs40 m. is fact and the IBA has received an application? I know the hon. Minister is receiving some advice from his colleague Mr Bodha.

Mr Sawmynaden: Madam Speaker,...

(Interruptions)

Madam Speaker: Order, please! Can we have some order in the House, please? Allow the hon. Minister to proceed with his reply.

Mr Sawmynaden: Madam Speaker, as if the hon. Leader of the Opposition is annoyed that my colleague Member, next to me, is talking to me. I think we have got the right to talk in this country. It is the freedom of information.

But let me inform the hon. Leader of the Opposition, there is no formal request. We need to have a request. We need to have a formal application. They have to inform the IBA that they intend to transfer or sell shares to X, Y or Z. As I said, there is a case before the Court. There is a fight between shareholders. Let the Court decide and then we will see who is right, who is wrong. We are not here to decide who is right and who is wrong. This is why we have the Court in Mauritius.

Madam Speaker: Last question, Leader of the Opposition!

Mr X. L. Duval: Madam Speaker, the licence has been given to various courtiers. I am going to table. I don't have it with me. I will table, just after, a copy of the Share Purchase Agreement for Rs40 m. from Mr Raphaël Eggenzieler. I will table it for his knowledge, and these are not mere allegations.

So, with all these issues, Madam Speaker, the IBA has the power, under the law, to suspend the licence of this radio station that is not paying its employees, that is running millions of rupees of debt, that is allowing dubious persons to take control of it, that is under the influence of some current Advisers of the Government. It has the power to suspend these licences. So, I am going to ask the hon. Minister whether he is going to inquire from the IBA and recommend that the IBA suspends the licence of Planet FM until such time as all these matters are sorted out. He, himself, mentioned Court cases.

Mr Sawmynaden: Madam Speaker, I have just been informed by the IBA that Mr Raphael has sent a letter to cancel the transfer of shares. This is one. Secondly, the hon. Leader of the Opposition is asking us to revoke the licence of Planet FM.

(Interruptions)

Mr X. L. Duval: To suspend!

Mr Sawmynaden: To suspend the licence of Planet FM. But does he take into account - I have just been informed that there are more than 63 employees there. So, these people, who are working there, will be on the road tomorrow morning, and when these people will go sitting in *Jardin de la Compagnie* for a *grève de la faim*, he will go sitting next to them and will say 'I am *solidaire avec eux*'. Madam Speaker, we should know which is which; whether we let the Court and the inquiry continue and then decide from there or we just suspend the licence and put people on the street.

Madam Speaker: Time is over!

(Interruptions)

Hon. Adrien Duval, please, resume your seat.

(Interruptions)

You know, I had told the hon. Leader of the Opposition that time is over. I have given two additional minutes so that you may address your question, but the privilege of asking a PNQ is for the hon. Leader of the Opposition. I had given two additional minutes but, I am sorry, it is the hon. Leader of the Opposition who took the two additional minutes.

Yes, hon. Osman Mahomed!

**NDU - SQUARE DEAL MULTIPURPOSE CO-OPERATIVE SOCIETY –
CONTRACTS**

(No. B/732) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Square Deal Multipurpose Co-operative Society, he will give the list of the contracts awarded by the National Development Unit thereto, since January 2015 to date, indicating in each case –

- (a) the implementation status thereof, and
- (b) if delays and cost overruns have occurred and, if so, give details thereof.

The Prime Minister: Madam Speaker, the information sought is being compiled and will be placed in the Library.

Mr Osman Mahomed: Thank you. Madam Speaker, can I ask the hon. Prime Minister for a project which I particularly raised in the Parliament three times already, about the construction of drains at La Paix, between China Road and Dioré Street, which started in February 2019, whether on this particular contract, there are any problems?

The Prime Minister: I gathered some information with regard to this project, Madam Speaker. In fact, there was an initial project whereby, after careful examination, it was decided to be enlarged to take into consideration a number of infrastructural issues there. The initial expected start date was 15 October 2018 and the completion date was expected to be 15 April 2019. But there was a revision of the completion date to 31 August 2019, mainly because there were delays with regard to services, namely relocation of telecom services, realignment of CWA pipes, relocation of WMA pipes, and there were also requests by the inhabitants to slow progress of works because of the month of Ramadan. So, these were the reasons why there has been, I would say, quite some delay with regard to this project.

Mr Osman Mahomed: Thank you, Madam Speaker. The date that the hon. Prime Minister has just announced, end of August, I do not think this project will be completed by then. I am going to submit some photos to tell how far the contract is. Can I impress on the hon. Prime Minister to ask the contractor to complete the work as soon as possible? Because this is causing a lot of prejudice to people there, businesses, and it is also causing a lot of major public health issues as well.

The Prime Minister: Madam Speaker, I do understand that it is causing inconvenience to the inhabitants there because, of course, digging and so on does entail a number of problems for the users of the road. But I must say that the hon. Member should understand, and the inhabitants also have been told that, because of relocation of all these pipes and of all these services, there is need for consultation and concerted action with all these authorities to see to it that the work is done in a proper way so that we do not have any problem further down the road. So, this is being done and, of course, I have impressed upon the NDU to see to it that the works are done as quickly as possible.

Madam Speaker: Hon Shakeel Mohamed!

Mr Mohamed: Madam Speaker, the company that is being referred to in this first question is, in fact, doing some work in Constituency No. 3, specifically in two roads, *la Rue Cotton and Ambrosine*. This is causing a lot of prejudice and inconvenience to the inhabitants. With the upcoming festival of Eid, could the hon. Prime Minister request, through the NDU, that the contractor, at least expedites matters in order to eliminate all dangers on the road?

Madam Speaker: Hon. Shakeel Mohamed, can I just interrupt you to ask you whether the contractor is still Square Deal Multipurpose?

Mr Mohamed: Yes, same one.

Madam Speaker: Okay.

Mr Mohamed: To expedite matters to eliminate all holes on the road and dangers to pedestrians, more so that there are specific roads in that vicinity and lanes that are totally *pas praticable* and endangering the life of users of those roads.

The Prime Minister: As I said, the information is being compiled, but I have tried to gather whatever information I could from the list. But with regard to Constituency No. 3, I know that, again, the drain works at Desboucher Street the hon. Member mentioned, I think...

(Interruptions)

Ambrosine. Well, I do not have this here. I shall have to look into the specific case of Ambrosine.

Madam Speaker: Next question, hon. Osman Mahomed!

**STATUTORY BODIES - ACCUMULATED REVENUE RESERVES -
TRANSFER**

(No. B/733) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the public sector debt repayment, he will give the list of the Boards of Statutory Bodies which will be required to remit the surpluses of accumulated revenue reserves thereof in the Consolidated Fund, Treasury Certificates or in other Government Securities, indicating the proposed processes and procedures therefor.

The Prime Minister: Madam Speaker, I am tabling a list of statutory bodies that will be required to transfer their surplus of accumulated revenue reserves to the Consolidated Fund for the Financial Year 2019-2020. These bodies have been identified at the time of budget preparation on the basis of their financial position and after considering their liquidity requirements, planned capital investment and repayment of loans and other expenditure commitments.

These transfers are in accordance with the provisions of the Statutory Bodies (Accounts and Audit) Act.

The procedures for the transfer are as follows -

- (a) First, a formal request is made to the concerned bodies by the Ministry of Finance and Economic Development, and
- (b) Second, the Board of the statutory body remits such amount to the Consolidated Fund without affecting its operations.

I would, however, like to clarify that surplus of accumulated revenue reserves transferred to the Consolidated Fund is used to finance general Government operations and not specifically for repayment of public sector debt as it has always been the practice.

With regard to Treasury Certificates and other Government Securities, I would also like to clarify that statutory bodies do not remit but rather invest their surplus of accumulated revenue reserves in these instruments. Thus, the funds invested still belong to them and they earn interest on these investments.

The procedures for non-financial public sector bodies to invest their surplus of accumulated revenue reserves in Treasury Certificates were spelt out in Circular No. 6 of

2019 issued by the Ministry of Finance and Economic Development on 20 May 2019. These procedures were reviewed and simplified and are spelt out in the Prospectus issued by the Bank of Mauritius on 07 June.

Basically, a Prospectus for the issue of Treasury Certificates for a maturity of 182 days is posted on the website of the Bank of Mauritius every Monday. Applications for purchase of this instrument can be submitted from Monday to Friday.

As for investment in other Government Securities, statutory bodies can buy directly from the four Primary Dealers which are authorised by the Bank of Mauritius to trade these securities on the secondary market.

Statutory bodies, just like other investors, can consult the websites of the Primary Dealers for bid and offer prices for Government Securities and liaise with them for the purchase or disposal of the desired securities.

Mr Osman Mahomed: The hon. Prime Minister has just stated that the operations of these companies will not be affected. But can I ask the hon. Prime Minister, then, how does he reconcile with the fact that the Financial Services Commission, which has had to abide by this measure, has had to increase its licensing fee by 25%, thereby having the FSC itself backpedalling on commitments that it has taken with global investment companies?

The Prime Minister: Not at all, Madam Speaker. There is absolutely no direct relationship between this and the increase of fees. I would refer the hon. Member - and I am not going to waste the time of the House lengthily - to the question that was recently put to my colleague, the hon. Minister for Financial Services, where he lengthily explained the policy of the Financial Services Commission with regard to the increase of some of the fees. So, there is absolutely no direct relationship. But let me say and maybe remind the hon. Member that - I do not know if I have this information - this is a regular feature where the Financial Services Commission has been transferring accumulated surplus funds to the Consolidated Fund. It dates back to years and years. In 2011, Rs950 m. were transferred; in 2013, Rs844 m.; in 2014, Rs1,219,000,000 were transferred. I hope the hon. Member was not trying to be demagogical because this has always been the case, and if you look at the past trends, what has been done is according to law and, again, for this financial year, this is what is being done.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: But times have changed in the meantime. Several of these companies are heavily indebted. Can I ask the hon. Prime Minister whether an assessment has been made on these companies, whether investing in this measure – he used the word ‘investment’ – is in the best interest of these companies or there could be other things that are more useful to these companies that could be done with these surpluses?

The Prime Minister: Let me correct the hon. Member. When we are referring to the Financial Services Commission, it is not a company; it is a Commission.

Mr Osman Mahomed: Sorry, I am not referring to the FSC here; I am referring to the list of companies in general. Sorry about that.

The Prime Minister: About? Sorry, I did not...

Madam Speaker: List of companies in general.

The Prime Minister: Yes.

Mr Osman Mahomed: My question does not pertain to the FSC *per se*. It pertains to the list of companies that the hon. Prime Minister has just submitted.

The Prime Minister: Again, Madam Speaker, one can see; it is all transparent. This is what we expect to receive in terms of excess surplus funds. They are not companies, they are corporations, statutory bodies. So, of course, the matter is being discussed with the institution concerned and this is an estimate of what we intend to receive into the Consolidated Fund. As I said, the matter will be discussed, and this is not again the first time that surplus funds are being transferred to the Consolidated Fund. I can give the hon. Member a list of all the surplus funds that have been transferred in the past, for so many years, of course, depending on the financial situation of that institution. But you can rest assured that everything is being done, first of all, in consultation, and whatever amount would be transferred would never jeopardise the financial stability of that corporation.

Mr Osman Mahomed: One last question. Can I ask the hon. Prime Minister what is the amount that Government wishes to raise with this measure in this financial year?

The Prime Minister: I must be clear. Because are we talking about the remittances of surplus funds to the Consolidated Fund or are we talking about the corporations or the institutions which are going to invest in the Treasury Certificates? Because you have asked a question, wherein you have asked on both limbs.

Mr Osman Mahomed: The question is exactly what it has been written in the Budget Speech. So, my question is for those statutory bodies being required to send their surpluses. Regarding the total amount of surpluses, what is the amount that we are talking about?

The Prime Minister: I have some information; their withdrawals from income of quasi-corporations. Well, I can take the time of the House to read, but information and communication...

Madam Speaker: It will take too much time.

(Interruptions)

The Prime Minister: I can circulate the list.

Madam Speaker: I think it would be better to circulate.

The Prime Minister: I can circulate the list.

Madam Speaker: Next question, hon. Adrien Duval!

MAURITIAN CITIZENSHIP - APPLICATIONS

(No. B/734) Mr A. Duval (First Member for Curepipe & Midlands) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to Mauritian citizenship, he will state the number of applications received for registration therefor, since January 2015 to date, and table the names of the persons whose applications have been approved.

The Prime Minister: Madam Speaker, a non-citizen may be registered as a citizen of Mauritius upon application, and provided that he or she satisfies all the criteria under the Mauritius Citizenship Act of 1968.

According to records available, 3,148 applications for Mauritian citizenship have been received at my office from January 2015 to 31 July 2019. In addition, some 483 applications, which were received prior to January 2015, have also been processed.

Out of the 3,631 applications, 2,680 have been approved. 469 have been rejected and there are some 482 applications which are currently being processed.

Madam Speaker, in regard to the names of the persons registered, I am advised that under section 28 of the Data Protection Act 2017, names of persons must not be disclosed unless the persons consent to the disclosure.

Mr A. Duval: Madam Speaker, may I ask the hon. Prime Minister how many of these applicants have been successful? In fact, under section 9 of the Naturalisation Act, the Prime Minister has a discretion to allow it in the public interest. So, how many has he allowed, that would otherwise fail, under section 9 subsection 5, under his discretion?

The Prime Minister: That is a specific question. I shall definitely give the information to the House later on.

Mr A. Duval: Madam Speaker, I am quite surprised that there are 2,680 applicants that have been granted citizenship; it is a high figure. And yet, last year, well, in 2018 Budget, the Prime Minister pleaded to the House to allow his passport for sale provision to support it, as he said, there was no transparency, that it should not be up to the Prime Minister, for whatever reason, to give right, left and centre citizenship.

Madam Speaker: So, what is your question?

Mr A. Duval: He has not improved, in terms of transparency, the system, and yet, there are 2,700 and he is not prepared to table the names. So, how does he reconcile all of this?

The Prime Minister: Madame la présidente, tout d'abord, laissez-moi réfuter ce que l'honorable membre vient de dire, que je suis en train de donner *left, right and centre*...

Mr A. Duval: I did not say that.

The Prime Minister: I heard you saying that.

(Interruptions)

It is not left, right and centre. And if he wants me to say when, at which time applications were granted for citizenship left, right and centre, this was in the days of the previous Government, and I have cases here. But then, Madam Speaker, what I wanted to do, in fact, is exactly and precisely the point that he is raising today. As it stands today, we also have in our law the provision where the Prime Minister has a discretion to grant citizenship based, obviously, on some criteria like investment and so on, but they are not well-defined. What I wanted to do is to bring in more transparency, set up exact criteria with regard to investment and so on. And, unfortunately, I must say, there have been some hysterical people on the Opposition side who started a campaign saying what I have just heard, 'passport for sale' and this and that. Therefore, I thought that it would be more proper instead, to avoid *cette hystérie*, not to go ahead with that measure, and this is where we are still today, where the

Prime Minister would still have the discretion. It would have been spelt out clearly, Madam Speaker, and people would have known when they are eligible to get citizenship. What I am talking about is based on that provision where the hon. Prime Minister has a discretion. But unfortunately! So, we shall keep on like this. But I can assure the hon. Member in the House that when I exercise my discretion, I do it diligently, I look into the matter, of course, on a case-to-case basis, but I look into all the criteria that have to be satisfied and that there is merit in the application before I do grant citizenship.

Madam Speaker: Last question!

Mr A. Duval: Madam Speaker, the hon. Prime Minister should listen carefully. I said that he had said that, in the past, it had been given left, right and centre. He said that, in the past, and that we should come with a transparent system. He has not passed his passport for sale because it was outrageous. What I am asking, if his intention is to make it more transparent, the hon. Prime Minister either can reply to the House about who are the 2,700 applicants or he can cause the names to be gazetted. This is the question. Why is he now trying to attack the Opposition? It is a very clear question.

The Prime Minister: I am criticising you personally because when I tried to come with a more transparent manner and way of granting citizenship, you caused a hysteria, you criticised, you started to say that I am selling passports, this and that. So, that is why I say: 'Let us leave it as it is'. And I hope, in the future, we shall have more responsible Members who will then accept. And here, let me say, at least, I have to salute hon. Shakeel Mohamed, because I can still remember that he raised this issue and he came forward and proposed that we have clear criteria with regard to investment and so on. And this is what I was doing, but, unfortunately, as I said, this is where we are now.

Madam Speaker: Hon. Ms Sewocksingh, next question!

MAURITIAN NATIONALS & NON-CITIZENS – DIVORCE CASES

(No. B/735) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to divorce, he will, for the benefit of the House, obtain from the Civil Status Division, information as to the number thereof registered, since 2015 to date, indicating the number thereof in which non-citizens of Mauritius are involved.

The Prime Minister: Madam Speaker, divorce in Mauritius is, *inter alia*, governed by Articles 229 to 238-7 of the *Code Civil Mauricien*, whereas the registration of a divorce, once pronounced by the Family Division of the Supreme Court, falls under section 6 of the Civil Status Act.

I am informed by the Civil Status Division that, from January 2015 up to 31 July 2019, out of the 10,472 divorce registered, 651 involved divorce between Mauritian nationals and non-citizens.

Madam Speaker: Hon. Ms Sewocksingh!

Ms Sewocksingh: Thank you. Madam Speaker, as per Statistics Mauritius, in 2016, the total divorce was 1,910; in 2017, it was 1,996; in 2018, it was 2,425. Out of these figures, 52% of the couples had one or two children. Madam Speaker, the figures seem to be very alarming...

Madam Speaker: Hon. Ms Sewocksingh, instead of providing information, ask your question!

Ms Sewocksingh: My question, Madam Speaker, is the following. Is the hon. Prime Minister able to tell the House if there has been any study to find out the causes that contribute to divorce and find out solutions to reduce the dissolution of marriage?

Madam Speaker: Hon. Ms Sewocksingh, do you mean divorce amongst non-citizens of Mauritius? You are talking of non-citizens of Mauritius.

Ms Sewocksingh: Yes, in general.

Madam Speaker: *Non*, not in general. Your question relates to the number in which non-citizens of Mauritius are involved.

Ms Sewocksingh: Madam Speaker, the question is information as to the number thereof registered, since 2015 to date, indicating...

Madam Speaker: Sure! But it relates more to the non-citizens of Mauritius.

Ms Sewocksingh: ...which means, indicating the number thereof in which non-citizens are involved. So, my question to the hon. Prime Minister...

Madam Speaker: We have understood your question, hon. Ms Sewocksingh. Allow the hon. Prime Minister to reply because we are running out...

(Interruptions)

We are running out of time.

(Interruptions)

Now, hon. Ms Sewocksingh, please, do not argue with me. I know what I am doing, and it is my duty to see to it that as many questions as can be replied by the hon. Prime Minister have to be replied. Yes, hon. Prime Minister!

(Interruptions)

Resume your seat! Allow the hon. Prime Minister to reply!

The Prime Minister: Madam Speaker, first of all, I was just checking on the figures that have been mentioned by the hon. Member. They do not tally with the figures that I have here. But anyway! I thought that the substance of the question would be on non-citizens. That is why I chose to reply. But if it was going to be on divorce generally, it should have been addressed to my colleague, the Minister of Gender Equality, Child Development and Family Welfare. So, I shall not be in a position to answer on the causes of divorce and so on, but with regard to non-citizens, yes, I shall.

Madam Speaker: Yes, hon. Ms Sewocksingh!

Ms Sewocksingh: Madam Speaker, the question I laid before the House, the Parliament – now, to whom it is going to be directed. I wanted it to be directed to the Minister of Gender...

Madam Speaker: Hon. Ms Sewocksingh, please, do not lose the time of the House. You been here for almost four and half years now, and you know whose responsibility it is for a question to be directed to about divorce. It would have been the responsibility of the hon. Minister of Gender Equality, whereas if it is for non-citizens, it is the responsibility of the hon. Prime Minister. That is why the question is for the hon. Prime Minister. Ask your question now!

Ms Sewocksingh: I totally agree to your ruling, Madam Speaker. If the hon. Prime Minister cannot answer, there is no problem; we can take it another time with the concerned Minister.

Madam Speaker: Ask your question!

Ms Sewocksingh: But, Madam Speaker, this is a very serious matter, divorce. The figures are saying it. So, if the hon. Prime Minister...

Madam Speaker: Hon. Ms Sewocksingh, ask your question. Do not make statements, please, at Question Time!

Ms Sewocksingh: I do not know what is the problem. Anyway! May I know from the hon. Prime Minister if he has taken note about the non-citizens in Mauritius who were involved in divorce cases? So, may I know how many of them have been granted a divorce decree and are still living in Mauritius, and how many have already left the country?

The Prime Minister: From what I recall, I think there are two non-citizens who have left the country. Only two.

Madam Speaker: Next question, hon. Bhagwan!

AIR MAURITIUS LTD - A350-900 AIRBUS AIRCRAFTS

(No. B/736) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the A 350 airbus aircraft leased to South African Airways, he will state if the purchase thereof by Air Mauritius Ltd. was guaranteed by Government, and, if so, indicate when the said guarantee was given and the terms and conditions thereof.

The Prime Minister: Madam Speaker, I am advised that in view of all statutory and regulatory provisions regarding listed companies, it would not be proper for me to disclose the information sought by the hon. Member in regard to the lease of aircraft by Air Mauritius Ltd.

Notwithstanding this, I wish to inform the House that no guarantee has been provided to Air Mauritius Ltd by the present Government for the purchase of aircraft.

However, in July 2019, further to a request by Air Mauritius Ltd, two Letters of Comfort were provided by the Ministry of Finance and Economic Development as a condition precedent for Air Mauritius Ltd to finance two aircraft A350-900 from a syndicate of financial institutions and Japanese equity investors. The aim of the Letters of Comfort was only to provide assurances that the State will use its best endeavour to see to it that Air Mauritius Ltd will meet its current and future debt obligations.

The House may wish to note that these two Letters of Comfort are similar to the one issued for a similar transaction of Air Mauritius Ltd in 2009 by the then Government.

Mr Bhagwan: Can we have an idea of the amount involved in the transaction?

The Prime Minister: As I said, this is commercially sensitive information and, anyway, I have not gone into the supposed transaction, because it has been reported in the press. I have also read about it. But, as I said, I cannot give such kind of information.

Mr Bhagwan: Being given that, at the end of the day, it should be public money, in case we have any problem - Government has given guarantee, Letter of Comfort; so, at the end of the journey, it is public money - can the hon. Prime Minister inform the House whether his Office, his officers or his representatives on the Board have discussed sufficiently within the Board the present status of South African Airways? Because what I have been made to understand is that these planes have been leased to South African Airways, which is, itself, in a difficult situation.

The Prime Minister: The hon. Member has not listened carefully to my answer. I said...

Mr Bhagwan: I always listen...

The Prime Minister: You always listen, then...

(Interruptions)

Madam Speaker: Please, hon. Bhagwan!

The Prime Minister: If you have listened, then it is even more serious. Because what I have stated, Madam Speaker, is that Government has not given a guarantee with regard to the purchase of those aircrafts. We have given a Letter of Comfort. There is a difference.

PLANET FM – INTEREST & SHARES - TRANSFER

(No. B/740) Mr A. Duval (First Member for Curepipe & Midlands) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Independent Broadcasting Authority, he will, for the benefit of the House, obtain therefrom, information as to if it is in presence of any notice from Planet FM for the transfer of interest or shares held therein and, if so, indicate the –

- (a) date of notification;
- (b) outcome thereof, and
- (c) particulars of any changes in the interest or shares structure.

(Vide Reply to PNQ)

SIC - CASINOS DE MAURICE

(No. B/741) **Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed sale of the Casinos de Maurice, he will, for the benefit of the House, obtain from SIC Management Services, information as to if the Staff Unions thereof have been consulted in relation thereto and, if not, why not.

(Withdrawn)

Madam Speaker: The Table has been advised that PQ B/741 has been withdrawn. Time is over!

With regard to questions addressed to hon. Ministers, the Table has been advised that the PQs B/748 and B/749 have been withdrawn.

Hon. Rughoobur!

FORESTRY SERVICE – TREES – FELLING

(No. B/746) **Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Minister of Agro-Industry and Food Security whether, in regard to trees of over five years, he will, for the benefit of the House, obtain from the Forestry Division, information as to the procedure applicable for the felling thereof.

Mr Seeruttun: Madam Speaker, with your permission, I am going to answer to both questions, PQ B/746 and B/747 as they relate to the same subject matter.

Madam Speaker, the Forestry Service of my Ministry operates under the legal framework of the Forests and Reserves Act 41 of 1983. Any person wishing to fell a tree standing within river, mountain and road reserves has to obtain the prior authorisation from the Conservator of Forests, irrespective of the age of the tree. As regards the trees outside river, mountain and road reserves, the Forestry Service has no jurisdiction thereon, unless it is a State land.

Madam Speaker, as per the procedure laid out, an application in writing is made to the Conservator of Forests for the felling of the tree or trees within the above defined reserves. Forest Officers thereafter effect a site visit to assess the health, species and size of the tree, obtain a statement from the applicant and verification of status of ownership.

After the site visit and verification of title deeds, the Conservator of Forests then informs the applicant of its decision, whether authorisation is granted or not to fell the trees.

Madam Speaker, I wish to inform the House that the Forestry Service cannot ascertain the age of a tree with certitude. Forest Officers instead make a visual assessment of the tree based on its size, species and the locality it is found.

I am informed that as per records available at the Forestry Service, authorisation to fell 6,522 trees, irrespective of age, have been granted during the last 48 months in connection with infrastructural developments being carried out and due to security hazards in public places.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Thank you, Madam Speaker. Thank you, hon. Minister. In answering to my first question, B/746, the hon. Minister gave an indication of the procedures for the felling of trees. May I know whether he intends also to review – for procedures we know - the criteria that have been static for years and years, especially with these changes in climatic conditions? Does he contemplate to review the criteria?

Mr Seeruttun: Well, Madam Speaker, as it stands today, we are not contemplating to review the regulation with regard to the felling of trees, but if there is need in the future, then we will consider it.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Thank you, Madam Speaker. We know that the Paris Agreement talks about the vital weapon that we have for climate change, the forest that we have, the trees. May I know from the hon. Minister whether there has been an evaluation to assess what has been the reduction in the size of our forests during the last 10 years and what is being done?

Mr Seeruttun: Well, let me inform the House, Madam Speaker, that since 2016 we embarked in the project to plant 100,000 trees per year, and over 5 years, that is, 500,000 trees. And as at to date, since we started in 2016, we have planted some 345,764 trees around the island. This is one way to contribute to the impact of climate change all over the planet. So, that's one of the projects that we have embarked into. I must also inform the House that we have created a mini forest in Bel Air; also in Grand River Nord West, under the bridge we

have created what we call a social urban forestry project. So, these are the kind of things that we have embarked into to mitigate the impact of climate change.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: A last supplementary, Madam Speaker. I have seen lately that in countries like Australia, for example, even China, they have introduced technology for the transplant of trees, even up to 10 years of age.

May I know from the hon. Minister whether at the level of the Ministry, at least, because the private sector won't invest in this - I hope they invest - whether he would consider at least investing in this technology?

Mr Seeruttun: Well, Madam Speaker, they do exist already in Mauritius, private entrepreneurs who have that kind of equipment to dig in grown up trees and translocate them to elsewhere. So, if ever there is a need to resort to that kind of service, we would rather go to those private contractors to undertake that kind of service.

FORESTRY SERVICE - TREES - FELLING

(No. B/747) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Agro-Industry and Food Security whether, in regard to trees, he will, for the benefit of the House, obtain from the Forestry Division, information as to the number thereof of over 50 years having been fell with the approval of the said Division over the past 48 months, indicating the reasons therefor.

(Vide Reply to PQ B/746)

PRIMATES - EXPORTATION

(No. B/748) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Agro-Industry and Food Security whether, in regard to the primates, he will give the list of companies specialized in the exportation thereof, indicating the number and value thereof having been exported over the past three financial years ending 30 June 2018.

(Withdrawn)

PRIMATES - EXPORTATION

(No. B/749) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Agro-Industry and Food Security whether, in regard to the primates, he

will state if consideration will now be given for the advisability of suspending/banning the exportation thereof.

(Withdrawn)

Madam Speaker: Next question, hon. Osman Mahomed!

PAILLES GUIBIES SEWERAGE PROJECT – PHASES 1 & 2

(No. B/750) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to Phases I and II of the Pailles Guibies Sewerage Project, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to the work progress thereof.

The Deputy Prime Minister: Madam Speaker, the hon. Member may refer to my reply to Parliamentary Question B/544 of 02 July 2019 in which I informed the House of the status of Phase 1 and Phase 2 of the Pailles Guibies Sewerage Project.

I am informed by the Wastewater Management Authority that there have been further developments since that date with regard to the works contract for Phase 2, namely –

- (i) On 22 July 2019, WMA notified the Synohydro Corporation Ltd (China) of the selection of its bid for award by the Central Procurement Board. It also issued a notice in writing to the other bidders, specifying the name and address of the proposed successful bidder and the price of the contract.
- (ii) In the absence of any challenge during the statutory period specified in the Public Procurement Act of 2006, on 31 July 2019, WMA issued the letter of award to Synohydro Corporation Ltd (China) for the contract sum of Rs851,511,698.24, excluding VAT.

Works are expected to start on 10 September 2019 and to be completed on 09 January 2023.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. Phase 1 was a much smaller project than Phase 2 because Phase 2 is about the house connection and Phase 1 was supervised by GIBB. Can I ask the hon. Deputy Prime Minister whether the Board, in taking the decision to entrust the supervision of this major project in-house at the Wastewater Management Authority, it has assured itself that there will be a competent team that will

ensure that we have the required quality control because we are going into sensitive areas, the project will be completed in time and without cost overruns?

The Deputy Prime Minister: I am trying to find the information on file. On 05 October 2017 and 15 October 2018, the authority launched invitations for proposals through international open advertised bidding for the selection of the consultant. On both occasions, the bidding exercise has been cancelled for a number of reasons. At its meeting of 25 July 2019, the WMA Board decided that the supervision of the Pailles Guibies work contract Phase 2 will be carried out in-house by WMA staff backed up by a contract adviser. WMA will launch bids for selection of the contract adviser.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Because we are going in the individual connection now, the streets of Pailles are very narrow, at places 3 metres, and the excavation will have to be to very deep, 5-6 metres at places. Can I ask the hon. Deputy Prime Minister what precautions have been taken not to put the houses at risks because the roads are narrow and whether any special traffic management measures have been catered for this project?

The Deputy Prime Minister: Well the Board is used to that sort of operation. I trust that they will continue to do their work with the usual diligence and, of course, there are always *accidents de parcours* which they try to redress all the time. I trust that we will have minimal problems.

Mr Osman Mahomed: Phase 1 was awarded on 23 September 2015 and it was supposed to be completed on 04 May 2017. But, in fact, it was completed on 04 October 2018, therefore a delay of about 17 months. Can I ask the hon. Deputy Prime Minister the reasons for this delay?

The Deputy Prime Minister: Let us see what figure that I have here. Under Phase 1 contract, 417 metres of pipeline at Canal Dayot could not be laid because there were representations from the residents. So, the truck sewage was realigned from the built-up area of the riverbed, along a length of about 155 metres. Then, there were the works on the A1 crossing because of the current situation that was delayed. The Traffic Management and Road Safety Unit did not grant the way leave forward closure. The crossing would be carried out now under Phase 2.

Madam Speaker: Yes, hon. Armance!

Mr Armance: Thank you, Madam. On a very same PQ I had in July this year, the hon. Deputy Prime Minister did not have the date of the completion work and he just gave us some dates that Phase 2 will be completed on the 09 of January 2019. May I know from him whether, at this stage of the project, everything is on track or this project is starting really in September 2019 and there will not be any further delay in the completion in January 2019?

The Deputy Prime Minister: The hon. Member is talking of Phase 1 or Phase 2?

(Interruptions)

Of Phase 2 - I have just said, the works are expected to start on 10 September 2019.

(Interruptions)

I cannot know. I believe it must be on track. In these matters - as many of the engineers know - there are always delays in starting works because of so many factors.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Madam Speaker, last week at Adjournment time, the hon. Deputy Prime Minister informed the House that Camp Chapelon would be part of Phase 2. Do I understand that the inhabitants of Camp Chapelon will be connected between that period, 10 September to 09 January?

The Deputy Prime Minister: They will be connected under Phase 2. Camp Chapelon falls within the geographical area of Phase 2.

Madam Speaker: Next question, hon. Osman Mahomed!

CÔTE D'OR MULTI-SPORTS COMPLEX

(No. B/751) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Youth and Sports whether, in regard to the Côte d'Or Multi-sports Complex, he will, for the benefit of the House, obtain from the Mauritius Multisports Infrastructure Ltd., information as to the amount of grant money received from the Republic of China having been disbursed as at to date for the –

- (a) construction thereof, and
- (b) installation of amenities thereat.

Mr Toussaint: Madam Speaker, I am informed by the Mauritius Multisports Infrastructure Ltd that to date, claims amounting to about Rs386 m. for the aquatic centre and

Rs530 m. for the football stadium and athletic track, from the contractor China State Construction Engineering Corporation Ltd have been submitted to the Chinese Authorities.

According to the implementation agreement signed with the Chinese Authorities in November 2017 and subsequent supplementary agreement signed for the disbursement of funds by the Chinese side, payment is to be made directly to the contractor by the Chinese Authorities with notification to the Accountant General. I understand that procedures are ongoing at the level of the Chinese Authorities for the settlement of the claims submitted by the contractor.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Yes. The financing comprises of a mixture of grant and loan. My question is how much of the grant money has been disbursed by the Chinese Authorities so far because we understood it is going to be about Rs1.1 billion. How much of it had been disbursed so far, hon. Minister?

Madam Speaker: Put your question. Yes.

Mr Toussaint: Madam Speaker, I have just replied in my main answer that the payment is made directly to the contractor and the Accountant General will be notified of these payments. At the moment, I do not have this information.

Madam Speaker: Hon. Osman Mahomed.

Mr Osman Mahomed: Can I ask the hon. Minister to confirm to the House whether there is a reluctance from the Chinese Authorities to disburse the grant money because they feel that there are major issues with the procurement process and they have issues with the way the project was managed, meaning cost overrun and the time it took to construct the facilities. Can I ask the hon. Minister to confirm this?

Mr Toussaint: Madame la présidente, les autorités chinoises ont demandé plus de renseignements en ce qu'il s'agit de *piling works*. Il faut comprendre que le système utilisé en Chine n'est pas la même façon dont nous nous procédons. Donc, ils ont demandé des informations additionnelles. Les informations ont été données et les procédures entre MMIL et les autorités chinoises - ils sont enfin tombés d'accord et ils ont finalisé, et les paiements vont se faire incessamment.

Madam Speaker: Hon. Dr. Boolell!

Dr. Boolell: Madam Speaker, I would like to draw the attention of the House to the question, the way it has been framed - Republic of China. This is a serious matter.

Madam Speaker: Hon. Dr. Boolell, I do not think at question time, we should take this matter, this matter can be...

(Interruptions)

Yes! But you could have seen me in my Office and draw my attention to that. We will see that. Hon. Osman Mahomed!

(Interruptions)

You have a question?

Dr. Boolell: Yes.

Madam Speaker: Okay, ask you question.

Dr. Boolell: Can I ask the Minister whether there is an audit of expenditure in respect of the ongoing construction work?

Mr Toussaint: Madame la présidente, mais je pense pas que ça a quelque chose à voir avec la question initiale. Donc, je n'ai pas ce renseignement-là.

Madam Speaker: Yes, hon. Osman Mahomed, last question!

Mr Osman Mahomed: The initial cost estimate for this project was Rs2.8 billion and we finally reached - the Government has stated that it is going to be Rs4.6 billion. Can I ask the hon. Minister how is the Mauritius Multisports Infrastructure Ltd going to repay that huge amount of debt that is going to be incurred, so far a very expensive white elephant.

Mr Toussaint: Madame la présidente, vraiment navrant d'entendre ce genre de commentaire. Après le stade fantôme,...

(Interruptions)

Madam Speaker: Order!

Mr Toussaint: L'éléphant blanc...

Madam Speaker: Order!

Mr Toussaint: Pas plus loin que quelques jours de cela, le pays a vécu un moment extraordinaire. Enfin pas de commentaire, Madame la présidente, venant de la part de ce genre de personnes.

Madam Speaker: Last question!

(Interruptions)

Last question!

Mr Osman Mahomed: My question was: how is the company going to generate profits and income to meet the debt repayment of this project?

Madam Speaker: It does not relate to the main question.

Mr Toussaint: Exactement, Madame la présidente mais, encore une fois, je dis que malheureusement il y a certaines personnes qui ne comprennent absolument rien dans ce pays.

(Interruptions)

Nous, nous avons un plan pour que les fédérations utilisent ce lieu. Côte d'Or va devenir le *high performance centre* de sports de Maurice. Bientôt nous allons lancer le Liverpool Academy. Il y aura d'autres compétitions internationales qui vont se faire et *continuer mem, pas bon mem, pas bon mem, just too bad!*

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

At 1.04 p.m., the sitting was suspended.

On resuming at 2.39 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Please, be seated. Hon. Dr. Boolell!

**SAFE CITY PROJECT - INTELLIGENT VIDEO SURVEILLANCE (IVS) &
INTELLIGENT TRAFFIC SURVEILLANCE (ITS) SYSTEMS**

(No. B/752) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Safe City Project, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will be given for the carrying out of an impact assessment of the electromagnetic fields on the health of individuals exposed to the electrical installations made in connection therewith.

Sir Anerood Jugnauth: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that the Safe City Project is an integrated and advanced technological system for ensuring safety and security of public in general in Mauritius.

The Safe City Project comprises installation of various types of equipment which provides a whole ecosystem to carry out surveillance at strategic places throughout Mauritius. These pieces of equipment have been procured, installed and commissioned by the Mauritius Telecom.

Mr Deputy Speaker, Sir, I have further been informed by the Mauritius Telecom that all electrical supply and installations related to the Intelligent Video Surveillance (IVS) and Intelligent Traffic Surveillance (ITS) systems have been carried out by the Central Electricity Board supplying 230 Volts at a frequency of 50 KHz to the different equipment concerned in conformity with standard norms applicable to any existing customer.

None of these equipment and system emits any electromagnetic waves. Therefore, consideration for the carrying out of an impact assessment of the electromagnetic fields on the health of individuals exposed to the electrical installations made in connection therewith does not arise.

Dr. Boolell: You short circuit the Rt. hon. Minister Mentor on this issue, but can I impress upon him to look very seriously into the matter because there are reports of deleterious impact upon health. So, there have been several reports published. Can I impress upon him to look into the matter very seriously?

The Deputy Speaker: Related to electromagnetic field?

Dr. Boolell: That is right.

Sir Anerood Jugnauth: There is no need to impress on me. I have said what I have said and I stick to that.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Maybe it is not related to the question directly but can I ask the hon. Minister Mentor...

The Deputy Speaker: No, if it is not related, then there is no point in asking.

Mr Osman Mahomed: Can I ask my question? Whether this system, the Safe City System has got sound recording in there as well?

Sir Anerood Jugnauth: I am no expert in that.

The Deputy Speaker: Next question, hon. Adrien Duval!

**YUTONG SEMI-LOW FLOOR BUSES - MANUAL 4-SPEED HAND LEVER
RETARDERS**

(No. B/753) **Mr A. Duval (First Member for Curepipe & Midlands)** asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Yutong Semi-Low Floor Buses, he will, for the benefit of the House, obtain from the National Transport Corporation, information as to if the manual 4-speed hand lever retarders installed thereon have been disconnected and, if so, indicate the reasons therefor.

Mr Bodha: Mr Deputy Speaker, Sir, for an information made available by the National Transport Corporation, the latter has confirmed that the manual 4-speed hand lever retarders installed in semi-low floor buses of the make Yutong have not been disconnected or removed.

In fact, the retarders operate fully on the 4-speed automatic mode and do not require any manual operation on using the hand lever as recommended and engineered by the bus manufacturer.

The manual 4-speed hand lever is only an option and is not activated as recommended by the bus manufacturer in view of driving conditions. As such the automatic mode serves the purpose and is fully efficient.

Mr Deputy Speaker, Sir, the shifting of the mode of operation of the retarder from manual mode to automatic mode on the Yutong semi-low floor buses was carried by Engineers of Yutong at ABC Coach Works Ltd prior to the delivery of the new buses to the NTC upon recommendation of Yutong, the manufacture of the bus, to avoid inappropriate use by the drivers.

NTC drivers are fully aware of the mode of operation of the retarder and necessary training has been imparted to them.

Mr Deputy Speaker, Sir, as at date no complaint regarding retarders has been received at any of the five Regional Officers of the NTC, where the buses are operating nor at the local agent that is ABC Coach Works Ltd which carries out maintenance and repairs on the Yutong Buses from the date of their commissioning.

Mr A. Duval: Mr Deputy Speaker, Sir, I have a letter from the NTC. It says clearly that the NTC has decided to disconnect the hand lever which is the field safe, after the operation of the buses. The letter is dated June 2016.

The Deputy Speaker: Will you table the letter, hon. Member?

Mr A. Duval: I can, I have no problem with it. Therefore, is it not true that the buses, as shipped from factory condition, included the operation of both the manual and automatic retarder, one at the brake pedal and one as a hand lever?

Mr Bodha: No, what has been done, Mr Deputy Speaker, Sir, I have the letter, in fact, which dates back to 30 June 2016. And there was, in fact, some comments made by one trade union driver and after that comment, I made a number of meetings. There were two reports and *il y a eu un communiqué de presse, le 24 juin 2016 de la CNT. Il y a eu aussi un communiqué de presse d'ABC Motors pour expliquer ce que j'ai expliqué. Ça veut dire que c'est sur automatique et que ça fonctionne donc sur automatique et non pas de manière manuel, parce que quand c'est manuel, le chauffeur parfois en fait un abus et parfois il ne l'utilise pas. Donc, automatiquement, ça veut dire le retarder fonctionne dépendant de la qualité de la route et dépendant du parcours.*

Mr A. Duval: Can the hon. Minister confirm that the retarder at the hand is a field safe, in case the brake pedal is obstructed, the bus can still be slowed down and therefore it was thought fit by Yutong, China to include that as an option. But the NTC, because of lack of training of the drivers, has decided that it will remove the option, so disconnect it because it was easier than obviously to train them properly?

Mr Bodha: I'll read again what I said, Mr Deputy Speaker, Sir. The shifting of the mode of operation of the retarder from manual mode to automatic on the Yutong was carried out by engineers of Yutong, prior to delivery on the advice of the Yutong engineers.

Mr A. Duval: Well, Mr Deputy Speaker, this is not what is said in the letter. What we can see in the letter...

The Deputy Speaker: That's why I said, please table the letter.

Mr A. Duval: Yes, I will. Well, it is said in the letter...

(Interruptions)

I am sorry, hon. Roopun is making comments. Is he the Deputy Speaker now?

Mr Roopun: I have a right to take a point of order.

Mr A. Duval: Well, I am not giving way.

The Deputy Speaker: Let him take the point of order, please!

Mr Roopun: We are here at Question Time, but we can't follow unless the hon. Member, first of all, put in the document.

(Interruptions)

The Deputy Speaker: Order, please! Order! Order, please!

Hon. Adrien Duval, you have said that you are going to table the letter. Please, can you table the letter?

Mr A. Duval: I am referring to the letters, Mr Deputy Speaker.

(Interruptions)

Yes, I give my undertaking to table all the letters. I have the Works Order now from Paragon Motors Ltd. where there are a number of queries that have been put to the NTC by drivers that the retarder no longer works. Therefore, it was working before. The point is this. Mr Deputy Speaker, we are talking about buses that carry passengers. There have been accidents. I am not trying in no way to play politics with this, I am just telling the Minister, if it was thought by the constructor that this was a security apparatus fit for public transport, that he maintains the operation of the hand lever because if the brake pedal is obstructed or if there is a puncture, it works with air, then, there can be a problem, there can be an accident. Therefore, if he can look into it and see to it that a solution be found, so that the hand lever may be operated as it was designed?

Mr Bodha: Well, I'll look into the matter again, but we are talking about something which is 2016, we are now in 2019. So far, the buses have been doing well, because the engineers of Yutong have been regularly seeing to the maintenance of the use of the buses. But I would like to read again what I said, Mr Deputy Speaker, Sir, the retarder has not been disconnected or removed. What was done is that, upon recommendation of the Yutong, the manufacturer of the bus, to avoid misuse by some other drivers, but we have trained the drivers and we have put it on automatic mode; but, I will certainly look into the matter.

The Deputy Speaker: Last question, hon. Osman Mahomed!

Mr Osman Mahomed: Thank you. Can I ask the hon. Minister why is it that in China they have this system and in Mauritius we could afford not to have it?

Mr Bodha: Because it depends on the way you use the buses, the distance, the road, the alignment of the road, but this was done upon the recommendation of the engineers of Yutong.

The Deputy Speaker: Hon. Bhagwan!

STC – GENERAL MANAGER

(No. B/754) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the General Manager, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the name of the incumbent thereof, indicating the –

- (a) date and terms and conditions of appointment thereof;
- (b) number of boards and companies on which he represents the Corporation, indicating the quantum of allowances drawn, and
- (c) number of official missions effected, indicating the countries visited and costs thereof.

Mr Gungah: Mr Deputy Speaker, Sir, in my reply to PQ B/663 of 16 July 2019, I stated that Mr Rajanah Dhaliah was appointed as General Manager of the State Trading Corporation (STC), on a contract basis, for a period of three years with effect from 01 July 2015. The contract was renewed for a further period of three years with effect from 01 July 2018.

Mr Dhaliah presently draws a monthly salary of Rs325,000, comprising Rs110,000 as per PRB 2016 and Rs215,000 as Duty Allowance. He also draws an allowance of Rs3,000 for communication facilities and Rs20,000 as entertainment allowance. The other elements of his pay packet and fringe benefits, i.e. Driver's Allowance, Motor Car Allowance, Diesel Allowance, End of Year Bonus, Gratuity, Leaves and Passage Benefits are as per PRB 2016.

Mr Dhaliah represented the STC on the Board of the Rodrigues Trade & Marketing Company (RTMC) from 05 August 2015 to 31 May 2017 as Director. He represents the STC on the Board of Mer Rouge Oil Storage Terminal (MOST) as Director. He does not draw any allowances thereof.

Mr Deputy Speaker, Sir, with your permission, I am tabling the information regarding part (c) of the question.

Mr Bhagwan: Mr Deputy Speaker, Sir, with regard to part (c) of the question, I have not taken cognizance of the reply yet. Is the hon. Minister providing us in the reply the total amount spent because, very often, we have seen replies which are being circulated, where the allowances are paid as per approved rates, but we don't know the rates, the public does not know the rates? Is that information found in the reply of the Minister which is being circulated by the hon. Minister, the total amount paid in terms of rupees?

Mr Gungah: Mr Deputy Speaker, Sir, the allowances paid by the PRB is publicly available.

Mr Bhagwan: For mission, no! I beg to differ with the hon. Minister.

Mr Gungah: For mission?

Mr Bhagwan: I am asking for missions.

Mr Gungah: Well, the list is complete, with the subsistence allowance, cost of air ticket, total cost. It is a complete list.

Mr Bhagwan: I have not yet taken cognition of what the hon. Minister said. So, it's good. So, can the hon. Minister inform the House whether a decision has been taken when he was appointed at the Board of STC and whether he is allowed to be engaged in political activities, attending *comité central* of the MSM, attending public meetings of the MSM, attending other rallies of the MSM, *divan divan*? So, whether in other cases, like the MIE, the Minister...

(Interruptions)

Ekouter do! Ticket to pa pou gagner eleksion! To pe plorer dans Trèfles!

The Deputy Speaker: Put your question!

Mr Bhagwan: *Ticket to pa pe gagner, to pe geler! To pe gele labas, aret geler!*

(Interruptions)

Aret geler! Mo kone ki to pe geler!

The Deputy Speaker: Order, please!

Mr Bhagwan: So, can the Minister inform the House whether he has been authorised by the Minister or the Ministry to be engaged in full-time political activities whilst being General Manager?

Mr Gungah: Mr Deputy Speaker, Sir, I must say that I am not aware of the whereabouts of Mr Dhaliah, apart from managing the affairs of the State Trading Corporation.

The Deputy Speaker: Hon. Rutnah!

Mr Rutnah: Thank you, Mr Deputy Speaker, Sir. Can the hon. Minister, if he has the information in his possession now, tell the House and the population what was the terms and conditions of the predecessor of the current General Manager of STC?

Mr Gungah: Yes, Mr Deputy Speaker, Sir, I do have the information. In fact, I must say that the predecessor of Mr Dhaliah was earning a salary of Rs80,000 as per PRB recommendations from August 2011 to March 2015 and a duty allowance of Rs195,000.

(Interruptions)

Yes! Rs195,000!

The Deputy Speaker: Order, please!

Mr Gungah: Of course, when Mr Dhaliah was appointed, he was appointed on the basis of the PRB recommendations as per his basic salary ...

(Interruptions)

and at that time, he had a duty allowance of Rs138,000, but I must say that, that was increased..

(Interruptions)

It was increased for Mr Dhaliah. As I said in my main reply....

The Deputy Speaker: You should not put question from a sitting position!

Mr Gungah: It was increased to Rs215,000 because Mr Dhaliah was entrusted with additional responsibilities, like the promotion and development of Mauritius as a bunkering port, engaging STC as a shareholder in the MOST Project and he spearheads a Joint Venture with MRPL and Indian Oil to develop a Petroleum Storage Terminal...

(Interruptions)

The Deputy Speaker: Order, please!

Mr Gungah:...and to play a leading role for the utilisation of LNG in Mauritius and as a platform to trade LNG. So, in brief, Mr Deputy Speaker, Sir, the terms and conditions of the previous General Manager of the STC and the present one are more or less the same.

(Interruptions)

The Deputy Speaker: You have another question?

Mr Bhagwan: The hon. Minister has stated that he is not aware that Mr Dhaliah is engaged in active politics. He is laughing - he knows! So, can the hon. Minister inform the House whether he has had any discussions, like the hon. Minister of Education had with the Director of MIE when it was found that the Director of MIE attended an MSM meeting in Constituency No. 13? So, can the hon. Minister inform, or however intends, for the few months remaining for this Government, to ask Mr Dhaliah to go according to his contract and not to be engaged in political activities, like he was *divan divan* again in the *meeting fiasco* of Rivière du Rempart?

Mr Gungah: Mr Deputy Speaker, Sir, as Minister responsible for STC, I am satisfied with the performance of Mr Dhaliah.

The Deputy Speaker: Hon. Bhagwan, next question!

KARTHI HOLDINGS LTD - MR R. R. - CEO - ARREST

(No. B/755) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to Mr R. R., Chief Executive Officer of Karthi Holdings Ltd., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if he was arrested by the Roche Bois Police Station on Monday 27 July 2019 for the offence of issuing a cheque without provision to the tune of Rs 150,000 and, if so, indicate where matters stand as to the inquiry initiated thereinto.

Sir Anerood Jugnauth: Mr Deputy Speaker, I am informed by the Commissioner of Police that on Monday 22 July 2019, Mr R.R. was arrested in connection with a case of “*Issuing Cheque without Provision*” by Roche Bois Police.

Mr R.R. appeared before Court on Wednesday 24 July 2019 and was provisionally charged with the above offence in respect of an amount of Rs150,000. On the same day, he was released on bail after furnishing a surety of Rs10,000 and entering into a recognizance in

the amount of Rs20,000. In addition, he was also ordered by the District Magistrate to report at Quatre Bornes Police Station every Saturday between 06 00 hrs and 18 00 hrs.

Mr Deputy Speaker, enquiry into the above case has been completed and has been referred to the Office of the Director of Public Prosecutions for advice on 02 August 2019.

Mr Bhagwan: I have a supplementary question, Mr Deputy Speaker, Sir. In the reply given by the Rt. hon. Minister Mentor, it seems that this person is not a VIP, he is a VDP. Is the Rt. hon. Minister Mentor aware that VDP, this R.R. has sponsored a clip where the actual acting President of the Republic was canvassing businessmen from Africa to invest in Mauritius.

The Deputy Speaker: Hon. Bhagwan, you should not bring the President...

(Interruptions)

No, this is not a fact. You are mentioning him, this is not a fact.

Mr Bhagwan: I disagree with you, this is a fact. He is using public funds. I am asking, this is public knowledge.

The Deputy Speaker: No, I will not accept that, hon. Bhagwan.

Mr Bhagwan: Can I ask another question?

The Deputy Speaker: Yes, you can ask another question.

Mr Bhagwan: Can I ask the Rt. hon. Minister Mentor whether he has discussed with the Prime Minister, even at the level of Government, that what happened with the previous President is a very bad example. But this Mr R.R., who is engaged in *transactions louches, chèque sans provision*, is having access to the State House so many times he wants, receiving red carpet and there will be no statement from the acting President. Has he had the opportunity, as previous Prime Minister, previous President, and Minister Mentor now, to discuss with the Prime Minister to bring that President to order?

Sir Anerood Jugnauth: I have not followed Mr R.R. and I cannot know whether he has been to the State House.

The Deputy Speaker: Hon. Adrien Duval!

Mr A. Duval: Thank you, Mr Deputy Speaker. In light of all this and given what has come to light during the Private Notice Question, this morning, that there is a declaration made against Mr R.R. for impersonating a police sergeant, will Government review all these

accesses that are allegedly being given to him and also the fact that he is now being involved in a radio in Mauritius and is supposedly to take it over? Will the Rt. hon. Minister Mentor, therefore, use his good offices to direct his colleagues Ministers that nobody under any Ministry of Government should entertain such request on a person who has committed two offences and is awaiting trial?

Sir Anerood Jugnauth: This has nothing to do with the question that had been put.

Mr Bhagwan: Can I ask the Rt. hon. Minister Mentor, from his reply - that Mr R.R. having been found guilty issuing *chèque sans provision*, on bail, now he has been released – inform the country and the population that such a person was in the company of our President of the Republic, conveying our President in a Rolls Royce in South Africa while he was on an official mission in a private vehicle? If this is true, does the Minister Mentor find this normal?

(Interruptions)

Sir Anerood Jugnauth: I was not present in South Africa.

The Deputy Speaker: Next question, hon. Lepoigneur!

U 17 WORLD BEACH FOOTBALL 2017 – CONTRIBUTIONS & PARTICIPATION FEES

(No. B/756) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the U 17 World Beach Football 2017 held in Mauritius, from 11 to 16 July 2017, at Flic-en-Flac, he will -

- (a) state the amount of contributions granted thereto by Government, and
- (b) for the benefit of the House, obtain from the Mauritius Handball Federation, information as to the quantum of -
 - (i) participation fees received from and quantum of money paid by the foreign participants for board and lodging;
 - (ii) contributions received from the International Handball Federation, and
 - (iii) money paid and due to Vision Dream Ltd. for the hosting thereof.

Mr Toussaint: Mr Deputy Speaker, Sir, in regard to part (a) of the question, I wish to inform the House that my Ministry contributed to the organisation of the U 17 World Beach

Football 2017 to the tune of Rs1,364,800; 479,000 as financial support and the rest in terms of hiring buses, catering and equipment.

As for part (b)(i) and (ii) of the question, I am informed by the Mauritius Handball Association that participation fees received from foreign participating countries for board and lodging amount to Rs295,673.34 whereas contributions received from the International Handball Federation amounted to Rs7,080,000.

As regards part (b)(iii) of the question, I wish to refer the hon. Member to my reply to PQ B/613 on 10 July 2018 wherein I am informed that following an initial contractual between Vision Dream Limited and the Mauritius Handball Association amounting to Rs12,544,000 a part payment of Rs3,500,000 was made to the company by the Federation.

Subsequently, the company negotiated a new agreement with the International Handball Federation and payment under the new agreement was made by the latter directly to the company.

I am further given to understand that there is still a dispute between the Mauritius Handball Association and the company Vision Dream Limited regarding an amount of Rs2,500,000 allegedly relating to air tickets which, according to the company, is still due by the Federation.

Mr Lepoigneur: Merci. Je suppose que le ministre est au courant que Monsieur Alcindor de la compagnie de *Vision Dream*, est actuellement en train de faire une grève de la faim concernant ce sujet. Effectivement, il y a eu...

The Deputy Speaker: Your question, please!

Mr Lepoigneur: Oui, mais je dois expliquer pourquoi la question.

The Deputy Speaker: No. The purpose of your question is to seek information from the Minister not to provide him with information.

Mr Lepoigneur: Ma question est que Monsieur Alcindor a fait une requête pour qu'il y ait une table ronde, qu'il y ait un consensus pour la différence à être payée, que le ministère et les fédérations s'impliquent. Est-ce que le ministère va agréer à cette requête pour que Monsieur Alcindor puisse rencontrer tout le monde, qu'il arrête sa grève de la faim et qu'il y ait un consensus et même à être payé en différentes tranches la dette restante ?

Mr Toussaint: M. le président, premièrement, c'est un contrat entre *Vision Dream* et la Fédération de Handball. A l'heure que je vous parle, je n'ai reçu aucun courrier dans ce sens.

Mr Lepoigneur: Le ministère était partie prenante de cette activité. Donc, je pense qu'il serait souhaitable que le ministère s'investisse à pouvoir arrêter cette grève de la faim. Tout récemment, il y a eu Monsieur Harmon qui a fait une grève de la faim et le gouvernement s'est impliqué pour qu'il arrête...

The Deputy Speaker: This has got nothing to do with the question....

Mr Lepoigneur: Etant donné que c'est un drame humain, je pense que c'est souhaitable que le ministre rencontre Monsieur Alcindor, humainement parlant, pour pouvoir mettre fin à cette grève et surtout qu'il y a une ardoise de quatre millions qui est restée due à ce jour.

Mr Toussaint: M. le président, je le répète encore une fois, c'est un arrangement entre *Vision Dream*, géré par Monsieur Alcindor et l'association de Handball. Donc, je le redis, je n'ai reçu aucun courrier par rapport à une requête de table ronde ou quoique ce soit. Il est malheureux que Monsieur Alcindor ait décidé de faire une grève de la faim.

The Deputy Speaker: Hon. Lepoigneur, you have another question, please.

Mr Lepoigneur: Je sais que le ministère n'a reçu aucune requête officiellement comme il est en train de le dire mais, comme il se doit, humainement parlant, est-ce que le ministre ne peut pas s'impliquer à pouvoir arrêter cette grève de la faim qui dure depuis plus de douze jours actuellement et que Monsieur Alcindor est en train de subir...

The Deputy Speaker: Please, can I? I have told you whatever supplementary question that you have to ask should be relevant to the main question. You put three supplementary questions which have got nothing to do with your main question.

Mr Lepoigneur: Je sais que les athlètes sont licenciés à travers les fédérations. Donc, quand les athlètes font honneur au pays, on reconnaît les mérites des athlètes. Là, il faut reconnaître que c'est à travers les fédérations que les athlètes prennent part aux compétitions internationales. Il serait souhaitable que le ministre aille de l'avant et met fin à cette affaire qui dure depuis trop longtemps. Est-ce que ce sera possible ?

The Deputy Speaker: Next question, hon. Ramful!

(No. B/757) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the markets and fairs vested in the District Council of Grand Port, she will, for the benefit of the House, obtain from the Council, information as to the number of stalls declared vacant since, 2015 to date, indicating the reasons therefor.

The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo): Mr Deputy Speaker, Sir, I am informed by the District Council of Grand Port that for the period of 2015 to 31 May 2017, no authorisations for the occupation of stalls were revoked.

From June 2017 to February 2018, 378 authorisations to occupy stalls were revoked due to non-payment of fees. This issue concerns the occupation of stalls at Rose Belle market fair, Mahebourg market fair, Plaine Magnien market fair and Jawaharlal Nehru open market.

I am further informed that at its meeting held on 29 May 2018, 28 August 2018 and 28 November 2018, the Council subsequently decided that stall holders who had already paid up to 70% of the amount due, be reallocated their stalls on humanitarian grounds. Thus, 189 out of the 378 stalls were restituted to their occupiers.

I am further informed by the Council that following a drawing of lots held on 27 June 2019, pursuant to an Expression of Interest launched on 10 December 2018, 82 stalls have been allocated to new occupiers. As at date, there are 107 vacant stalls. The Council will launch an Expression of Interest for these stalls to be allocated.

Mr Ramful: Mr Deputy Speaker, Sir, I have had the opportunity of speaking to those traders and one of the main reasons why they have not been able to meet their financial obligation is because they are having to face illegal traders plying in the vicinity of Rose-Belle market fair and Mahebourg market fair. They have also made several complaints, including complaints to the CSU. I am going to table a copy of the complaint wherein they have stated a number of difficulties that they are facing. May I request the hon. Minister to kindly look into the matter?

Mrs Jeewa-Daureeawoo: Can the hon. Member communicate a copy to Parliament?
Thank you.

MAHEBOURG MARKET FAIR - RENOVATION

(No. B/758) **Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Mahebourg Market, she will, for the benefit of the House, obtain from the District Council of Grand Port, information as to if the renovation thereof is being envisaged.

The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo): I am informed by the District Council of Grand Port that the Council normally undertakes some major upgrading works at the market. However, the market now requires some major maintenance works such as replacing of iron sheets and metal frame on the roof of both towers, upgrading of lighting network in the whole market, fencing around the vegetable fair and general painting of the market buildings. These works are estimated to cost around Rs7 m.

I am further informed by the Council that in view of budgetary constraints, the Council has not been in a position to earmark funds in its recurrent estimate for this purpose. However, I shall arrange for my Ministry to request the Ministry of Finance and Economic Development to consider providing the required funds to the Council for the renovation works of the said market.

Mr Ramful: One of the major complaints is about the roof. The Mahebourg market has no roof. Can I request the hon. Vice-Prime Minister, once again, to kindly look into the matter?

Mrs Jeewa-Daureeawoo: Yes, I will.

The Deputy Speaker: Hon. Henry!

Mr Henry: Il y a une autre question pour la rénovation du marché de Mahebourg, surtout les drains aux alentours. Pendant les périodes de grosses pluies, de l'eau entre dans la foire. Si l'honorable Vice-Première ministre peut revoir cela ?

Mrs Jeewa-Daureeawoo: Okay, I take note.

N. G GROUP OF COMPANIES - CONTRACTS

(No. B/759) **Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs,

Regional Integration and International Trade whether, in regard to the contracts awarded to N. G. Group of Companies, since 2015 to date, he will give the list thereof, indicating the projects and the corresponding contract values thereof.

Mr Bodha: Mr Deputy Speaker, Sir, with regard to projects designed and managed by the Technical Sections of my Ministry, including the Road Development Authority, I am informed that no contract has been awarded to the N.G. Group of Companies.

COMMUNITY CENTRES – EMERGENCY SHELTERS

(No. B/761) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Community Centres, she will state if consideration will be given for access thereof to be open to victims of fire.

The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo): In accordance with the provisions of the National Disasters Scheme 2015, Community Centres and Social Welfare Centres are used as emergency shelters during cyclone, torrential rain and other natural calamities upon the directives of the National Disaster Risk Reduction and Management Centre and with the assistance and supervision of the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development.

The National Disasters Scheme does not cover fire incidents. These centres are normally used to organise activities for the community at large and it is only in cases of natural disaster that they are used as refugee centres.

However, I am informed that the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development provides fire victims with the following allowances –

Purchase of food stuff per member	-	Rs2,172
Clothing per member of household	-	Rs2,172
Cooking utensils per member of household	-	Rs2,172
Furniture per member of the household	-	Rs2,172

Resettlement allowance to head of household - Rs4,259

They are also eligible for a monthly rent allowance of up to Rs5,000 for a maximum of 6 consecutive months.

Furthermore, the NEF, under the aegis of the Ministry of Social Integration and Economic Empowerment operates a Housing Scheme for five victims subject to satisfying the eligibility criteria.

I am also informed that all local authorities provide an assistance of Rs3,000 to Rs10,000 to victims of fire subject to submission of reports from the Police department.

Mr Ramano: M. le président, il y a une famille de 10 membres qui a tout perdu dans un incendie à la source, Quatre Bornes et qui vit actuellement sous deux tentes de fortune. Je sais que la *NEF* et aussi la sécurité sociale sont en train de faire les nécessaires pour la construction d'une maison. Est-ce que je peux faire un appel au ministre parce que ce sont des tentes de fortune qui sont dépourvues de toilettes ? Est-ce qu'entretemps le centre communautaire puisse être mis à la disposition de cette famille qui comprend aussi quatre enfants en bas âge ?

Mrs Jeewa-Daureeawoo: Yes. I fully understand the qualms of the hon. Member, but one must understand that we are here talking of centres that have specific functions for the community, and I must say that community-based activities are being carried out on a daily basis. We have had cases in the past where we have made the centres available to victims of fire, and then they have remained in the said centres for one year or more. And then, we were having difficulties with the community members due to the fact that they were not being able to use the said centres to have their daily activities. That is why I have said a lot of support is being given to the victims and I do know in that particular case certain measures have already been implemented by my colleague, the Minister of Social Security and also the Minister of Social Integration.

The Deputy Speaker: Hon. Lepoigneur, I think you should ensure that when you have questions standing in your name to be present when your turn comes to put that question. Hon. Ramano!

BELLE ROSE MARKET - RELOCATION

(No. B/762) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of

Gender Equality, Child Development and Family Welfare whether, in regard to the Belle Rose Market, located along Ollier Avenue, she will, for the benefit of the House, obtain from the Municipal Council of Quatre Bornes, information as to the measures being envisaged for the relocation thereof in the wake of the implementation of the Metro Express Project.

The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo): I am informed by the Municipal Council of Quatre Bornes that in the wake of the implementation of the Metro Express Project, all structures found at the Doyen Fair along the railway track at Ollier Avenue, Quatre Bornes will need to be displaced as from end of August, 2019.

I am also informed that 300 traders are presently making use of these stalls on Sundays for sale of vegetables. Concerning the relocation of the Doyen Fair, the Council has already identified a plot of land at Victoria Murray Avenue, Quatre Bornes belonging to the Mauritius Jute & Textile Industries Co. Ltd.

I wish to inform the House that a lease agreement was signed between the Council and the Mauritius Jute and Textile Industry Properties Co. Ltd on 30 July 2019 for the lease of a plot of land of the extent of 4,500 square metres at Victoria Murray Avenue, Quatre Bornes against payment of an annual rent fee. This plot of land will be used for the relocation of the traders who are presently at Doyen Fair. The lease is for an initial period of five years renewable thereafter.

I am also informed that some refurbishment and infrastructural works are currently being taken by the Council on the site and these works are expected to be completed by third week of August 2019. The fair which will be known as Victoria Fair, will become operational at the end of August 2019.

Mr Ramano: M. le président, est-ce que je peux savoir de l'honorable ministre le nombre de places qui sont prévues dans la nouvelle foire ? Il y a un problème sérieux de parking et aussi de trafic dans cette région. Qu'elles sont les dispositions qui seront éventuellement prises ?

Mrs Jeewa-Daureeawoo: Mr Deputy Speaker, Sir, I understand that all the traders will be allocated with space and I do hope that for the parking, arrangements will be made.

The Deputy Speaker: Next question, hon. Adrien Duval!

INDIAN OCEAN ISLAND GAMES 2019 - GEORGE V STADIUM - RENOVATION

(No. B/763) Mr A. Duval (First Member for Curepipe & Midlands) asked the Minister of Youth and Sports whether, in regard to the renovation of the George V Stadium in the wake of the Indian Ocean Island Games 2019, he will state the scope of works thereof, indicating if an inquiry has been initiated to determine the causes of the recent water accumulation thereat and, if so, indicate the outcome thereof.

Mr Toussaint: Mr Deputy Speaker, Sir, I am informed that a contract for the renovation of George V Stadium was awarded to the company Rehm Grinaker Construction Co. Ltd by the Association of the Upgrading of IOIG Infrastructures (AUGI) on 11 October 2018 for the sum of Rs94,949,475.18. The scope of works included –

- demolishing works;
- roof metal structure works;
- cleaning, varnishing and painting;
- upgrading of openings;
- crack repairs and waterproofing;
- replacement of sanitary appliances and wares;
- upgrading and repair of roof drainage, and
- stainless steel, handrails and stadium seats.

External works including –

- upgrading of manhole;
- flush drainage network, and
- road marking, paving bricks and metal gates.

Landscaping works including –

- earthworks and site preparation;
- upgrading of lawn and irrigation, and
- mechanical and electrical installations, including fire alarms system, electrical and lighting systems.

Following the recent water accumulation at the stadium, I have requested AUGI to initiate an enquiry into the causes thereof and I understand the enquiry report is currently awaited.

Mr A. Duval: Merci, M. le président. Est-il vrai que juste 2% des R 95 millions ont été dépensés sur le terrain, y compris les drains, le système de drainage du terrain de football ?

Mr Toussaint: M. le président, le *breakdown* par rapport au terrain, donc, *external works, manhole, flush drainage network, etc*, R 5 millions et quelque. *Landscaping works, earthwork, R 2.81 millions.*

Mr A. Duval: R 2 millions pour le terrain de football, pas l'extérieur. M. le président, pourquoi est-il qu'uniquement la somme de R 2 millions des R 95 millions a été jugée utile d'être dépensée - R 2 millions, 2% - quand on sait, aujourd'hui, le problème qui est survenu sur le terrain de football, l'incapacité de retenir l'eau et d'évacuer l'eau et que seulement un *flush of the drain system has been done and not a proper upgrading of the absorption on the field?*

Mr Toussaint: M. le président, comme je l'ai dit, donc, nous attendons un rapport de AUGI, qui va nous dire, par rapport aux travaux qu'on a commandé, qui ont été faits, est-ce que c'est cela qui a totalement causé l'accumulation d'eau, on va attendre le rapport et ensuite, on pourra répondre.

Mr A. Duval: M. le président, étant donné que le terrain avait été livré le 10 juin et que les jeux des îles, les premières compétitions ont commencé un mois et demi après, le 20 juillet, comment se fait-il que ni l'AUGI, ni le COJI, ni le ministre, ni le ministère ont constaté l'incapacité de ce terrain-là à évacuer l'eau, et que c'est uniquement le samedi de la finale, quand c'était clair durant la compétition qu'il y avait un énorme problème, que le nécessaire a été fait pour changer l'emplacement dans une cacophonie où beaucoup de personnes ayant acheté un billet, n'ont pas pu finalement, malheureusement, assister à la finale? Donc, comment se fait-il qu'il y avait un mois et demi et qu'on a quitté cela à la dernière minute, alors que c'était clair qu'à Curepipe il pleuvait, comme il dit, lui-même, le ministre?

Mr Toussaint: M. le président, l'honorable membre a parlé de tester le terrain à un mois des jeux. Donc, je ne sais pas comment on fait pour tester un terrain. Est-ce qu'on va demander au Bon Dieu de nous envoyer la pluie ? Deuxièmement, il a parlé de renvoi de match dans une cacophonie, etc. Les règlements, au niveau du football, veulent que c'est le Commissaire du match qui, normalement, a une heure temps du début du match, ou carrément au tout début du match, ou carrément pendant le match, donc, c'est le Commissaire

du match qui décide si un match peut être joué ou pas. Or, ce que nous avons pu faire justement pour éviter tout autre problème, c'est que vers 11h30 - le match était supposé être commencé à 14h30 - le Commissaire du match est venu et a fait le constat qu'il fallait et nous avons donc décidé de renvoyer le match. Je dois dire que je salue le public mauricien qui, à l'heure du renvoi du match, même s'il y a certains qui étaient déjà auprès de la porte du Stade Georges V, ils ont compris la situation. Je dois remercier la Force Policière qui nous a aidés pour placer les gradins à Flacq. Et encore une fois, je remercie la population mauricienne...

The Deputy Speaker: Do not be too long in your reply.

Mr Toussaint: Il a posé trois questions dans une question. Alors, la population s'est déplacée en très grand nombre à Flacq pour venir assister au match and pour célébrer avec les joueurs.

The Deputy Speaker: Hon. Osman Mohamed!

Mr Osman Mahomed: Obviously, Government did not get value for money out of this Rs94 m.

The Deputy Speaker: Please, put your question!

Mr Osman Mahomed: Can I ask the hon. Minister, of that Rs94 m. and something, how much remains to be paid to Rehm Grinaker, so that the inquiry that is going on proves that there was mismanagement or the contractor did not fulfil his obligation, that amount should remain within the custody of Government and should not be disbursed?

Mr Toussaint: M. le président, je le redis, en attendant le rapport, personne ne peut dire qu'est-ce qu'il y a eu ou pas. Et, comme tout contrat, normalement, il y a un *retention money* de 5% de la valeur. Donc, en attendant le rapport, si quelqu'un a fauté, nous allons prendre les mesures qui s'imposent et nous allons appliquer la loi.

The Deputy Speaker: Last question, hon. Adrien Duval!

Mr A. Duval: Merci, M. le président. Le ministre parlait de demander au Bon Dieu pour pouvoir tester le terrain. J'ai pris la peine de vérifier la pluviométrie à Maurice pendant les mois de juin et juillet, quasiment identique, donc, ce problème aurait pu être identifié. Maintenant, *going forward*, peut-on savoir, est-ce que dans le contrat qui a été alloué, non seulement à la compagnie de construction, mais au *designer*, à l'*engineer* et il y a tout ce beau monde qui, d'une part ou d'une autre, dans une capacité ou une autre, ont participé à la rénovation du stade, comment va-t-on s'assurer, aujourd'hui, que l'argent n'a pas été gaspillé

et que le public mauricien et que le stade de Georges V puissent sortir gagnant de cela sans avoir à maintenant faire de *remedial work* ? Et je pense que c'est cela, aujourd'hui, que le public attend du ministre.

Mr Toussaint: M. le président, permettez-moi de rappeler à la population et aux membres de la Chambre que, dans le cadre des jeux des îles, nous avons dû rénover pas moins de 16 sites et que, malheureusement, depuis les derniers jeux des îles à Maurice en 2003, il n'y a pas eu de rénovation majeure sur tous les sites que nous avons à Maurice, et c'est ce gouvernement, avec l'aide et l'appui de notre Premier ministre et ministre des Finances, qui a mis une somme considérable à notre disposition pour la rénovation de pas moins de 16 sites de compétitions. Il y va sans dire que nous n'allons couvrir personne, chaque personne va prendre sa responsabilité. Nous attendons le rapport. Moi, je ne suis pas ingénieur, M. le président. J'attends le rapport, j'attends des chiffres, j'attends des faits et à partir de là, nous allons prendre les mesures qui s'imposent. Alors, venez dire, ici et là, qu'on n'a pas fait notre travail bien, comme il se doit, permettez-moi de rappeler que c'est nous, aujourd'hui, qui avons remporté les Jeux des îles avec 92 médailles d'or.

The Deputy Speaker: Hon. Baloomoody, next question!

MIE – MS P. C. – APPOINTMENT

(No. B/764) **Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to Ms P. C., she will, for the benefit of the House, obtain from the Mauritius Institute of Education, information as to the date of appointment thereof, indicating the –

- (a) post occupied;
- (b) qualifications and experience held, and
- (c) terms and conditions of appointment.

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, I am informed by the MIE that following the advertisement for the post of Lecturer at the MIE in December 2017, a selection exercise was carried out. Ms P. C. was offered appointment as Lecturer thereat...

(Interruptions)

The Deputy Speaker: Order, please! No crosstalking!

Mrs Dookun-Luchoomun: ...on 20 April 2018.

The qualification requirement for the post of Lecturer as per the Scheme of Service is as follows –

- (a) Two ‘A’ levels;
- (b) A relevant degree from a recognised institution;
- (c) A minimum of two years relevant post qualification experience or a postgraduate qualification normally obtained after one year of full-time study.

As regards part (b) of the question, I am further informed that Ms P. C. holds the following qualifications in line with the Scheme of Service –

- (i) a Higher School Certificate;
- (ii) a Bachelor of Arts in Economics;
- (iii) an MA Economics, and
- (iv) a Post-Graduate Diploma in Educational Administration.

She also worked as Educator in the private secondary school. And as for part (c) of the question, she has been offered appointment as Lecturer as per the terms and conditions of the PRB, she was on probation for a period of one year and subsequently she was confirmed to the post of Lecturer following satisfactory service.

Mr Baloomoody: The hon. Minister has chosen only a bit, what suits her with regard to the qualification required, has quoted – I do not want say that you are misleading the House...

The Deputy Speaker: Put your question, hon. Baloomoody!

Mr Baloomoody: ...but probably, you have been misled by the MIE.

One of the main conditions to be appointed as Lecturer of the MIE is that the priority will be given to candidates with higher appropriate pedagogical qualification and this lady does not have any pedagogical qualification. She has...

(Interruptions)

The Deputy Speaker: Let him finish, and then...

Mr Baloomoody: She has a PG Diploma in Educational Administration and has never worked in a tertiary education institution. She has worked at Presidency or Imperial College, she has been teaching Economics to Grade 10, Grade 13.

The Deputy Speaker: You are providing information. Put your question!

Mr Baloomoody: No, but the hon. Minister wants us to believe that she is qualified; I must say that she is not qualified for the post...

The Deputy Speaker: You are providing information. Ask your question!

Mr Baloomoody: ...she has been working at Imperial College for nine months.

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, I am going to table the Scheme of Service for Lecturer and you will note that in the Scheme of Service it is mentioned that –

“In addition a minimum of two years relevant post qualification experience or a postgraduate qualification normally obtained after one year of full-time study.”

A postgraduate qualification. Teaching, Mr Deputy Speaker, Sir, is part of pedagogical experience.

So, Mr Deputy Speaker, Sir, I table the Scheme of Service.

Mr Baloomoody: Can I ask the hon. Minister, how is it that this lady, when she was appointed, she was given five increments? I have the letter of appointment - five increments – when, in fact, teachers, who are teaching, the Lecturers who are teaching there with more than five or six years’ experience, are earning less than what she is earning today.

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, I am not aware of increments being given...

The Deputy Speaker: Hon. Baloomoody, are you tabling, please?

(Interruptions)

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, I have not finished.

Mr Baloomoody: I am sorry, let me table.

The Deputy Speaker: Let him table!

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, whatever the conditions of employment that the MIE has adopted, is based on PRB recommendations, nothing more nothing less.

Mr Baloomoody: She has been appointed. On the day of her appointment she has been given five increments, which means she is earning more than people who have been teaching at the MIE for more than six years. I table that, five increments once appointed.

Now, apart from that lady, there were people with PhD degrees applied, PhD from the University of Mauritius. Will the hon. Minister be surprised to learn that under the signature of Dr. Varma, the Director writing to the EOC, states the following, and listen to that: 'MIE will award Degree University very soon'. This is what they say when comparing with the education. The MIE is a higher institution for teacher training, the courses offered by the University of Mauritius does not match our needs and requirement. So, is the MIE, today, telling the people, telling the nation that the degree earned by the students from University of Mauritius, does not meet the MIE requirement level. I table a letter which was produced and signed by Dr. N. Varma; I do not know whether he has got doctorate in Mauritius, Dr. O. N. Varma, the Director.

The Deputy Speaker: You want to table two letters now?

Mr Baloomoody: Yes, I have already tabled both of them.

So, is the hon. Minister agreeable to the contents of the letter of Dr. Varma, that the University of Mauritius degrees do not meet the requirement of the MIE?

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, I cannot comment on the opinion of Dr. Varma, to start with, and secondly, talking about the requirements, etc., of that particular person and referring to the letter by some other applicants having a PhD, I would like to remind the hon. Member that there is a case at the Supreme Court and this is why I did not comment on this particular part. If there is a case of the Supreme Court on that particular appointment, I wonder whether it is proper to have a discussion in it at the level of the Assembly.

The Deputy Speaker: Next question, please!

(Interruptions)

Okay, last question.

Mr Baloomoody: This lady, according to the scheme and duties and credentials of staff, of lecturer of the MIE, they should have - pedagogical, she does not have. She has no experience in the use of ICT in performing her duties, she has never been confirmed in a substantive capacity, only nine months' experience at Imperial College and the past performance relating to other cognitive duties, she cannot be assessed.

So, she does not even meet the basic requirement of being a Lecturer and she has been appointed Lecturer over the head of top qualified personnel and she is earning more than

those who are lecturing for the last seven months. And is that not *protège quelqu'un ou quelqu'une* on that matter?

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, I refer the hon. Member to the statement I made in Parliament last week. I have got nothing to do with the appointment and there is no point of him saying that she was favoured or not, because her selection was carried out by the Appointments Committee and even if there is any *maldonne*, obviously, I am going to query the MIE. And anyway, stating if anyone gets appointed by an institution, coming in Parliament and stating that it is because he or she is related to so and so, and let me say that I do not even know the person; that person has been appointed by the MIE, and I think it is very unfair to come and talk about a person who is not in Parliament and to make all sorts of allegation on that particular person. I trust the MIE has done its recruitment in the proper way, and if ever there is any *maldonne*, I am going to take them to task.

Mr Baloomoody: I have not made any allegation. I have come with facts and figures, and documentary evidence to substantiate my question.

The Deputy Speaker: Next question, hon. Baloomoody.

(Interruptions)

I have said next question. Okay, on a point of order, please!

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, the hon. Member just mentioned that this lady was appointed and given five increments on the day of her appointment...

The Deputy Speaker: Is it a point of order or a point of clarification?

Mrs Dookun-Luchoomun: A point of explanation, a point of clarification. He mentioned that in the letter, that lady was given five increments. I have just seen the letter, nowhere in that letter is such a mention made. Mr Deputy Speaker, Sir, I would send this letter back to the Table.

The Deputy Speaker: Next question, hon. Baloomoody!

Mr Baloomoody: ...on that letter, it is written – I have a copy.

The Deputy Speaker: That is why...

Mr Baloomoody: Let me quote from that letter. Let me quote from that letter –

“Your salary will be at the rate of Rs35,275...”

The Deputy Speaker: This is not acceptable, hon. Baloomoody! Please, take your seat!

(Interruptions)

Take your seat!

Mrs Dookun-Luchoomun: It is the salary scale!

(Interruptions)

The Deputy Speaker: Are we going to get into an argument on a document that was tabled in the House? That is why I say let's move on to the next question, please!

Next question, hon. Baloomoody!

Mr Baloomoody: I already mentioned, but the hon. Minister turned up.

(Interruptions)

The Deputy Speaker: Order, please!

**METRO EXPRESS PROJECT – RICHELIEU, CAMP CHAPELON & LA
BUTTE – REHABILITATION WORKS**

(No. B/765) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Metro Express Project, he will state the scope of the works being envisaged for the rehabilitation of the roads, drains and footpaths and the upgrading of the environment in Richelieu, Camp Chapelon and La Butte, in the wake of the implementation thereof.

Mr Bodha: Mr Deputy Speaker, Sir, I am informed that works for Phase 1 of the Metro Express Project from Rose Hill to Port Louis is progressing well and is around 85% completed. This phase is due to be in operation as from September 2019.

During the construction works, the Design and Build Contractor, Larsen & Toubro Ltd, along with the stakeholders such as Metro Express Ltd, the Road Development Authority, the Police and Local Authorities are carrying out regular inspections to ensure that existing assets, including roads, drains, footpaths located within the site are being maintained to the required standards.

For a fully integrated transport system, it is of prime importance for the Light Rail Stations (LRT) to be easily accessible to users. The public may access the LRT stations through the following modes –

- Walking;
- Cycling;
- Buses;
- Taxis, and
- Private vehicles.

Mr Deputy Speaker, Sir, I am informed that in order to have in place a fully integrated multi-modal transport system, commuter facilities like footpaths, cycling racks, bus stops, taxi stands, Park and Ride and drop-off/ pick-up bays will be provided at the LRT stations. These are included in the Transport Integration Plan which is being devised by Larsen & Toubro in collaboration with Metro Express Ltd, the TMRSU, the RDA and the Police.

Overall, the design of the project integrates into the existing environment to provide high quality urban and landscape design measures.

Mr Deputy Speaker, Sir, as regards the rehabilitation of the roads, drains and footpaths and the upgrading of the environment in Richelieu, Camp Chapelon and La Butte, the following are being envisaged by Larsen & Toubro –

- Cleaning of Richelieu Branch Road and amenities;
- Integration of the St Louis station near Chapelon to the existing internal streets such as Volcy and Rayeroux Streets through footpaths and drains, and
- Cleaning of Mgr. Leen Street and amenities.

But as I said, Mr Deputy Speaker, Sir, as we are landscaping the whole alignment from Rose Hill to Port Louis, they will also benefit from this national project.

The Deputy Speaker: Hon. Baloomoody!

Mr Baloomoody: For Camp Chapelon I have not heard the hon. Minister mentioning anything about the surrounding of the football pitch where there have been quite a lot of work around there. So, will the football pitch and its surrounding be included in the *embellissement*?

Mr Bodha: I don't have it here, but I am noting it and it will be reinstated, because whatever be the equipment which is being affected by the works of the Metro, will have to be reinstated even if it should be in a better condition when they give it back to us.

Mr Baloomoody: And the drains, especially at Richelieu, which are causing quite a lot of inconvenience whenever it rains. Will you look into the drains as well?

Mr Bodha: Mr Deputy Speaker, Sir, they will be looked into.

The Deputy Speaker: Hon. Bhagwan!

Mr Bhagwan: The Minister has stated that the project was progressing well. This is what he has said. Is the Minister aware - we have just discussed a few minutes back, about the hectic problems which people are facing these days, not only in Beau Bassin, Rose Hill but also in Richelieu concerning policing - that there are no Police officers on the road? This is creating a lot of problems and frustration, even people going late to work. Can the Minister inform the House whether he intends urgently to discuss with the Commissioner of Police so as to amend all these present chaotic situations of policing during the whole track of Metro?

Mr Bodha: Mr Deputy Speaker, Sir, as I rightly said, we are in the last weeks of a chaotic situation. I agree with that. I have also said that the only solution is Police's presence. In fact, I have talked to the Commissioner of Police, I have talked to the Rt. hon. Minister Mentor, I have talked to the Prime Minister and I am going again to see to it. In fact, from what I have been told, the CP has increased the squad at Beau Bassin Police Station and Rose Hill Police Station because in the given circumstances that is the only solution, and we are left with a few weeks. I am going to impress again on the CP.

The Deputy Speaker: Next question, hon. Baloomoody!

PRISONS OFFICERS - GOVERNMENT MEDICAL CERTIFICATES

(No. B/766) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Prisons Officers, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to if they are required to produce Government Medical Certificates for sick leave taken on Saturdays and Sundays and, if so, indicate the reasons therefor.

Sir Anerood Jugnauth: Mr Deputy Speaker, Sir, under section 3(3) of the Reform Institutions Act, the Commissioner of Prisons is empowered to make Standing Orders and give administrative directions to Prisons Officers.

In this respect, the Prisons Standing Order No. 26 on Medical Care and Sick Leave, issued in January 2018, governs the procedures to be followed when Prisons Officers absent themselves on grounds of illness.

With your permission, Mr Deputy Speaker, Sir, I am tabling a copy of the Standing Order No. 26. Paragraph 2(c) of the Standing Order specifically stipulates that when Prisons Officers are unable to attend duty on grounds of illness on Saturdays and Sundays, their absence should be covered by a Government Medical Certificate. Medical certificates from private medical practitioners for these specific days are not accepted.

Mr Deputy Speaker, Sir, the Prison provides an essential service and protects the society from crime by keeping law breakers in custody for the duration of their sentences. By nature of their duties, Prisons Officers are required to work on shift, covering a 24-hour period, including Sundays and Public Holidays, officially declared cyclone days and during emergencies.

I am informed by the Commissioner of Prisons that it had been a practice, in the past, for Prisons Officers to absent themselves on weekends and submit medical certificates from private medical practitioners, thus, undermining the security of the prison when they are not working. In order to put an end to that bad practice, in September 2005, the then Commissioner of Prisons, Mr W.S. Duff, amended the Standing Order No. 26 and added a new paragraph requiring that “all sick leaves at weekends must be authorised by a Government Medical Officer and Medical Certificates from private doctors shall not be accepted.”

I am further informed that the amendment has proven to be worthwhile and a drop in sick leave during weekends was observed. However, it was not up to the expected level as Prisons Officers started circumventing that amendment by absenting themselves from duty for two or more days starting from Friday and submitting medical certificates, which were issued by private medical practitioners and which had to be accepted by the Prison Medical Officer.

Mr Deputy Speaker, Sir, in January 2018, the Commissioner of Prisons set up a committee under the chairmanship of a Deputy Commissioner and comprising Officers-in-Charge of the penal institutions, Duty Roster Officers, the Medical Section and the Human Resource Management Section, to look into the cause of superfluous sick leaves taken by prison staff during weekends.

The issue of medical certificates from private medical practitioners covering absence of prison staff on Fridays and weekends came back on the table. The Strategic Management Committee chaired by the Commissioner of Prisons decided to include Friday as a day on which staff would have to submit medical certificate from Government Medical Officers to cover their absence. The Standing Order No. 26 was amended accordingly.

The House may wish to note that, presently, sick leaves on weekends, in prisons, including Fridays, have been reduced considerably.

The Deputy Speaker: Hon. Members, the Table has been advised that Parliamentary Question B/767 has been withdrawn. Next question, hon. Aadil Ameer Meea!

COMPOST BINS - DISTRIBUTION

(No. B/767) Mr S. Baboo (Second Member for Vacoas & Floreal) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the compost bins, he will state the number thereof –

- (a) distributed in financial year 2018/2019, and
- (b) projected for distribution in financial year 2019/2020.

(Withdrawn)

FOOT AND MOUTH DISEASE - BREEDERS - COMPENSATION

(No. B/768) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Agro-Industry and Food Security whether, in regard to the outbreak of the Foot and Mouth Disease in 2016, he will state the quantum of compensation paid to the animal breeders, for losses incurred as a result thereof since December 2016 to date, indicating the number thereof who have not yet been compensated, indicating the reasons therefor.

Mr Seeruttun: Mr Deputy Speaker, Sir, following the outbreak of foot and mouth disease in August 2016, only breeders, whose animals were culled, were compensated. A total of 1,696 heads of infected cattle, goat, sheep and pigs showing clinical signs of foot and mouth disease were culled. All 101 afflicted livestock breeders have received compensation and have been paid a total of Rs35,260,000 following the culling of their infected livestock.

Mr Ameer Meea: Yes. Can I ask the hon. Minister whether the breeders, who have imported animals either from Rodrigues, South Africa or Australia, have also been compensated?

Mr Seeruttun: Like I said in my reply, Mr Deputy Speaker, Sir, all breeders have been compensated. Those, whose animals were infected by the disease, have been compensated. There were 101 in all.

Mr Ameer Meea: It is not clear. According to my information, there are some importers and some resellers, who have imported animals from South Africa, and they have bred them in Mauritius for months. Those animals also were infected by this disease and were culled when this problem occurred, and, according to my information again, they were not compensated.

Mr Seeruttun: Well, Mr Deputy Speaker, Sir, if the hon. Member is talking about importers, probably he is talking about one major importer. I know in that particular case, there has been a case lodged in the Supreme Court and it would not be wise at this point in time to discuss on that particular issue.

Mr Ameer Meea: Maybe I will not go further on that issue but, at least, may we know the reason why they were not compensated - just the reason.

Mr Seeruttun: Well, the case is in Court, I think it will not be wise for me at this point in time to give details about the reason why they have not been compensated. Like I said, all breeders, who were affected by the diseases, have been compensated and there were 101 breeders.

The Deputy Speaker: Next question, hon. Ameer Meea!

ROCHE BOIS - FOOTBRIDGE

(No. B/769) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the pedestrian crossing bridge located on the Motorway, in Roche Bois, he will state if he has been informed of insecurity prevailing thereat and on the sidewalks thereof, due to motorcycles riding along same and, if so, indicate if remedial measures will be taken in relation thereto.

Mr Bodha: Mr Deputy Speaker, Sir, I am informed by the Road Development Authority that the Roche Bois footbridge comprises a flyover and ramps on both sides and is presently in good condition. In fact, there is no objection for motorcyclists and cyclists to use the footbridge, provided that they do not mount their motorcycles and cycles along same. However, many are riding their two wheelers along the footbridge thereby constituting a danger to pedestrians.

In view thereof, the Traffic Management and Road Safety Unit has fixed traffic signs prohibiting cyclists and motorcyclists to access the footbridge at Roche Bois.

I am informed by the Commissioner of Police that, to address the issue of insecurity prevailing at the pedestrian crossing bridge in Roche Bois, the Police have taken the following proactive measures –

- Regular preventing mobile patrols, including the ERS, the SSU and the bike patrol;
- Police has also reengineered this concept of the hot spot policing, improving police visibility in public places;
- The police have recently launched a new operation with a view to disrupting elicit activities;
- Police have also strengthened their relationships with community policing forums and door to door policing;
- Police is also thinking in terms of CCTV cameras being placed there to detect offences.

But I am thinking personally that maybe we could think of reengineering the footbridge with new deterrent measures so that people on two wheels cannot ride on the ramp and I am thinking of this as a solution.

Mr Ameer Meea: Yes, exactly the last part of the answer of the hon. Minister, I will pick up from that. Can I ask the hon. Minister if the entry of the bridge could be blocked so that motorcyclists cannot ride on it? I have come with a PQ on Roche Bois but it does not concern only Roche Bois pedestrian crossing, it is around the island where many places, motorcyclists do ride on these bridges.

Mr Bodha: It is a very good suggestion, Mr Deputy Speaker, Sir, having small poles in such a way that the bicycles and the motorcycles cannot drive through.

The Deputy Speaker: Hon. Bhagwan!

Mr Bhagwan: My question will be in the same line as my colleague. My question is not only about Roche Bois. This is a problem of maintenance not only security. I have been in one in my Constituency, it's awful. I do not know if whether the Minister, his officials, the RDA, are aware. If it falls under the RDA, there is a *négligence*. So, is the hon. Minister prepared to give directives to the RDA to carry out an audit with photographs? Can the Minister see by himself the state of all these footbridges, not only I am saying in Coromandel but even in Midlands?

Mr Bodha: I understand the concern of the hon. Member. There is also a problem of visibility, of insecurity but we have to check whether the responsibility is the local authority or the RDA. I am going to look into the matter, Mr Deputy Speaker, Sir.

The Deputy Speaker: Last question, hon. Ameer Meea!

Mr Ameer Meea: Yes. Can I also ask the hon. Minister if we can, in a way, amend the law so as to make it an offence of riding motorcycles on the bridge of pedestrians?

Mr Bodha: Certainly. Maybe the law is already there.

The Deputy Speaker: Next question, hon. Ganoo!

Once again, I need to remind hon. Members that when you have a question standing in your name, you should ensure that you are present in the House.

Next question, hon. Ms Sewocksingh!

Ms Sewocksingh: I am here, Mr Deputy Speaker, Sir.

MAURITIUS RESEARCH COUNCIL - CHAIRPERSONS – NAMES & QUALIFICATIONS

(No. B/771) **Ms M. Sewocksingh (Third Member for Curepipe & Midlands)** asked the Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Research Council, he will, for the benefit of the House, obtain therefrom, information as to the names and qualifications of the successive Chairpersons thereof since 2015 to date.

Mr Sawmynaden: Mr Deputy Speaker, I am informed that as from 23 February 2018, Dr. Michaël Atchia has been appointed as Chairperson of the Mauritius Research

Council which is now the Mauritius Research and Innovation Council and Dr. Michaël Atchia has been reappointed as Chairman of this Council.

So, Dr. Michaël Atchia, holds a BSc degree from the Universities in Calcutta and London and MSc, PhD and DSc from Salford University in Manchester. Prior to that date, successive Permanent Secretaries posted at my Ministry have been assuming the functions of Chairperson of the Council as from April 2015, when the Council was reconstituted.

Ms Sewocksingh: Thank you. Will the hon. Minister inform the House if this post is permanent or is it on a part-time basis?

Mr Sawmynaden: Actually, all Chairmen are on a part-time basis.

The Deputy Speaker: Hon. Baloomoody!

Mr Baloomoody: Coming to the Mauritius Research and Innovation Council, may I ask the hon. Minister what actions had been taken because, in the recent publication of the Global Index, the World Intellectual of Property, last year we were 75th, this year we are 82nd. So, we are doing from bad to worse. In 2014, we were 40th, 2017 *on était* 64th.

The Deputy Speaker: This question does not relate to the main question, hon. Baloomoody.

Mr Baloomoody: Yes, but it relates to the Council, we are talking about the Council.

Mr Sawmynaden: It is good that the hon. Member came in with the question. Last time, I forgot who asked the question; it was during the budget debate, I gave a thorough explanation, how the calculation is made and one part of it is redundancy, when people lose jobs. Unfortunately, it falls under the Innovation Index. This is why we had discussion with the organisations and they said that next year, they are going to rectify the matter.

The Deputy Speaker: Next question, hon. Aadir Ameer Meea!

Mr Ameer Meea: *Li pe ale vite zordi!* B/772.

LATANIERS RIVER - ROCHE BOIS - FOUL ODOURS

(No. B/772) **Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Social Security and National Solidarity, Environment and Sustainable Development whether, in regard to the Latanier River, he will state if he has been informed of the prevalence of foul odours thereat at the level of the Saint Martin Street,

in Roche Bois, especially in the afternoon and, if so, indicate if consideration will be given for the taking of urgent remedial measures in relation thereto.

Mr Sinatambou: Mr Deputy Speaker, Sir, allow me, at the outset, to inform the House that no complaint has been received at the level of my Ministry or of the *Police de l'Environnement* regarding any foul odour emanating from Latanier River at the level of Saint Martin Street, Roche Bois. However, the Wastewater Management Authority has informed my Ministry that four complaints were received at their level for the period January to July 2019.

Regarding sewer blockages, an overflow of wastewater is due to the stealing of manhole covers. These caused intermittent odour nuisances. These complaints have already been attended to by the Wastewater Management Authority Operations and Maintenance team. Following receipt of this parliamentary question, an urgent site visit has been effected by officers of my Ministry at the end of last week, together with representatives of the City Council of Port Louis, the Ministry of Health and Quality of Life and the *Police de l'Environnement* to assess the situation and to initiate appropriate corrective measures if warranted.

However, no foul odour has been perceived along Latanier River at the level of Saint Martin Street even during the course of that site visit.

Mr Ameer Meea: The hon. Minister confirmed that there have been four complaints that have been received by the Wastewater. I know that it is not the hon. Minister's Ministry who is directly concerned with this, but has he been able to get answers and information from the Wastewater about what has happened, the reason for both complaints and where exactly it was?

Mr Sinatambou: Yes, in fact, the Wastewater Management Authority has been kind enough to send me the details regarding those complaints, Mr Deputy Speaker, Sir. As a matter of fact, all four complaints relate to odour nuisances which are the result, unfortunately, of people stealing the manhole covers. So, there is hardly anything they can do about that except replacing them which is what they have done. I am told that they have actually attended to all four complaints dated from May to July 2019.

Mr Ameer Meea: After I have sent this PQ, I have also received representation from my constituents at the region of Quartier Shell, which is found in Roche Bois. In fact, *Rivière Latanier* is a long river; it also covers the Quartier Shell which is at the back of Shell Filling

Station on the Motorway. So, can I ask the hon. Minister if he can send his officers in the region I just mentioned?

Mr Sinatambou: I would do that, but I am afraid it would be better if the hon. Member could send us the exact details of the location and indeed we will do the needful then.

The Deputy Speaker: Last question, hon. Dr. Boolell!

CHAGOS ARCHIPELAGO - HERITAGE VISIT OF MAURITIANS OF CHAGOSSIAN ORIGIN

(No. B/773) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Chagos Archipelago, he will state if Government is aware that the Foreign and Commonwealth Office of the United Kingdom is proposing to hold a so-called Heritage Visit of Mauritians of Chagossian origin thereto, indicating –

- (a) if his Ministry is in presence of a *Note Verbale* in respect thereof, and
- (b) the stand of Government in relation thereto.

Mr Bodha: Mr Deputy Speaker, Sir, as the House is aware, the UN General Assembly Resolution 73/295, *inter alia*, affirms in accordance with the Advisory Opinion rendered on 25 February 2019 by the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, that the Chagos Archipelago forms an integral part of the territory of Mauritius and that the continued administration of the Chagos Archipelago by the United Kingdom constitutes a wrongful act entailing the United Kingdom's international responsibility. The Resolution demands that the United Kingdom withdraws its colonial administration from the Chagos Archipelago unconditionally within a period of no more than 6 months.

Mr Deputy Speaker, Sir, there is therefore no doubt that under the rules and principles of international law, as explained and applied in the Advisory Opinion of the International Court of Justice that the Republic of Mauritius is the sole State lawfully entitled to exercise sovereignty and sovereignty rights over the Chagos Archipelago and its maritime zones. In this regard, the Government of Mauritius is proposing to organise as soon as possible a visit to the Chagos Archipelago in which Mauritians of the Chagossian origin will be invited to participate.

As regards the second part of the question, my Ministry did not receive any *Note Verbale* from the British High Commission dealing specifically with the organisation by Government the visit to the Chagos Archipelago for Mauritians of Chagossian origin.

Dr. Boolell: Can I ask the hon. Minister whether his Ministry received a *Note Verbale*? He means to say that there was no *Note Verbale* received? Can I ask the Minister to cross check and to make sure that there was a *Note Verbale* which was relayed to his Ministry by the Foreign Commonwealth Office, through the High Commissioner?

Mr Bodha: From what I have been given to understand, Mr Deputy Speaker, Sir, the Foreign and Commonwealth Office of the UK sent a *Note Verbale* to all embassies and representations in Mauritius, not to the Ministry.

Dr. Boolell: I am rather surprised and I ask him to look into the matter and to make sure that there was a *Note Verbale* sent and take account of offensive diplomatic measures.

Mr Bodha: I will certainly do that, Mr Deputy Speaker, Sir.

The Deputy Speaker: Question time is over!

MOTION

SUSPENSION OF S. O. 10(2)

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

Mr Roopun rose and seconded.

Question put and agreed to.

(4.01 p.m.)

STATEMENT BY MINISTER

WATER SUPPLY - SITUATION

The Deputy Prime Minister: Thank you, Mr Deputy Speaker, Sir. With the Speaker's permission, I would like to make a statement to inform the House of the water supply and distribution situation.

When this Government assumed office in 2014, it took note of the serious situation of water supply and distribution. Critical water infrastructure projects had been delayed. For instance, the Bagatelle dam which was due to be completed in 2014 had been delayed by

three years. The Pailles Water Treatment plant had been delayed by one year. Of even greater concern, the project for replacement of water pipes in Upper Plains Wilhems had not even started.

In response to the concerns of the population, we had taken the undertaking in our manifesto to replace “*à court et moyen termes des tuyaux désuets afin d’assurer une fourniture régulière 24 heures sur 24*”. In our 2015-2019 Programme, we took the commitment to address, on a priority basis, the longstanding problem of water supply in our country.

About 53% of the water supplied to the population comes from boreholes and the remaining from surface water and river abstractions. The CWA supplies water through a water network of about 4,500 kms of pipes. 31 % of these pipes are made of asbestos cement and 7 % of cast iron. They are over 100 years old and therefore, they are prone to leakages and bursts.

The replacement of these water pipes requires heavy investment and must be carried out on a phased basis over the medium term. Thus, in 2015, Government decided to support the Central Water Authority massively for the replacement of water pipes and rehabilitation of other infrastructure.

Since 2015, Government has provided outright grants totaling Rs4.4 billion to CWA for pipe replacement. An additional Rs1.5 billion has been allocated for this financial year and the subsequent two years.

The funding is based on CWA’s list of priority projects, which include -

- (i) replacement of old water pipes;
- (ii) construction of service reservoirs;
- (iii) increasing water treatment capacity;
- (iv) identifying new sources of water supply through drilling of boreholes;
- (v) extracting water from rivers and installation of filtration plants, and
- (vi) upgrading of pumping stations.

Within 4 years, CWA has replaced 457 kilometers of pipes. The replacement of 70 kms of pipes is in progress and will bring the total to 527 kms. Of these, 155 kms have been financed by Government grants only.

It is noteworthy that no grant was being provided to CWA between 2005 and 2010, and between 2010 and 2014, only Rs566 m. was provided as grant to the CWA. On the other hand, between 2015 and 2019, this Government has allocated to the CWA, a sum amounting to more than Rs4 billion as grants.

This works to an average of Rs800 m. per year under this Government as compared to an average of Rs111 m. per year under two previous Governments. In other words, this Government has invested more than ten times the amount which was invested by two preceding Governments.

Only one service reservoir had been built during period 2010 to 2014. From 2015, CWA has built three service reservoirs at Mont Blanc, Rivière du Rempart and Balisson. Two other service reservoirs are under construction at Montagne Fayence and Rivière Dragon. Bids for three others at Cluny, Eau Bouillie and Salazie will soon be launched.

During period 2015 to 2019, eight new boreholes have been drilled, out of which 5 have been commissioned at Plaine Magnien, Mon Desert Mon Trésor, Upper Beaux Songes, Bonne Mère, and Côte d'Or, bringing additional water resources. Three others are being drilled at Quartier Militaire, Nouvelle France and Petit Bois, Caroline.

Plaine Lauzun pumping station is used to pump water from Pailles treatment plant to supply the regions of Carreau Lalo, Ste Croix, Roche Bois, Cité Martial, Camp Yoloff, Vallée Pitot and Tranquebar. As the pumping station had limited capacity, Government provided a grant of Rs79 m. to CWA to build a new pumping station, which became operational in November 2018, ensuring water supply at higher pressure.

17 duplicate boreholes have been drilled and 7 others are being drilled. These boreholes operate whenever the main one has a failure, thus ensuring uninterrupted water supply.

15 mobile filtration plants have been installed at river off takes and boreholes, allowing CWA to mobilise additional water resources to supply consumers.

I am tabling the list of duplicate boreholes and the sites of the filtration plants.

The installation of water pipes to connect Bagatelle Water Treatment plant to Soreze for water distribution to Port Louis has been completed. Another pipeline to connect the treatment plant to Belle Rose in order to supply Beau Bassin/Rose Hill and part of Quatre Bornes regions is almost completed. Pipe laying works on crossing the M1 Motorway will be

completed this month. The treatment plant will supply treated water from Bagatelle Dam as from mid-September.

At the same time, two projects for the replacement of 27 kms of pipes in Rose Hill and Beau Bassin, with a total investment of about Rs304 m. will be completed by October.

With the coming into operation of the treatment plant and the completion of the pipelines, water supply in Rose Hill, Beau Bassin, Quatre Bornes and Port Louis will be on a 24-hour basis. In addition, water from Mare aux Vacoas channeled through La Marie treatment plant currently supplied to these regions, will then be channeled to the western regions from Tamarin to Le Morne and increase hours of supply in these regions.

In the north, water pipes have been replaced at *Morcellement* Swan, Pereybere at the cost of Rs77 m. The inhabitants are now receiving regular water supply and do not have to rely on water tankers. About Rs409 m. is being spent to replace about 49 kms of pipes at Rivière du Rempart, Plaine des Roches, Roches Noires, Poste Lafayette and for rehabilitation of pumping stations.

In the South, pipes have been replaced from Plaine Magnien to Mare d'Albert, at Surinam, Rivière des Anguilles and South West coast, Rose Belle, Riche en Eau, Ferney, Grand Bel Air and Ville Noire and a new service reservoir built at Balisson.

In the East and Moka, pipes have been replaced at Moka, Alma, Melrose, Montagne Blanche, Poste de Flacq to Poste Lafayette and Marie Jeannie.

In Plaines Wilhems, works have been completed at Residence Kennedy, Solferino, John Kennedy Street, Henrietta, La Brasserie to Botanical Gardens, Piton du Milieu to Hermitage and Coromandel to New Bosquet Reservoir and at Curepipe Lislet Geoffroy.

The total investment for completed projects now amounts to Rs2.7 billion and for ongoing projects, it is Rs3.1 billion. The investment in pipes and pumps amounts to Rs232 m., making up a total of Rs6.1 billion. This amount includes both grants and loans provided by Government.

In addition, as water tanks provide storage capacity and enable consumers to benefit from 24-hour supply, this Government has consistently expanded the scheme in order to reach out to more households. In 2015, Government increased the water tank grant from Rs3,000 to Rs5,000 and the income ceiling from Rs15,000 to Rs25,000. In 2018, it further increased the income ceiling to Rs30,000 and this year it has been increased to Rs50,000.

Since 2015, 32,809 households have benefited from water tank grants at a cost of Rs115 m.

All these measures have led to a substantial improvement in the hours of supply. The figures from CWA are that the number of consumers receiving 8 to 11 hours has decreased from 102,766 in 2014 to 75,126. The number of consumers who receive below 8 hours of supply has reduced from 13,702 to 1,955.

There are now 201,860 consumers who obtain 24 hours water supply. After the coming into operation of Bagatelle Water Treatment plant, this will further increase to more than 302,000 consumers by the end of this year. This is out of a total number of some 375,000 consumers.

I thank you, Mr Deputy Speaker, Sir.

(4.13 p.m.)

MOTIONS

THE WORKERS' RIGHTS BILL (NO. XVIII OF 2019) - WITHDRAWAL

The Minister of Labour, Industrial Relations, Employment and Training (Mr S. Callichurn): Mr Deputy Speaker, Sir, I move that the Workers' Rights Bill (No. XVIII of 2019) be withdrawn.

Mr Deputy Speaker, Sir, after the Workers' Rights Bill (No. XVIII of 2019) was introduced for the first time in this House on 16 July 2019, Government received representations from several trade unions and Business Mauritius. In the light of which, Government decided to set up a Technical Committee to address pertinent issues raised by them. I have to inform the House that I have personally met with all stakeholders and have listened to their views and apprehensions. I have to state that the said issues were never raised during the initial consultations prior to the preparation of the Bill. But I am very happy to say that the recent meetings with the stakeholders have been very constructive and I thank them for their contribution.

Mr Deputy Speaker, Sir, in view of the numerous amendments to be made to the Workers' Rights Bill (No. XVIII of 2019), Government has deemed it appropriate to withdraw same and to come up with a new Bill so as to avoid confusion.

Mr Roopun rose and seconded.

The motion was, on question put, agreed to.

(4.15 p.m.)

**THE EMPLOYMENT RELATIONS (AMENDMENT) BILL (NO. XIX OF 2019) –
WITHDRAWAL**

The Minister of Labour, Industrial Relations, Employment and Training (Mr S. Callichurn): Mr Deputy Speaker, Sir, I move that the Employment Relations (Amendment) Bill (No. XIX of 2019) be withdrawn.

Mr Deputy Speaker, Sir, after the Employment Relations (Amendment) Bill (No. XIX of 2019) was introduced for the first time in this House on 16 July 2019, Government received representations from several trade unions and Business Mauritius. Consequently, Government decided to set up a Technical Committee to address pertinent issues raised by the parties.

I have to inform this House that I have personally met with all stakeholders and have listened to their views and apprehensions. I have to state that the said issues were never raised during the initial consultations prior to the preparation of this Bill, but I am happy to say that the recent meetings with the stakeholders have been very constructive and I thank them for their contribution.

Mr Deputy Speaker, Sir, in view of the numerous amendments to be made to the Employment Relations (Amendment) Bill (No. XIX of 2019), Government has deemed it to withdraw same and come up with a new Bill so as to avoid confusion.

Mr Gayan rose and seconded.

The motion was, on question put, agreed to.

PUBLIC BILLS

First Reading

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

- (i) *The Workers' Rights Bill (No. XXIV of 2019)*
- (ii) *The Employment Relations (Amendment) Bill (No. XXV of 2019)*

Second Reading

- (a) **THE NATIONAL LAND TRANSPORT AUTHORITY BILL (NO. XX OF 2019)**
- (b) **THE LIGHT RAIL BILL (NO. XXI OF 2019)**
- (c) **THE ROAD TRAFFIC (AMENDMENT NO. 2) BILL (NO. XXII OF 2019)**
- (d) **THE VICTORIA STATION OVERHEAD PEDESTRIAN BRIDGE (AUTHORISED CONSTRUCTION) BILL (NO. XXIII OF 2019)**

Order for Second Reading read.

The Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade (Mr N. Bodha): Mr Deputy Speaker Sir, with your permission, I move that the National Land Transport Authority Bill, the Light Rail Bill, the Road Traffic (Amendment No.2) Bill and the Victoria Station Overhead Pedestrian Bridge (Authorised Construction) Bill be read together a second time, as they are inter-related.

Mr Deputy Speaker Sir, I have indeed the honour and privilege to present these Bills to this august Assembly today.

History is being recreated, Mr Deputy Speaker Sir. After some six decades down the line, we are restoring what used to be the sole mass conveyance system for passengers and freight in the late 19th Century.

History bears testimony to the significant role played by the trains back in the 1860s. The railway lines which were introduced proved to be a key determinant in the socio-economic development of Mauritius in connecting different parts of the country thereby facilitating the conduct of commercial activities. The advent of motor cars and other public means of transport, however, prompted the colonial authorities then to do away with the rail lines in the 1960s.

Mr Deputy Speaker, Sir, a robust and reliable transport network is indeed an engine for economic growth. It has to be acknowledged that it was a bold decision, and maybe one of the toughest, for this Government, under the enlightened and visionary leadership of the Prime Minister, to launch the Metro Express project in March 2017. The decision to implement the light rail transit system in Mauritius confronted the Government to challenging times. But we remained steadfast in our decision and despite all odds, the project is being

managed in the best possible manner as we have, so far, acted diligently to resolve issues incidental to the construction phase.

Since the inception of the project till date, we have given an unfettered attention to the project. I have personally monitored the implementation of the project to ensure that deadlines are met and issues are identified and mitigated on a timely manner. In fact, the second train is due these days, Mr Deputy Speaker, Sir.

The Metro Express project embodies this Government's vision for an affordable, integrated, comfortable, green and sustainable mass land transport system. We have here to be thankful to the Indian Government without which the Metro Express project would not have been realized. We have been able to bring down the costs of the project to some Rs18.8bn thereby ensuring the project viability without jeopardizing the sustainability of public finances.

An aerial view would depict that our island is today "*un vaste chantier*". Our land transport network has, in fact, known an unparalleled expansion over the past five years and the Metro Express will take our country to the next level. Urban Terminals and modern multimodal transport hubs would be constructed and we are not far from being at par with advanced nations insofar as land transport is concerned.

Mr Deputy Speaker, Sir, it has to be admitted that the Road Decongestion Programme being spearheaded by my Ministry involves massive investment, but would not, on its own, address traffic congestion problems. Highly congested traffic, Mr Deputy Speaker, Sir, does not augur well for the next stage of the development of this country. Billions of rupees are being wasted annually in terms of loss of productivity and in meeting up with the rising fuel import bills; leave alone the noxious gas emissions released by the high number of vehicles. As a responsible Government, we, therefore, reflected and identified a solution that would address the issues in a systemic manner.

Mr Deputy Speaker, Sir, the Tramways Act which dates back to 1878 is now outdated. As we are nearing the completion of Phase I of the Metro Express Project, the appropriate legislative frameworks have to be enacted to cater for the operations of the light rail system in Mauritius.

Today, this House stands at an important juncture, that is, to set up the legal parameters for the operations of the light rail so that it furthers the economic agenda of our country by unlocking new opportunities and enhancing the mobility of people. The legislative

frameworks have been benchmarked on international jurisdictions mainly from Singapore, Australia, and the UK.

Under the current Road Traffic Act, the National Transport Authority (NTA) is vested with such powers and functions to administer road transportation only. In the context of the Metro Express, provision has to be made for the NTA to oversee the operations of the new Light Rail Transit (LRT) system as well.

In August 2018, the Government, after assessing recommendations made by the Singapore Cooperation Enterprise with regard to the regulatory body for the light rail, took the decision to establish a Light Rail Division under the National Transport Authority (NTA) to regulate the LRT system.

In January this year, the SCE, as part of its scope of works under the Delivery Management and Advisory Services contract, submitted its final report on the legislative framework that would be required to cater for the upcoming Metro Express. Since then, after assessment of the recommendations of the SCE, extensive consultations were conducted at the level of my Ministry with key stakeholders including the Attorney General's Office to fine-tune the legal framework and put the draft legislation in shape.

This would thus entail that the present NTA would have to be restructured and developed to properly integrate both the Road and the Rail Divisions in order to deliver on its new responsibilities. In addition to its other functions and duties under the Road Traffic Act, the re-structured NTA would hence be responsible to monitor the operations and activities of the LRT system in relation to service and performance standards, safety standards, fares and licensing regime. Under the above option, the Rail Regulatory Body would benefit from the expertise already harnessed by the NTA over the years and this would synergise with the road transportation segment.

Mr Deputy Speaker, Sir, the National Land Transport Authority Bill focuses on the revamping of the existing NTA. In fact, in its Report on the re-engineering of the Public Transport Industry in Mauritius, the PricewaterhouseCoopers (PWC) recommended that the institutional capacity of the NTA be bolstered for it to further exercise its regulatory functions in defining the service level obligations, fare determination and licensing policy. PWC also advocated that the institutional capability of the NTA be strengthened for it to effectively administer the public transport sector through the appointment of specialists so that the

Authority may develop a transport Master Plan, and define and monitor key performance indicators in the field of transport.

The Bill accordingly makes provision for the Authority to be led by a Chief Commissioner whose hallmark for decision-making and actions would be to ensure synergy in the land transport system. The magnitude of investment in the light rail transit system calls for abandoning the business as usual approach and continually innovating to find new ways of administering. We are today in need of key personnel of high caliber to re-engineer the conventional ways of administering the land transport industry and solving issues to give a fresh start to the NTA. The Chief Commissioner would thus be called upon to revisit all processes, rules, and structures to enable the transformation. There is, in fact, need for diverse talents and rich experiences for our country to emerge stronger insofar as land transportation system is concerned.

There can be no denial that the introduction of the 26 km meandering web of locomotives that would run from Curepipe to Port Louis would soon become a huge part of our citizens' life.

Mr Deputy Speaker, Sir, in short, the NLTA Bill aims to establish a Regulatory Body to oversee both the road and the light rail operations. In fact, the new entity would take over the powers and functions vested upon existing National Transport Authority by virtue of the Road Traffic Act and would monitor the light rail operation in line with the Light Rail Bill which would be enacted. This new legislative framework makes provision for the setting up of two distinct Divisions each under the purview of a Commissioner to regulate the Road and the Light Rail segments. The two Commissioners will, however, be under the Administrative Control of a Chief Commissioner who shall also be required to plan for a seamless integration between the road and the rail transport.

The NLTA, Mr Deputy Speaker, Sir, intends to shed more clarity on the functions of the NTA and at the same time comforts the Regulatory Body in terms of powers sitting with the entity. Under the existing Road Traffic Act, the roles ascribed to the Authority do not appear to be clearly defined as the said Act tend to cater also for Road Safety, traffic rules and offences as well as the Motor Vehicle Insurance Arbitration Committee, amongst others.

Mr Deputy Speaker Sir, the objectives, functions and powers vested unto the new NLTA give a clear indication of the ambit of the new Regulatory Body, the role of which is not only confined to licensing and registration or ensuring roadworthiness of vehicles.

Provision is being made for the NLTA to evolve as an agile organisation favouring research and development in the field of land transport.

Moreover, the Bill intends to equip the NLTA as a Government Department operating under the aegis of my Ministry, with such objects and powers as to promote strategic thinking and formulate appropriate policies to favour progress in road and light rail operations.

Mr Deputy Speaker Sir, the enactment of the new pieces of legislation will have no incidence on the existing staff of the NTA. Due provisions are being made to safeguard their interests, terms and conditions of work, and career paths. They would, in fact, be deemed, on commencement of this Act, to be officers of the NLTA. Recruitment will continue to be done by the Public Service Commission as is the case presently.

Transitory provisions, as appropriate, have been included in the Bill to cater for any pending applications, rights; and proceedings assets against the NLTA.

My Ministry is currently in the process of recruiting key personnel, including the Chief National Transport Commissioner, on a contractual basis, from the Republic of India, under the prevailing Government to Government Agreement.

Mr Deputy Speaker Sir, one of the core functions of the NTA relate to the licensing of Public Service Vehicles. This Bill, therefore, provides for the setting up of a Licensing Committee to examine applications. The purpose of causing such a committee is to provide for applications to be determined in a methodological manner with due consideration to the merits of cases being submitted to the Licensing Committee.

On the other hand, Mr Deputy Speaker, Sir, the procedures of the NTA would be streamlined so that the necessary time for grant of a licence is reduced with a view to better service the interests of the travelling public.

The new Regulating Body thus aims to reinforce its organisation set up with the posting of a Chief Commissioner who shall be entrusted to level a well-articulated transport Master Plan in view to ensure a seamless interface between the rail and the bus system.

Mr Deputy Speaker Sir, currently, the power to determine fares rests solely with the Minister and there is no set mechanism in place to scientifically review and adjust fare to track changes in price indices. To palliate to this *ad hoc* process presently in place to adjust fares, this Bill proposes to establish a Fare Review Committee to scientifically work out and recommend fare adjustments, if any.

The proposed Committee would comprise public officers from various fields including finance, transport or statistics and would analyse the public transport industry before making recommendations to Government. In proposing any fare revision, the Committee would need to give due consideration to the affordability of the fares while taking into account the financial sustainability of the overall transport industry. The Fare Review Committee therefore intends to make an objective and fair assessment of the transport sector and thereafter propose such recommendations in relation to fare review.

During the partial operation of the Metro Express from Rose Hill to Port Louis, the light rail fares would be aligned with the bus ticket. Feeder services would be provided within a range of 5km to 10km from light rail stations to ease connectivity of commuters to the light rail stations. Beneficiaries under the current Free Travel Scheme would travel free of charge onboard the light rail.

Mr Deputy Speaker Sir, this Bill also empowers the NLTA to set up committees as may be necessary to further its objects and functions vis à vis the Road Traffic Act and the proposed Light Rail Act.

By virtue of a Memorandum of Understanding entered into by the then Ministry of Public Infrastructure and Land Transport and the Rodrigues Regional Assembly in March 2005, licensing of vehicles in Rodrigues is being carried out by the Rodrigues Transport Committee which is vested with such powers as to issue public service vehicle licences and petrol service stations licences, amongst others, and acts more or less, as an agent of the NTA. The NLTA Bill makes provision to give a statutory status to this Committee leaving their powers and functions unchanged. The composition of the committee is being restricted to public officers similar to the Licensing and Fare Review Committee in Mauritius.

Appeals against decisions of the above Committees would need to be lodged with the Appeal Committee set up under section 19 of the NLTA Bill. Presently, under the RTA any applicant aggrieved by a decision of the NTA may appeal to the Minister to have the decision quash, amended or otherwise by the Appellate Body.

Mr Deputy Speaker, Sir, I tend to be of the view that a Minister should not be responsible for determining appeals lodged to challenge decisions of a Regulator. It is, therefore, proposed to set up an Appeal Committee to determine appeals made under the Road Traffic Act and the Light Rail Act so that there is a clear demarcation between the Ministry, the Regulator and the entity designated to determine appeals.

The Appeal Committee would be headed by a person having a legal background and composed of such persons having wide experience or qualifications in transport matters.

The Appeal Committee would thus have a more formalised process of determining appeals in line with the rules of natural justice and as per parameters set out in section 20 of the NLTA regarding the proposed prescribed delay to determine such appeals.

Mr Deputy Speaker Sir, the setting up of the different committees under the NLTA, in fact, intends to provide for a more structured approach in addressing issues related to licensing, fare review, appeals as well as regularising the Rodrigues Transport Committee.

Ultimately, this would lead to the NLTA to rethink its internal processes and revisit its current methodologies.

Mr Deputy Speaker, Sir, coming to the Light Rail Bill, as detailed in its Explanatory Memorandum, it aims to provide a legal framework to cater for the operations of the light rail in Mauritius as, like I said earlier, there is currently no provision under our laws to control and monitor the operations of a light rail operator.

The Light Rail Bill, therefore, seeks to set out the required framework which the light rail is to operate.

At the very outset, this Bill makes provision for the interpretation of terms associated with rail operations and which are not being provided in other legislations in Mauritius. For instance, terms including light rail, premises, light rail vehicle, commuter facility are being catered for with appropriate description as to their intended meaning under the proposed Act.

The Bill in itself, Mr Deputy Speaker, Sir, sets out the key parameters, under which the light rail operator is to provide passenger service upon its launch in September 2019. Together with the NLTA Bill, this piece of legislation clearly defines the legal framework for the operation of the light rail.

The Light Rail Bill would, as in the case for other public service vehicles under Road Traffic Act, require the light rail operator to be licensed by the NLTA prior to start of service and the law is framed in such a manner that Metro Express Ltd would on the commencement of this Act be considered as a light rail operator.

Mr Deputy Speaker, Sir, this House would concur with me in view of the passenger load of the light rail vehicles teamed with the magnitude of the Metro Express project in

terms of infrastructure, automated operations or security concerns, that the Regulation should be vested with such powers for it to fully exercise oversight over all the light rail operations.

For this purpose, Mr Deputy Speaker, Sir, provision is being made for the NLTA to impose such conditions to be attached to the operator and its licence so as it meets the intended performance standards without compromising on the safety of the operations.

This Bill empowers the Regulator to set such conditions as to deposit of a security by the operator for the due performance of the light rail operator, including any of the obligations imposed on it under its licence or under the law.

The NLTA may also attach such conditions to safeguard the security of persons using or working on the light rail premises. The light rail operator is bound, therefore, to take such actions as may be required to guarantee the safety of its employees and of the passengers within light rail premises or when travelling in the light rail vehicles.

Especially, Mr Deputy Speaker, Sir, the powers vested upon the Regulator are such that the NLTA would not be estopped or limited under the law to cause the light rail operator to comply with such conditions deemed fit to be imposed in view to ensure that standards of performance are met in provisions of the services, maintenance or the operation of the train.

While framing the powers ascribed to the NLTA by virtue of this Bill, consideration has been given to the complexity of light rail operations and the fact that the licensing regime is different from the licensing of buses and taxis.

This is why, Mr Deputy Speaker, Sir, a number of obligations would have to be imposed on the light rail operation for it to provide reliable service in time with the aspirations and travel needs of commuters.

On the other hand, no compromise can be made as to safety and security of light rail personnel and of passengers.

This is why, great care has been given for the NLTA to be conferred with such powers as to cause conditions of licences to be modified.

However, prior to making any modification to the conditions of licences, the NLTA would be mandatorily required to give advance notice to the operator of the proposed addition, deletion or modification of the condition and the operator shall be allowed within a specified period to submit written representations to the proposed modification. But it would

be up to the Regulator to assess whether, in light of the representations made by the operator, to give furtherance or otherwise to the proposed modification.

Unlike the bus industry where the barriers of entry in terms of upfront capital investment is definitely less, the Light Rail Bill proposes to impose restrictions regarding transfer and surrender of light rail licences in view to minimise service disruption.

Likewise, any purported change in the shareholding structure of a light rail operator in terms of issue, transfer or disposal of shares would have to be notified to the Regulator within a specified delay and the latter shall be empowered to impose such conditions as it deems fit.

The law also has been drafted in such a way so as to put restrictions on the acquisition of essential light rail operating assets unless the consent of the NLTA is sought and obtained.

These conditions, Mr Deputy Speaker, Sir, do not aim to be overly burdensome on light rail operators but, in fact, intends to comfort the regulatory functions of the NLTA such that the service is not adversely impacted through abrupt change in ownership or the event of operators assigning their licences to third parties without duly informing the NLTA.

Mr Deputy Speaker, Sir, I wish to reassure this House that this Government is giving due attention to the consequential impacts of the operation of the Metro Express over bus activities. For that purpose, a Bus Reengineering Strategy has been worked out by my Ministry upon recommendations of the Singapore Cooperation Enterprise to seamlessly integrate bus operations with the Light Rail.

This would involve a reorganisation of the bus routes operating parallel to the Metro Express corridor. Basically, feeder routes plying within a radius of 5-9km within the light rail stations have been identified and conceptualised to serve the Metro Express. For the first phase of the Metro Express Project, 19 such routes would be created to be serviced by the impacted upon bus operators.

On the other hand, to mitigate the impacts of the Metro Express of the bus industry, new routes would be created and service on existing routes would be supplemented.

All these measures, Mr Deputy Speaker, Sir, intend to best integrate the buses with the Metro Express and at the same time make sure that the provision of transport services is rationalised so that optimum service level is achieved. Reduction of parallel service by bus companies along the Metro Express alignment would be gradually starting by a 30%

reduction up to a progressively over years reaching 50%. This would limit the severity of the impacts of the Metro express over bus activities in the first place.

The redeployment of the existing workforce in the industry is yet another option. A few employees of the industry have already taken the opportunity to join the operational staff of the Metro Express Ltd. Consultations with bus operators and the unions representing the bus workers would be pursued to ensure that the interest of bus employees is safeguarded. The objective of the Government, after all, is for the light rail system to complement our bus system in the best possible manner so that our country can boast of an effective and efficient land transport sector.

Mr Deputy Speaker, Sir, this denotes Government's resolution to modernise our National Transport Network without jeopardising the existing system.

The Light Rail Bill also empowers the Regulator to issue a Code of Practice which the operator shall comply with. The Code of Practice seeks to cater, *inter alia*, for the operation and maintenance of the light rail system and the service provision.

In addition, the NLTA, in view of the complexity of managing light rail operations and having regard to the safety of persons availing of the Metro Express, is vested with such powers as to give directives to the operator in such matters relating to services being provided to commuters.

No compromise can be made when it comes to the security and safety of passengers, Mr Deputy Speaker, Sir. As such, the Bill being enacted today provides for the Regulator to exercise overnight and close monitoring of the safety management systems of the Operator in view to ensure that operations of the Light Rail do not pose a threat to the safety of commuters.

Basically, in addition to setting out and controlling the licensing regime for the Light Rail, the Regulator would need to accredit rail safety. For that purpose, Mr Deputy Speaker, Sir, my Ministry is in the process of appointing an Independent Safety Assessor to carry out a risk-based assessment of the Safety Management of the whole system of the Metro before we start the operation.

The law is, therefore, appropriately framed so that the powers of the Regulator is neither confined nor falls short in safeguarding the interests of the travelling public.

Mr Deputy Speaker, Sir, the NLTA, under the Light Rail Bill, can where, it has reason to believe that any part of the light rail system or the manner in which operations are being run could possibly lead to a risk of injury to any person, the NLTA can order an operator to cause any defects to be attended to under a specific period failing which the operator may be liable to a fine not exceeding prison.

The project's defect liability on infrastructural works, that is, tracks, bridges, elevated platform, covers a period of 12 months as from the date of the taking over certificate is issued. The warranty on light rail vehicles is also for a period for 12 months as from the date the taking over certificate is issued.

The contract with Larsen & Toubro also makes provision for a Professional Indemnity Insurance from Larsen & Toubro, which provides for the maintenance for the professional indemnity insurance in full force and effect until 10 years after the Time for Completion for the whole of the Works.

Mr Deputy Speaker, Sir, as I stated earlier, the law is being rendered stringent such that in the event an operator fails to maintain the required service level or contravenes any conditions attached to its licence, the NLTA would be empowered to cause a Provisional Order to be issued against the operator urging it to ensure compliance with a particular directive or code of practice. Should an operator persist or fail to take remedial actions, the NLTA would then be empowered to either cancel or suspend its licence or forfeit the security deposit of the operator.

Mr Deputy Speaker, Sir, the Bill also caters for the registration of light rail vehicles at the NLTA and mandatorily requires such vehicles to be insured in order to be used for passenger services.

In view thereof, provisions have been made for such vehicles to be operated subject to being under an appropriate insurance policy in respect of third party risks.

Mr Deputy Speaker, Sir, the dismantling and scrapping of vehicles constitute a scourge for our country. No provision was made earlier to cater for scrapped vehicles.

In this particular situation, we are being proactive, in that no Light Rail Vehicles would be allowed to be destroyed or taken away from Mauritius without the light rail operator be given prior notice to the Chief Commissioner of the NLTA.

Mr Deputy Speaker, Sir, the Light Rail Vehicles through their degree of sophistication, complex electronic operated control and magnitude cannot be compared with any other type of motor vehicles.

To that effect, Mr Deputy Speaker, Sir, the issuance of a driver's licence for light rails, also referred to as Train Captains, cannot be treated at par with those of other vehicles. The Bill, therefore, seeks to empower the NLTA to license the train operators subject to such persons having the required qualifications and having successfully followed and completed appropriate training.

The conditions to avail of such a licence are such that the proposed Train Captains would have to be conversant and mature enough to handle train operations. It is why, Mr Deputy Speaker, Sir, that the NLTA is being empowered to comprise such conditions as may be necessary for the issuance of the licences.

Mr Deputy Speaker, Sir, I wish to inform that presently training is being imparted to the local Train Captains of Metro Express Ltd through an arrangement with the Singapore Mass Rapid Transport System.

Transitional provisions, as appropriate, have been under the Bill to allow the operation of the light rail vehicles by the commencement on the date of schedule, end of September 2019.

In fact, the Singapore Cooperation Enterprise is working on the Safety and Security Policy Guidelines; and the Service and Performance Policy Guidelines. We have brought also six Train Captains from Singapore.

Mr Deputy Speaker, Sir, being given that the light rail would operate at grade with other classes of vehicles at specific places, due care is required for the management of road interactions. It would be of essence, as a responsible Government, to safeguard equitably all road users by warding off risks of collisions or accidents.

The Bill imposes the responsibility on road users to strictly abide by road rules and to comply with directives or traffic signs specifically catering for the operation of the Light Rail Vehicles at level crossings.

This Bill also prohibits any dangerous behaviour from road users in terms of driving, parking or walking on or across a railway line. Provision is made in the draft legislation for priority rules in favour of the light rail vehicle which shall, at all times, have right away at a

level crossings unless directed otherwise by a Police Officer after consultation with the light rail operator in view to safely manoeuvre the light rail service.

Mr Deputy Speaker, Sir, my Ministry would cause to be erected at level crossings, traffic signals or warning signs to cater for the safety of road users at such places. And for this purpose, the Traffic Sign Regulations would be specifically amended to cater for the operation of the light rail. An appropriate sensitisation programme will be launched to raise awareness among the public for safe interaction with the light rail vehicles and to regulate driver behaviour on our roads so that they adapt the proper mind-set and attitude towards the operation of the light rail vehicles.

Mr Deputy Speaker, Sir, the advent of the light Rail in Mauritius fosters, at the same time, innovation in the ticketing system in place in public transport.

Commuters would thus have the choice between single paper tickets or contactless smart cards to settle their journey fares. This automated fare collection system is yet another technological advancement brought along with the operation of the Metro Express.

However, unlike buses, no conductors would be physically on board of the light rail vehicles to ensure that fares have been paid. There is thus the risk of fare evasion or illegal travelling.

To circumvent such malpractices, the light rail operator would be required to employ Ticket Inspections to physically inspect tickets and to ensure that passengers travel with the appropriate ticket.

On the other hand, the Bill makes provision for such offences relating to ticketing, that is, commuters using expired, forged or concession tickets for which they are not entitled to.

Should any person forge or attempt to travel with a forged ticket, such person, could upon conviction be liable to fines not exceeding Rs25,000 for the first offence and Rs50,000 for subsequent offences. The defaulter will also be liable to imprisonment for a term not exceeding 12 months.

This Bill, therefore, clearly defines and caters for fare evasion and offences and fines related thereto.

Mr Deputy Speaker, Sir, as I mentioned earlier, leniency is not possible when it comes to light rail administration inasmuch as rail safety is concerned. The Bill thus defines

the roles and powers of Light Rail Inspectors to, *inter alia*, carry out inspections and tests on any machinery, plant or equipment of the operator.

The Light Rail Inspectors are also being vested with such powers to investigate accidents on any part of the light rail and to require such information from the operator as regards machinery used in connection with light rail operators.

Mr Deputy Speaker, Sir, in the same vein, no compromise can be made to the security of passengers on board the light rail vehicles. This is why provision is being made for “*authorised officers*” to be vested with such powers in view to ensuring that no dangerous goods or weapons are being transported on the light rail vehicles and to minimise any potential risks or threat to the security of other passengers travelling on the light rail. For instance, in case an “authorised officer”, on reasonable grounds, if he reasonably believes that an offence has been committed, may cause the baggage to be searched or require proof of identity.

Mr Deputy Speaker, Sir, the Light Rail Bill also empowers the Minister to make Regulations for matters incidental to light rail operations, including maintenance and operation of light rail on safety as well as regulating the conduct of passengers and light rail employees so that they comply with such instructions as regards travelling on board the light rail vehicles.

On this note, Mr Deputy Speaker, Sir, I have to commend the initiative of the Police for the setting up of the ERS, that is, the Transport Squad which ensures the safety of bus crews and passengers. With the upcoming Metro Express, the ERS Transport Squad will be reinforced and equipped with such logistics to cater for the light rail crews and passengers as well.

Mr Deputy Speaker, Sir, offences relating to intentional damage to the light rail system or premises or such acts likely to cause or result in endangering the safety of a person is being addressed under this Bill such that offenders be liable to fines and terms of imprisonment upon conviction. Notwithstanding the above paragraph, any person having caused damages or destruction to the light rail shall, in addition to any penalty, be liable to compensate for damages sustained to the light rail system.

Mr Deputy Speaker, Sir, in essence, the Light Rail Bill seeks to capture the licensing and safety requirements for light rail operations while setting out the ticketing regime.

However, as all prevailing legislation caters only for motor vehicles plying on roads, the introduction of the Light Rail Bill should have consequential impacts on the Road Traffic Act. Similarly, the establishment of the National Land Transport Authority would require that necessary amendments be brought to the Road Traffic Act so that there is no conflict between the laws which are proposed for enactment.

Therefore, the Road Traffic (Amendment No. 2) Bill aims to capture changes in the interpretation of terms to cater basically for the establishment of the National Land Transport Authority to take over the powers and functions of the National Transport Authority and for the Chief Commissioner to replace the Road Transport Commissioner as the Administrative Head of the new entity whenever the above terms appear in the Road Traffic Act.

In the same vein, with the introduction of the Appeal Committee, all related references made to the Minister in the Road Traffic Act would have to be deleted and replaced by the said Committee.

This Bill also repeals sections 73 and 74 of the Road Traffic Act relating to the setting up of the National Transport Authority and which would become defunct in the wake of the new organisation.

Mr Deputy Speaker, Sir, the advent of the light rail vehicles would also warrant changes in the definition of “motor vehicles” as there is need to clearly demarcate vehicles which operate on railway lines with those plying on roads. The definition of level crossing to specifically cater for road interactions between motor vehicles and the light rail vehicles is also being addressed.

Mr Deputy Speaker Sir, with regard to interface of road traffic with the Light Rail system, the Road Traffic (Amendment No. 2) Bill makes provision for an amended definition of 'road' which now includes a 'level crossing'. Interface with road traffic and the light rail system would thus occur mostly at level crossings and the road traffic would need to be warned and informed at all such intersections. 'level crossing' is thus defined under the Light Rail Bill as any place where a railway line crosses a road on the same level, but does not include a railway line on a road which is intended solely for the use of light rail vehicles.

Mr Deputy Speaker, Sir, the definition of Light Rail Vehicle which is driven by electric power has been excluded from the definition of “electric motor vehicle”. The interpretation of “motor vehicle” is being reviewed such that “hybrid vehicles” are also captured under this definition under the amended Road Traffic Act. Amendment is also

being made to the term 'auto-cycle' so that electric propelled auto-cycles are now being captured under the Act.

I have to stress that the incidence of this amendment would imply that owners of the electric propelled vehicles having a power output between 4 kilowatts and 250 watts would have to take an insurance cover and register their vehicles with the NLTA. No payment for motor vehicle licence would, however, be required. Reckoning with the safety issues related to electric bicycles, a Technical Committee would shortly make recommendations to Government on policy decisions.

Mr Deputy Speaker, Sir, with a view to providing an integrated transportation network, it was crucial to interconnect all modes of public transport, namely buses, taxis and the forthcoming Metro Express. Following a Request for Proposal exercise, a Consortium, namely, the Victoria Station Limited, has been selected to implement the Victoria Urban Terminal project. Since the metro terminal is on the opposite side of the motorway, an overhead pedestrian bridge across the Motorway M1 was included as part of the Victoria Urban Terminal project to link the Victoria Station with the Metro Station.

The Victoria Station Overhead Pedestrian Bridge (Authorised Construction) Bill is, therefore, being proposed for the enactment to authorise the Victoria Station Ltd to construct the overhead pedestrian bridge over part of the Port Louis-Plaisance Dual Carriageway (M1) which is a public domain. The bridge will be at a distance of 192 metres northbound from the Decaen flyover. It will be constructed at a height of at least 5 metres over Motorway M1 and will be six metres wide. The lease agreement, which will be signed shortly, makes provision for the maintenance of the bridge by the lessor throughout the lease period. The construction of the overhead bridge is expected to start this month.

Mr Deputy Speaker, Sir, in the wake of the Victoria Urban Terminal, section 63 (2) of the Local Government Act is being repealed through the Light Rail Bill to exclude six portions of land within the Guy Rozemont Square for the purview and control of the City Council of Port Louis.

Mr Deputy Speaker, Sir, the Metro Express indisputably constitutes a landmark development in the field of transport. This Government, under the able leadership of the Prime Minister, and our citizens, can, therefore, legitimately take pride for such a daunting endeavour which now places the country ahead of regional countries and at par with its

international peers. At this moment in time, Mr Deputy Speaker, Sir, 3,000 people are working 24 hours a day 7 days a week on 32 sites to make this happen.

The setting up of the NLTA would unquestionably allow a unified approach to overseeing transport operations and ultimately leading to an integrated multi-modal transportation system. It is anticipated that this proposed institutional setup, under the guidance of the Chief Commissioner, would provide Government with the opportunity to re-engineer the transport regulatory framework with enhanced co-ordination in managing provision of passenger services.

With this in mind, Mr Deputy Speaker, Sir, the stage is set for the NLTA to exercise its statutory roles and to reshape the land transport architecture. We foresee a modern, smart, and responsive land transport sector in the not-so-distant future.

With the provision of state-of-the-art amenities and infrastructure in terms of the light rail vehicles, the signaling system, the automated controlled operations as well as an electronic ticketing system, the Metro Express represents a unique infrastructural and technological masterpiece in the region.

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

The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo) rose and seconded.

The Deputy Speaker: I suspend the sitting for half an hour.

At 5.02 p.m., the sitting was suspended.

On resuming at 5.38 p.m. with Madam Speaker in the Chair.

Madam Speaker: Hon. Leader of the Opposition!

The Leader of the Opposition (Mr X. L. Duval): Madam Speaker, thank you. I have got a number of points, Madam Speaker, to raise concerning the Light Rail Bill in particular, but also a few things to say on the National Land Transport Authority Bill. But as the hon. Minister has opened the debate himself, widened the debate in his Second Reading speech, I would like to say that I am very surprised that he has not taken this golden opportunity to tell us about the date of coming into operation of the light rail, of the tram, as we can say. He has not taken that opportunity to do so. I understand that it was for beginning of September at some point. It is now, I think, end of September for a soft opening. Now,

what is a soft opening? This was a golden opportunity for him to tell us what is a soft opening that is being proposed, and I hope that, in his summing-up or at some other time, one of the Ministers will tell us what is in store for us. After all, we are within a month of the first date announced for the opening and the date of operation of Metro Express. So, I think this is *un manquement de taille de la part du ministre dans son discours*, and I do not know whether that shows uncertainty as to what is going to happen, but I will give the opportunity, hopefully, for the hon. Minister, at some point in time, to remedy this, what is the soft launching and when will we be able to step in to this famous Metro Express.

Again, Madam Speaker, the hon. Minister mentions feeder buses. How many feeder buses have arrived in Mauritius within one month or so of the opening of the date of operation? Not a single feeder bus has yet been imported. And so, what is the timeline? Have the operators ordered the buses? Have, in fact, the bus routes where these buses will run through the towns been defined by anyone? I understand these have not been defined. If they have been defined, they have not been communicated to the bus operators and the bus operators have not ordered a single feeder bus. So, we are within one month or so of the date of operation of Metro Express.

Same thing for the ticketing system. We are told that there will be a fantastic cashless ticketing system. Where is it? We are within a few days. Where is the ticketing system? Tell us! This is a fantastic opportunity to tell us and you stay *muet*. So, this is why I am asking the question. Why being *muet* when you can tell us about the ticketing system? Because we understand that...

(Interruptions)

Sure, you can reply, this is why I am here for. I am here to ask you to reply.

Now, the other question is this. We are told that it is going to be free for some time. How long will it be free? Why will it be free? Will it be free until the elections in November or early December, and then it is going to be a huge hike? Why is it free? Is it free because the ticketing system is not ready? There are things that the taxpayer needs to know. It is not a laughing matter, we are paying for these trains, the trams, and we need to know about why it is free. I do not mind it is free; it can be free forever. But why it is? Is it this terrible lack of planning that I had the occasion to denounce here in this House, that the ticketing system is not ready? We will talk about the fares in a moment.

The parking - now this is a great opportunity missed of constructing decent parking around each station so that people could come from the north, from the south, park in Curepipe, park in Port Louis and use the Metro. We know that the Urban Terminals will only be ready in say three years' time. As far as I understand, not a single amount of work has been done yet on the Urban Terminal. So, it is about three years, and even when the Urban Terminals will be ready, we are talking about a meagre 300 parking, probably not even enough for the hawkers to park their vans. So, this is the situation of the Metro Express, and I can understand that the Minister has used only hyper balls and big phrases without getting into any detail. But he has to get into the detail tonight and tell us about all these issues because they are real issues that need to be answered.

We also know there will not be the 19 stations; so, 18 stations only because UNESCO, I presume, has not yet given its authorisation for the construction of the 19th station. That is another big planning issue. So, in fact, you cannot say that Metro Express is completed, as announced, until the 19th station is complete. Again, that is an issue.

Seriously, Madam Speaker, the workers - now, we have thousands of workers in the transport industry. It is not a job that people relish. People would not come to see the Ministers and the Deputies on Wednesday to say 'I want to work as a bus driver at UBS', maybe CNT, but this is not a job that people relish. Working as a conductor on a bus for a girl or a man is not an easy job. We owe these people respect. We owe these workers respect. I remember about two years ago, some of my colleagues went to see Minister Bodha regarding the justified worries of the workers, and I understand, from the same workers, that they have not ever met Minister Bodha since that time. Never has he had a thought for the thousands of workers who are worried, sick about their employment opportunities. He has made a thing; nobody is going to lose his or her job. Will they lose overtime? Will they be transferred elsewhere? What will happen to them? And to put meat on the bone of what he has just told us about the workers, he should tell us what is his plan for them. We are talking about a few weeks before *coupe ruban*. Well, let's *coupe ruban* before everyone. Also, let the people whose work is going to be affected by the Metro know what is happening with them.

So, that is, Madam Speaker, the main issue. Of course, the construction work, hon. Minister Bodha here is very proud to say 3,000, I think, workers working day in, day out to please Government and have the Metro on time. But what an opportunity missed so far as these Mauritian construction workers are concerned. I would say that a great majority of them are from Bangladesh or somewhere like that, working their bones out to meet the deadline.

We saw how many people died on the construction site of Côte d'Or. I don't know, I think there was at least one death on the Metro Express. But, Madam Speaker, these are foreign workers and we could say that we could not, given time, have used Mauritian workers, and all the money that has been spent would have gone to Mauritian families, help these Mauritian families grow their children, improve their houses, live properly. And all this money to these 3,000 or so construction workers has gone. I don't say that maybe Bangladeshi need it more than us, but still, I think, it is an opportunity missed because we wanted a deadline and we have not used any Mauritian worker neither here nor at the Côte d'Or or hardly any of them.

Madam Speaker, these are the generalities. I will come to some of the finer points. The first thing is the name of this Bill. It is lo and behold the Light Rail Bill. It is not the Metro Bill; it is the Light Rail Bill. And from the start, people around Mauritius and outside were making fun of us. The comedian, Kev Adams, who was there, really made fun of us last time, saying that this is not a Metro, this is a tram. And we have confirmation, today, because otherwise it would have been called the Metro Bill. It is not a Metro. And I looked, Madam Speaker, at the Concise Oxford dictionary, to just make my point, what is a Metro. Now, we have all been to London, France, etc., we use the underground system, the Metro. This is what it says: Metro, according to Concise Oxford dictionary, is an underground railway system. This is in the dictionary. It is here, if the hon. Minister does not believe me, he can check it. Now, what is a tram? A tram, according to the same dictionary, is a passenger vehicle powered by electricity, conveyed by overhead cable and running on rails laid on a public road. It is not underground, it is not a Metro, it is not totally on a public road, a lot of it is on the public road. But we can see that our poor light rail is, in fact, much closer to a tram, a tramway than anything else and, in fact, we ought to have used the same title as the old Bill and call this Bill a Tramway Bill, because that is what has been built by this Government, Madam Speaker. A tram that will run, as far as my Constituency is concerned, right along St Jean Road, right down Victoria Avenue, right through Rose Hill and then take some elevation and back into Vandermeersch, and back again onto the road system, *un peu karo canne*, etc., till it gets to Port Louis. This is, Madam Speaker, a tram, not a Metro. Never, ever does it go underground, Madam Speaker. And also another definition of the Metro is that it should never stop apart from stations. This one will stop for pedestrians if they cross, will stop for traffic, will stop for anything along its route that bothers it.

Madam Speaker, I am going to talk about something that may not be important to another people, but it is important to me, Madam Speaker. It is the disabled. They are not here; we do not have any disabled Members in the House. So, I will say how disappointed I am that the Light Railway Bill makes no mention at all. But we have a Minister and she is going to talk after me. I think you are the Minister for ...

(Interruptions)

No, hon. Sinatambou. He is not here. I am sorry, you have changed roles. You were though. No mention in the Bill at all of disabled people, that the Metro needs to be disabled-friendly, that the stations need to be disabled-friendly, that we need to take account of the most disadvantaged persons in our community and that we should not just brush them under the carpet. Can you imagine, Madam Speaker? Maybe in the old Tramway Bill of 18th century, there was no mention. Can you imagine a modern country, a country that cares for its people, passing a Bill on the Metro, on the tram, on the light rail without any mention of disabled persons? The hon. Minister will tell me that it will be dealt with in the code of practice, etc., but it is still a serious failing that, in the sort process of the Ministry of Transport, the disabled were not taken into account.

Madam Speaker, I looked - it is part of my research afternoon - at the Railways Act 2005 of the UK. It is always good to see what they do. And it came to my mind that this tramway will be transporting hundred thousands of passengers, will be interacting with road users, with pedestrians, will be going alongside houses, maybe bothering these people. And in the UK, for the London Transport System, there is what they call a London Transport Users' Committee because there, the Users' Committee caters for complaints by users, for people who are bothered, who have trouble with the London underground or the buses, and this is catering for them. Here, the NLTA has so many appeals committee, licencing committee something, but total ignorance of the stakeholders, of the users, *les gens du voisinage, les riverains*, nothing. Madam Speaker, I think this is a major failing again of this Bill that it does not cater for complaints. What if the Metro, in fact, each time it goes by, my house shakes? What do I do? Who do I see in this situation? You tell me to go and see the CEO? He has got other things to do than to do that. What if there are issues, daily, with the trains? There is no mechanism in this Bill to cater for the users and the stakeholders. There is nothing to cater for the disabled, nothing to cater, formally, for the users. That is the second, Madam Speaker, issue I want to raise. If really they had looked at the comparative Bills

overseas, they would have seen that these exist; these ways of channelling complaints are actually dealt with.

Madam Speaker, another issue is we have seen the hon. Minister has himself mentioned that if passengers misbehave, they are fined, etc. Fair enough! What if the Light Rail or the Tram, Metro Express Ltd misbehaves? What real provision are we providing for that is sufficient to ensure that there is an impediment, a stop being put to their misbehaviour? Now, one of the things that it is allowed to do, in section 13, I understand that the NLTA can suspend or cancel the licence, but we all know that suspending or cancelling the licence of the rail operator is going to penalise more the passengers probably, thousands of them, than the Light Rail itself. And then it provides, I think, for a fine of Rs1 m. Rs1 m. may be a big amount for me and for certain other people in the House, but when you have a business like the Metro Express Ltd that will have, in the first few years, a turnover of Rs2 billion per annum, what is Rs1 m. fine? The turnover of the company will be Rs2,000 m. a year, and you are going to charge him just Rs1 m. out of that Rs2,000 m. that it generates every year. You will see, Madam Speaker, that I believe the fine, although quite high for passengers, is far too low for Metro Express Ltd and the fine, therefore, needs to reflect the financial standing and the huge revenues that will accrue, that will arise to Metro Express Ltd, and a decent fine must be surely be much higher because Rs1 m., Metro Express can pay that any time at all, it is not bothered by that, Madam Speaker. So, we need to provide much higher fines to the operator because if it runs a service that is not on time, people would be late at work. If it cancels, out of incompetence or negligence, services, people may even not be able to attend work or miss school or miss exams. If it runs a poor service, a dirty service, all sorts of issues can arise from the operation of the Metro Express Ltd, and the fine that is provided is, to my mind, the only effective way of controlling the quality of the service that is provided and it is a shame that it is so low. I am told that they may be able to seize or to forfeit the safety deposit, but that is for safety reasons I presume also, not for everything, and what is the amount of the safety deposit, we have not been told.

Madam Speaker, concerning the famous issue of fares, you see, I am a gullible person. When people, especially accountants come on television, they put it on the wall and they show us the revenue stream and a feasibility study of Metro Express, I believe them and I look at it, and I see that this Metro Express, as I mentioned, will have a total turnover of Rs2 billion in ten years' time. But I also see how it will achieve that, because one gentleman, going by the name of Mr Chung, actually gave it to the population during the launch, in the

presence of the hon. Prime Minister, etc. And, lo and behold - we are 2019 now - we are told that the average fare, in 2019, will be Rs37, but the average fare in a year and half, in 2021, will maybe go up by 35% to Rs50. Now, which is which? Who has misled whom? Is the feasibility study provided in the presence of himself, the hon. Prime Minister, etc., some time at the launch of Metro Express, showing a hefty rise in fares in a year and a half, wrong? Can the hon. Minister give us an undertaking that this is wrong, this feasibility study was total rubbish, the fee per person, the average fare was overstated and that he has, as is in the law, no intention to approve any steep rise in the fares paid – by steep, I mean above inflation – and that these fares will, as committed by Government, still be indexed to the bus fare? This is important. Our people are using buses to go to work. Many of them have not asked to go for Metro Express. It has been decided by Government and the population has had to accept Metro Express. They have not voted for Metro Express; in fact, I think they voted for the opposite. Nevertheless, Metro Express is coming. Are we going to force a huge increase in fees, in fares in a year's time on the population who were, until then, using the buses, or are we going to maintain, as the hon. Minister had said in the past, that there will be no increase in fares? By that, I mean no increase in bus fares beyond the inflation rate. That is very, very important, that this clarity be achieved tonight, Madam Speaker. Very important, because, I think, for the first time, we are having a decent debate on Metro Express.

Madam Speaker, I have a few issues – I think I took most of the issues; I do not want to go into everything. I wanted to take the main issues that captured my attention. I wanted to take certain issues concerning the Land Transport Authority Bill, Madam Speaker that is coming tonight. It replaces, of course; it does away with the previous Board of the National Transport Authority. Okay, that is no longer going to be there. But what does it replace it with? It replaces it with a Board, once again, of Civil Servants; all of them are representatives of some Ministries or institutions, and it does away with four 'independent members' that existed on the previous National Transport Authority Board.

We are going to end up now, Madam Speaker, with a Licensing Committee that is made up with one of the Commissioners as the Commissioner of Police who is representative, a representative of the Ministry of Transport, a representative of the PMO, a representative of the Ministry of Finance. So, four independent so-called members who were on the Board of the NTA have disappeared. That is a shame, I think, because here we are left with people who will take orders from their Ministers. Secondly, the Board of the NTA had 'an independent' Chairman who had to be a lawyer. That 'had to be a lawyer' has

disappeared; the independent Chairman has disappeared. And so, I am told, that it is important for this Board to have, at least, one experienced lawyer. This is a Licensing Committee, many things come up. I, myself, used to be in charge of the Tourism Authority, I know that many, many issues come up in the licensing that relates to law; what to do, when you can revoke, when you can't revoke, what can be varied, etc. And so, I think it is a step backward that we have lost the lawyer requirement on the Licensing Committee, replacing the Board of the NTA, and we have lost the four independent members, Madam Speaker.

Madam Speaker, on this National Land Transport Authority, we are now no longer going to have one Road Transport Commissioner, but we are going to have a Chief Commissioner. He is going to work under a Chief Commissioner and there is going to be also a Light Rail Transport Commissioner. My point here is this. Surely, we are not going to pretend that these two posts should be of equal value. One is dealing with six trams or six trains going up and down from Curepipe to Port Louis, and the other, the Road Transport Commissioner has 500,000 vehicles under his responsibility and everything else that relates to road transport in Mauritius. So, what an insult! So, do we mean to put someone in charge of the Metro, of the tram, and he is going to have the same level of importance, meaning same salary, etc., as the Road Transport Commissioner?

So, I would like the hon. Minister to tell us whether this assumption I am making is the same or, in fact, as it does not appear to be the case, there will be a distinction because it is, in my view, hugely unfair for the Road Transport Commissioner, who has so much in his plate, including the buses, lorries, cars, motorcycles, everything to do with road transport, licensing, number plates, whatever, everything else under his purview and the other one is going to look after six tramways and have the same status, salary, etc. I think, Madam Speaker, that is not correct.

Madam Speaker, this is what I had to say on this Bill. I am sure there are many other points that our colleagues here, on this side of the Opposition, will raise, but I think also, nevertheless, that these are important issues and I do count on the hon. Minister to respond to these during his summing-up.

Thank you very much.

Madam Speaker: Hon. Mrs Jeewa-Daureeawoo!

(6.04 p.m.)

The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo): Madam Speaker, I have listened carefully to the intervention of the Leader of the Opposition.

Well, I must say that the project has not yet been completed, therefore, I am of the view that we should not hold prejudiced views. We still have time. So, a project of this magnitude calls for a lot of planning and hard work. I am sure that arrangements have been made to tackle the issues raised by the Leader of the Opposition by hon. Nando Bodha and the Government and, as far as disabled persons are concerned, I must say that our Government has always advocated an inclusive society. This is what we have been doing since 2014. So, let me reassure the Leader of the Opposition that all appropriate measures are being taken to ensure that our infrastructural facilities are disability friendly.

As far as I know, there are areas with the vehicles reserved for persons with disabilities. I must say that the vehicles are hundred per cent low floor and specifications took into account disability requirements. So, as far as disabled persons are concerned, all arrangements have been made.

Having said that, Madam Speaker, I must say that today is a historic moment. The advent of the light rail in Mauritius marks a turning point in our land transport industry. We are about to modernise and redefine this sector. We have undertaken one of the largest infrastructural projects to date and I must say what an achievement. I feel proud to form part of this side of the House. It is this Government which has been able to turn a dream into reality. The project of operating a *métro léger* in Mauritius was first initiated by our Mentor Minister, Sir Anerood Jugnauth in 1989. Thanks to his vision, we have been able to transform the land transport sector. So, today marks a new era.

History bears witness to the number of times that the project of light rail has been discussed at national level. Governments have come and gone, yet not an iota of implementation has seen the day. When this Government took power, it pledged the execution of its promises. Today, this promise is being materialised in the form of the present Bill.

This, once again, Madam Speaker, shows that we did not make hollow promises. We have always lived up to the expectations of our people and we will keep on doing so. The light rail project is one of our Government's key developmental goals to becoming an inclusive high-income economy by 2030. The struggle to materialise this project has not been free from hurdles, but our Government has braved all challenges.

Today, our commitment and dedication has paid off. This project is about to see the light of the day and it will be our legacy to our future generations.

I wish to seize this opportunity to thank the government of India for its unflinching support to our Government in this endeavour. The grant of Rs9.9 billion from the Government of India has been of great help.

Madam Speaker, the Metro Express project has been the subject of heated debates and vehement criticisms since its inception. However, on this side of the House, we are persuaded of the benefits of this project. The 26 kilometres light rail transit system will serve to decrease traffic congestion in Mauritius. During peak hours, our teeming streets are hard to bear. Who has not experienced this? Hours lost in traffic jams. Our existing land transport system is already overburdened and being given that Mauritius is a small island, it is difficult to stretch our road network further to accommodate the growing number of private vehicles. It is alarming to note that traffic congestion is costing our economy around four billion yearly. It is estimated that this figure will more than double to reach around ten billion by 2030. It was time, I must say high time, for our Government to look for a sustainable solution to this problem and this is exactly what we have done through the light rail project.

It is known that light rail can reduce the dependence on the use of private cars in urban environments, therefore, with the advent of the light rail, the number of vehicles on our streets is expected to decrease significantly thus reducing traffic congestion. The light rail line will pass through five major cities including Curepipe, Vacoas, Rose Hill, Quatre Bornes and Port Louis. It will serve the fastest growing areas in the country, thus also contributing to its future economic development. In future, the line may be extended to integrate rural and urban areas thus providing even faster mobility of our population.

Madam Speaker, our Government has not hesitated to invest massively to transform the land transport industry to make it smarter and to deliver better services to our people. Providing a meaningful and well-planned public transport alternative to travellers is vital to support and sustain an ambitious developmental and economic growth strategy for our country. The light rail has many positive attributes. Its development has been successful worldwide over the last two decades and there is every reason to expect that it will go on.

At this transitional stage, many would pretend to be so concerned with the fate of public funds. Many would point fingers at this transition, but I guarantee that it would not take long for these people to be disillusioned. The future will testify to the victory of our Government in improving the infrastructural facilities of our island.

I think all Members of this House should show appreciation for our efforts and for this particular achievement. Let us think as a nation rather than as Members of the Government or Members of the Opposition.

Another significant benefit emerging from the light rail project is that it is environmentally sustainable. Studies have shown that this transit option minimises air pollution, energy consumption and greenhouse gas emission. By introducing the light rail system in Mauritius, our Government is therefore laying the foundation for a sustainable environment.

It is also worth highlighting that the light rail project will boost the job market in Mauritius by opening the way to numerous employment opportunities. In fact, during the construction phase itself many full-time jobs have been created. Once the project is completed, I am sure more people are expected to be recruited for the day-to-day running of the light rail system.

Madam Speaker, I am confident that the Metro Express Project will change our infrastructural landscape. Let me also say that we are aware of the hardship that the population has had to endure during this particular project. I have a special thought for all of them, especially the people in my constituency. However, I wish to reassure them that the benefits of this project will outweigh the hardship they have had to bear. We are entering a new era of development and progress.

Madam Speaker, let me now turn to some of the provisions of this Bill. This Bill provides, as has been rightly pointed out by hon. Nando Bodha who has presented the Bill, for a legal framework for the operation of the light rail in Mauritius, including safety, licensing, fares and ticketing requirements as well as offences related thereto. The Bill empowers the National Land Transport Authority as regulator to oversee the service level and performance delivery of a light rail operator.

Clause 4 of the Bill sets out the licensing regime for the light rail and also the powers of the regulator to define conditions under which the licensee is to operate. This is of significant importance to ensure the security and safety of persons using or working on the light rails as has been highlighted by hon. Nando Bodha.

Clause 9 of the Bill also empowers the National Land Transport Authority to issue a code of practice in connection with, *inter alia*, the operation and maintenance of light rail and any equipment relating thereto, the provisions of services for the carriage of passengers in

light rail vehicles, the measures necessary for any light rail operator to deal with any fire, flood, earthquake or disaster, natural or otherwise or other public emergencies.

Clause 32 of the Bill caters for the safety of light rail operation by providing for the appointment of officers to carry out inspections to ensure that the operator conforms to safety and also security rules.

For the safe management of road interactions, especially at level crossings, Clause 23 of the Bill provides that –

“Every light rail vehicle shall, unless directed otherwise by a police officer, have priority over any other vehicle when crossing a level crossing.”

Madam Speaker, the Bill also sets out the criteria for an applicant to be issued with a licence to drive a light rail vehicle by the National Land Transport Authority. This provision of the Bill has all its importance.

With this in mind, pursuant to clause 21 of the Bill, the applicant satisfies NLTA that he –

- “(a) is over the age of 21;
- (b) has been the holder of a licence to drive motor cars for at least 18 months;
- (c) is of good character; and
- (d) fulfils such other conditions as NLTA may determine.”

Madam Speaker, the Bill has taken good care of the security and protection of the people using the vehicles and also those who will be working in the said vehicle.

The Bill also puts a legal obligation on light rail vehicles to be mandatorily insured in the interest of the users of the light rail. It also regulates the conditions of light rail tickets and provides for offences relating to any interference or fraud whatsoever related to light rail ticket and fare evasion.

Madam Speaker, the Light Rail Bill, in my view, comprehensively and adequately regulates the operation of light rail in Mauritius. It confers the National Land Transport Authority with adequate regulatory powers to ensure that light rail operators adhere to strict licensing conditions and deliver an optimal service to users.

Madam Speaker, to conclude, allow me to congratulate hon. Nando Bodha for bringing the Light Rail Bill in Parliament today. I congratulate hon. Nando Bodha also for the

colossal work he has been undertaking for the materialisation of the Metro Express Project. He has been actively involved at all stages of the project. His hard work, dedication and commitment are commendable.

Madam Speaker, the Bill before the Assembly today marks the beginning of a new era of development, a touch of, I must say, modernity is being brought to our land transport system. On this side of the House, Madam Speaker, we are all set to change our infrastructural landscape in an, I must say, unprecedented manner. So, there is no looking back now, Madam Speaker.

Thank you.

Madam Speaker: Hon. Bhagwan!

(6.21 p.m.)

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): Thank you, Madam Speaker. Madam Speaker, we are being asked to vote, this evening four Bills. I have been here since long and I do not remember when Parliament has been asked to vote four Bills at a go with one speech.

Madam Speaker, the introduction of this Bill and the others is directly linked, as the hon. Minister has stated, with the coming into operation of the light rail system which, according to information we have read, we have taken cognizance, will run at an average speed of 25 km per hour and with 70% of passengers standing during peak hours.

We have during the past months, since one and a half years here in Parliament, queried the Minister and we have queried Government on many occasions on the implementation of the project and the different problems which we have noticed, not only me, as MP of my constituency, but also as a resident of Rose Hill. In a way, Madam Speaker, we are having progress. It is a way of life which is changing in Rose Hill since the beginning of this project. True it is that we have been informed of the new Promenade Armand, that construction is starting now and commissioning is effected by around 10 months. True it is. That Rose Hill is part of history now. Now, Rose Hill has changed, Beau Bassin has changed and we will see in the years to come.

Je ne suis pas antipatriotique. Madame la présidente, ça fait 36 ans que je suis député, j'ai été au Parlement comme backbencher, PPS, ministre. J'ai été aussi Maire de cette ville, Rose Hill. Pendant des années moi-même et mes collègues conseillers et d'autres

Maires, nous beaucoup travaillé, nous avons donné beaucoup d'efforts pour transformer Rose Hill. Ce n'était pas facile de construire la Place Margéot. C'était, à l'époque, l'administration MMM à Beau Bassin, Rose Hill. We were the first Municipality to go for a loan. It was not easy. The MSM was in Government, the then Mayor had to go and see the then Prime Minister, at least, to have the file cleared. We, the MMM, started rebuilding Rose Hill and we have the Place Margéot, and over the years, so many developments. And then, from 2000 to 2005, when I was Minister of Environment, the then Government, we moved further, we constructed and have this railway track transformed in the Promenade Roland Armand.

It was a change in the life of people. Every evening, families, senior citizens, youth, using this *promenade* and *c'était la joie de vivre*, it was a new way of life. Progress - we have been here, we have discussed so many years about this light rail system, *Métro léger* or whatever, so, we have this project.

I want to dispel, not only confusion, but evil minds in certain quarters, that we are against progress. We are not against progress. We stay there, we reside there, we are inhabitants of that town, we are Mauritians. You are a Government, do you have the guarantee you will come here in some months? No! It is the population who will decide. So, we stay there, I live in Rose Hill, it is also my constituency, people come to us and we see. So, whenever we have queried Government - I am happy that my good friend, hon. Mrs Jeewa-Daureeawoo, has used the word 'hardship'. It is very unfortunate that the Minister, while making his speech, does not have any thought for the inhabitants of a small shopkeeper, *les maisons de commerce*. The Minister should have had a few words on these people who have suffered a lot and who have seen this project growing up with all the problems.

Que n'avons-nous pas vécu ! Ce n'est pas que nous sommes anti-patriotes. Il y a le problème de la poussière, nous avons demandé un EIA, Okay, nous n'avons pas reçu. Il y a le problème de trafic jusqu'à aujourd'hui. Hier, j'ai pris 35 minutes de la Banque Commerciale de Rose Hill pour aller au rondpoint. Il y avait un seul policier. J'ai interpellé le ministre. Je peux dire, Madame la présidente, que le ministre Bodha a répondu favorablement. Il est peut-être le seul ministre, pour moi et mes collègues. Perhaps, dans beaucoup d'occasions, il n'y a pas eu de suivi, peut-être de la part de ses officiers, mais il a répondu présent pour essayer de débloquer les problèmes, parce que la population de Rose Hill, de Beau Bassin et de Quatre Bornes pour aller vers Richelieu et la Butte, nous avons vécu des moments difficiles. Pas

parce que nous venons au Parlement pour dire : ‘Bon, il y a des problèmes de poussière, il y a le problème de trafic’ que nous sommes anti-patriotes. Non! Mais le ministre, en plusieurs occasions - je n’aime pas critiquer où il ne faut pas critiquer, mais je critique. Le ministre peut-être a eu de la bonne volonté. Il est venu nous dire il y a eu coordination. Moi, je blâme l’administration de Metro Express. Venir dire : ‘On fait ceci, on fait cela’, mais sur le terrain rien, Madame. Que des problèmes, *ene ti bouss trou* par ici. Non! S’il y a eu des problèmes c’est parce qu’il y a une mauvaise communication.

Madame, vous n’allez pas croire, j’étais député, nous sommes les élus du peuple. J’ai archi demandé au Parlement, ici : ‘Faites-nous avoir un petit *brief*’. Nous sommes des élus. Si on nous explique : ‘Voilà, on va faire ceci’. Je n’ai jamais eu le numéro de téléphone du PRO de Larsen and Toubro. Il m’a fallu me battre pour avoir ce numéro de téléphone pour essayer de débloquer des problèmes sur le terrain. Parce que je suis un député de terrain, je ne reste pas dans ma voiture. Je circule dans ma circonscription, mon collègue y va aussi, et les autres peut-être. Mais ceux qui n’y vont pas, ils vont venir dire : voilà, nous sommes en train de critiquer. C’est pour cela que j’avais dit la dernière fois à l’honorable Bodha, peut-être il fallait louer une maison pour lui pour venir voir de visu.

Mais, à un moment où nous discutons ce projet de loi, Madame la présidente, j’ai une pensée spéciale pour ces petits commerces. Que certains me critiquent ou ne me critiquent pas, moi, je fais ce que je crois, je dis ce que je crois. *Pena kadena lor mo labous*. Je dis, et aujourd’hui, avec le *live broadcast*, les gens m’entendent. Oui, il y a le projet, le projet va arriver à sa fin, mais quid *the rehabilitation*.

Il ne faut pas avoir seulement que des discours. Le ministre a une responsabilité en tant que ministre envers la population de Rose Hill, de Beau Bassin, de Richelieu, de Port Louis, de réhabiliter tous ces sites, de prendre l’engagement total, parce que nous arrivons en fin de décembre. Parce que les rues de Rose Hill - c’est vrai, il y a eu des projets de la CWA, du CEB. Oui, *Government comes and Government goes*, les projets continuent.

Avant que je vienne dans les détails de ce projet de loi, le ministre Bodha a la responsabilité. Il n’a pas fait mention aux problèmes des habitants, de commerce, les problèmes de trafic. Les gens qui descendent à Port Louis doivent quitter leur maison à 6 heures, 5 heures du matin. Peut-être certains ne vont pas croire, quitter Rose Hill le matin à 7 heures, *it is a headache, a stress*, mais les gens ont vécu, ils ont été patients. C’est vrai que le projet arrive à terme, nous espérons en temps voulu, comme l’honorable Bodha a fait

mention. Mais le ministre a un devoir, je ne le dis pas de s'excuser, non, de venir dire, comme Madame Jeewa-Daureeawoo a fait mention de *put on record the hardship which the inhabitants of Beau Bassin-Rose Hill and other areas where the Metro Express project has started implementation*. Et j'espère que dans cet aspect de projet, nous avons vu à la télévision, il y a eu un clip sur l'aspect environnemental, après. Est-ce que dans le projet il va avoir un suivi environnemental au point de vue de *green space*? Moi-même je ne sais pas la rue Vandermeersch comment cela va être dans six mois, dans dix mois. Il va avoir le *light rail*, mais comment cela va être des deux côtés, parce qu'on ne nous a pas dit.

Aussi, Madame la présidente, je me fais le porte-parole des opérateurs de taxi, ils sont dans le flou. Je dis ceux qui opèrent auprès de Hassamal *Trafic Centre*. Moi-même, je n'ai pas eu de réponse. Je me rappelle les taxis trains, les taxis marrons. Maintenant, on va avoir les *feeder buses*. Ils sont tracassés, il faut leur dire. Parce que le gouvernement, depuis des années, a reconnu ce petit métier de taxi marron de l'intérieur de Rose Hill, de l'intérieur de Beau Bassin, c'est un quartier très prisé auprès de Hassamal *Trafic Centre* à Rose Hill. Ces dizaines de taxis, avec l'introduction de *feeder buses*, quel va être les perspectives d'avenir pour ces opérateurs de taxi. Mais je ne vais pas mentionner aussi d'autres commerces. Moi, je me fais le porte-parole, je sais ce que je suis en train de dire. Si le ministre a des renseignements, que des décisions ont été prises, il faut qu'il vienne nous dire. *Madam Speaker*, j'avais à dire cela.

Avant de venir sur le projet, à la Cité Barkly, je sais qu'il y a eu l'implémentation du trafic. L'accès de la Cité Barkly, j'avais posé une question parlementaire la semaine dernière, et j'espère que le ministre y viellerait personnellement. N'importe quel gouvernement, c'est un gouvernement ancien, c'était en 2000 à 2005, nous avons investi R 15 millions pour faire un terrain de foot. La municipalité a donné ce site à Metro Express. Les jeunes demandent : le ministre a répondu favorablement. Moi, je crois, et je crois sincèrement que le ministre Bodha doit faire appel à un paysagiste, à des professionnels pour revoir l'ensemble de la Cité Barkly. Ce n'est pas *piecemeal*, il faut revoir l'ensemble avec un professionnel, avec les ONG. Il y a la Station de Police, maintenant on construit une Station de Metro, l'aspect de sécurité, l'aspect environnemental, l'aspect global, avec l'aide peut-être de la Police et des ONG, il faut travailler un projet global. Je dis cela pour Barkly, et aussi pour Chebel, et aussi pour Richelieu et aussi pour les autres régions de Port Louis.

Madam Speaker, as regards the Bill itself, I won't be long, as many of the provisions will not be implemented, it is stated in the Bill. For example, I do not foresee any applicant

for a light rail operator's licence, another one in the near future, nor do I believe that the NLTA will suspend or revoke an operator's licence held by Metro Express Ltd. I do not foresee.

If the company does not comply with a condition or conditions attached with licence or a provisional order or contravenes any Section of the Act, I say so because Metro Express will be the sole light rail operator for years to come and suspending and revoking this operator's licence will cause chaos if ever a great number of passengers decide to use the light rail system.

Madam Speaker, I have gone through the Bill a few times, but I have not come across as to whether the light rail operator's licence and the light rail driver's licence shall be prescribed regarding their format. If they are not prescribed, I put myself the following question: how would an officer of the NLTA justify the genuineness of the licences? There are two Clauses, 38 (2) and 45 (2) whereby the Minister may make regulations. However, these have not been provided for prescribing the form of the two licences.

The heading, Madam Speaker, under Clause 25 which provides for the Minister to fix light rail fares is wrong, because Clause 14 of the National Land Transport Authority Bill provides for the setting up of a Fare Review Committee which will advise and make recommendations relating to the regulation and review of fares for the public transport system and the adoption of appropriate fare structure.

Madam Speaker, as to the ticketing system, I would have thought that Metro Express Ltd would have adopted the latest technology like the Oyster card in London, the touch and go system.

Clause 38 (2) provides for the Minister to make regulations to allow a light rail driver

—

- (i) to ask a passenger to give his name and address to a Police Officer or to him on demand, and where he reasonably suspects a passenger of contravening the Act;
- (ii) to require a passenger in a light rail vehicle to declare the journey he intends to take or has taken in the vehicle, and to pay the light rail fare on demand for the whole of the journey and to accept any ticket provided for it;
- (iii) to require a passenger to produce during the journey and surrender at the end of the journey any light rail ticket issued to him, and

- (iv) to require a passenger in a light rail vehicle to leave the vehicle on the completion of the journey for which he has paid the fare.

The question which arises, Madam Speaker, is whether the persons employed and having being trained by Metro Express Ltd, are aware of the above provisions, and if these provisions form part of the schedule of duties? This is not the duty of a light rail driver to go and check tickets; he is supposed to drive a light rail vehicle. It is as you are asking a plane pilot to go and verify if a passenger has the correct seat allocated to him.

Madam Speaker, a light rail driver's licence shall be issued to a person by the NLTA as per Clause 21 (1) and (2), the applicant must be over the age of 21, holder of a driving licence for motor cars for at least 18 months, and of good character. However, it is noted that nowhere in the Bill or in the regulations to be made by the Minister under Clause 45 mentioned has been made for the testing of applicants for a light rail driver's licence with a view to assessing the competencies to drive light rail vehicles. I have heard the Minister stating that there are courses going on, that they are being trained, so, we have to see to it.

Finally, Madam Speaker, with reference to Clause 22, prohibition to drive, park, stop or walk on or across railway line, a fine of Rs25,000 and Rs100,000 will be imposed on any person walking on or across railway line. In addition to the fine, the offender will be liable to imprisonment for a term not exceeding 2 years. With due respect to the officers who have drafted this Bill, I would not know whether they have ever visited cities where there are light rail vehicles operating on streets alongside other vehicles and pedestrians, for example Manchester, Montpellier and Bordeaux, just to name a few. Throughout the day, you will see pedestrians crossing the railway line. The fine is as heavy as for drunk driving, if not heavier, and the Minister must do maximum of communication, informing, using the MCB rightly, once it is coming into operation the different provisions of the Bill.

Madam Speaker, I will come to the National Land Transport Authority Bill. I note that the main object of this Bill that is being introduced in the House by the Minister of Public Infrastructure and Land Transport, is to provide for the establishment of a National Land Transport Authority which shall be the regulatory authority for land transport and light rail operations in Mauritius and that the new authority shall take over the functions and powers of the National Transport Authority and perform such other functions imposed, and exercise such other powers conferred, upon it under the Light Rail Act 2019.

To start, Madam Speaker, nowhere in the Electoral Manifesto of the *L'Alliance Lepep* mention was made of the replacement of a National Transport Authority by a new body. I have gone through records; the previous Government had already set up a Mauritius Land Transport Authority under Act No. 17 of 2009 and parts of the Act, that Act was proclaimed, instead of proclaiming other Section of the Act, in order to make the new authority which was passed then in Parliament fully operational, Madam Speaker, the Minister did, amongst one of his first things when he took Office, was to repeal the Act.

My first observation of this Bill is the appellation of the new body itself, National Land Transport Authority. One would have expected, Madam Speaker, that such an authority would cover all aspects of land transport as was the case under the Mauritius Land Transport Authority Act, the Traffic Management which is a very important unit of the Ministry, very important section, relating to traffic control, security, road safety and the Road Development Authority which is responsible for the construction management of classified roads. These two have been excluded from the new authority and for reasons unknown, and I hope the Minister will tell us why. My view regarding this omission is that the Bill has been hastily drafted so as to enable the light rail to operate at the earliest, otherwise it would have taken a longer time to get the Bill finalised if the TRMSU and the RDA were to form part of the NLTA.

Madam Speaker, we are being informed, we are being asked to vote that there would be three commissioners, the Chief Transport Commissioner, National Transport Commissioner, the Road Transport Commissioner and the Light Rail Commissioner. It would have been more appropriate to call the new set up a Land Transport Commissioner, according to me, rather than the National Land Transport Authority, because that term authority is itself a misnomer, and refers mainly to parastatal bodies. The more so, as the new body will be a department within the Ministry as mentioned in Clause 4 of the Bill. The Minister may wish to note that there exists a Transport Commissioner in Australia, it seems that the Singapore Enterprise Corporation has helped the Ministry in drafting the different Bills before the House today. The officers from the SEC could have proposed simply the term 'Land Transport Authority' as it exists in Singapore.

Madam Speaker, in Clause 2 under the heading Interpretation, I note that "Chief Commissioner" is defined as the Chief National Transport Commissioner of NLTA. It seems that the word 'Land' has been omitted. If the definition stands as it is, then one may have the impression that the National Transport Commissioner is responsible for maritime and air

transport as well. The term “Chief Executive’ could have been used instead of “Chief Commissioner”.

NLTA is an abbreviation meaning National Land Transport Authority. I am of the view that the term ‘Authority’ could have been used instead to mean the ‘National Land Transport Authority’. The same as it exists in the Road Traffic Act to define the National Transport Authority and in the Land Transport Authority of Singapore Act.

Madam Speaker, from information gathered, it appears that there has not been any consultation whatsoever with the Ministry and the staff of the National Transport Authority. There has been no consultation even with the trade unions representing the interests of the staff. The staff of the National Transport Authority came to know about the new organisation - according to information I received - only 2 weeks ago, following approval by Cabinet for the introduction of the 4 Bills in the National Assembly.

With the introduction of this Bill, the role and powers of the Road Transport Commissioner will be taken over by the new Chief Commissioner. Madam Speaker, one should bear in mind that anyone who applied, had to let the Road Transport Commissioner know that he would eventually be the responsible accounting officer of the National Transport Authority and that he would be answerable to the Minister as set out in Section 3(1) of the Road Traffic Act. The Section stipulates –

“There shall be appointed a Road Transport Commissioner, who shall, subject to the general directions of the Minister, exercise such powers as are conferred, and perform such duties as are imposed, upon him by this Act or any other enactment.”

This Bill will convert, if I may say so, Madam Speaker, the Road Transport Commissioner being the Head of Department into Head of Transport Division of the new National Land Transport Authority - it is an indirect form of demotion. It is clearly shown in paragraph 3 of Clause 11, under the heading – Staff of the NLTA.

Regarding the appointment of the Chief Commissioner under Clause 8, the most appropriate term would have been a Chief Executive. I have stated earlier, the Chief Executive could have been appointed by the Minister after consultation with the other authorities as it is the case in the Land Transport Authority of Singapore.

As regards the Licensing Committee set up under Clause 13 of the Bill, my main concern, Madam Speaker, is paragraph 7. Why does the Chief Commissioner need to have the approval of the Supervising Officer of the Ministry for certain classes of applications to

be dealt with by officers of the NLTA? Under the ENEC, we all know how Ministers may have a grip on the supervising officer, and become political. For example, if the Chief Commissioner receives an application for the transfer of a Public Service Licence from the holder of a licence to his son, which may be a straightforward case, it means that the Chief Commissioner needs to get the approval of the supervising officer, and ultimately the Minister. Instead of simplifying the procedures so as to offer a better service to the public, it seems that there will be longer procedures and the public will be penalised. It would be better if the Chief Commissioner, according to me, could decide which application needs to be dealt administratively by him or by delegating powers to senior officers.

Under paragraph (7) (b) of the same Clause, an application for a carrier's licence shall henceforth be dealt with by the Licencing Committee, which will meet once or twice a month. This is departure from procedures existing in the past whereby such applications were dealt administratively within a week.

Madam Speaker, with regard to the Fair Review Committee to be set up under Clause 14, one would expect the Committee to look only at the fares being charged on public transport. Fare is defined as the money that someone pays for a journey in a vehicle, such as a bus, train, taxi, plane, etc. The Committee as such cannot therefore look at the item listed in paragraphs (1)(b), (1)(c), 1(d) and (1)(f) unless the appellation of the Committee is amended. Also it seems that the composition of the Committee is somewhat heavy with 11 members and could be reduced to 7 at the most, with the Chief Commissioner chairing the Committee. The Minister may refer to the composition of the Appeal Committee under clause 19. The Appeal Committee consists of 5 members, including the chairperson.

Madam Speaker, I have just made reference to the Appeal Committee. We all know that - we have been here for years - the NTA shelves the credibility, cases of corruption, and cases of interference over the years. I must, at least, for this one, give credit to the Minister for having taken the initiative to do away with appeals submitted to him, or any Minister after him for decision. However, I firmly believe that he has foregone an opportunity to set up a full-time transport tribunal. The Public Service Appeal Tribunal is one example, which could have taken over the duties of the Motor Vehicle Insurance Arbitration Committee and the Appeal Committee.

As the Chairperson and the members of the Appeal Committee will be appointed by the Minister, one wonders whether the Committee will function in an impartial way. I state

again, we have seen over the years, even now, what is happening in that sector of giving licences.

Madam Speaker, with reference to clause 22, Savings and transitional provisions, paragraphs (8)(c) and (9)(c) provide a sort of *deux poids deux mesures*. Under paragraph (8)(c), it is stipulated that any appeal made to the Minister under the Road Traffic Act which is pending on the commencement of this Act, shall be dealt with by the Minister. Whereas under paragraph (9)(c), any appeal made to the Commissioner to whom responsibility for the subject of road traffic and road transport is assigned against the decision of RTC, which is pending on the commencement of this Act, shall be deemed to have been made to the Appeal Committee. There is a problem there; on one hand, appeals made to the Minister shall be dealt with by him, whereas in Rodrigues, same will be dealt by the Appeal Committee pending the coming into operation of a new Act.

Finally, Madam Speaker, on this Act, I would like to draw the attention of the Minister, I have been on the website - you are a very modern Minister, but the website is nil; and I can see nothing there. So, I tried that of the Attorney-General, but the Road Traffic Act has not been updated and I don't know since when. The amendment brought at the latest Road Traffic Amendment Bill since 2015 is not contained in the Road Traffic Act, even on the website of the Attorney General Office.

Madam Speaker, there are two small Bills, one of which is the Road Traffic (Amendment No. 2) Bill. I have said that I won't be long on this Bill which is being introduced in the National Assembly by the Minister of Public Infrastructure again. A glance at the Bill shows that the majority of amendments refer to the replacement of the Commissioner by the Chief Commissioner. Although steps, Madam Speaker, have been taken by the State Law Office to make relevant amendments, I would like to humbly draw the attention of the Minister that under clause 3 of the Bill, which amends Section 2 of the Act, an omission has been made regarding the old registration mark, which was inserted by Section 23(a) of Act 27 of 2012, with effect to 21 December 2012. It is defined as a registration mark assigned prior to 10 April 1992 by the Commissioner, and the Commissioner has not been replaced by the Chief Commissioner.

As regards clause 4 of the Bill which amends Section 3 of the principal Act, I believe that Subsection (2) *n'a pas sa raison d'être* because the definition of 'authorised officer', as defined in Section 2 of the principal Act, covers this Section.

Madam Speaker, lastly, the Victoria Station Overhead Pedestrian - I have talked to the Minister last time. We are in Parliament, we are being asked to vote the construction of an overhead pedestrian bridge. I think we deserve, as Members of Parliament, to have a sketch. When we had this Bagatelle flyover, Members were provided same; there is nothing to hide. Members are being asked to vote. We will have an overhead.

You have professionals who have worked on the project and *papier A4*. At least, we know that okay, we are voting but we are members of Parliament. We have nothing wrong in circulating a sort brief/sketch of what is being proposed. So, it is not too late. The Minister can circulate it to us and also, Madam Speaker, I am somewhat confused as to why this Bill is introduced in the National Assembly by the Minister Bodha. As defined in clause 2 of the Bill, it makes reference to the Minister to whom the responsibility of land. Is it not for the Minister of Land to come? I am just asking. This is my personal opinion because it is stated. Clause 2 of the Bill makes reference to the Minister to whom responsibility of land. Nowhere in the Bill appears the responsibility of the Minister of Public Infrastructure and Land Transport. As to the distances and so on, I would not dwell on that. I know that this project is being geared by professionals, at least for that. So, we are sure we will be following up. We will be here around and we will follow up on the construction of what is happening on site, whether *il y a eu des démarcations sur le projet*.

To conclude, Madam Speaker, I will again state we will be around to evaluate as other citizens of this country, but I am sure as MPs because we all know that we are coming back, on this side of House, I do not know for others.

The points I have made - *nous ne sommes pas des oiseaux de malheur*. We are Mauritians, we like our country. We are not like certain persons who have been there to make money, to travel - I would say - *ont profité de ce projet pour faire de l'argent*.

Nous sommes des observateurs avertis. Nous, ce que nous souhaitons c'est que les habitants - moi je termine sur cela - de l'île Maurice, nous verrons dans quelque mois le projet sera opérationnel. C'est une grande responsabilité sur le ministre Bodha.

Beaucoup a été dit sur l'aspect sécurité. Aujourd'hui même - je termine là-dessus, les *traffic lights*, je vous en ai parlé, Monsieur le ministre. Corner Révérend Lebrun, Vandermeersch - il n'y a pas de *traffic lights* et nous savons tous ce problème de *traffic lights*, all the MPs know. What guarantee does the hon. Minister give to the nation, to the travelling public? There would not be *barrière* from what I understood, but there will be

traffic lights. We all know that in Mauritius, we have only one sole operator of these traffic lights actually, unless I am mistaken. So, okay you are with a new project. What provision will be made for the safety of the public in case of breakdown? These are, I would say, sensitive equipment. Will there be technicians? Will there be spare parts? Once the metro goes on, so if there is no *barrière* and the traffic lights, I would say, break down, what would be the hon. Minister's contingency plan?

And the last one is the problem of heavy rains. Near where I reside myself, there are rails at corner Malartic and then near roundabout Beau Bassin. So, these corners are elevated ones and the roads are down. What will happen when there is plenty of water coming from Meldrum Street downstream? These are questions which the people are asking.

Madam Speaker, the Minister owes the nation replies to their worries. The Minister owes to the inhabitants of Rose Hill the deadlines; when will the town be refreshed again. In my own Constituency, Barkly/Chebel, the Minister owes replies, not promises, not speeches but action and I will be here to evaluate the performance of this Metro Express, metro light rail and the promises made by the Minister with regard to the amenities and also the well-being of the inhabitants where there have been constructions during this Metro Express.

Thank you, Madam Speaker.

Madam Speaker: Hon. Gayan!

(6.59 p.m.)

The Minister of Tourism (Mr A. Gayan): Madam Speaker, I wish to start by congratulating my colleague Minister Bodha for introducing not one but four Bills in the House. The four Bills are –

- (1) The National Land Transport Authority Bill;
- (2) The Light Rail Bill;
- (3) The Road Traffic (Amendment No. 2) Bill, and
- (4) The Victoria Station Overhead Pedestrian Bridge (Authorised Construction) Bill.

All these Bills are geared towards the operationalisation of the Metro Project and we all know that Minister Bodha has been instrumental in making sure that this project is started and is completed on time, on track as he always says.

But we are also here, Madam Speaker, because we need to show our gratitude to the Government of India for its generous assistance in order for this project to be realised. Without that assistance, I do not think we would be able to implement that project and I think the record must reflect that we are grateful to the Government of India for their assistance.

We also must place on record, Madam Speaker, the work being done by Larsen & Toubro and the 3,000 foreign workers who have been working day and night to make sure that we comply with the deadline set to start the metro project from Rose Hill to Port Louis by September 2019.

Madam Speaker, the hon. Leader of the Opposition mentioned about Mauritian workers. Why they are not employed on this particular project? I am informed that there are between 200 to 300 Mauritian workers working on the project, but this particular work, the laying of the railway tracks, the electrical works and all these things are very specialist jobs and we do not have the expertise right now in Mauritius to be able to do that kind of work and it is no surprise therefore that we need to rely on the expertise of foreign workers for this mega project.

What is also important, Madam Speaker, is to thank Larsen & Toubro to complete the work within time and also within the budget. It is very important for us to make mention of this because we have been hearing so many things. In fact, the hon. Leader of the Opposition, recently, in a Press conference, said that it would be a miracle if the Metro Express is to be completed by December 2019. He said that recently and, in fact, it will be a miracle because it will be completed before December 2019.

Madame la présidente, étant le député de la circonscription numéro 20, Beau Bassin/Petite Rivière, je dois remercier tous les habitants de Beau Bassin pour leur patience, leur indulgence, pour les inconvénients qu'ils ont subis, pour les travaux qui ont duré tellement longtemps mais heureusement les travaux arrivent à leur fin et nous leur sommes reconnaissants pour leur patience et compréhension. Les travaux ne sont pas terminés encore mais ils seront bientôt terminés, et quand les travaux seront terminés, Madame la présidente, Rose Hill et Beau Bassin ne seront plus ce qu'on a connu après les élections de 2014.

Déjà les gens, qui passent par Rose Hill après quelques temps, sont émerveillés par l'infrastructure qui est déjà en place. C'est vraiment impressionnant et je pense que c'est quelque chose qui sera un atout extraordinaire pour les villes de Beau Bassin et de Rose Hill.

Nous pouvons tous être fiers de l'envergure des travaux et aussi de la qualité du travail qui a été fait.

Madame la présidente, nous avons tendance à penser que c'est la première fois que nous sommes en train de mettre sur les rails le Metro Express, mais comme l'a dit mon collègue Bodha, on a eu un *network* de trains dans le passé.

I quote from a document which has just been forwarded to me -

“The history of Rail Transport in Mauritius began in the 1860s. The Mauritian Rail Network was quickly built and it soon provided service to most of the island. It was a key factor in the socioeconomic development of Mauritius during its period of operation. However, due to persistent unprofitability, it was finally closed in 1964.”

We have to remember, Madam Speaker, that the network that we had in Mauritius in those days covered more than 250 kms. The main lines for the north line which covered 50 kms started operation on 23 May 1864. It passed through the districts of Pamplemousses, Rivière du Rempart and Flacq to end at the station of Grand River South East. Then, there was the Midlands line which covered 56 kms, it connected Port Louis to Mahebourg and that opened on 22 October 1865. This line contributed to the development of towns like Beau Bassin, Rose Hill, Quatre Bornes, Phoenix, Vacoas, Curepipe and Rose Belle.

It is also important to bear in mind, Madam Speaker, that there were secondary lines and the sugar mill lines were also in existence and, I think, they still are used sometimes on some sugar estates. There have been books written on the railways of Mauritius, but what is very significant also, Madam Speaker, is that the railway network in those days contributed to the field of education as it provided transport to the major towns of the island where the schools were found. It is not like today, there are schools everywhere but in those days, you had to travel by train to go to schools.

So, the railway had a great impact on the lifestyle of the population because everybody, from the richest to the poorest, had to travel by train. And there were lots of stories among Mauritians about what happened on the train when they were travelling. Let us say, from Flacq to Rose Hill for education or whatever, but that is another story. What I am saying, Madam Speaker, is that we are now in the process of starting a Metro line from Rose Hill to Port Louis and the hon. Prime Minister has already said in many of his speeches that this is the beginning, the next phase would be Curepipe to Port Louis and then we are also thinking of having new lines to other parts of the island.

(Interruptions)

Madam Speaker: Hon. Dayal!

Mr Gayan: It is because we need to modernise our transport system and we are not alone in the world to go for this particular kind of transport. It is very apt, Madam Speaker, to remember we were all present recently on the quay, in the harbour when the first train came along. You could see on the face of all the Mauritians, the sense of pride and joy at seeing that particular train coming out of the hold of the ship. We believe that this particular - whether we call it a Metro as hon. Leader of the Opposition is saying or not, it does not matter, what matters is that we are modernising our transport system and we are going to do it with a view to making it work. And already, Madam Speaker, the Metro has changed the mindset of people. People who were opposed to the Metro are now saying very good things about the Metro. But it is also important, Madam Speaker, to remember that it was not always an easy ride. When we started consultations for the Metro, whether it was in Rose Hill or in Beau Bassin, we had politicians who were inciting people to create trouble in order to delay or derail the project. We remember what happened at La Butte, anybody can go on the Internet now and click on La Butte Metro, and an MP from the Opposition side, from the Labour Party, it is revealing and the words that were being used in that video and I have just noted, the Police came to see that MP and he said: this is a notice, you have to quit because we have an order and then all hell was let loose. He said –

“enn paker pe roder avan toi.”

I just watched it again today, but this was a kind of incitement to disorder, that was being created by members of the Opposition. Hon. Armance was also part of that video, he is still part of that video and hon. Abbas Mamode. So, these were the people who were saying lots of things about the Metro and getting people to be worked up because they did not want this project to go along. Why? Because then, they would have been able to say when the elections came that we have no *bilan* and we have nothing to show. But thanks to the determination of the hon. Prime Minister, hon. Bodha and Government, this project went along.

In my own constituency, in Barkly, a meeting was organised for us, Ministers, to explain to the people why this project had to go on and we assured them that whatever arrangements had to be made to ensure that they had housing, that they had all the other facilities, we were prepared to give them as a Government, but then again, councillors of the PMSD, hon. Lepoigneur, they all created a lot of trouble in Barkly.

(Interruptions)

Yes. And the next day, or even on the same day on radio, it all became big news, as though Ministers had to run away. And what really saddens me, Madam Speaker, is the glee of the media to talk about these things and to write about these things. Instead of being a patriot, instead of saying that this is something in the national interest, let us protect what is happening because the project is good, they were hostile. No, Madam Speaker, articles, *L'Express* of all, *L'Express* has its agenda and this is what was happening. We told them, for example, hon. Bhagwan spoke of the Promenade Roland Armand, people were hugging trees. We said that was on the track...

(Interruptions)

Madam Speaker: Please proceed with your speech! I don't think you should engage in any ...

Mr Gayan: I am just being fed some very important news about the Metro Project, Madam Speaker. People were shaving their head in front of Parliament in protest. All these things have happened. And for Promenade Roland Armand, we said, Madam Speaker, that trees had to be uprooted because they had to make way for the railway track and my colleague hon. Bodha said for every tree that will be uprooted, we will ensure that a minimum of three will be planted. We said that and we repeated it. People did not believe it, but we have done it and we are going to do it again. We also said that whatever facilities that existed and which had to be dismantled, we were going to put up a better one and we have done so.

In my constituency, at Barkly, Madam Speaker, near the Police station, there was a sports ground that had to go because it was *sur le tracé du Metro* and we worked with the Municipality, with hon. Minister Bodha to ensure that Barkly today has a state-of-the-art sports complex. It is already operational. We had a ceremony recently to give it the name of *Père Robert Jauffret*. And this is what we are going to do throughout the *tracé* as the works progress. Hon. Bhagwan was saying to hon. Minister Bodha that we have to make it green. It is in the project, it will be green. It will be planted all along the track, there will be trees and flowers and it is going to be an enjoyment for anybody to ride on the Metro. In Rose Hill, Madam Speaker, what did we not hear about Arab Town? So many things were said, threats of hunger strike, strike of all the hawkers, all the traders of Arab Town! What has happened? We assured them that they will be accommodated in better conditions. It is the

same for Port Louis in the urban terminal for the hawkers, there will be more than a thousand hawkers who will be there...

(Interruptions)

1,600 hawkers will be accommodated in the urban terminal. This is something that is going to solve the problem of hawkers and they are happy, Madam Speaker, because they now realise that they will have a place for themselves, protected from the rain and the sun. In fact, they will be in a brand new modern building. This will happen but, of course, it is going to take some time; everything takes time. When you have a major project, it will take even more time. We are not the only one, everywhere in the world where there are major projects these cause inconvenience.

Hon. Mrs Dookun-Luchoomun was just telling me that in Delhi when there were the Metro works, there was a lot of dust, and there they have the monsoon, even more problems, but we have to go through it. And this is why, today, we are happy to be here, because we have been able to surmount all these problems - all the prophets of doom and gloom who were saying so many things about the Metro Express have nothing to say.

Madam Speaker, I have spoken about Promenade Roland Armand, we have already identified land and works are going to start soon...

(Interruptions)

They have started. And hopefully, the hon. Prime Minister will lay a foundation stone for the works at the park that will be a state-of-the-art brand new park to replace what Promenade Roland Armand was all about. And it is at a cost...

(Interruptions)

He is going to plant not one tree but, at least, three trees. And at a cost of Rs100 m.! Promenade Roland Armand has an emotional attachment to people of Beau Bassin and Rose Hill, but I am sure that when they will go to that park, they will feel equally attached to that place, because it will have all the amenities. And also, Madam Speaker, hon. Bhagwan was talking about Promenade Roland Armand, that people have lost the place where they used to jog and walk; it is true. But what did we do in order to mitigate that problem? We caused Jardin Balfour to be opened late at night. We opened the Stade de Rose Hill for people to go and jog. So, measures were taken to mitigate all the hardship that people could have felt.

Madam Speaker, I must here say a word about the Mayor Ken Fong. He was there right from the beginning and he will be there until the end. He was chairing regular meetings every week, three times a week in the beginning. And, as at present, the total number of meetings that he has chaired, according to my figure, is 223. There was a Coordination Committee under Mayor Ken Fong. Madam Speaker, he put all his weight in that Committee. At that Coordination Committee, there were people from the Police, the RDA, the TMRSU, NTA, MPI, Police officers, Larsen & Toubro, everybody who had a stake and communications people as well.

Madam Speaker, of course, there were problems when the works were going on. I believe that we do not have a very accurate mapping of all the utilities in Mauritius because they are very old. And because we do not have that mapping of where the water pipes and wastewater pipes were, there were occasions when pipes burst which caused a lot of work for wastewater at Sir Virgil Naz and that became a big issue, but it was addressed. The hon. Deputy Prime Minister, as the Minister responsible for Public Utilities addressed that problem and it has been solved...

(Interruptions)

Rs14 m.! Hon. Bodha knows all these figures. But what is important also, Madam Speaker, is when the works for the Metro were going on, the old water pipes were changed. Electric poles were changed, so there is everything new in that particular sector and this is what is going to happen all along Quatre Bornes and the other places.

Madam Speaker, it is essential to bear in mind that when we are dealing with a major project like this, some people would be unhappy, but most of the people will be at least satisfied that the investment that is being made is going to give us, what I call, a quantum leap into modernity. Madam Speaker, it is important to bear in mind that the particular track, *le tracé du metro*, especially when it is high up, when people will travel on that metro, they will have a view of Mauritius which they have never seen. It will go along La Butte and also along a bridge that will connect the old road from Beau Bassin to Coromandel to St Louis - no one has seen that. No one has yet seen what they will see when they will be riding the metro and I intend to make this a tourist attraction, because this is something which is unique. You will not be able to see it when you are travelling by car or by bus. You will have to be on the metro to be able to see it. So, it is going to change the whole behaviour of Mauritians.

An hon. Member mentioned that there will be only 30% seats on the carriage and that 70% of people will be standing. But in Paris, in London, in Singapore, it is the same thing; all over the world it is like that. In fact, it is good also because Mauritians will develop the courtesy of giving seats to the elderly, to the pregnant women, to the sick, to the handicapped. It is going to change the mindset of Mauritians.

Madam Speaker, the metro is coming, it will become a reality soon and this is why all the Bills have to be presented and passed today, because we need to have all the legal framework ready. All these Bills provide the legal framework for the regulator also to be able to take decisions. Hon. Minister Bodha has already spoken about the various measures that are being taken. They are, in fact, very technical, but all these things have to be included in the law so that there is no vacuum with regard to any particular activity relating to the operations of the metro.

Let me say something about the reorganisation of the NTA. The NTA, as we know it, will disappear and will be reorganised into a National Land Transport Authority. So, therefore, amendments have to be made to the Road Traffic Act. This is necessary because the NTA, at present, only deals with all transports except light rail. So, this is why a division is being created for the light rail division and a road transport division.

Madam Speaker, it is always a problem in Mauritius when you are dealing with the creation of new posts. People are dissatisfied because everybody wants to be in that particular top post, but what has the Minister said? All those, who are already in a particular post within the NTA, will not have any adverse conditions regarding their employment. They will be within the Ministry. They will be under the Ministry of my colleague, hon. Bodha. They will still be appointed by the Public Service Commission. Of course, in an ideal world, you can have one particular person who can look after everything, but we are dealing, Madam Speaker, with a new system of transport, the light rail. This is why hon. Bodha has said it on many occasions. We are investing billions of rupees. We need to train the train captains. It takes time to train them so we have to rely on foreigners to come and run the service. Of course, there will be training for Mauritians. The time will come when Mauritians will take over the whole operation, but until that happens we need to make sure that the system works, that it is safe, it is clean, it is green and the trains will be air-conditioned. There will be Wi-Fi. So, we are, in fact, moving into another system of transport in Mauritius. I am very confident that people will adopt the new mode of transport very fast.

Madam Speaker, we have also said that there will be urban terminals. The urban terminals will be like smart towns with lots of shops and restaurants. It is going to upgrade the quality of the tourism product. But we have also said that in smaller stations like Barkly, we are going to ensure that if there is any economic activity that has to go on, if there is a shop, a restaurant that has to be opened, priority of consideration must be given to the people of that region. We want to include everybody in the new transport system. We want to leave no one behind. The metro will leave no one behind.

Madam Speaker, this is a historic debate because we are on the cusp of a new era of road transport in Mauritius. We are on the brink of the era of a light rail system and the next train will be coming soon, and I am sure that we will all be happy to embark on the train to come from Rose Hill to Port Louis or from Port Louis to Rose Hill.

These laws, Madam Speaker, are important because they will provide all the infrastructure to ensure that people feel safe to travel by train, people feel safe to travel at any time when the train is operating.

The Bills before the House ensure that there will be all necessary conditions attached to the timetables, the way the platforms should be, etc. I don't want to go into the technical details, but I wanted to say these things, Madam Speaker, to show how the metro will be operationalised. These Bills are very important to ensure that we really move into modernity and after this phase, we will have the next phase to Curepipe, but then, new *chantiers* will have to be opened up because what will happen in the towns will have to be replicated in the rural areas. The whole of Mauritius must be connected. There must be a network of brand new trains going to all parts of Mauritius and I am sure this is going to happen when we come back to power soon.

Thank you very much.

(7.30 p.m.)

Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes): Madam Speaker, let me thank the hon. Minister and I say it without fear or prejudice, he certainly has made history.

It is the first time that a Minister will go down in history as the only Minister who has been able to collapse four Bills into one and that, in itself, is a feat, Madam Speaker.

(Interruptions)

Maybe this is the first also in any of the Commonwealth countries, and I am sure my hon. friend would have a legitimate right to submit his name to the Guinness Book of Records.

Now, I listened very intently to the speech delivered by the Minister of Tourism. There was no need, Madam Speaker, to whip up emotional feelings. I can understand he has every right to put his arguments forward. They were legitimate arguments and, to a large extent, we, on the Opposition bench, concur with what has been said by the Minister. In fact, I liked the tone and the demeanour of the Minister, and I liked what he said on the seamless interface between land and rail.

In fact, we are all onboard. I don't know of any Mauritian who is against this project.

(Interruptions)

If laughter is a good medicine, please laugh, but I am the one who is going to have the last laugh.

Madam Speaker: He is happy for what you have said.

Dr. Boolell: Yes, he is very happy. He is full of bliss. Thank you. Now, I don't want to walk down memory lane, but I have been compelled to do so by the hon. Minister of Tourism. In fact, if there were people who were against the project, our friends who today are sitting on the Government bench – and I am not going to recall what was said during the electoral campaign; in fact, a vicious campaign was waged against this project, much to the dismay of the Indian Government. I am glad that they came to better senses. Perhaps, their better senses would go down in history as the biggest U-turn that this new century has known. I am glad that the project is being implemented, and I would concur with what hon. Gayan has said, at least on this particular issue. It is, indeed, a landmark in the modernisation of transport. We have to acknowledge it. We all want to travel on a clean, on a neat mode of transport, but then we have to instil new values in the minds of the people. It is something new, a new era, a new dawn, but civic values have to be instilled in the mind of the people.

The cost of congestion, Madam Speaker, is very high, and we need to come with this alternative mode of transport. I have been told that the cost can be as high as Rs10 billion in the years to come. And certainly, when we campaigned during the last election, we made it a point to convey strong signals to members of the public as to the merits of the project, and there is a consensus nationwide that the merits far, far outweigh some of the demerits.

Now, let me come to certain provisions of the Bill. I do appreciate that the discretionary power which the Minister had in respect of licensing, and Appeal Committee is being done away with, and this is a very good thing, but except that we do not want the members of the committees to be servile, to be subservient, and I sincerely hope that they will act independently of any pressure being borne upon them. Ministers come, Ministers go, some have wishful thinking that they are going to come back, but the reality is different. We are coming back, and we will see to it that ...

(Interruptions)

Here! And the Prime Minister will sit here!

(Interruptions)

Do you know what they say about *karo canne*? Only fool's dream! And they fall by the way side when they dream. On some cases, I would advise the Prime Minister to seal his lips.

(Interruptions)

Madam Speaker: Take it as a joke!

Dr. Boolell: He should not be provocative. He is a good man, but there was no call for him to be provocative.

(Interruptions)

Madam Speaker: No crosstalking now!

Dr. Boolell: Not from a sitting position!

Madam Speaker: No crosstalking!

Dr. Boolell: Outside! There is a transition phase, and what are we being told? That there will be a Chief Commissioner and he is coming from India. I can understand the transition phase. We can enlist the services of a competent person from India. We did it when the National Transport Corporation was set up. But we have to make sure that he is temporary, that we take advantage of his acumen, that he does his work, he oversees the work carried out by the two Commissioners for land and rail respectively because we have to safeguard the interest of our friends working at the National Transport Authority. These people are recruited by the Public Service Commission, and whether we like it or not, prospects for promotion are going to be disrupted; the hierarchy is going to be disrupted. Madam Speaker, you were the Chairperson of the MRA and you would recall, when there

was the reorganisation of the MRA, there was hue and cry from those who felt that they were going to be left out, and cases were lodged before the Court because some of them wanted to seek redress, and rightly so.

When we look at certain provisions of the National Land Transport Authority Bill with respect to sections 8 and 9, we know what are the functions of the Chief National Transport Commissioner, the Road Transport Commissioner and the Light Rail Commissioner. Now, the officers of the National Transport Authority have acquired rights as Civil Servants. No one is impervious or insensitive to change. Change is bound to happen, and we have to make sure that the National Land Transport Authority is an effective organisation which can deliver, and I would reiterate what I said in respect of the discretionary power which the Minister has. This augurs well for transparency and accountability.

Let me also remind the House that on the fare review mechanism and the cashless ticketing system, I know there was a PQ which was put by hon. Rughoobur. The Minister was forceful in his reply, and I hope that there will be faithful implementation of this project. I know expertise from China was sought and we are waiting for tenders to be called, and I am sure the exercise will be conducted in all transparency. It is good to have an automated fare system, but there are certain things that have to be said. For many years to come, Government will have to subsidise the cost of the ticket, and that stands to reason.

There is another argument that we have to take onboard. It will take years before this project will break even. Financially, there is no problem, but economically there is a huge cost that has to be borne. Certainly, we are not Singapore where we have a critical mass, and the system certainly is not a rapid system. I am not saying that, forever, it is going to be in transit, but we need to inculcate new values, to impress upon our people as to the merits of the project and why they need to make good use of this project.

Now, having said so, Madam Speaker, we cannot stop taxpayers to put relevant questions, whether they live in Rose Hill, in Quatre Bornes or anywhere else. And they put legitimate questions because their activities of daily living have been disrupted. We have seen what has happened in Rose Hill and Beau Bassin. I will lay the blame fairly and squarely at the foot of the Metro Leger Express. Despite the fact that there is a communication officer, he does everything except than to communicate and it does not augur well, Madam Speaker. The number of times we have impressed upon them to have interactive session with residents of Quatre Bornes, and whether you like it or not, the questions are legitimate. There will be

bunching of vehicles on the Hillcrest Avenue. And you know what bunching of vehicles mean? It means bunching over 24 hours for 7 days a week. When the problem cannot be resolved, there would be road rage. We have to be told and people have to be informed as to whether the rail track in Quatre Bornes will be semi-elevated. I have read an interview given by the CEO of the Metro Express Ltd, excellent interview, but the answers were not forthcoming. The only thing that was relevant with respect to Quatre Bornes was the statement made that spaces are very limited. And when spaces are very limited, more than ever, there is an endeavour to interface with the residents, because Belle Rose and Quatre Bornes is known for its business activities. You have the highest incidence of micro, small and medium enterprises in Quatre Bornes. They want to know what would be the social impact upon their activities of daily living, what is the revenue that they are going to forego during the time of construction. Much has been said about *Promenade Bruneau*, and they are going to suffer the same fate that our friends in Beau Bassin-Rose Hill have suffered.

Now, talking of embellishment, a programme of embellishment is one thing, but doing it is another thing. You know, in Quatre Bornes, there is limited space. Where will that embellishment programme take place? So, there are many questions that remain unanswered. And in Quatre Bornes, people live in high-rise flats. They have to be told what would be the impact of construction upon the essential services, on wastewater and water supply, Madam Speaker. So, we have no quarrel, as I said, over this Bill, except that far too many questions remain unanswered. To avoid a point of controversy, and the controversy, unfortunately, was provoked by the Prime Minister - I have in mind the cost of the project.

We all know that there are many hidden costs shelved in areas of Government expenditure. We do not know ultimately what would be the final cost of this project. Certainly, it will not be nearer to Rs19 billion; it will certainly be closer to Rs30 billion. I am not going to unbundle all the hidden costs, but I think it is fair to say that the nation has a right to be apprised, to be informed, Madam Speaker.

Madam Speaker, it is not in the interest of anybody to create circumstances which are difficult, but it is in the interest of one and all that information is imparted, that the naked truth is spelt out. People want to know more about Environment Impact Assessment, how this will impact upon the environment. Saying that an Environment Programme Management was put in place is something else, but they want to know the facts. And when information is relayed, there is transparency, there is accountability, people feel secured.

So, I will impress upon the Minister to have these interactive sessions, to make sure that the responsibility is not only entrusted to the Municipalities. The citizens, as taxpayers, have a right to be apprised, to be informed. I put several questions to the Minister, and I expect that he will honour his obligation and will meet residents in Belle Rose and Quatre Bornes. And we are here as MPs to help him to put his best endeavour to spell out the truth, to mitigate and assuage difficult circumstances.

Madam Speaker, as I said, we, on this side of the House, welcome the four Bills that have been collapsed into one. I must say that the Minister has delivered. The ground reality is certainly different, but the legal arsenal is only one step, and to stay one step ahead, I would impress upon him to disclose relevant information. I can understand there is sensitive information that has to be withheld. But let me again remind him that he has given a firm commitment to interface with the residents of Quatre Bornes.

Now, we have no axe to grind with anybody. On this project, we are all on board. Unfortunately, we are not going to hear '*on entend siffler le train*', Madam Speaker. Certainly not! But let us make sure that the pollution will not be an issue. I have in mind, of course, noise pollution. And there are cases where people will find it hard to open the door because the rail track is so close to their places of residence, and on the issue of safety, there should be no compromise.

I know the personnel is going to be trained by our friends from Singapore, but we have to make sure that the training that is dispensed makes the personnel very responsible, because we are talking of lives of people, we are talking of rail track. And if the element of safety is not taken on board, the risk of accident can be very high and the incidence of accidents can be one too many.

So, I am sure all those safety precautions will be taken on board. This is no small project. The money that is being disbursed by the taxpayers is hard-earned money and it is money that has to be used judiciously. If we are going to deliver service, it has to be a first-class service. Of course, it is not a Mass Rapid Transit, it is a light rail, it is a tramway, and with tramway, the risk of accident can be high. But if everything is being done to mitigate, to assuage and to respond to the needs of users, I see no reason why we cannot live up to the expectation of all these users.

Let me thank you very much, Madam Speaker.

Madam Speaker: Hon. Rutnah!

(7.52 p.m.)

Mr S. Rutnah (Third Member for Piton & Rivière du Rempart): Thank you, Madam Speaker. Madam Speaker, I am the only village boy, so far, who is going to intervene on this Bill, a village boy who has been elected in the village of Piton, Rivière du Rempart. The rests, who have, so far, intervened, are not village boys. And, today, entire Mauritius should be proud that we have, in this Government, brought these four Bills collapsed together, as hon. Dr. Boolell has said earlier on.

Madam Speaker, we go back a long way. Before I start from the long way, let me say that I am not going to be long, and I adopt everything that hon. Gayan has said earlier on and hon. Bodha has said during his opening speech. But let us think back, before 1860, how people were travelling, how passengers were travelling, how goods were being transported. Goods and passengers were being transported by horses, by donkeys, by carriers and carts. Then, Mauritius was going through a phase of development during the colonial era. Then, in 1864, the first train fired its engine in Mauritius.

Like now, you may call it locomotive, you may call it train, like they are calling it, tram, we call it Metro Express, but I will come to the tram and metro debate in a minute. Because, as a village boy, I had the opportunity to travel by London underground, New York underground, railways all over the world, trams. And I know the difference between trams, underground train, high speed train, *TGV*, etc., because I have had personal experience travelling there.

So, Madam Speaker...

(Interruptions)

Yes, I was a globetrotter, now I trot the island.

Madam Speaker, then, sadly, on 30 March 1956, the last train carried passengers in Mauritius, and the cargo train, the trains that were carrying sugarcanes and all these other stuffs run until 1964. And what is interesting, Madam Speaker, is that, you will see, up to now, on the train routes, since 1864, at every station there was a post office.

So, the trains in 1864 were designed as a mode of communication, travelling and distribution of food and it was synonymous with development of an island, and the island is still in the process of development. And now, since 1956 up to now, we had various

discussions as far back as 1995, when Sir Anerood Jugnauth was Prime Minister about a system of railway in Mauritius.

But, then, we came a point in time in 2016, when the Prime Minister and the Minister of Finance presented his Budget - A New Era of Development. So, the development that started in 1864 and then, interrupted in 1956, was revived, again, in this House by this Prime Minister, by this Minister of Finance in 2016. And this is what the Prime Minister said at paragraph 172 of the Budget Speech –

“For years, the transport strategy of Mauritius has been disconnected from its urban and rural planning strategy. In fact, the current transportation system is a major source of pressure on our towns and villages. The building of new roads is not in itself a solution to the traffic jam.”

And then, he goes on to say a lot of things and, amongst others, he said, at paragraph 174 –

“What Mauritius needs is an affordable (...)”

And I will come to this point of ‘affordable’ as a result and as a consequence of what hon. Dr. Boolell said earlier on, that there was a vicious campaign in 2014 against their *Métro Léger*. So –

“What Mauritius needs is an affordable new mass transit system along with a network of modern integrated urban terminals comprising parking facilities, food courts, commercial spaces, dedicated hawker areas and green spaces.”

And in his concluding remark –

“We certainly cannot deny our citizens and future generations the benefits of such a project. We have therefore decided that the country deserves a new mass transit system with its network of Urban Terminals to be known as the Metro Express.”

So, this Prime Minister, he set the tone, and Metro man, hon. Bodha, took the bull by the horns, and he started to initiate and implement. And just like in 1864, we were talking about facilities. Guess what they said in 1864 and what we are saying today.

Today, we are talking about travelling, we are talking about modernising, we are talking about urban terminal, we are talking about giving the opportunity to our future generation to be able to live in a modern country, creation of employment, we are talking about redesigning our towns, create new growth poles around terminal, drastically reduce commuting times; this is what we are talking. And in 1864, when the Railway Traffic

Ordinance was passed, this is what they said about students – boys and girls below the age of 21 attending school or private tuition shall, if not provided with contract ticket be entitled to ordinary ticket at half fare when travelling to or from their place of study.

Because, at that time, most people were working in the sugarcane field, only a few could afford to send their children for education. And what the train was supposed to provide: opportunity for the youth to go to school to earn education. And today, what we are providing, again, for our children, for our future generation, because we have a vision in this country.

Now, when hon. Dr. Boolell said that we campaigned viciously against their project, they called it *Métro Léger*, but then, we did not campaign against the project. We campaigned against the colossal amount of money that it was going to cost the public. Madam Speaker, a few years before they said they were going to build their *Métro Léger*, the budget was around Rs13 billion to Rs15 billion, but, suddenly, in 2013-2014, it rose and it came up to nearly Rs35 billion...

(Interruptions)

Rs37 billion. I am very grateful to my friend, hon. Etienne Sinatambou and the Prime Minister, for having jogged my memory about the figure.

And then, when we came into power, it transpired that we were right to challenge them because, in fact, we can build, hon. Bodha and the Prime Minister can build the same Metro for half the price and we got half of the money from the Indian Government as grant and the loan, half of the loan we got at a preferential rate. So, what do we do? Do we grab the opportunity or do we do like the Labour and PMSD Government? We grabbed the opportunity because we had to think about our children and our future generation.

So, Madam Speaker, this is an extraordinary thing happening in Mauritius and the product of what the Prime Minister, Minister of Finance said in the Budget Speech - An Era of New Development - is the product of these four Bills that hon. Bodha is presenting in the House.

Now, the Leader of Opposition has on various occasions described religiously this project as a tramway, a tram project so as to diminish its importance, to make it sound like it is nothing. They have been campaigning ferociously against the project, but now I see the tone has changed a little bit. They say, yes, they are for, but, yet, they campaign ferociously so that the project will not be realised. And they say they are still for it. Now, he gave, earlier

on, examples of London transport, examples of London underground. Now, the London underground, as we know it, is the London underground and these are the metros, the trains that run underground. Has he ever heard of the Docklands light railway? There is a Docklands light railway which departs from Stratford Station in East London and travels through the Docklands. The Docklands is a newly built business city and, in London, they had to cater for a kind of light rail that would service that new city. So, there was no need for an underground to take passengers to the business city of Docklands. There is also light railway up north in England where there is this system of light railway.

Now, what is a tram? A tram, you usually see it in Croydon. You have a tram in Croydon that service the city of Croydon. You go to Vienna, you have tram but there is a difference between tram and light rail. Trams have their rails placed on the city streets everywhere. They are not on *pilotis* as we say and they run at a slower speed than a light rail. So, after the remarks made by the Leader of the Opposition, I tried to make some research and I came across the trams.co.uk. The trams.co.uk says that metro is a term which can be used to describe a high frequency inter or intra urban railway system which is entirely or largely separate from other main line railway operation. And this is what I want to make clear, that the main line in England is the main line that London underground - or you go to King's Cross St Pancras, you have got various lines. You go to Waterloo or you go to Victoria Station in London where you have got South West trains, etc. These are the main line train. But then, you have got light rails like in Stratford, you have got the central line, underground line and you have got the main line coming from the Eastern part of England. They stop there and then people go to work from Stratford Station into the business city of Docklands. So, there is a difference. So, there is no need to qualify this light railway as tram just to make it sound like, you know, this is a poxy little project that you are doing.

Madam Speaker, he spoke about there is no provision for disability. He does not realise that in the business world, where people are doing lots of research in order to improve their products, they are carrying out lots of market research and they know that they have to make provision for disabled people. And these days, new trains, new buses that are being constructed already have provision for low-floor or semi-low floor in order to accommodate disabled or less abled people and there are some areas in the compartment which are designed and dedicated to disabled passengers or less abled passengers, and it is marked there. So, I do not think there is a problem with that. The Leader of the Opposition and those who are criticising, they are simply trying to find a needle in a haystack.

(Interruptions)

Yes, it is called *lipou poule* in Creole.

And then, the issue about how long the ticket will be free was raised. How long is a piece of string? We don't know! Now, the hon. Leader of the Opposition and those criticising, are they aware that in the London underground and the New York underground, when passengers are travelling, among them you get High Court Judges, Supreme Court Judges travelling in these undergrounds? Professionals, Members of the House of Commons, Prime Minister David Cameron used to travel by London underground from Westminster.

(Interruptions)

Yes, from Vacoas, the hon. Prime Minister can easily take the light railway and come to Victoria Station. When I am talking about Victoria Station, it reminds me of my days in London, travelling from Victoria Station there.

Madam Speaker, at the moment, we have a culture in Mauritius of travelling by car. In the early hours of morning, people set out in their cars and that's why our highways are clogged. So, to dissuade people from using their cars, you have to give them the incentive to develop the habit. The other day, I was speaking on a radio, some politicians from the Opposition tipped off the journalist that, because the ticket machine is not ready, because the ticket machine has not arrived, that is why they have no choice, they have to run the metro for free.

Madam Speaker: Hon. Rutnah, I will have to interrupt you to ask the Deputy Speaker to take the Chair.

Mr Rutnah: So be it, Madam Speaker.

At this stage, the Deputy Speaker took the Chair.

Mr Rutnah: May I, Mr Deputy Speaker, Sir?

The Deputy Speaker: Are you concluding?

Mr Rutnah: Not yet.

The Deputy Speaker: Please!

Mr Rutnah: But I assure you that I am a man of my word, I am not going to be very long.

So, we were at the radio station. Someone tipped off the journalist that because the ticket machine has not arrived or we have not procured the ticket machines, that's why we are going to launch it for free. And this is where I was trying to explain to the journalist that you have to market a product, give the incentive to people, dissuade them, and develop that habit, the Pavlov's dog habit. And then, thankfully, Mr Dev Beekharry intervened on that day and he said to the wide public that, no, the ticket machines have already been acquired. They are here in Mauritius and they are ready to be installed.

(Interruptions)

I understand it is with the Prime Minister.

So, Mr Deputy Speaker, Sir, a formidable innovation and a revolution in the land transport is coming to our country. It is going to change the landscape of our island. It has started today from Rose Hill to Port Louis. Work, as I understand it, has started from Curepipe joining to Rose Hill, then Rose Hill to Quatre Bornes. Then I understand in the foreseeable future, there will be a network of light railways in Mauritius so as to ensure that we are among the first within the African Continent and we can give lessons to other countries how to implement projects like metros.

Only a few weeks ago, there were representatives of Seychelles who came to Mauritius to learn from our way of doing, implementing this project, and Reunion Island.

Mr Deputy Speaker, Sir, I fully endorse everything that appears in all these Bills today and I urged upon all Members of this House to vote for these four Bills so that our future generation will be able to enjoy the most modern railway system in the world.

Thank you.

The Deputy Speaker: Hon. Baboo!

(8.16 p.m.)

Mr S. Baboo (Second Member for Vacoas & Floreal): Thank you, Deputy Speaker. The three Bills related to the Metro Express project, namely –

- (1) The National Land Transport Authority Bill;
- (2) The Light Rail Bill, and
- (3) The Road Traffic (Amendment No. 2) Bill,

are all intertwined under the National Land Transport Authority Bill as the main legislation which shows the speed and the depth of glory approach at which these important pieces of legislation are being brought to the House.

The light rail project has started for more than a year and it is only now when merely two or three sessions are left before the House goes for the winter holiday or who knows, it will be the last session before the dissolution of Parliament that the hon. Minister finds it appropriate to bring all these Bills.

Mr Deputy Speaker, Sir, there is a great uproar among public officers outside the House which I will think the hon. Minister is making deaf ear to by not listening to their opinions. We are given to understand that none of the Bills had been discussed with the NTA and the different trade unions despite the continued requests for consultative meetings with the Ministry and the Minister. The Permanent Secretary indeed conveyed a meeting but the aftermath remains unknown. We fear it, Mr Deputy Speaker, Sir, but sincerely hope that this National Land Transport Authority Act does not become an institutional failure. Members on this side of the House have raised their concern about the Bills. It will reiterate some of them as these loopholes, issues, holes to create serious chaos in the light rail system operation.

Referring to section 2 under the Code of Practice clause which spells out that it refers to the Code of Practice issued under section 9. It is a fact that the construction and design was under the responsibility of Larsen & Toubro. So, what we fail to understand is: how will the National Land Transport Authority issue such a code of practice now? These raise several questions and for which we would need clarifications. Are the codes of practice of internationally sound standards in respect to civil engineering, mechanical and electrical aspects? What will the maintenance practice be based on? Under what code of practice, would the different components such as the rails, the traffic signals, the electrification, the safety and security be? Are these components not important features to be considered in the Bill?

Mr Deputy Speaker, Sir, if we look at the same section with regard to level crossing, subsections (a) and (b), it seems similar as railway lines when crossing a road are both at level but, however, section (b) excludes this. This should be clearly spelt out to clear any confusion. The House is aware, Mr Deputy Speaker, Sir, of the colossal amount being spent for the setting up of the light rail project. We are given to understand that the bus feeders will be free, otherwise the Metro Express is deemed to become a fiasco. But we would like to

know how these fares will be determined as there will obviously be high subsidies. Was that considered in the initial procurement proposal from Larsen & Toubro?

Mr Deputy Speaker, Sir, since the Government has already committed itself for a free service as a start, I think, on this side of the House as well as the population would like to know on the subsidies and the financing source which will be used to cover the free service duration. Is it the free gift, the sweets being dished out to who? The population, and obviously to be recouped from taxpayers after election.

Therefore, Mr Deputy Speaker, Sir, we would like the Minister to confirm whether the budget for the initial free service was factored - accounted into the Rs18.8 billion.

Now, coming to the subsection 3(1) with regard to the definition of the company for the light rail operator, there is no mention whether it could be a foreign entity or whether it could include any local bus operator. This, Mr Deputy Speaker, Sir, definitely opens up to loopholes. There should be a specific delimitation when it comes to who can be an operator. A bus operator cannot be eligible and this will be conflicting and unfair to other operators. It has from start being determined that Metro Express Ltd. would be the operator and that should be respected or should we see it as a scapegoat, giving leeway to privatisation in case the Metro Express becomes a non-performer. This part of the Bill, Mr Deputy Speaker, Sir, is also not clear as to whether the company can subcontract, outsource its responsibilities and if so, how will the liabilities be apportioned?

Another inadequacy in this Bill reflects under section 4(1)(c) -

“Operation and maintenance of the light rail, light rail commuter facility and light rail premises”

Whereby there is no mention of who will be responsible for the maintenance. Will it be Metro Express? We all know that the Spanish Railway manufacturer staff supplied the rolling stock.

Mr Deputy Speaker, Sir, it will be therefore very risky for another entity to maintain it. In a similar trend, this makes us think of the lift and machinery at the Victoria hospital which have broken down and stayed as such for months, years, due to lack of proper maintenance and thus penalising our patients. We, therefore, request the Minister that the overall maintenance issue be taken into consideration otherwise there shall be more in terms of security, safety issues and liability. In the same length, Mr Deputy Speaker, Sir, there is no mention as to who would accredit the drivers and the operators from the National land

Transport Authority. We all know that the Body should be internationally experienced and we would like to know which agency would be the certifying Body as these two different Bodies are essential to ensure competency, skills and experience for the security of our citizens.

When analysing deeply the Bill, Mr Deputy Speaker, Sir, it makes one shudder as it fails to transpose the basic procedures for the proper running and compliance of the railway system. Again, under section 4 (3), no mention has been made regarding the security deposit for a project attaining Rs18.8 billion. If we take into account other associated funds for the project from land acquisition, RDA, CWA, etc., which had not been accounted in the project cost, this clearly shows the incompetency and the speed at which the Bill has made its way to the House. We fail to understand how security deposit has not been determined yet for a project of such magnitude. It is supposed to be completed at over 80%, which makes it more alarming and thus forcing us to question its feasibility in the long run.

Mr Deputy Speaker, Sir, we were all aware that in August 2018, Government decided that the railway section would have been under the NTA and now this National Land Transport Authority is being created. The present NTA Commissioner is already holder of CILT, that is Chartered Institute of Logistics and Transport which includes rail modules. Therefore, we do not find it viable in adding another authority for such an already expensive project and weighing heavily on taxpayers when it could have instead built up and reinforced the already structured NTA.

Mr Deputy Speaker, Sir, section 6 of the Light Rail Bill shows a gap of concessionary period for the rail system which is very important and should have been included to cater for the transport, pending decision of who will be the operator. We therefore request the Minister to look into this omission.

Mr Deputy Speaker, Sir, the House concurs that the Bill allows for too much leniency to the operator. It is, therefore, imperative that the word 'should' must replace the word 'may' in many sections, like section 9(1). It is baffling the way it has been used in section 10 - Directions affecting light rail operator, when these directions should, in fact, be compulsory.

Also, Mr Deputy Speaker, Sir, the code of practice which is essential for safety and security issues should not allow room for concessions, but instead be more strict with no place for exemption, leniency or flexibility, contrary to what section 9(3) states, and which I quote –

“NLTA may, where the circumstances so warrant, exempt any light rail operator from any provision in the Code of Practice, whether unconditionally or subject to such conditions as NLTA may impose, and whether permanently or for such time as NLTA may determine.”

We here, cannot play with the lives and security of passengers, Mr Deputy Speaker, Sir, and allow the National Land Transport Authority to be a prey to the whims and wishes of operators.

Mr Deputy Speaker, Sir, with respect to section 11(3), it would be to the best interest that a percentage of revenue be considered instead of a mere fine of not exceeding Rs1 m. which is considered too marginal for an operator which fails without reasonable excuse to comply with an order of the National Land Transport Authority. In the same line, there should be no provisional order as allowed in section 12 as far as safety for passengers is concerned. Section 13 of this Bill, Mr Deputy Speaker, Sir, does not take into account as to who takes over the operation and liabilities when the operator’s licence is cancelled. Also what would be the role of the CEO, of the current operator, Metro Express Ltd? Would he be made accountable in case of non-compliance, failure or cancellation of the operator’s licence or will it be the highly debatable board of directors? Since the Bill already caters for provision in case of cancellation of the operator’s licence, it is imperative that it also covers the very important aspect of accountability.

Mr Deputy Speaker, Sir, before ending, I would like to raise the insurance cover issue which section 15 fails to cover. The Bill omits to make mention of insurance covers for passengers travelling in the train, on platforms walking on associated infrastructure such as footpath and footbridge or where the rail crosses a road at level. Therefore, we ask ourselves who would be liable in case of default, the regulator, the operator or both.

Mr Deputy Speaker, Sir, the House will once again concur with me to the fact that no mention is made in section 21 about the authority which will licence the train drivers and on which competencies. Does the Metro Express Ltd have the requisite competencies as if it is a fact that most of the recruitments have been made from RDA, the Traffic Management and Road Safety Unit? It is also a known fact that one operator who has no required experience and due to pressures is now responsible for the operation at the Metro Express Ltd. Therefore, Mr Deputy Speaker, Sir, we can call it a sad day today. So much money is being

spent on this project and it is so unfortunate and alarming that so many important factors have not been taken care of when drafting this speedy Bill.

I will end on this, Mr Deputy Speaker, thank you.

(8.34 p.m.)

Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac): Thank you, Mr Deputy Speaker. First of all, I would like to congratulate the Minister of Public Infrastructure and Land Transport, hon. Bodha for introducing those four Bills to this august House and those Bills are indeed most instrumental for the Government *Lepep* project to implement a new mode of transport in Mauritius.

Mr Deputy Speaker, Sir, there has been some concern expressed by some Members of the Opposition and I would like to click a couple of them. First of all, the Leader of Opposition asked why we had to take 3,000 workers outside Mauritius to bring them here. But the hon. Leader of Opposition knows very well that to get 10 masons at this time in Mauritius is difficult, and he is talking about 3,000 workers to come on site. It's impossible...

(Interruptions)

That's why we have to bring...

The Deputy Speaker: Address the Chair, please!

Mr Jahangeer: That's why we had to bring these skilled workers. It was obvious, we had to bring them. Now, with regard to the three months free running, anybody involved in project management will tell you, especially if it is new equipment, you will need a trial run; a new power station, you run it without load for 48 hours; a house, you will leave a light on for 24 hours. So, it's the same, it's a new mode of transport. It is obvious that we need a trial run to see the defects in the system, that's why we leave it to run for a certain period and to study all the data related to the Light Rail System. That's the answer to the hon. Leader of Opposition.

Now, with regard to the concern expressed by my friend, hon. Bhagwan, with regard to traffic light, that what happens if a traffic light burns. But let me tell him that in the railway system, there is a Scala, a control centre in Richelieu, any light that switched off, immediately they are informed. On the panel, there is a mimic diagram, they will show you that this light is off and immediately they will send somebody there. This is what they call the Scala system. I also understand his concern regarding the software of a traffic light,

because right now, we know very well that there is a certain person who has the monopoly of a software, but in the case of the light metro system, it is in the hands of Metro Express Ltd. It will be the ownership of Metro Express Ltd, not in the hands of an individual contractor.

Now, coming to hon. Baboo who expressed his concern, he talked about code of practice in railways, yes, but I am sure he did not read the code of practice with regard to the maintenance. At the very beginning of the maintenance of the system, you have a warranty period; it will be done by LNT which, at the same time, training our own people to take over the maintenance system. It is very clear. He is a businessman, I am sure he knows about this...

(Interruptions)

Yes, I also know about it.

The Deputy Speaker: Address the Chair! The orator should not be interrupted, please.

Mr Jahangeer: Now, with regard to spare parts, this is in the contract. We need to have a stock of spare parts to run the system. I am sure the hon. Member reads newspapers. We have also advertisement in the newspapers with regard to vacancies existing, of recruitment of Mauritians to be trained as *capitaines* and all the jobs in the light metro system. But, unfortunately, there were not many Mauritians who turned up to accept these jobs on training. So, it is not the fault of the Government. In the meantime, we will be taking some foreigners to carry out the job while waiting for the proper Mauritians to be trained accordingly.

Mr Deputy Speaker, Sir, my first point will be the Victoria Station Overhead Pedestrian Bridge. That's my point, I don't like it. Why, because I don't like overpass. I would have preferred, and I would like the hon. Minister to give a little thinking about it because, at this moment in time, the Urban Victoria is not yet up and the metro also is not yet up. So, if he will consider having an underpass, because we are talking about an overhead structure. First of all, it is not aesthetic, because 100 metres away you have the Decaen flyover and then 50 metres away again, you have the crossover of the metro. Now, when we talk about overpass, we are talking about 5 to 6 metres high, will there be a ramp for the disabled to go up? How will the elderly be stepping up along the bridge to go down again? It is not easy for the elderly to climb up the overpass, that's why I would have preferred to have an underpass like in Zurich, Paris and Singapore. This is the correct moment to consider

having an underpass instead of the overpass. There has been a study in 1965 by two American urbanists, Mr Moore and Mr Alder who wanted to know the efficiency of overpass. And what happened, they created a factor called convenience factor R, they measure the time to climb the overpass, divided by the time taken to cross at a street level. If it is factor 1, time taken up and time taken down is the same, 95% of pedestrian would go over the bridge whereas if it takes 50% more to go over the bridge, they don't take it. This is exactly the case we have in Mauritius. At the time of the Labour Party, they constructed these 13 ugly structures in the highway, on the M1 - nobody uses them.

(Interruptions)

Hon. Ameer Meea correctly said that. They are using it just to cross their motorcycles in Roche Bois. If you go on the highway, please, try to notice. Nobody uses this, because it is just too high. That's the thing, it is psychological. They just say, okay, I cross the road. That's why recently in Pailles somebody gets a very serious accident, because they prefer to cross the road when they think they have to climb to such height. That's why I would ask hon. Bodha to reconsider this underpass instead of the overpass.

Mr Deputy Speaker, if we still maintain to go with the overpass, - we don't know who it will look like, I heard that it will be 6 metres high and 6 metres width - I presume it would be covered or it would be encapsulated to prevent suicide; for energy efficiency, you will have photovoltaic on the roof, there would be an escalator and, of course, CCTV at night when you will have people crossing both ways. He has also to take notice of the immediate presence of hawkers on the bridge – you will not prevent that. Like in all countries, at any overpass you have hawkers.

Mr Deputy Speaker, Sir, let me now come to the National Land Transport Authority. It is very good to set up this entity because now you have a new mode of transport. It is obvious and it is there. I think it is the same persons probably who expressed concern from the employees of the NTA, because of their seniority, because of their fringe benefit. So, I would kindly request the hon. Minister to reassure them that nothing will be done against their seniority, their fringe benefits, etc. I think the same people approached him ...

(Interruptions)

I don't know, may be. You approached the same subject the same day...

The Deputy Speaker: Address the Chair, hon. Member!

Mr Jahangeer: If we look at Clause 6 of page 4 of the National Land Transport Authority Bill, sub item (f) under the functions of NLTA, there is written: 'license and regulate petrol service stations under the Road Traffic Act;'. May I humbly request the hon. Minister to substitute the word petrol by fuel, why? I will tell him why. Because the Road Transport Division will also be concerned with electrical station where you will have electric vehicle, they will come to plug in their car so this with the petrol, it is no meaning so can the hon. Minister please just put in the fuel so that it encompasses the meaning for fuel, for petrol, for LNG or for electricity. Thank you.

Now, Mr Deputy Speaker, what happened tomorrow if we have a new mode of transport like cable car. There were some investors. There were some people who expressed their interest to have a network of cable car in Port Louis so that this will carry the people from the Urban Terminal down to Tranquebar, down to Plaine Verte. So I would like the hon. Minister to address this issue. Under which category, will he classify the cable car network which is not far away to become a reality in Mauritius.

Mr Deputy Speaker, it has been 55 years since the last passenger train left Port Louis to Curepipe. Leave politics alone, my concern is that how at that time there was no railway engineer, no technocrat, to think a little that we should, at least, leave the railway network there. Even if the rolling stock is out of use, we should have left the network. Today we shall have spent money only in the rolling stock. I can't understand this one.

(Interruptions)

There was a lack of vision as you said.

Mr Deputy Speaker, in view of the high car density in Mauritius, one of the highest in the region, we are prone to adopt new mass transport system. Why have we chosen the Light Rail System? We could have chosen the bullet train or some high speed TGV, but we cannot because the land is small, we have to go according to our population and according to the size of Mauritius. So, we have chosen the Light Rail System. What will it do? It will reduce the traffic congestion. It will reduce pollution because the electric light rail train produces nearly 99% less carbon monoxide and hydrocarbon emission per mile than an automobile for the same distance. Do you not know that? For one mile, the electric light rail consumes less. I mean, it produces less carbon monoxide and also the light rail system will foster economic development, it will be instrumental to develop, it is...

(Interruptions)

The Deputy Speaker: Hon. Member, no crosstalking.

Mr Jahangeer: It will create jobs and enhance property value. It will enhance property value because if you stay near, you always have an advantage, the price of your house goes up. It is according to studies in USA, the property value...

The Deputy Speaker: Address the Chair, hon. Member, please!

Mr Jahangeer: Okay. Mr Deputy Speaker, some people are worried. I have heard about the profitability of the Metro Express Ltd, but right from the outset, we have a guaranteed market. Do you know what is this market? The market from the civil servants because they are paid for transport allowance, so we reimburse them until they produce metro tickets; then you are guaranteed 10,000 per day.

Mr Deputy Speaker, there is a video clip circulating on the net. I mean, they have removed it but on and off they put it on the net showing the hon. Minister Mentor saying that we will never go with the Metro Express. Yes, he did say that, but under what circumstances? As my friend, hon. Rutnah just said, the huge sum of money to be spent was not worth it. I have seen the video of AFCON with regard to your design. Yes, it is a nice design, but was it worth Rs38 billion? I don't think so.

(Interruptions)

I don't think so. As he rightly said which Government will be getting from a friendly State like the Government of India, half of it financed, we refuse. No way, we will never refuse it. That is why we agreed to go for the project. There has been a lot of opposition, but Sir Winston Churchill rightly summarised our predicament, and I quote –

“You will never reach your destination if you stop and throw stones at every dog that barks.”

Thank you, Mr Deputy Speaker.

The Deputy Speaker: Hon. François!

(8.51 p.m.)

Mr J. F. François (First Member for Rodrigues): Mr Deputy Speaker, Sir, I will contribute briefly to the Bills in front of us today.

Let me, firstly address the National Land Transport Authority Bill (No. XX of 2019), which has as main object to provide for the establishment of the National Land Transport

Authority (NLTA), which shall be the regulatory body for land transport and light rail operations in Mauritius.

Mr Deputy Speaker, Sir, let me come straight to some provisions of the Bill. Clause 8 sub-clause (1) of the Bill, with regard to the Chief National Transport Commissioner, states that there shall be a Chief National Transport Commissioner of NLTA who shall be appointed by the Public Service Commission and shall be the head of NLTA.

In the same vein, Clause 3 of the Road Traffic (Amendment No. 2) Bill is amending Section 2 of principal Road Traffic Act, where in sub-clause (a) –

- ‘(a) in the definition of “authorised examiner”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (b) in the definition of “authorised officer”, by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”;

Mr Deputy Speaker, Sir, I am a bit perplexed in the use of the words ‘Chief Commissioner’ with regard to some confusion that this may bring along. Here, I will humbly propose the hon. Minister that the words ‘Chief Commissioner’ not to be fully used in that context, but instead to use the complete words ‘Chief National Transport Commissioner’, to avoid the confusion as I say and to honour the words ‘Chief Commissioner’ as applied in the context of the Rodrigues Regional Assembly autonomy; probably the words ‘Chief Executive of the NLTA’, as rightly suggested by hon. Bhagwan.

And at local level, when I look at the Bill, people might believe that, I will say, the actual Chief Commissioner of the Rodrigues Regional Assembly, Serge Clair, will be the Chief National Transport Commissioner as referred to in the National Land Transport Authority Act 2019. That will be the perception.

Mr Deputy Speaker, Sir, Clause 52 of the Road Traffic (Amendment No. 2) Bill is amending Section 99 of principal Act, sub-section (a) part (1) by replacing them by the word “NLTA”, and part (ii) by deleting the word “Minister” and replacing it by the words “Appeal Committee”.

I just recently witnessed a decision to grant a taxi licence to a potential applicant to operate in Rodrigues. And from what was communicated to the applicant the authority decided to reject the application. I will not go in full details of the letter.

But the letter also says: you may wish to appeal to the Deputy Chief Commissioner, the Commissioner responsible for Public Infrastructure, Transport and Water Resources and others against the decision of the actual Rodrigues Transport Committee within 10 days. What happened? The applicant appealed. Then in 10 days, the appellant received a letter stating that his appeal has been rejected, signed by a public Officer.

Mr Deputy Speaker, Sir, I am not against the stand of the Authority nor the Commissioner, but the procedures applied thereof, which put a political burden on the Commissioner of the Rodrigues Regional Assembly responsible for same.

Therefore, the proposal for setting up an Appeal Committee is a good thing for transparency to avoid any political connotation as regards any decision by the Appeal Committee instead of a political head, be it the Minister or the Commissioner responsible for Land Transport in Rodrigues. I hope that the Appeal Committee will determine any appeal within 60 days as per clause 20 (5) which now, as per the MoU cited in the Bill, is only 10 days for any appeal in Rodrigues.

Mr Deputy Speaker, Sir, however, it is worth noting that the Director of Audit, in clause 8.2.2 of his report for Financial Year 01 July 2017 to 30 June 2018 with regard to the issue of Road Service Licences in Rodrigues, have been critical to the fact that, I quote –

“(...) after some 13 years, the Road Traffic Act has still not been amended to give legal effect to the establishment of a Transport Committee”.

Further, in his recommendation, the Director of Audit stated, and I quote –

“(...) pending the amendment to the Road Traffic regarding establishment of the Rodrigues Transport Committee, the responsibility for the issue of road service licenses in Rodrigues should rest solely with the NTA instead of the Rodrigues Transport Committee.”

Mr Deputy Speaker, Sir, today, I am glad to see that the present Bill, as per clause 16, is providing statutory status to the Rodrigues Transport Committee, however, not to my full satisfaction with regard to its composition in the context of the autonomy of Rodrigues.

I note that in Part V, Rodrigues Transport Committee of clause 16 of the Bill, there is provision for a Rodrigues Transport Committee, which, I quote in sub-clause (1) –

“There shall be a Rodrigues Transport Committee which shall, for the purposes of Rodrigues, have the same functions and powers of NLTA under the Road Traffic Act in relation to –

- (a) the issue of a motor vehicle dealer’s licence, public service vehicle licence, road service licence, taxi licence, contract licence and carrier’s licence;
- (b) the licensing of petrol service stations under section 166A, and matters incidental or related thereto.”

Further, in subclause 2 –

“The Rodrigues Transport Committee shall consist (...)”,

which is good.

- “(a) The Departmental Head of the Commission responsible for the subject of road traffic and transport in Rodrigues, as chairperson;”

This is positive.

- “(b) a representative of the Chief Commissioner’s Office.”

Here, with regard to the definition of Chief Commissioner as per the Bill, I am not quite sure whether it is the Chief Commissioner’s Office of the Rodrigues Regional Assembly or the Chief Commissioner’s Office of the NLTA. There is a sort of confusion with regard to the use of Chief Commissioner’s Office, with regard to this committee. Well, there is –

- “(c) a representative of the Ministry;
- (d) a representative of the Ministry responsible for Rodrigues;
- (e) the Road Transport Commissioner or his representative; and
- (f) the Chief of Police in Rodrigues or his representative who shall not be below the rank of Chief Inspector.”

Very good! Further as per clause 22 subclause (7) (b) of the Bill –

“A reference in any enactment, arrangement, agreement or certificate or any other document to –

- (b) Rodrigues Transport Committee shall be construed as a reference to the Rodrigues Transport Committee”

And in clause 22 subclause (11) of the Bill –

““RTC” means the Rodrigues Transport Committee established pursuant to the Memorandum of Understanding for Regulating Road Transport in the Island of Rodrigues between the Ministry of Public Infrastructure and Land Transport and the Rodrigues Regional Assembly, signed on 19 March 2005.”

Mr Deputy Speaker, Sir, when I, refer to the provisions of the MoU, as an agent, as at now, which is working, I have to say perfectly and positively, it is observed that part of the provisions of the MoU, have been omitted in the present Road Traffic Act Amendment Bill. For example, Part III (a) (vi) of the MoU, which specify and I quote –

“That 3 other persons being residents of Rodrigues and having no direct or indirect interest in the road transport industry, motor trade, or in the motor insurance business to represent the general public.”

I understand that actually the three independent persons consist of one representative of Consumers and the two others representing the interest of the general public.

This is very important for us in Rodrigues, where the Regional Assembly values the Principle of Participatory Democracy by involving the community in matters that concern them directly, while at the same time strengthening the trust and credibility of our institutions.

Mr Deputy Speaker Sir, again, I will humbly propose the hon. Minister not to make a *recul* in the context of the specificity and autonomy of Rodrigues, to maintain the subclause of the MoU for the representative of the Chief Commissioner’s Office of the Regional Assembly. Secondly, to maintain maybe one, two or three - probably three might be too many - independent representatives of the General Public in Rodrigues being residents of Rodrigues, having no direct or indirect interest in the land transport, probably the appointment certainly by the Commissioner responsible for transport and road traffic in the Regional Assembly to suit the context of Rodrigues.

Mr Deputy Speaker, Sir, in clause 16 subclause (3) (b) of the NTLA Bill, it is stated that –

“At any meeting of the Rodrigues Transport Committee, 3 members of the Rodrigues Transport Committee shall constitute a quorum”.

I will humbly propose that it becomes mandatory that the quorum for any meeting of the Rodrigues Transport Committee, to include the presence of the Regional Assembly Authority, that is, either the Departmental Head or the representative of the Chief Commissioner's Office of the Regional Assembly.

Having said so, I will humbly propose the hon. Minister that in clause 16 (3) (b) that is quorum, to insert after the word "members" the words "the presence of either the Departmental Head of the Commission responsible for the subject of road traffic and transport in Rodrigues, as chairperson; or the representative of the Chief Commissioner's Office of the Regional Assembly". Mr Deputy Speaker, Sir, this is simply in the spirit of the autonomy of Rodrigues.

Clause 18 of the NLTA Bill, reference to Road Traffic Act, states that -"Any reference made to NLTA or the Minister in various sections - I won't name all of the sections, 32, 78 up to 166A - of the Road Traffic Act shall, for the purposes of this Part, be construed as a reference to the Rodrigues Transport Committee or Appeal Committee, respectively."

Mr Deputy Speaker, Sir, this clause 18 is allowing the Rodrigues Transport Committee to exercise the powers of the National Transport and Land Authority in respect of its powers and responsibilities in Rodrigues, so the powers are construed to Rodrigues for effective and judicious decision pertaining to vehicle licensing and transport services for the betterment of the people of Rodrigues.

Now, Mr Deputy Speaker, Sir, let me say a few quick words on the Light Rail Bill which has as main object to provide for a legal framework for the operation of the Light Rail Transit system in Mauritius, and to provide for matters related thereto.

This Assembly is surely passing one of the main advances to our road and rail transport legislation, mainly to the safe operation of light rail vehicles in Mauritius. Our road transport system is definitely moving in a sustainable and integrated transport system by having light rail operators through Metro Express to conform to existing road rules that apply to other vehicles and any other road users.

Mr Deputy Speaker, Sir, I value the integrated public transport network with both light rail and buses. And this is the way for the future of our transport system in Mauritius.

As technology becomes the backbone of our Republic, with the vision to move from congestion to sustainable mobility, we are relying more and more on smart technologies to

solve our urban and rural challenges as Mauritius moves towards modernity. Understandably, innovation, in that regard, certainly does not come without its challenges.

And, Mr Deputy Speaker, Sir, as mentioned earlier, this project, Light rail Metro express, recognises that modern transport system is an enabler of economic and social activity and will certainly contribute to the long-term economic, social and environmental outcomes of Mauritius.

This is where the question of continuous Urban Planning and Regeneration comes in building tomorrow's modern Mauritius and we need to continue to ponder upon sustainable future Urban Planning while the landscape of Mauritius is changing.

Let me say to conclude, I witnessed, in July last during the historical arrival of the 3rd generation light rail vehicle in Mauritius, that Mauritius is surely joining the world's trend of metro rail system with a state-of-the-art railway system that will revolutionise the passenger experience as sufficiently canvassed by previous orators.

And, I have to say for the future, for a full-fledged working modern transport system, the population and the whole country must see that the Light Rail Transit services delivered in the north-to-south and east-to-west bounds and I hope that planning for same is well underway for the whole island railway network.

And not to be jealous, because hon. Rutnah is a village boy, but me, I am a Rodriguan boy, and let me say that in Rodrigues in the same direction, we are aiming to move towards greener and more sustainable public bus transport system that will meet the Ecological Vision for Rodrigues. And I hope that Central Government will continue to supporting us in that endeavour.

Mr Deputy Speaker, Sir, Metro Express surely is part of the future of Mauritius, and I say, this is evidence of the Government's commitment to ensuring the benefits of, I believe, only 3rd generation light rail transit system in the Indian Ocean at present, and which have to remain available for future generations of Mauritius, as well.

Mr Deputy Speaker Sir, let me congratulate the hon. Minister for presenting these Bills, and let us hope that the future continues to be brighter for Mauritius.

I thank you for your attention.

The Deputy Speaker: Hon. Armance!

(9.10 p.m.)

Mr P. Armance (First Member for GRNW & Port Louis West): Thank you, Mr Deputy Speaker, Sir. Much has been said about the Bill on both sides of the House. I will limit myself to some clauses of the Bill, technical aspect which I want to address to the Minister today.

But before I go to that, I would like first to answer my friend, hon. Rutnah, who mentioned about us campaigning against the Metro Express Project. I just wanted to tell him that we never campaigned against development project. I, myself, brought to the House the Motion about the exemption of the EIA Licence regarding the project. That does not mean that we are campaigning against the project, Mr Deputy Speaker, Sir, maybe he missed this issue. I maintained what I said, I brought to the House the Motion regarding the exemption of the EIA Licence of the Metro Project. This is the first point I wanted to clear out.

And secondly, hon. Jahangeer, who was getting so excited about the Leader of the Opposition saying that the site is employing 3,000 foreign workers. This is fact. This is true. Yes, it is very scarce to find local labour, but you have to admit the fact that this site employs over 2,000 foreign workers. It is a fact that these people are working day and night. So, he is right in pointing out that it is true that the site is currently run by so many foreign workers.

Second thing that he said is about my friend, hon. Dan Baboo, who raised his concern about the maintenance and reparation of the train, but he is absolutely right, Mr Deputy Speaker, Sir. It is our job as the Opposition MPs to raise concern. And if we are wrong, this is the duty of the Minister to correct us and to provide us information. So, I think he is absolutely right when he is saying he raised the concern about one of the issues, and I say this is why we are paid for. So, I do not see why you were getting so excited about us raising concern in the House today.

Saying so, Mr Deputy Speaker, Sir, I will come back to the Bill. I understand tonight we are voting these four pieces of legislation because we have to provide the proper framework legislation to run the Metro Express Project. To my mind, there are three types of transport –

- land transport;
- sea transport, and
- air transport.

If we go back to the Bill, the National Land Transport Authority Bill, you will see that in Sections 8, 9 and 10, there are presently three Commissioners –

- The Chief National Transport Commissioner;
- The Road Transport Commissioner, and
- The Light Rail Commissioner.

My first observation to the Minister is why in the title of the Chief Transport Commissioner there is the word ‘National’? He is duty-bound in administrative aspect of the land transport. Why is it that he is having the title of the Chief National Transport Commissioner? I would like the Minister, during his summing-up, if he can please give us some indication of why using that title ‘National’?

And if I go further down in the Bill, I see no mention about qualifications, not even a minimum qualification that will be required for this very important job, three of them. And, Mr Deputy Speaker, Sir, why I am saying that? We want to place the proper benchmark now to have the right person in the right place, and obviously, without any political interference.

Section 11, Mr Deputy Speaker, Sir, talks about the staff of the National Land Transport Authority. I have got nothing against the staff of the NTA which is going to be merged into the NTLA. But I just want to quote from the Bill –

“There shall be appointed on contractual terms such officers who, as professional staff of NLTA (...).”

So, it is very clear about the word ‘contractual’. Who will be contractual? Will it be the staff of the NTA that are going to be contractual? So, is it going to be new recruits that are going to be contractual? If he can, please, give us some indication why is he using the word ‘contractual’ there?

According to Section 73 of the Road Traffic Act, Mr Deputy Speaker, Sir, it is mentioned in Section 3 subsection (a) paragraph (i) -

“(3) (a) The Authority shall consist of –

(i) A Chairperson, who shall be a law practitioner”.

If I go to this Bill now, Section 13 (2) (a), there is no mention whether there should be or not a law practitioner as a Chairperson. I know the hon. Leader of the Opposition took this point again this morning. But, it is just like you are changing now, repealing the NTA and going to

the NLTA, so, why changing one very important aspect of the duty of the Chairperson, the assignment as a Chairperson? Maybe he can provide us some information on same, as well. We understand the complexity of issuing licence and we believe the experience and knowledge of a law practitioner will definitely be benefit and this is going to be required. So, we want to know why it is not important now to be a law practitioner.

There is another point which I want to take in Section 73 (3) and (viii) and I'll quote from the Road Traffic Act, which states -

“(viii) 4 other persons having no direct or indirect interest in the road transport (...)”

And so goes on. But in the new Bill, again, I do not see that the public, that the people will be represented. Hon. François just mentioned about Rodrigues. He was so proud that the public will be represented in the Rodrigues Transport Committee, so, I do not see here. This is, again, a change from the NTA to the NLTA. So, why is it now that the NLTA does not require public to be on the Board? And I have seen, as well, that there is the option at Section 5 that they can do co-opted members. But, we all know, Mr Deputy Speaker, Sir, that co-opted members are not allowed to vote. So, we are obviously removing the power from the public to be represented on the Board and will now give them no option to vote. Hon. François was talking about the Rodrigues Transport Committee. Now also, I fail to understand why it is not the Rodrigues Land Transport Committee. Why in Mauritius it is Land Transport Authority and Rodrigues, not? These are also things we would like to know.

Mr Deputy Speaker, Sir, I come to the Appeal Committee. I think it is a good thing there is an experienced Barrister as Chairperson. But, again, there is no mention about the timeframe for appeal. We all know that in many occasions, many people have been complaining that the timeframe of return on appeal is so long and sometimes they do not even have a return back. I believe this is an opportunity for the Minister to set up a timeframe, so that there is no further justified or unjustified delay in Appeal Committee. This is the point I wanted to make on this Bill.

I will now briefly talk about the Light Rail Bill. I mean, I have tried to use the same dictionary that the Leader of the Opposition used this morning to find the definition of the Light Rail Bill, and I was unsuccessful. I join myself to the Leader of the Opposition to say that this is the Metro Bill, while every day we talk about the Metro Express. It is now becoming obvious that the system that will be operational in Mauritius is a tramway, not a

metro. We gave the definition this morning, nor it is a light rail because the definition does not exist.

(Interruptions)

I prefer not to answer this guy.

Mr Deputy Speaker, Sir, we are now one month away from what was promised by the Minister of Public Infrastructure and Land Transport about the operations of the Metro Express. He, several times, mentioned in the House that the project will be ready in September and now, we hear mid-September or maybe at the end of September. So, we feel that this project is still very opaque. And I remember all the requests I brought to the House regarding work at La Butte, regarding work at Richelieu or even at Grand River North West.

Now that the legislation is coming forward to enable the operation of the Metro Express, Mr Deputy Speaker, Sir...

(Interruptions)

The Deputy Speaker: Order, please!

Mr Armance:...we impress on the Minister that during his summing-up, please, come with more details on the project point that was raised earlier this morning by the Leader of the Opposition, we talked about ticketing. Hon. Rutnah gave us some indication, maybe the hon. Minister can take this back in his summing-up. We talked about the feeder buses; we talked about all aspects that were raised this morning by the Leader of the Opposition. You see, the whole Mauritius wants to know about the project. The whole Mauritius wants to know what will be the fare. Will it increase? We talked about free fare and what lapse of time it is going to be free, we all want to know about it. All the MPs in the House on the Opposition side, once raised the issue about one item of the Metro Express.

So, now that we are at end of the project, Mr Deputy Speaker, Sir, I think that the Minister, during his summing-up, should come with all the details. The project is nearly over. I mean, I do not know because I can see work is still going on in my constituency at La Butte or even at Richelieu. So, we are 45 days from the dead line. So, let us see whether it is going to be over or not. But this is the golden opportunity as well to provide information to the public, to provide information to the whole population.

Avant de terminer, M. le président, laissez-moi dire deux mots sur les handicapés. Les handicapés ont fait la fierté de l'Ile Maurice deux semaines de cela pendant les Jeux des îles.

With due respect, Mr Deputy Speaker, Sir, I believe that this Bill should clearly have clauses that protect the right of the disabled persons willing to use the Metro Express. Not a single word about the disabled persons in this Bill, not a single word. I am not talking only about physical disabilities, I am talking about visual impairment and so on. But, the Minister should make it mandatory that whatever is related to the Metro Express, whatever is related to the operation, related with the construction, the urban terminal, whatever is related to the project, he should make it mandatory that it is completely accessible to disabled persons.

Maybe he can take this into consideration. These people make us proud, two weeks ago during the Indian Ocean Games, and now, we are having a Bill, there is a project, there is the Metro Express, and yet, they also do not know. Yes, in the House, we have been saying that we will cater for it; the hon. Minister mentioned it this morning, the Government is working very hard, but yet, the Disability Bill is not here. So, there is no legislation as such. What I am asking now regarding the Metro Express is to ensure that everything that is being done, that mandatory measures are taken into account so that disabled persons can fully use the Metro Express, as it is in some other countries. I have seen in Dubai, in U.K. that they can use it.

Pour conclure, j'ai une pensée spéciale pour les mandants de ma circonscription qui ont subi des préjudices par rapport au projet, des gens qui habitent à La Butte, des gens qui habitent à Cité Richelieu ou peut-être à Grande Rivière Nord-Ouest, pendant de longs mois il y a eu des travaux, 24/7. Donc, j'ai une pensée pour eux, pour la famille Rujubali qui a dû quitter sa maison ; beaucoup de personnes ont été délogées. Donc, le projet tire à sa fin, et j'espère qu'après le projet, on viendra réaménager l'espace autour, qui est dans un état lamentable actuellement, et que le ministre vient nous donner l'assurance que ceci sera fait dans les plus bref délais.

Je vous remercie, M. le président.

The Deputy Speaker: Hon. Prime Minister!

(9.25 p.m.)

The Prime Minister: Mr Deputy Speaker, Sir, I move that the debate be now adjourned.

Mr Roopun rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 09 August 2019 at 3.00 p.m.

Mr Roopun rose and seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned.

At 9.25 p.m., the Assembly was, on its rising, adjourned to Friday 09 August 2019 at 3.00 p.m.

WRITTEN ANSWERS TO QUESTIONS

KARTHI HOLDINGS LTD – INVESTMENT

(No. B/737) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to Mr R. R., Chief Executive Officer of Karthi Holdings Ltd., he will, for the benefit of the House, obtain from the Economic Development Board (EDB), information as to if it has had any dealings therewith for investment in Mauritius and, if so, indicate if the EDB has issued a letter of sponsorship/recommendation thereto, indicating if a due diligence exercise was carried out prior to the issue thereof.

Reply: The Economic Development Board (EDB) did not have any discussion with Mr R. R. or Karthi Holdings Ltd in respect of any specific investment project in Mauritius. The EDB has, therefore, not issued any letter of sponsorship or recommendation to Karthi Holdings Ltd.

In view of the fact that Karthi Holdings Ltd did not submit any investment project to the EDB for consideration, the question of due diligence had not arisen.

CHAGOS ARCHIPELAGO – VISIT

(No. B/738) Mr A. Ganoo (First Member for Savanne & Black River) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether he will state if he has taken cognizance of the stand of Sir Alan Duncan, Secretary of State to the Foreign and Commonwealth Office of the United Kingdom to the effect that any visit organised by the Government of Mauritius for the Chagossians in the Chagos Archipelago without their authorisation will be treated with utmost seriousness and, if so, indicate the stand of Government in relation thereto.

Reply: It is known that in a written answer given on 09 July 2019 to a Parliamentary Question put by a Member of the House of Commons, Sir Alan Duncan, then UK Minister of State for Europe and the Americas, had indicated that the United Kingdom was aware of the proposal of the Government of Mauritius to organise a visit to the Chagos Archipelago and that any unauthorised visit to the Chagos Archipelago would be treated with the utmost seriousness.

The Government of Mauritius is deeply disappointed that the United Kingdom considers that entry into the Chagos Archipelago without “its” permission is an offence. This

puts the United Kingdom in blatant violation of international law and UN General Assembly Resolution 73/295, which has reaffirmed the determination of the International Court of Justice that the Chagos Archipelago is and has always been an integral part of the territory of Mauritius and that the continuation of the United Kingdom's colonial administration of the Chagos Archipelago is an ongoing wrongful act that must be brought to an end as rapidly as possible.

Under the rules and principles of international law, as explained and applied in the Advisory Opinion of the International Court of Justice of 25 February 2019, Mauritius is the sole State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones and to organise visits to the Chagos Archipelago. Any visit to be organised by Mauritius to the Chagos Archipelago does not, therefore, require the United Kingdom's authorisation.

Government strongly deplores and condemns the United Kingdom's continued blatant disregard for the Advisory Opinion of the International Court of Justice and UN General Assembly Resolution 73/295, as well as for international law and for the authority of the institutions of the United Nations, including the International Court of Justice.

In fact, the United Kingdom is under an obligation to leave the Chagos Archipelago by 21 November 2019. We expect the United Kingdom to treat this obligation with the utmost seriousness.

Meanwhile, as far as Mauritius is concerned, the Government of Mauritius, which has already pledged to implement a programme of resettlement in the Chagos Archipelago, maintains its plan to organise a visit to the Chagos Archipelago as soon as possible.

CÔTE D'OR CITY PROJECT - PROMOTER

(No. B/739) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Smart City Project at Côte d'Or, he will, for the benefit of the House, obtain from Landscape (Mauritius) Ltd., information as to –

- (a) the name of the promoter thereof;
- (b) the terms and conditions thereof;
- (c) if expressions of interest were launched therefor, and
- (d) details of the bids obtained therefor.

Reply: The Côte d'Or City Project is being developed on some 2,175 *arpents* of land belonging to Landscape (Mauritius) Ltd. A Master Plan has been prepared for the whole site.

This project is being implemented in phases. So far, Landscape (Mauritius) Ltd has sold land of an acreage of –

- (a) 53.16 *arpents* to the Mauritius Multisport Infrastructure Ltd (MMIL) for the construction of the state-of-the-art sports complex;
- (b) 23.69 *arpents* to Government to implement the Police Academy project, and
- (c) 6.83 *arpents* to the Central Electricity Board for a substation and a recreational park for its staff.

Government has also reserved around 28.7 *arpents* of land for an Administrative Centre in the proposed Central Business District, which will be located upstream of Bagatelle dam. An additional 15 *arpents* of land on the other side of the Terre Rouge Verdun link Road, near Morcellement Aurea, have been earmarked for the construction of buildings to house Government agencies.

Furthermore, an area of 106 *arpents* near the Quartier Militaire Road has been earmarked for the development of a High-Tech Park, the detailed plan of which is under preparation and will be completed by end of September 2019.

Major infrastructural works are required to service the site with utilities, to enable implementation of the project. Cost of offsite works is estimated to be Rs500 m. In this respect, Rs250 m. have been provided for in the Budget of Government in respect of each of the financial year 2019/2020 and 2020/2021.

As regards parts (a) and (b) of the question, the promoter of Côte d'Or City Project is Landscape (Mauritius) Ltd. As at date, no private promoter has been selected by Landscape (Mauritius) Ltd to implement any project in the Côte d'Or City.

Regarding part (c) of the question, Landscape (Mauritius) Ltd launched, in December 2017, an Expression of Interest inviting potential investors and promoters to implement development projects in line with the Master Plan for the Côte d'Or City.

At the closing date of 30 March 2018, 59 applications were received.

As regards part (d) of the question, being given that Landscape (Mauritius) Ltd has not yet allocated land to any private promoter in the Côte d'Or City, it will not be proper to disclose details of the applications received.

MAURITIAN NATIONALS – DEPORTATION

(No. B/742) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Mauritian nationals, he will state the number thereof who have been deported to Mauritius, country-wise, since 2018 to date, indicating the reasons therefor.

Reply: The Passport and Immigration Office has informed that, from January 2018 to 02 August 2019, 81 Mauritian nationals have been deported to Mauritius as follows –

- (i) 55 Mauritian nationals during the year 2018 in 12 countries for illegal stay, and
- (ii) 26 Mauritian nationals during the period January 2019 to 02 August 2019 in 11 countries for illegal stay, imprisonment, and case of drug.

The number of Mauritian nationals deported country-wise over the period January 2018 to 02 August 2019 is being placed in the Library of the National Assembly.

UNITED KINGDOM - CHAGOSSIANS - ASSISTANCE

(No. B/743) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether he will state if he is aware that the Chagossians living in the United Kingdom, including in Crawley, are being pressed to leave Britain in the aftermath of the recent developments in the sovereignty issue on the Chagos Archipelago and, if so, indicate if consideration will be given for any assistance to be extended thereto.

Reply: In the first instance, it is reminded that the issue at hand is one of the complete decolonization of the Republic of Mauritius.

An article, which appeared in ‘The Guardian’ of 28 July 2019, reported that Chagossians, who are holders of the British passport, have been urged to leave the United Kingdom when they sought housing assistance from the local council in Crawley. There is,

however, no confirmation that this could have occurred in the aftermath of recent developments relating to the issue of decolonization of Mauritius.

Our High Commission in London has not received any complaint or representation from the Chagossian community in the United Kingdom regarding this issue.

Though no action is considered necessary on the basis of a Press article, our High Commission in London is probing into the matter, and any action deemed necessary in the light of any report received from our High Commission, will be taken.

MAURITIUS – COMPLETE DECOLONIZATION

(No. B/744) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether he will state if he is in presence of a letter issued by the President of the United States of America in respect of territorial security issues in the Indian Ocean and, if so, indicate the stand of Government in relation thereto.

Reply: Following the delivery on 25 February 2019 by the International Court of Justice of its Advisory Opinion on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, I wrote on 08 April 2019 to the US President to seek the support of the United States of America for the completion of the decolonization of Mauritius.

In my letter, I also reiterated the willingness of Mauritius to enter into a long-term lease agreement with the United States, or with the United States and the United Kingdom, in respect of Diego Garcia with the possibility of renewing the agreement for an extended period of time and stated that such an agreement would provide the necessary assurance for the continued operation of the military base in Diego Garcia.

In reply, I received a letter dated 29 May 2019 from President Trump. In his letter, the US President stated that the base in Diego Garcia contributes significantly to peace and security in the Indian Ocean and that the status of the Chagos Archipelago as a United Kingdom territory was essential to the ability of the base to perform those functions. He added that the United States was therefore not in a position to accept the proposal of Mauritius to enter into a lease agreement in respect of Diego Garcia.

During the advisory proceedings before the International Court of Justice, the UK Solicitor General delivered an oral statement in which he made no mention of any concerns about threats to international peace and security, terrorism, piracy, organised crime, or the need to respond to humanitarian crises.

As far as we are concerned, Mauritius has repeatedly made it clear publicly that it recognises the existence of the base in Diego Garcia and accepts its future operation in accordance with international law. This was reiterated by way of a solemn commitment before the International Court of Justice by Sir Anerood Jugnauth, Minister Mentor, Minister of Defence, Minister for Rodrigues.

As Prime Minister of Mauritius, in my statement during the UN General Assembly debate over the Advisory Opinion of the International Court of Justice, I reiterated that “Mauritius, on its part, has made public commitments at the General Assembly and at the ICJ that it is prepared to enter into a long-term arrangement with the US, or with the UK and the US, which would permit the unhindered operation of the defence facility in accordance with international law.” I also underscored that now, after the Court had given its Opinion, security considerations were being put forward as the overriding reason to hold on to the Chagos Archipelago in a manner inconsistent with international law.

In view of the assurances provided by Mauritius, the position taken by the United Kingdom, and supported by the United States, that the United Kingdom’s sovereignty over the Chagos Archipelago is essential for the continued operation of the military base in Diego Garcia is untenable.

I will continue to pursue the matter with the US President as well as with the United Kingdom with a view to securing the completion of the decolonization of Mauritius as rapidly as possible.

CHAGOS ARCHIPELAGO - MARINE PROTECTED AREA

(No. B/745) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether he will state if the Republic of Mauritius will declare the surrounding waters of the Chagos Archipelago as a Marine Protected Area.

Reply: Government is fully committed to the protection of the environment, including the marine environment and its ecosystems. Marine protected areas have been established in the waters of Mauritius and Rodrigues in order to conserve and protect marine biodiversity.

As far as the Chagos Archipelago is concerned, Government is intent on protecting its rich marine biodiversity. In this respect, serious consideration is being given to the creation of a marine protected area by Mauritius around the Chagos Archipelago with the support of relevant partners.

In April 2010, the United Kingdom purported to establish a ‘marine protected area’ around the Chagos Archipelago. The purported ‘marine protected area’ is illegal in the light of the Award delivered on 18 March 2015 by the Arbitral Tribunal constituted under Annex VII to the UN Convention on the Law of the Sea and as reaffirmed in the Advisory Opinion of the International Court of Justice of 25 February 2019 and cannot, therefore, be enforced.

As Mauritius is the sole State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, it falls to the Government of Mauritius to establish a Marine Protected Area in the waters of the Chagos Archipelago, in accordance with national policies.

VIOLENCE AGAINST CHILDREN – REPORTED CASES – JANUARY 2019 TO DATE

(No. B/770) Mr A. Ganoo (First Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the perpetration of acts of violence against children, she will state the number of reported cases thereof at the Child Development Unit, since January 2019 to date, indicating the –

- (a) number of cases thereof which have required medical treatment, the nature thereof and the injuries sustained, and
- (b) measures that are being taken to address this issue.

Reply: In regard to the perpetration of acts of violence against children, since January 2019 to date, 841 cases of violence, comprising 350 cases of physical abuse and 491 cases of

sexual abuse, against children have been reported at the 6 outstations of the Child Development Unit. 545 of these cases have required medical treatment.

All these cases are reported to the Police for criminal intervention and investigation. As regards the protective measures, all minors are provided with both psycho-social and medical support. Where there are reasonable grounds to believe that minors are likely to be exposed to harm at their parents' place, they are immediately removed and are placed in shelters.

As for part (b) of the question, the following measures are being taken by the Ministry

–

- (i) Information, Education and Communication (IEC) campaigns are organised to sensitise parents on the ill-effects of violence on children.
- (ii) The Community Child Protection Programme (CCPP) which aims at the development of safe communities and safe neighbourhood is being implemented.
- (iii) Working sessions at the level of School Child Protection Clubs (SCPC) in both primary and secondary schools are carried out to empower and develop resilience of children vis-à-vis acts of violence.
- (iv) *Atelier Partage Parents (APP)* are organised to empower parents in the upbringing of their children in a conducive environment free from violence and to better resolve conflicts among family members.

CONSTITUENCY NO. 3 - NDU - PROJECTS

(No. A/11) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to Constituency No. 3, Port Louis Maritime and Port Louis East, he will state the number of projects implemented by the National Development Unit thereat since 2015 to date, indicating in each case the –

- (a) cost;
- (b) work progress, and

(c) start and completion dates thereof.

Reply: The requested information is being placed in the Library of the National Assembly.

VICTORIA HOSPITAL - PIGEONS - PRESENCE

(No. A/12) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to the Victoria Hospital, in Candos, he will state if he has been informed of a proliferation of pigeons thereat, especially, in the vicinity of the Ear, Nose and Throat Ward, causing the prevalence of unhygienic conditions thereat and, if so, indicate if consideration will be given for the taking of remedial measures in relation thereto.

Reply: I am informed that there is no proliferation of pigeons in the hospital compound as such. In fact, the presence of pigeons is observed during specific time periods of the day, particularly during lunch time and immediately after visiting hours.

Regular inspections are being carried out by the Rose Hill Health Office in collaboration with the authorities of Victoria Hospital in order to ensure that the Hospital Wards and the corridors are regularly cleaned and disinfected. Indeed, daily cleaning of the Wards are being carried out by the Hospital Attendants under the supervision of the Ward Managers.

As regards the ENT Centre, I am informed that there is no report from the Ward Managers regarding the presence of pigeons in the Wards. The space which has been allocated for ENT patients and the corridors in the vicinity were inspected by the Health Inspectorate of the Rose Hill Health Office on 02 August 2019 and the inner parts of the building were found to be free from birds or pigeons.

The following measures have been taken to address the situation –

- (a) repair/replacement of damaged bird nettings;
- (b) securing of all openings in the surroundings/Wards;
- (c) patients and the public are being sensitised to refrain from feeding pigeons in the hospital premises for their safety and health;
- (d) at Ward's level, food remnants are being properly disposed of in covered bins to ward off the presence of pigeons;
- (e) the Nursing Staff has been instructed to ensure that doors are kept closed at all times so that pigeons do not have easy access into the Ward;
- (f) nesting places are being removed as soon as they are detected;

- (g) damaged false ceilings are being repaired or replaced so that they do not become potential breeding places for pigeons and birds;
- (h) the corridors are being disinfected by the Health Inspectorate Division on a regular basis, and
- (i) the old wire nettings in the corridors are being gradually replaced.

The Regional Health Director is also having regular meetings with the Heads of Sections and Ward Managers of the Victoria Hospital to ensure that the hospital and its environment are always kept clean and tidy to ward off the presence of pigeons in the hospital premises.

FLACQ TEACHING HOSPITAL (NEW) – CONSTRUCTION & PROJECT VALUE

(No. A/13) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to the construction of the New Flacq Teaching Hospital, he will state where matters stand, indicating the –

- (a) expected start and completion dates thereof;
- (b) project value and quantum of funds secured as at to date, and
- (c) proposed courses and training to be run thereat.

Reply: I am informed that the draft tender document for the construction of the new Flacq Teaching Hospital, the first of its kind, has been submitted by the Consultant and same is being fine-tuned by my Ministry. Once this exercise is completed, the documents will be forwarded to the Central Procurement Board for vetting and approval prior floating of bids internationally.

The Project will be implemented in two phases –

- Phase I will consist of the construction of the hospital block with all its amenities with a surface area of 61475 m².
- Phase II will consist of the construction of the teaching block with a surface area of 30505 m².

The total built up area (Phase I + Phase II) is 94250 m².

Furthermore, a plot of land of an extent of 25 *Arpents* has been identified at Constance, Flacq. The Geotechnical Investigation has confirmed that the land is buildable.

The Ministry of Housing and Lands is proceeding with compulsory acquisition of the land.

Nevertheless, the owner of the proposed land has agreed to grant access on the site for the implementation of the project.

Regarding part (a) of the question, if all goes according to schedule, it is expected that the construction work may start by end of this year for a duration of 18 months.

As regards part (b) of the question, the total cost of the project is estimated at Rs6 billion. Phase I is estimated at Rs4 billion and Phase II at Rs2 billion. Rs4 billion has been secured so far.

As regards part (c) of the question, negotiation is currently underway to finalise the proposed courses to be run with the agreement of foreign teaching hospitals.

MOTORCYCLES - LOUD NOISES - CONTRAVENTIONS

(No. A/14) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to motorcycles emitting loud noises, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of contraventions booked therefor over the past two years in Port Louis North Division, indicating if consideration will be given for the taking of additional measures in relation thereto.

Reply: From January 2017 to 30 June 2019, 405 contraventions have been established for motorcycles emitting loud noise in Port Louis North Division.

Details pertaining thereto are as follows -

YEAR	NO OF CASES	OUTCOME		
		Under Enquiry	Sent to Court	Fined/Sentenced
2017	193	82	0	111
2018	155	90	0	65

2019	57	56	0	1
TOTAL	405	228	0	177

The following measures have been implemented to address the issue –

- (i) Crackdown operations are being carried out twice weekly by *Police de l'Environnement* and Traffic Branch targeting motorcycles emitting loud noise;
- (ii) Awareness campaigns are carried out with riders in the region through Community Policing forums;
- (iii) The Road Safety Unit of the Traffic Branch regularly sensitises vehicle owners, including riders on consequences of using vehicles emitting loud noise through radio and TV programmes, and
- (iv) Counselling and advice to road users through daily Police Bulletin on social media.