



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 28 JULY 2020

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(Formed by Hon. Pravind Kumar Jugnauth)

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. Louis Steven Obeegadoo	Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism
Hon. Mrs Leela Devi Dookun-Luchoomun, GCSK	Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology
Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government and Disaster Risk Management
Hon. Alan Ganoo	Minister of Land Transport and Light Rail
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
Hon. Nandcoomar Bodha, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Mrs Fazila Jeewa-Daureeawoo, GCSK	Minister of Social Integration, Social Security and National Solidarity
Hon. Soomilduth Bholah	Minister of Industrial Development, SMEs and Cooperatives
Hon. Kavydass Ramano	Minister of Environment, Solid Waste Management and Climate Change
Hon. Mahen Kumar Seeruttun	Minister of Financial Services and Good Governance
Hon. Georges Pierre Lesjongard	Minister of Energy and Public Utilities
Hon. Maneesh Gobin	Attorney General, Minister of Agro-Industry and Food Security
Hon. Yogida Sawmynaden	Minister of Commerce and Consumer

	Protection
Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Information Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping
Hon. Mrs Kalpana Devi Koonjoo-Shah	Minister of Gender Equality and Family Welfare
Hon. Avinash Teeluck	Minister of Arts and Cultural Heritage
Hon. Teeruthraj Hurdoyal	Minister of Public Service, Administrative and Institutional Reforms

PRINCIPAL OFFICERS AND OFFICIALS

Mr Speaker	Hon. Sooroojdev Phokeer, GOSK
Deputy Speaker	Hon. Mohammad Zahid Nazurally
Deputy Chairperson of Committees	Hon. Sanjit Kumar Nuckcheddy
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Hansard Editor	Jankee, Mrs Chitra
Serjeant-at-Arms	Pannoo, Mr Vinod

MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 27 of 2020

Sitting of Tuesday 28 July 2020

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

The National Anthem was played

(Mr Speaker in the Chair)

PAPERS LAID

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

A. Ministry of Housing and Land Use Planning

Ministry of Tourism

The Annual Report and Financial Statements of the Town and Country Planning Board for the year ended 30 June 2019.

B. Ministry of Finance, Economic Planning and Development

- (a) The Annual Report of the Employees' Welfare Fund for the 18 Months period ended 30 June 2017.
- (b) The Financial Statements of the Employees Welfare Fund for the 18-month period ended 30 June 2017. (In Original)
- (c) Virement Warrant Return - Quarter 3 (January – March 2020) Nos. 12 to 22 and 24. (In Original)
- (d) Virement (Contingencies) Warrant - Quarter 3 (January - March 2020): Nos. 4 to 7. (In Original)
- (e) Virement Certificates - Quarter 3 (January - March 2020): Vote/Sub-Head (Certificates Nos.) : 1-6(2, 3), 1-9(1, 2), 1-12(2), 2-1(1), 2-107(2, 3), 2-4(1), 2-702(7), 3-1(8-10), 4-6(2), 5-3(1-3), 6-1(5), 7-1(3-7), 8-1(3-5), 12-1(1-3), 14-1(1), 17-1(2-7), 20-1(2), 21-1(2) and 22-1(2). (In Original)

C. Ministry of Health and Wellness

The Quarantine (COVID-19) (Amendment No. 2) Regulations 2020. (Government Notice No. 159 of 2020)

D. Ministry of Arts and Cultural Heritage

- (a) The Annual Report of the Mauritius Marathi Cultural Centre Trust for the period 01 July 2017 to 30 June 2018.
- (b) The Annual Report 2018-2019 of the Mauritius Council of Registered Librarians (MCRL).

ORAL ANSWERS TO QUESTIONS

**LANDSCOPE (MAURITIUS) LTD - CÔTE D'OR SMART CITY PROJECT
– PROMOTERS & MASTER PLAN**

The Leader of the Opposition (Dr. A. Boolell) (*by Private Notice*) asked the Minister of Finance, Economic Planning and Development whether, in regard to 2,179 *arpents* of land at Côte d'Or, he will –

- (a) for the benefit of the House, obtain from Landscape (Mauritius) Ltd, information as to –
 - (i) the number of promoters shortlisted following the Expression of Interest launched for the Côte d'Or Smart City Project in relation thereto, and
 - (ii) when the Master Plan for a smart city was approved, if any, and whether he will table same, and
- (b) state if Government has approved any Joint Venture or other project in relation thereto and, if so, when, and
- (c) state if he will ensure that no letter of intent is issued pending an in-depth inquiry into alleged irregularities, if any.

Dr. Padayachy: M. le président, *Landscape (Mauritius) Ltd* est une société publique dont le principal actionnaire est le gouvernement mauricien.

En décembre 2016, ce sont cinq sociétés d'État, principalement actives dans le développement et la gestion de biens immobiliers, qui ont fusionné pour former *Landscape (Mauritius) Ltd*.

Landscape (Mauritius) Ltd possède et gère un portefeuille diversifié d'actifs immobiliers à Maurice, couvrant les secteurs des bureaux, du commerce de détail et de l'industrie, et *Landscape* développe et gère également des parcs d'affaires et industriels, les *Smart cities*.

M. le président, concernant la partie (a) (i) de la question, un *Master Plan*, c'est-à-dire un Plan Directeur, a été finalisé le 23 octobre 2017 pour le développement de 2,160 arpents de terres appartenant à *Landscape*.

Ces terres se situent à Côte d'Or.

Le 26 décembre 2017, *Landscape*, alors présidé par M. Gérard Sanspeur, a invité les promoteurs potentiels intéressés à développer des projets dans la première phase de la *Smart City* de Côte d'Or à faire part de leur intérêt via un exercice d'«*Expression of Interest*».

Au 30 mars 2018, qui était la date de fin de l'exercice d'*Expression of Interest*, 59 dossiers de candidatures avaient été reçus à cet effet.

Sur ce total de 59 dossiers, 31 dossiers ont été présélectionnés par le Comité d'évaluation qui a recommandé cette liste au conseil d'administration de *Landscape*, qui je le rappelle était dirigé à cette époque par M. Gérard Sanspeur.

Sur les 31 soumissionnaires, deux promoteurs, à savoir –

- d'une part, *Ergoma Consortium* dirigé par *Nundun Gopee Ltd* et
- d'autre part, *Côte d'Or Smart City J.V.* dirigé par *Consolidated Holdings Ltd/Gamma Civic Limited*, ont proposé de développer l'ensemble des zones 2.A et 1.A, en partenariat avec *Landscape*.

M. le président, en ce qui concerne la partie (a) (ii) de la question, j'ai été informé par *Landscape* que le Plan Directeur pour ladite *Smart City* a été approuvé à l'unanimité le 23 octobre 2017 par le conseil d'administration de *Landscape*, qui je le rappelle était sous la présidence de M. Gérard Sanspeur.

Je dépose une copie de ce *Master Plan* à l'Assemblée.

M. le président, au regard de la partie (b) de la question, je confirme que le gouvernement n'a approuvé aucun *joint venture* ou projet en relation avec le développement que je viens de mentionner.

Permettez-moi de faire l'historique de la procédure pour parfaitement en saisir les tenants et aboutissants.

Faisant suite au lancement de la manifestation d'intérêt du 26 décembre 2017, 59 dossiers de candidatures avaient été reçus à la date du 30 mars 2018, date de fin de l'exercice.

Le 05 avril 2018, un Comité comprenant les officiers de *Landscape*, de l'*EDB*, du ministère des Finances et du *Master Planner*, a été constitué par le conseil d'administration de *Landscape* afin d'évaluer les 59 propositions.

Le 17 mai 2018, le rapport d'évaluation préliminaire a été soumis au conseil d'administration de *Landscape*. Ce dernier avait demandé aux soumissionnaires de venir présenter leur projet au conseil d'administration.

Le 31 mai 2018, lors de la tenue d'un conseil d'administration, M. Gérard Sanspeur, président du conseil d'administration de *Landscape*, a indiqué aux membres présents que selon lui, les coûts d'infrastructure du projet seraient irrécupérables.

Il a, à cet égard, proposé que *Landscape* considère l'option de prise de participation, sous forme, dans les projets à développer.

Dans cette configuration, M. Sanspeur a suggéré que *Landscape* mette à contribution les terres et que le promoteur soit lui en charge des coûts d'infrastructure.

Le 23 août 2018, le conseil d'administration de *Landscape*, toujours présidé par M. Sanspeur, a considéré que *Landscape* ne possédait pas l'expertise et les ressources requises pour entreprendre un chantier d'une telle envergure, en tant que seul superviseur de chantier.

Un comité, sous la présidence de Gérard Sanspeur, a été mis en place pour engager des discussions avec les promoteurs qui ont manifesté leur intérêt sous la forme proposée par M. Sanspeur.

Le conseil d'administration a ainsi estimé que les propositions de *Côte d'Or Smart City J.V* dirigé par *Consolidated Holdings Ltd/Gamma Civic Limited* et *Ergoma Consortium* dirigé par *Nundun Gopee Ltd* contenaient des aspects techniques et financiers à spécifier.

Ces différentes questions devaient être étudiées et discutées en détails avec les deux sociétés afin de permettre au conseil d'administration de *Landscape* de prendre une décision au regard des deux propositions qui lui ont été soumises.

Lors d'une réunion, avec le Premier ministre, les représentants de *Landscape* ont fait part au Premier ministre du statut concernant le projet de Côte d'Or *Smart City*.

Suite à cette réunion, le Conseil des ministres a été informé, le 26 avril 2019, des derniers développements et ce dernier a donné son accord sous certaines conditions pour que *Landscape* puisse initier des discussions avec les deux promoteurs en question.

Les conditions établies à cet effet sont les suivantes –

- Premièrement, que le *Government Valuation Department* procède à l'évaluation du terrain.

- Deuxièmement, que le contrat soit rédigé par *Landscape* et soumis à la validation du bureau de l'Attorney General afin de s'assurer qu'il n'y ait aucune spéculation foncière.
- Troisièmement, que l'accord soit sujet à l'approbation du gouvernement.

Le 7 juillet 2019, M. Gérard Sanspeur, le président de *Landscape* a envoyé un courriel au Premier ministre pour l'informer qu'un avis légal sur le dossier serait souhaitable.

Suite à ce courriel, le dossier a été envoyé au *SLO* pour avis légal. Le *SLO* a recommandé le 18 septembre 2019 de procéder par appel d'offres.

A ce jour, l'appel d'offres n'a pas été lancé.

M. le président, concernant la partie (c) de la question, au regard des informations que je viens de donner, *Landscape* est toujours dans la procédure de préparation de l'appel d'offres.

A cet effet, aucune lettre d'intention n'a été émise.

Merci.

Dr. Boolell: Let me, right from the outset, make it quite clear that it is not Mr Gérard Sanspeur who is on trial. What we want is the truth, nothing but the truth. Can I ask the Minister - and I know he has stated that there was a letter which was forwarded by Mr Gérard Sanspeur to the then Minister of Finance and Financial Secretary - whether the appeal was made to the then Minister of Finance and Prime Minister that there should be an enquiry in the light of improprieties and illegalities? Can I ask the Minister whether he has been informed accordingly?

Dr. Padayachy: M. le président, comme je viens de le dire dans ma réponse, un courriel confidentiel a été envoyé au Premier ministre qui, suite à ce courriel, a décidé d'envoyer tout le dossier au *State Law Office*, qui est le représentant légal du gouvernement. Donc, dessus, il y a les informations qu'a envoyées M. Gérard Sanspeur, et à notre connaissance, c'est pour cela que le *SLO* a demandé qu'on procède par appel d'offres, et on est en train d'entamer les procédures pour l'appel d'offres. Donc, la réponse concernant les détails de ce courriel, on le dit, est avec le *SLO*.

Dr. Boolell: Notwithstanding that the Board members, of course, are servile to the Government of the day, but on one issue, I would like to highlight what was said by Mrs Sona-Oree - at least on this she was right - who stated that the conditions laid down in the

Expression of Interest have to be complied with by all developers and that it was inappropriate for the Chairman not to have been involved in the materials which were sent to the Ministry of Finance and Economic Development in view of the preparation of a Cabinet Memorandum, which forms the basis of Cabinet Decision. Is he aware of this? Is he aware that the Board is simply rubberstamping what the CEO wanted the Board to rubberstamp?

Dr. Padayachy: M. le président, ce sont des oui-dire. Je ne suis pas au courant. A aucun moment, dans les dossiers, nous avons un courrier de la part de M. Gérard Sanspeur disant qu'il est un *rubber stamp*. Si on avait eu ce courrier, le ministère des Finances aurait procédé à des réajustements. Mais à aucun moment, à cette époque, M. Gérard Sanspeur n'a dit qu'il était qu'un *rubber stamp*. Je rappelle qu'à l'époque...

Dr. Boolell: Not Mr Gérard Sanspeur, the CEO. There is a difference between Chairman and CEO.

Dr. Padayachy: C'est le *CEO* qui avait dit qu'elle était un *rubber stamp*? M. le président, je pose la question.

Dr. Boolell: That she has undue influence on all the members of the Board.

Dr. Padayachy: Non, mais je repose la question. Peut-être j'ai mal compris ; je voudrais avoir la précision. Qui est le *rubber stamp* ? Le président ou bien le CEO?

Dr. Boolell: If you want to know, can you table the letter that was addressed to the Prime Minister? Then you will find out who is the rubber stamp.

Dr. Padayachy: Je viens de dire que c'est un courriel qui a été adressé au *SLO*. Là je repose la question, M. le président. J'aimerais savoir - il a posé une question - qui était le *rubber stamp*. M. Gérard Sanspeur ou la CEO de *Landscape*? Parce que j'étais en train de répondre sur cette question, on m'a interrompu en me disant que ce n'est pas le président qui était le *rubber stamp* mais la *CEO*. À ce moment-là, j'aimerais avoir une confirmation du Leader de l'opposition, qui a dit qu'il était un *rubber stamp*.

Dr. Boolell: In the light of the reply which you have given, you are rubber-stamping what the CEO has said.

Dr. Padayachy: M. le président, je ne vais pas écouter ce genre de commentaire ; s'il pense que je suis un *rubber stamp*. J'aimerais simplement qu'il respecte les membres de ce côté.

Dr. Boolell: I have no lesson to learn from you.

Dr. Padayachy: Moi non plus. M. le président, je n'ai pas de leçon à recevoir de quelqu'un qui est un *rubber stamp* de quelqu'un qui possède un coffre avec R 220 millions dedans en liquide.

(Interruptions)

Mr Speaker: No crosstalking! No conversation, Minister! No conversation Leader of the Opposition!

Dr. Boolell: No opacity, you should know better. Can I ask him whether he has been informed that at a meeting on 12.09.2019, the Board of Directors, the then Chairman of the Board explained to the Board members a number of illegalities and improprieties concerning this project of *Landscape*? Has he taken cognizance of the Minutes of Proceedings of that meeting and, if so, will he, in the name of transparency and to stop opacity which is the hallmark of this Government, table the Minutes of Proceedings?

Dr. Padayachy: M. le président, c'est d'un autre temps que le ministre de tutelle rentre dans l'administration d'une entreprise publique. Donc, j'aimerais informer le Leader de l'opposition que je ne demande pas les *Minutes* des conseils d'administration de n'importe quelle institution qui tombe sous ma responsabilité. Ce n'est pas de mon devoir ; on a un président. Si le président d'alors était au courant des irrégularités, il devait, en tant que Mauricien patriote, en informer à qui de droit, c'est-à-dire les autorités compétentes, et non pas simplement informer son conseil d'administration.

Dr. Boolell: But if you are a patriot Minister, will you table the advice that was tendered by the State Law Office? Would you table that?

Dr. Padayachy: Le *SLO*...

(Interruptions)

Le *SLO* a donné un conseil et on est en train de l'appliquer. Il a demandé qu'on procède par appel d'offres, et c'est ce qu'on est en train de faire. C'est pour cela que j'ai répondu cette question en disant qu'il n'y a pas lieu, il n'y a pas eu de *Letter of Intent* parce qu'on est en train de préparer les procédures pour l'appel d'offres. Donc, je ne vois pas pourquoi on va devoir *table* le courriel du *SLO*.

Dr. Boolell: Can I ask the Minister, by not complying with the advice tendered by State Law Office, what the Government is doing, first of all, is trying to revise the Master Plan and

this, if the Minister does not know, this goes against the Expression of Interest? Is he aware of this?

Dr. Padayachy: Encore une fois, M. le président, je répète ce qui est à ma connaissance. Donc, ce que je viens de dire, c'est que le Premier ministre a demandé l'avis du *SLO* et, suite à cet avis, *Landscape* est en train de travailler pour lancer un appel d'offres sur ce projet. Donc, voilà où nous en sommes. Donc, je ne suis pas au courant de je ne sais quelle modification sur le *Master Plan*. Donc, nous sommes toujours au stade des procédures pour le lancement de l'appel d'offres.

Dr. Boolell: Is the Minister aware that by going against the advice tendered by the State Law Office, this Government is privileging the joint venture of two consortia? Is he aware of this?

Dr. Padayachy: Mais, M. le président, encore une fois, je redis la même chose, c'est que le gouvernement est en train de procéder suite au conseil du *State Law Office*. Je ne vois pas en quoi on est en train d'aller à l'encontre de l'avis du *State Law Office*, parce qu'on a procédé selon l'avis du *State Law Office*, en demandant que les procédures soient entamées pour un appel d'offres sur ce projet.

Dr. Boolell: If you are so insisting and you don't want to hide behind the veil of opacity, why don't you table that advice that was tendered by the State Law Office?

Mr Speaker: Hon. Leader of the Opposition, let me give my ruling on this question. Law officers' opinions cannot be tabled in Parliament. Proceed!

Dr. Boolell: Can you give a ruling on this? Can you tell us from where did you...

Mr Speaker: I am not in a box of accused.

Dr. Boolell: Sorry?

Mr Speaker: I am not in an accused box. The ruling is the ruling. It cannot...

Dr. Boolell: But you have to substantiate your ruling, Mr Speaker, Sir. You have to...

(Interruptions)

At least, tell us. From where did you quote that?

Mr Mohamed: The page, can you tell us the page?

Dr. Padayachy: *Ale roder, papa! Ale roder! Ale roder!*

(Interruptions)

Mr Lesjongard: *Ki to croire enn classe l'école ici sa?*

Dr. Boolell: Mr Speaker, Sir, can I ask the hon. Minister whether the Prime Minister had a meeting with the two promoters who are keen to go into a joint venture, to revise? Because their intention is to see to it that there is a revision of the Master Plan, that they become the Master Planner and, in so doing, acquire land, agricultural land at agricultural price, to leverage it at market value to obtain a *pactole* of so many billions of rupees. Is he aware of this?

Dr. Padayachy: M. le président, je redis, on est en train de suivre les avis du *SLO* ; premier élément. Et deuxième élément, je remarque qu'on n'arrête pas de crier 'au loup', M. le président. On n'arrête pas. C'est une nouveauté. On crie 'au loup'. En plus, depuis la dernière réunion qu'il y a eu autour des différents membres de l'opposition, on ne fait que crier 'au loup'. Mais, M. le président, le loup est de l'autre côté, encore une fois, avec un coffre rempli de billets neufs. Cela, j'aimerais avoir une réponse là-dessus, moi aussi.

Dr. Boolell: Are you are going to disclose the war chess of Sun Trust? If you are so keen, please, do so!

(Interruptions)

Please do so! I don't know, but that is what he is saying. He is talking of disclosure. Please, answer the question. You are going to disclose the war chess of Sun Trust? No?

Mr Speaker: Hon. Leader of the Opposition!

(Interruptions)

Dr. Boolell: Can I...

Mr Speaker: Supplementary questions should be related to your main question!

Dr. Boolell: But then, he has to relate his replies to the questions that are put to him.

Can I ask the Minister whether the Prime Minister had a meeting with those two promoters who were keen to go into a joint venture and to go against the findings of the Expression of Interest and to modify the Master Plan? This is what I would like to know.

Dr. Padayachy: M. le président, avec votre permission, j'aimerais dire que cette question est ridicule. C'est ridicule ! Je viens d'expliquer toute la procédure. Le Premier ministre, lui-même, a demandé l'avis du *SLO* suite à une correspondance de l'ancien

président, M. Gérard Sanspeur, qui, lui-même, avait entamé toutes les négociations. Donc, maintenant pour dire que le Premier ministre a eu des rencontres pour modifier je ne sais quelle procédure, je trouve cela, je me permets, je vous demande la permission de dire, c'est ridicule.

Dr. Boolell: I have asked a specific question; whether there was any meeting between the two promoters who had gone into a joint venture to acquire agricultural land at agricultural price, to leverage that land, to make billions of profits at the expense of the other promoters. Is that fair? Is that justice?

Dr. Padayachy: Mais, M. le président...

Dr. Boolell: You don't know about. You mentioned that there were 32 promoters who were shortlisted. What about the interests of those 32 promoters who were shortlisted? They have no right?

Dr. Padayachy: Mais, M. le président, il y a un conseil d'administration, il y a un comité d'évaluation qui ont pris des décisions sur ce projet, et suite à un courriel, encore une fois, je le répète, le Premier ministre a demandé l'avis légal du *SLO* et suite à cet avis légal, le gouvernement est en train d'implémenter la totalité de l'avis légal du *SLO*, et on est en train de demander de mettre en place une procédure pour l'appel d'offres. Donc, je ne vois pas où on essaye de partir, M. le président. Je ne comprends même pas la question, parce que, concernant les autres, il y aura un appel d'offres et les autres soumissionnaires vont déposer leur dossier et on ira avec une procédure et on verra qui aura le projet.

Dr. Boolell: Is it fair to give differential and special treatment to two promoters at the expense of the other promoters? Is this fair?

Dr. Padayachy: M. le président...

Dr. Boolell: Is this fair?

Dr. Padayachy: M. le président, c'est ce que je viens de dire. C'est de crier 'au loup'. On n'a rien fait jusqu'à présent ! Suite à la décision du Premier ministre, on a demandé l'avis légal et suite à cet avis légal, on a demandé de préparer une procédure pour l'appel d'offres, Donc, je ne vois pas. Il n'y a pas eu de *Letter of Intent*. En quoi on est en train de modifier?

An hon. Member: *Sans Sanspeur ti pou ena!*

Dr. Boolell: That is right.

Can I ask the Minister, had it not been for Mr Sanspeur, the one who you want to put on trial, that *Letter of Intent* would have been issued? Is he aware of this? The Board had already agreed to issue the letter...

Dr. Padayachy: M. le président...

Dr. Boolell: ...had had they not gone to State Law Office to seek advice. That is why I say, in the name of transparency, you may say whatever you want, that advice has to be rendered public. Otherwise, you are living in a climate of opacity, which is the hallmark of your Government.

Dr. Padayachy: M. le président, un avis légal, vous venez de le dire, c'est confidentiel. Je répète, au cas où on n'a pas très bien compris ; je le répète. Toute la procédure va être revue et on va passer par un appel d'offres. Donc, voilà où on en est et on vous donnera plus de détails au fur et à mesure que l'appel d'offres sera lancé.

Dr. Boolell: Mr Speaker, Sir, I will ask a simple question. Why did the Board approve the Letter of Intent before advice was sought?

Dr. Padayachy: M. le président, un *Board*, un conseil d'administration est dirigé par un président. Encore une fois, si à l'époque, il y avait eu quelque chose, il n'avait qu'à sortir et à le dire, au lieu de dire que 'je ne vois personne me remplacer à *Landscape*'. Donc, au lieu de dire cela, il n'a rien dit, et maintenant, on nous apprend que sans lui, il y aurait eu *a Letter of Intent*. Mais je rappelle, encore une fois, que M. Gérard Sanspeur, jusqu'à tout récemment, était président de *Landscape* et à ma nomination, comme ministre des Finances, il n'est jamais venu me voir...

(Interruptions)

Mr Speaker: Hon. Assirvaden, behave yourself!

Dr. Padayachy: *Can I?* Est-ce que j'ai le droit de répondre, M. Assirvaden? Il n'est même pas venu me voir pour me raconter toute l'historique de ce dossier. Je l'ai appris, j'ai regardé, on a regardé le dossier et aujourd'hui, je suis en train de donner les réponses, et on est en train de dire des *oui-dire*, oui, peut-être qu'on aurait donné le *Letter of Intent*, peut-être qu'on aurait favorisé x, y, z, mais nous, nous nous basons sur les faits, M. le président. Les faits sont simples. Suite à un courriel de M. Gérard Sanspeur...

(Interruptions)

Mr Speaker: One Leader of the Opposition!

Dr. Padayachy: Suite à un courriel de M. Gérard Sanspeur, le Premier ministre a demandé un avis légal du *State Law Office* et suite à cet avis légal, on est en train de procéder par un appel d'offres. Voilà où nous en sommes!

Dr. Boolell: It stands to reason that this Government - can I ask the Minister why is it that they are not paying heed to the legal advice tendered by State Law Office? And you know what it means? That there should be Request of Proposal inviting all promoters, without leaving out those two promoters who are keen to acquire land, agricultural land at agricultural price to make a hefty profit. And I say this because they have the support of your Government!

Mr Speaker: Leader of the Opposition, you have been repeating this question three times.

Dr. Boolell: Yes, because it is a very important question.

Mr Speaker: No, this is not the rule!

Dr. Boolell: Because he is not giving reply.

Mr Speaker: This is not the rule!

Dr. Boolell: He is not giving reply to the...

Mr Speaker: If you do not have any question, other Members could put questions. Go ahead with the next question!

Dr. Boolell: With all due respect to you, Mr Speaker, Sir, I don't take instruction from you in respect of the question that I have to put.

Mr Speaker: No! Leader of the Opposition,...

Dr Boolell: Okay! I do not take...

Mr Speaker: ...don't make any comments to the Chair! This is very unbecoming and lack of decorum towards the Chair!

(Interruptions)

An hon. Member: *Guet dans ene la glace lerla!*

Dr. Boolell: It is a two-way traffic, Mr Speaker, Sir.

(Interruptions)

Mr Speaker: And hon. Shakeel Mohamed, this is the last warning! This is the last warning!

An hon. Member: *Mette li dehor do!*

Mr Speaker: This is the last warning!

Dr. Boolell: Can I ask the hon. Minister whether one of the promoters, the Ergoma Consortium, which has gone into a joint venture with the Côte d'Or Smart City, whether in the past, this gentleman - it is important to know, that is why I am saying you are favouring those who are close to you - was given an EIA Licence in areas where there are wetlands, and that went against provision of the law? That is why I am saying this Government is selectively favouring people, and this gentleman is one of those persons who has been given land, land which has been divested, land owned by the State, divested and allocated to one specific gentleman. As such, he has been given more than seven acres of land in the region of Ebène and Highlands.

Dr. Padayachy: M. le président, je demanderai au Leader de l'opposition de venir avec une question spécifique sur ce sujet. Est-ce que c'est une question reliée à la *PNQ* ?

Dr. Boolell: Of course!

Dr. Padayachy: En quoi ? Je me pose la question. En quoi c'est relié à la *PNQ* ?

Mr Speaker: Next question!

Dr. Boolell: It is on the basis that you are favouring somebody who is close to Government, being dispensed favours at the expense of 31 promoters! That's why I put the question: was there a Request for Proposal to invite all those who submit applications when the Expression of Interest exercise was conducted? That's the question !

Dr. Padayachy: M. le président, je le répète encore une fois, les procédures ont été respectées au niveau du conseil d'administration, dirigé alors par Gérard Sanspeur, qui a procédé à ce lancement de *Expression of Interest*. Et par la suite, deux ans après, il prévient le Premier ministre par courriel qu'on a besoin d'un avis légal sur le dossier, et le Premier ministre a agi tout de suite, M. le président, et demande un avis légal sur ce dossier, et suite à cet avis légal, on est en train de procéder par un appel d'offres sur tout le projet. Donc, je ne vois pas en quoi ce gouvernement est en train de protéger qui que ce soit, parce qu'on est en train de participer, de lancer un appel d'offres sur tout le projet. Merci, M. le président.

Dr. Boolell: May I ask the hon. Minister whether due diligence was conducted as specified in the letter that was addressed by the Ministry of Finance and Economic Planning?

Dr. Padayachy: Encore une fois, je pense que cela mérite une question spécifique.

(Interruptions)

Cela relève du conseil d'administration, M. le président. Cela relève du conseil d'administration qui doit agir et qui agit en toute indépendance. Et c'est de l'autorité du conseil d'administration de *Landscape* de vérifier toutes les procédures. C'est pour cela que le *SLO* a demandé de faire un appel d'offres sur tout le projet, et c'est ce qu'on est en train de faire, M. le président.

Dr. Boolell: Can we have the name of the members of the Board of Directors? Can the hon. Minister submit the names of the members of the Board of Directors?

Dr. Padayachy: M. le président, je l'avais déjà fait. Je vais redéposer les noms des membres et du président et du conseil d'administration de *Landscape*.

Mr Speaker: Time over!

Hon. Members, the Table has been advised that PQ B/390 will be replied by the hon. Minister of Financial Services and Good Governance. PQ B/392 has been withdrawn.

Hon. Nagalingum!

MALAGASY PATIENT - PRIVATE FLIGHT - PCR TEST

(No. B/386) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Malagasy national who landed in Mauritius in a private jet, on or about 11 July 2020, he will, for the benefit of the House, obtain information as to -

- (a) if the latter underwent a PCR test prior to boarding the jet;
- (b) who approved the landing of the private jet ;
- (c) the number of persons who accompanied the latter, indicating if they have been quarantined and, if so, where, and
- (d) when the relevant authorities were informed by Wellkin Hospital of the arrangements made by the latter therewith.

The Prime Minister: Mr Speaker, Sir, since the closing of our borders on 19 March 2020, except for cargo flights, any other incoming flights are cleared by the Director of Civil Aviation after consultation with the Ministry of Health and Wellness and the Ministry of Foreign Affairs, Regional Integration and International Trade and following approval by the National Committee on COVID-19 and my Office.

Priority of consideration is given to cases of repatriation and medical evacuation/mercy flights.

The conditions applicable to all flights are, *inter alia*, that embarking passengers should undertake a PCR test five days prior to departure, and the results of which should be negative. On arrival, the passengers will be transferred directly to a quarantine facility for a minimum of 14 days.

A request was received from the Embassy of Madagascar in Mauritius for authorisation for a private flight to land in Mauritius transporting a patient requiring urgent surgical intervention at the Wellkin Hospital as well as two accompanying passengers. The flight was considered as a medical evacuation/mercy flight and approved, based on urgent humanitarian ground since the medical services required for the treatment of the patient are not available in Madagascar. The patient and the two accompanying passengers effected their PCR test at the *Institut National de Recherche en Santé Publique* in Madagascar on 08 July 2020. All the tests were negative.

On arrival on 12 July 2020, Wellkin Hospital made all arrangements in consultation with the Ministry of Health and Wellness for the transfer of the patient and the two accompanying passengers from the airport to the quarantine facility at Wellkin Hospital, where they were quarantined. On the same day and in accordance with existing sanitary protocol, a PCR test was carried out by the Ministry of Health and Wellness on the three passengers. The results were known on 13 July 2020. The patient was tested positive. She was immediately transferred to the ENT Hospital whereas the two other passengers were tested negative but remained in quarantine at the Wellkin Hospital.

As regards part (d) of the question, on 11 July 2020, Wellkin Hospital informed the relevant authorities of the arrangement it would be making for pick up at the airport and admission of the three passengers in quarantine zone of the Wellkin Hospital.

Mr Nagalingum: As the hon. Prime Minister stated, the patient was accompanied by two other members in a private jet. Can the hon. Prime Minister confirm if the passengers

who landed, including the patient, were related and what is exactly the protocol for these people accompanying the patient?

The Prime Minister: One accompanying passenger, I am informed, is the spouse of the patient and the other one is the daughter. As I have stated in my answer, the protocol is that as soon as they landed, there was a transport which had been arranged by the Hospital to take them to Wellkin Hospital, where they were quarantined, and tests were performed, that is, PCR test, immediately, in order to find out whether they were COVID-19 negative. And as I have stated, the result was that the patient was tested positive, whereas the two accompanying passengers were tested negative.

Mr Speaker: Hon. Dhunoo!

Mr Dhunoo: I would like to know from the hon. Prime Minister for how long did the private aircraft stay in Mauritius and where did the crew stay?

The Prime Minister: On 12 July, the flight, I am informed, landed at 09.51 hours in the morning and departed, in fact, on the same day at 10.58 hours. I must say there was an accompanying doctor who remained onboard throughout.

Mr Nagalingum: As mentioned by the hon. Prime Minister, the patient was here for a surgical treatment. Why was he not accompanied by a doctor as per the protocol?

The Prime Minister: Following the last supplementary question which was asked by hon. Dhunoo, I said that the patient was accompanied by a doctor, but that doctor remained onboard throughout and did not disembark. So, he went back.

Mr Speaker: Hon. Ittoo!

Mr Ittoo: Can we know from the hon. Prime Minister how many people were in contact with the patient, apart from those accompanying the patient, and what action has been taken? Thank you.

The Prime Minister: I am informed that there were 14 people who were in contact with the patient and, as according to the protocol which has been established, they had to be isolated, and they were tested. All 14 of them were tested negative, and they have already resumed their work.

Mr Speaker: Hon. Nagalingum!

Mr Nagalingum: Yes, a last supplementary question, Mr Speaker, Sir. Can I ask the hon. Prime Minister how many people benefitted from such discretion and why were the criteria of protocol not applied to the seafarers who were on the boat close to Mauritius and who have been tested negative to the virus? It is a completely different question.

The Prime Minister: The hon. Member should understand. First of all, let me emphasise that there is no discrimination. This is a case of medical evacuation. The Government of Madagascar, through a *Note Verbale*, had requested that the patient be treated here because there was no available treatment in Madagascar. And going through the *Note Verbale*, and it is good that I say quote from it, so that we understand the urgency of the situation, and I quote -

“L’état de santé nécessite des soins non disponibles à Madagascar et le caractère urgent de la demande, compte tenu de l’évolution de l’état de santé de la personne concernée.”

I can assure the hon. Member that in such cases we do take into consideration the state of health of the patient who has made the request and, of course, if the treatment is not available, whether in Madagascar, or in Comoros, or in any friendly country, especially when it is in the Indian Ocean, we do give special consideration to such a case. The case of seafarers is totally different.

Mr Speaker: Next question, hon. Juman!

**AIRPORTS OF MAURITIUS LTD – INTERNATIONAL AND DOMESTIC
ARRIVALS & DEPARTURES – 01 MARCH 2020-JULY 2020**

(No. B/387) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the tourists, Mauritian nationals and other persons residing in Mauritius, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd, information as to -

- (a) the number thereof who landed in and departed from Mauritius since 01 March 2020 to date, and
- (b) if special permissions have been granted to any person to leave the island for reasons other than repatriation.

The Prime Minister: Mr Speaker, Sir, regarding part (a) of the Question, I am informed by the Chief Executive Officer of Airports of Mauritius Co. Ltd that AML collects data in respect of international and domestic arrivals and departures and not in respect of categories of passengers. The total number of arrivals in accordance with AML records, including domestic and transit passengers, was 85,237 and that of departures was 113,498 for the period 01 March 2020 to date.

Passport and Immigration Office records for the same period indicate that excluding transit and domestic passengers, there were 17,081 Mauritians, 49,556 tourists and 6,544 other foreigners mostly holding business visa, residence permit and occupational permit who arrived in the country. 9,562 Mauritians, 84,796 tourists and 6,728 other foreigners left the country.

As regards part (b) of the Question, the law does not provide for “special permissions” to leave the country. It is expected that the hon. Member provides clarifications as to what he means by “special permission” and asks a substantive question if an answer is to be provided.

Mr Speaker: Hon. Doolub!

Mr Doolub: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister state whether the normal process has been followed for issuing clearance for private flights? Thank you.

The Prime Minister: Mr Speaker, Sir, normally, the requests are made to the Director of Civil Aviation who issues clearances in consultation with PIO and AML, in accordance with the Civil Aviation Regulations and the Aeronautical Information Publication. But, as we are in an exceptional situation wherein we have a protocol for quarantine, the application, therefore, is obviously received by the Department of Civil Aviation, and the views of the Ministry of Foreign Affairs and the Ministry of Health and Wellness are then sought. Now, if the application is rejected, that is the end of the matter. Otherwise, if it is approved, it is also considered by the National Committee on COVID-19, and even then, the DCA will have to consult the Secretary to Cabinet and my Office before a final clearance is given.

Mr Speaker: Hon. Juman!

Mr Juman: Thank you, Mr Speaker, Sir. Is the hon. Prime Minister aware that three businessmen of foreign origins came to Mauritius in the morning of 22 July 2020, with a business visa, on Flight MK 111 from Mumbai, one Mr J.V. Chan, Ms J. Krishna and Mr

P.B. John? I want to know from the hon. Prime Minister why they were given priority when many of our citizens are still stranded in India, and also if he can tell us whether they went in one of the Quarantine Centres, and if they bore the cost of same?

The Prime Minister: Mr Speaker, Sir, the hon. Member should have, at least, given all these details in his question. I have with me a list of arrivals and departures. Unless he wants me to go through that list now, it will take me some time before I can identify that very specific flight on that day and answer the question.

(Interruptions)

So, if you come with a specific question...

Mr Juman: I have given you the specific flight, time and the names.

The Prime Minister: Yes, but look at your question! Your question was with regard to tourists coming...

Mr Speaker: Be more specific, hon. Member!

Mr Juman: We have three businessmen who came. While we have stranded Mauritians in India, priority is given to the Indian businessmen over stranded Mauritians. And that is related to my question.

Mr Speaker: No. Be more specific!

(Interruptions)

The Prime Minister: Yes, you come with a specific question. I am not refusing to answer, Mr Speaker, Sir. But, he should indeed come with a specific question, and I shall give all the details.

Mr Speaker: Next supplementary!

Mr Juman: Mr Speaker, Sir, thank you. Will the hon. Prime Minister tell us whether there are specific criteria to allow foreign passengers in our country and, if yes, are they treated case to case or we have a general protocol?

The Prime Minister: First of all, the permission is given depending on the request, and the request must establish, as I have said, certain justification for coming in. Now, in the case of Mauritians, my colleague, the Minister for Foreign Affairs has already lengthily answered in this very National Assembly that, for Mauritians, we have priority cases, and we have put in place a system for controlled number of Mauritians coming back because they

have to be quarantined, and there is a number that we do not want to go beyond; otherwise, it will exert tremendous pressure on the health personnel. And the same also goes for others because we need to monitor the situation very carefully, and because we have been able to monitor it and to put a system in place, that is why we are one of the rare countries in the world which is COVID safe. There is so far no contamination locally. We are making sure we do not have any, because we have seen that those who are coming from abroad that they have to undergo a PCR test prior to boarding valid five days, but in spite of that, we have had a few cases, in spite of the fact that we have a protocol, of some landing in Mauritius and who are tested positive. We have thus taken all the necessary precautions and everybody has to be quarantined, and everybody who is found to be tested positive will be admitted to a treatment centre. I can assure the hon. Member of one thing, though I do not have the details that he is providing to this House. If ever those people have come to Mauritius, I can assure him that they must have been quarantined at least for 14 days, but, obviously, I shall find out and provide the information to him.

Mr Speaker: Last supplementary question!

Mr Juman: Thank you, hon. Prime Minister. Can you give us an indication how many citizens are still stranded around the world and by when they are expected to be repatriated?

The Prime Minister: Mr Speaker, Sir, if the hon. Member goes through past PQs which have been put to my colleague, the hon. Minister for Foreign Affairs, although I do not have the details in mind, I am sure that he must have answered that there is still a number of Mauritians who are stranded in different parts of the world, and we are doing our utmost in order to be able to repatriate them. They are given priority, and as far as how many as at now are still stranded, well, again, if a specific question is addressed to my colleague, the hon. Minister of Foreign Affairs, he will gladly answer.

Mr Speaker: Next question!

CITIZEN SUPPORT UNIT – REQUESTS & COMPLAINTS

(No. B/388) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Citizen's Support Unit, he will, for the benefit of the House, obtain

therefrom, information as to the number of requests and complaints filed thereat for the year 2019 and since January 2020 to date, indicating the number thereof having been solved.

The Prime Minister: Mr Speaker, Sir, I thank the hon. Member for giving me the opportunity to dwell on the Citizen Support Portal, of which I am very proud. My priority, when I took office as Prime Minister in January 2017, was to put the citizen at the core of all Government decisions. This online complaints management system, which I launched on 28 April 2017, consists of an open source software customised by Mauritius Telecom and it establishes the link between all Government institutions and the public, thereby promoting an inclusive and citizen centric service delivery.

The portal enables citizens to register and track their complaints online on www.csu.mu through a unique reference number on a 24/7 basis wherever they are. An automated response is then generated to acknowledge receipt of the complaint and sent to the complainant via email and mobile phones.

Citizens who do not have access to computers have the possibility to register their complaints in the 35 Citizens Advice Bureaux (CAB) or 95 Citizen Support Corners in Post Offices around the island. CAB Organisers refer the complaints to Desk Officers or focal points of around 320 institutions comprising Ministries, Departments, Local Authorities and Parastatal Bodies. We have more than 1,500 trained civil servants at the back end in these organisations responsible to follow up and address these complaints. Let me also stress that the portal is disability friendly and can be used by those with visual impairments.

Mr Speaker, Sir, the management of the portal is done at the level of the Citizen Support Unit (CSU) of my Office and complaints are channelled to all Ministries, Local Authorities and Parastatal Bodies for redress within clear time frames and response to citizens.

The CSU has classified the requests/complaints into 206 categories such as street lighting, pricing issues, building and permits, drains and road infrastructure, cleaning of bare land, employment and job seeking, amongst others, together with a time frame to resolve the requests and complaints in each category.

The number of requests, including complaints, suggestions and queries registered on the portal for the year 2019 is 41,628, out of which 84% have been successfully dealt with. For the period January 2020 to 24 July 2020, 29,256 requests were registered, out of which 63% have been successfully dealt with. It is worth pointing out that over the period 28 April

2017 to 24 July 2020, the portal has registered 138,325 requests and complaints, out of which 83.5% have already been addressed.

The real-time data captured on the CSU dashboard have been used to investigate deeper into the complaints received. Monitoring and evaluation is one of the most integral and critical parts undertaken at the level of the CSU driven towards identifying and documenting the complaints/suggestions/queries registered on the Citizen Support Portal and evaluating, *inter alia*, the needs of the citizens, the quality of response by Government agencies, effectiveness of public service delivery and the effectiveness of Government programmes and activities.

Mr Speaker, Sir, the Monitoring and Evaluation Report prepared by the CSU and regular reporting by Ministers are taken up at Cabinet level. The report uses scientific data captured on the portal to analyse the needs of citizens region-wise and the gaps and weaknesses within the ambit of public administration with a view to taking the initiatives and appropriate measures to tackle those issues. The citizen centric engagement platform has to a great extent brought the most awaited radical change, positively impacting on the process of complaints management, transparency, accountability, Government decision making and the quality of public service delivery. As such, it has been an effective tool to bridge the gap between Government policies and citizen's needs.

In addition, in May 2018, a Task Force under the Chair of the Parliamentary Private Secretary (PPS) was set up in each of the 20 Constituencies to ensure a close monitoring of the complaints received by each organisation on the Citizen Support Portal. The aim is also to meet the officers and stakeholders who are closer to the issues and reality and engaging them in discussions that would help evaluate the problems, identify the constraints encountered in delivering the outcomes, finding feasible solutions in the shortest time frame, and reporting to higher level. Around 200 Task Force meetings have been conducted as at July 2020.

Mr Speaker, Sir, communication has also been an effective tool to ensure proximity and close interaction with citizens in order to build trust and gather real time data at grass roots level. Since April 2017, the CSU has embarked on a vast communication campaign in order to cover the whole population and to ensure that the citizens are made aware of their rights and benefits provided by Government. The following communication campaigns, amongst others, have been conducted -

- (i) Radio programmes thrice per week, which comprise interaction with citizens to resolve their complaints and sensitize the population about procedures and policies of the Government in all sectors;
- (ii) Weekly TV programme every Thursdays broadcasted on MBC TV channel during peak time to bring solutions to the problems faced by vulnerable persons;
- (iii) Sensitisation campaigns by the Task Forces live on radio in each region across the island and in shopping malls to ensure more proximity with the citizens;
- (iv) Broadcasting of video clips showing new and innovative features on the portal on the national television for more awareness and video clip on CSU song, and
- (v) Active on social media platform, namely Facebook and YouTube.

Mr Speaker, Sir, the project has met with a resounding success not just locally but has also received recognition at international level as follows -

- (i) The project received the Bronze Award at the African Association for Public Administration and Management under the innovative management category;
- (ii) My Office has also been approached by the African Development Bank with a view to replicating a similar system in other African countries. A delegation from Lesotho visited Mauritius in December 2019 and were ready to embark on the implementation of a citizen support portal in their country;
- (iii) The CSU was also invited in October 2019 to make a presentation of the portal at the 2nd International Conference on Governance and Service Delivery for Developing Economies organised by the Uganda Management Institute, and
- (iv) The Journal of US-China Public Administration published an article on the portal in its March-April 2020 issue.

Mr Speaker, Sir, I wish to inform the House that my Government is leaving no stone unturned in its quest for continual innovation and progress. The ultimate mission is to modernise the public sector to better serve the nation and bring a smarter Government closer to its citizens through the click of a button.

Mr Speaker: One last supplementary!

Mrs Luchmun Roy: Can the hon. Prime Minister inform the House of the different constraints or reasons why some complaints are not resolved?

The Prime Minister: Mr Speaker, Sir, I must say that there are some complaints which, obviously, take time to be examined and some have also to be dealt with by other different institutions. And we have, in fact, seen that there are certain issues that have to be tackled by different bodies. Obviously, there are also some frivolous cases which cannot be entertained. That is why a number of those requests and complaints cannot be attended to.

Mr Speaker: Time over!

TRADE & THERAPEUTIC COMMITTEE - COMPOSITION

(No. B/394) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the Trade and Therapeutic Committee, he will state the -

- (a) composition thereof, indicating the related field of experience of the appointees thereat;
- (b) purposes thereof, and
- (c) list of drugs in the database thereof.

Dr. Jagutpal: Mr Speaker, Sir, in regard to part (a) of the question, the Trade and Therapeutics Committee comprises the following -

- (i) the Principal Medical Officer, restyled as Director Health Services, Dr. Bhoosun Ori (Chairperson). He is a qualified Emergency Physician, was appointed as Director Health Services (Public Health) on 09 May 2018 and reckons 34 years' of service in the health sector;
- (ii) the Chief Government Pharmacist, restyled as Director Health Services, Mr H. K. Bucktowar, Ag Director Pharmaceutical Services, Holder of a Bachelor in Pharmacy and who reckons 32 years' of service in Pharmacy;
- (iii) a representative of Ministry of Commerce and Consumer Protection, Mr Amardeep Seetohul, Head Consumer Affairs Unit;
- (iv) 3 Medical Practitioners -
 - Dr. Ramprakash Reesaul, registered as Medical Practitioner since 1995, Consultant in Charge in the field of Tuberculosis and Chest diseases at SSRN Hospital and who reckons 25 years' of service. Since January 2020, he is the Tuberculosis Manager for WHO and

SADC Region. He is also the President of the Mauritian Respiratory Society and has been member of the European Respiratory Society since 1995. Dr. Reesaul is also the Vice President of *Société de Pneumologie de l'océan Indien*.

- Dr. Hoy Youn Yee Kin Tet, registered as Medical Practitioner since 1992, is currently Senior Specialist, known as Consultant at Victoria Hospital reckoning 26 years' of service;
- Dr. Ritesh Gujadhur, General Medical Practitioner who is registered since 2016;

(v) 2 Pharmacists -

- Mr Brijendrasingh Naeck, Principal Pharmacist, posted at airport and seaport. Mr Naeck holds a Brevet in Prosecution and has participated in several operations organized by the Mauritius Revenue Authority (MRA) to track down counterfeit drugs;
- Miss Madhu Harsha Neerunjun, who joined service since 01 July 2017, is currently working as Pharmacist/Senior Pharmacist at the SSRN hospital. She is part of the management system responsible for selection of medicine and treatment protocol, optimising drug use, monitoring and reporting of adverse effects.

As far as part (b) of the question is concerned, I am further informed that in the Pharmacy Act 1983, Section 7 provides for a Trade and Therapeutics Committee which shall advise the Board on -

- (a) any matter relating to the manufacture and importation of pharmaceutical products;
- (b) compilation and maintenance of a National Drugs Formulary;
- (c) reported adverse effect caused by any drug and any measure required to be taken to protect public health;
- (d) any area which is in need of a pharmacy;
- (e) any matter referred to it by the Board.

Mr Speaker, Sir, as regards part (c) of the question, I am informed that there is a database consisting of about 8,700 drugs out of which 5,000 are actively marketed. I am tabling the list.

Dr. Aumeer: Thank you, hon. Minister. Can the Minister inform the House whether the drugs, that are on the database for the last five years, have all been examined by the Trade and Therapeutic Committee and approved by the Pharmacy Board, and submit details thereof please?

Dr. Jagutpal: Mr Speaker, I have already submitted the list and I have already mentioned that out of which 5000 drugs are actively marketed and I am sure that these 5000 drugs, which are actively marketed, are under the scrutiny of the Trade and Therapeutic Committee.

Dr. Aumeer: Hon. Minister, I understand that the Trade and Therapeutic Committee does also have under its umbrella the Pharmacovigilance of drugs that are imported in this country with regard to safety and efficiency, and particularly the safeguards on our population. Will the Minister confirm whether the Pharmacovigilance Section or Department is still functional? When was its last meeting and the frequency of such meeting?

Dr. Jagutpal: Mr Speaker, Sir, this is another committee.

Dr. Aumeer: As the hon. Minister himself said, Pharmacy Act, section 7 reports adverse effect. I am very concerned whether there has been a reported case of one particular anticancer drug that was imported by one particular wholesaler during which there was a serious adverse effect and has been suspended?

Mr Speaker: Hon. Member, you are mixing too many issues. This is supplementary question, put one by one.

Dr. Jagutpal: Mr Speaker, Sir, I will be very happy to answer this question. But if the hon. Member comes with that particular question, I am going to answer it. The question was addressed on trade and therapeutic, so, I have all the documents on trade and therapeutic. The Pharmacovigilance Committee is another committee. Please come up with another question, I am going to answer.

Mr Speaker: One last supplementary, hon. Doolub!

Mr Doolub: Thank you, Mr Speaker, Sir. Can the hon. Minister of Health highlight the activities on the sitting of the committee for the last one year, please?

Dr. Jagutpal: Mr Speaker, Sir, the activities and sittings of the Trade and Therapeutic Committee for the last one year, I have the report from September 2019 to June 2020. That committee has met thrice, namely on 06 September, 19 November and 04 June. At its sitting on 06 September 2019, the committee has examined 10 applications for the opening of pharmacies out of which two were kept in abeyance, one was not recommended and the remaining 7 pharmacies were recommended.

At its sitting on 19 November 2019, this committee examined 6 applications for opening of pharmacies, inspection reports and registration of pharmaceutical products. Out of the 6 applications, one was kept in abeyance awaiting re-inspection and the remaining 5 applications were recommended. For registration of products, 12 dossiers were examined for registration, out of that 4 were not recommended.

Mr Speaker: Hon. Members, at this stage, I break the sitting for one and a half hour.

At 1.00 p.m., the sitting was suspended.

On resuming at 2.33 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Hon. Dr. Aumeer!

PUBLIC SERVICE VEHICLE (CONTRACT CAR) LICENCE – NUMBER

(No. B/395) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Land Transport and Light Rail whether, in regard to Public Service Vehicle (Contract Car) Licence, he will, for the benefit of the House, obtain from the National Land Transport Authority, information as to the number thereof issued as at to date to car rental companies, indicating if officers of the NLTA carry out inspections and checks thereat.

Mr Ganoo: Mr Speaker, Sir, by virtue of section 76 of the Road Traffic Act, the National Land Transport Authority is empowered to grant a Public Service Vehicle Licence to a motor vehicle to operate as contract car. I am informed by the NLTA that, as at date, licences for contract cars have been granted as follows: 553 to individuals and 340 to car rental companies.

I am further informed, Mr Speaker, Sir, that the NLTA inspectorate carries out enquiry in respect of each application for contract car licence prior to relaying same to the Licensing Committee for consideration. Where licences are granted, checks are maintained

by the NLTA inspectorate in respect of contract cars mainly those based at hotels to ensure that they are operating in accordance with the conditions attached to their licences.

Dr. Aumeer: Thank you, hon. Minister. Can the hon. Minister inform the House whether inspectors of the NTA has carried out checks on certain car rental companies which are also involved in illegally renting private cars and the outcome thereof?

Mr Ganoo: Well, if this is the case, Mr Speaker, Sir, clearly these companies are flouting the law because section 75 (1) (d) of the Road Traffic Act defines what are contract cars. They are motor vehicles constructed for the carriage of passengers and let out for hire or reward under a contract in writing with the condition that the vehicle shall be used for the carriage of persons and other conditions, Mr Speaker, Sir. So, the rental companies are operating illegally. They do not have the right to rent or to hire a car which is not being licensed as a contract car.

Dr. Aumeer: Thank you again, Minister. This is a very important issue of illegal car renting and whether any action or measures can be taken by the NTA to prevent the illegal renting of cars by not already *bona fide* registered contract cars or companies but by individuals who allow drivers with no driving licence to be in possession of cars and they are sometimes involved in serious car accidents and sometimes criminal activities. The latest accident occurred in my own constituency.

Mr Ganoo: I thank the hon. Member for drawing my attention to this situation, Mr Speaker, Sir. Clearly, as I said, the hirer will be flouting the law and the person who is also renting the car will be doing it illegally. So, if there are any cases of such type of companies or individuals who are contravening the Road Traffic Act, I shall be grateful to my friend if he can send the information to the NLTA.

Mr Speaker: Next question, hon. Ms Joanna Bérenger!

PAS GÉOMÉTRIQUES – LEASE

(No. B/396) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the *Pas Géométriques*, he will state the total extent thereof, indicating the extent thereof which is presently leased out.

The Deputy Prime Minister: Mr Speaker, Sir, I am advised that as per the *Pas Géométriques* Act 1874 –

“The reserved lands along the sea coast commonly called the *Pas Géométriques* and referred to in the Arrêté of Général Decaen of 5 May 1807, shall form part of the *domaine public* and be inalienable and imprescriptible.

The breadth of the *Pas Géométriques* is reckoned from the line of the seashore which is reached by high water at spring tide, and shall never be less than 81 metres and 21 centimetres.”

I am further advised that as per records kept at my Ministry, there is a total extent of some 5,290 *arpents* of *Pas Géométriques* around Mauritius. This extent may have varied due to either erosion or sand creation. At present, I am informed there are 3,800 *arpents* of *Pas Géométriques* which have been leased out for various purposes.

Ms Bérenger: Thank you. Can the hon. Minister state how many leases have been retrieved as result of non-compliance with the leased conditions? Can he give the name of those projects and their respective locations? Thank you.

The Deputy Prime Minister: I would have been very pleased to provide all the information had it been available with me right now. If the hon. lady would care to put a substantive question, I shall certainly seek to provide the relevant information.

Mr Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you. I know the Minister has said that it is a public domain. But are there *Pas Géométriques* that belong to other entities than the Government?

The Deputy Prime Minister: Not as far as I am aware because this land is inalienable, as I explained, by virtue of the law.

Mr Speaker: Hon. Ms Joanna Bérenger!

Ms Bérenger: Merci. Le ministre peut-il nous dire si le gouvernement compte implémenter la promesse électorale d’interdire toutes nouvelles constructions d’établissements hôteliers à 100 mètres de la plage, et si cette mesure sera étendue à toutes les constructions en raison du réchauffement climatique et de la montée des eaux ? Merci.

The Deputy Prime Minister: Again, Mr Speaker, Sir, I am sure this is a very interesting question. But as per Standing Order 26, any supplementary, as we all know, is meant to elucidate the information provided to the original question, and I am not in a position to respond to that question today.

Mr Speaker: Hon. Uteem!

Mr Uteem: The hon. Minister referred to the extent of *Pas Géométriques* that is being leased out. Would consideration be given to review the criteria for leasing those *Pas Géométriques*? Being given the limited amount of *Pas Géométriques* land available, if a system of public auction could be installed wherever Government decides to lease out any plot of land, so that everybody in Mauritius has the same right to apply for that lease?

The Deputy Prime Minister: Okay, that is an interesting point. It was raised many, many years ago, I believe. It was under discussion then. No Government has ever considered that proposal. If the hon. Member would care to come up with a substantive question, I would be pleased to address it.

Mr Speaker: Next question!

Ms Bérenger: Une dernière question. Le ministre peut-il nous dire si un *survey* a été fait par rapport à l'impact de la montée des eaux sur les *Pas Géométriques*? Merci.

The Deputy Prime Minister: Okay, and I would suggest that such a question be addressed to my friend, the Minister of Environment. If there exists such a survey, it would have been commissioned and realised by the Ministry of Environment rather than the Ministry of Housing and Land Use Planning.

Mr Speaker: Next question!

CONSTITUENCY NO. 16, VACOAS & FLORÉAL – WATER SUPPLY

(No. B/397) **Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Energy and Public Utilities whether, in regard to non-supply of water on a 24/7 basis since September 2019 to date in Constituency No. 16, Vacoas and Floréal, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the –

- (a) number of complaints registered on the hotline in relation thereto;
- (b) areas affected, and
- (c) cost incurred for water supply through water tankers hired from private operators.

Mr Lesjongard: Mr Speaker, Sir, I am informed by the Central Water Authority that water is supplied on the basis of District Water Supply Zones and not by constituencies. I am further informed that Vacoas and Floréal are supplied within the Upper Mare aux Vacoas

water supply zone. These regions received water from La Marie water treatment plant which is itself fed from the Mare aux Vacoas Reservoir.

I am also informed by the CWA that hours of supply within the Upper Mare aux Vacoas water supply zone normally vary between 10 to 24 hours per day with the regions of Glen Park, Vacoas Centre, Jackson and part of Clairfonds being supplied on a 24/7 basis.

As for part (a) of the question, according to information provided by the CWA, 21,189 complaints regarding poor water supply in the Upper Mare aux Vacoas Supply Zone have been registered on the hotline since September 2019 to 23 July 2020, namely, 12,747 regarding no-water, 7,500 about leakages, 475 regarding the quality of water. 270 about broken communication pipes and 197 about broken mains.

Regarding part (b) of the question, I am informed by the CWA that the affected regions in Vacoas and Floréal that form part of Constituency No. 16 are, Vacoas with a total of 6,653 complaints and Curepipe with 4,513 complaints registered over the period September 2019 to 23 July 2020.

With regard to part (c) of the question, I am informed that three water tankers owned by the CWA are deployed in the Upper Mare aux Vacoas water supply zone and the Authority does not have recourse to private water tankers in that region. As such, there is no associated cost with the supply of water through private water tankers in that Upper Mare aux Vacoas water supply zone.

Ms Bérenger: Thank you. Can the hon. Minister say whether there is a list of the areas where old leaking pipes should be replaced in Constituency No. 16? Thank you.

Mr Lesjongard: I thank the hon. Member for this question. There is a list, but I am not in presence of that list. Maybe, I can, at a later stage, provide the hon. Member with the list.

Ms Bérenger: Thank you. Since the Non-Revenue Water Project was closed in 2017, can the hon. Minister inform the House whether another project with the same holistic approach will be implemented, or whether consideration will be given to the replacement of the pipes in these areas? Thank you.

Mr Lesjongard: Thank you, Mr Speaker, Sir. Since the question put forward by the hon. Member is related to non-revenue water, I do not have the information with me, but if

she comes forward with a substantive question, I will be very happy to provide the information.

Ms Bérenger: Merci. Est-ce que le ministre peut-il nous dire, s'il a l'information, s'il y a eu des plaintes depuis le confinement par rapport aux factures de la CWA et éventuellement, si des remboursements ont eu lieu?

Mr Lesjongard: Again, Mr Speaker, Sir, this is not in the main question. Therefore, I do not have that information with me, but I will be glad to provide that information if she comes forward with a specific question, Mr Speaker, Sir.

Mr Speaker: Next question!

CHILDREN - SQUATTED LANDS - PSYCHOLOGICAL AND/OR MATERIAL ASSISTANCE

(No. B/398) **Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the children living on squatted lands, she will state the psychological and/or material assistance provided thereto, if any, by her Ministry.

Mrs Koonjoo-Shah: Mr Speaker, Sir, I would like to inform the House that my Ministry is mandated to offer protection from any type of physical or mental violence, injury or abuse, neglect, ill-treatment or exploitation of children where he or she lives in the care of the parents, legal guardian or any other person who has the care of that child.

With regard to the children living on squatted lands, I wish to place on record, Mr Speaker, Sir, that a multi-disciplinary team, comprising the representatives of the Ministry of Housing and Land Use Planning, the National Empowerment Foundation, the Ministry of Social Integration, Social Security and National Solidarity and officers of my Ministry, was deployed to effect visits in these areas.

The representatives of the Ministry of Housing and Land Use Planning, the National Empowerment Foundation, the Ministry of Social Integration, Social Security and National Solidarity and officers of my Ministry were deployed to effect visits in these areas. An assessment of the situation was carried out by these officers of my Ministry and explanations were given to these families on the services provided by the Family Welfare and Protection Unit as well as available psychological services of my Ministry.

Subsequently, on 02 and 03 June 2020, visits were also effected by the officers of the Child Protection Services and psychologists.

However, Mr Speaker, Sir, my officers were met by parents who showed hostile attitude and refused to give the names and particulars of their children. Therefore, no psychological intervention could be carried out.

Ms Bérenger: Merci. Plus que la ministre a mentionné le vice-Premier ministre et ministre des Terres et du Logement, j'aimerais rappeler qu'il avait donné la garantie qu'un triage serait fait pour identifier les *genuine cases*. Nous sommes forcés de constater que deux mois se sont écoulés et que les familles sont encore nombreuses à dormir sous des tentes par ce froid glacial pendant que nous sommes au chaud sous nos couettes. La ministre ne pense-t-elle pas qu'il serait nécessaire de loger temporairement ces enfants et leurs parents dans les centres communautaires dont elle a la responsabilité? Merci.

Mrs Koonjoo-Shah: Mr Speaker, Sir, I thank the hon. Member for the question although it is not very much related to psychological or material assistance that has been raised in the initial PQ. But I will indulge the hon. Member with an answer.

My Ministry, the Social Welfare Centres that she is referring to, we are not mandated to provide such assistance and, as I mentioned in my main reply, there has been a multi-disciplinary team that has been set up to address those genuine cases and to find solutions and this is exactly what is being done.

Mrs Navarre-Marie: Mr Speaker, Sir, will the hon. Minister state whether a survey has been carried out as to the number of children who live on these sites and whether the CDU has made any provision, has taken any disposition to ensure that these children attend schools?

Mrs Koonjoo-Shah: Mr Speaker, Sir, I thank the hon. Member for the question. Indeed, there have been surveys carried out at all 5 sites by the officers of my Ministry with the help of the officers from the NEF, the National Empowerment Foundation. There were 31 children among the 16 families that were identified that could benefit from *accompagnement scolaire* and provisions are being made accordingly.

Ms Bérenger: Au-delà des conventions internationales dont Maurice est signataire pour la Protection des Droits des Enfants, l'Article 7 de notre Constitution protège tout citoyen contre le traitement inhumain. La ministre ne pense-t-elle pas que le fait de détruire

sous les yeux de ces enfants le toit ou plutôt les structures qui les protégeaient du virus et du froid constitue une entrave à leurs droits fondamentaux et constitue un traitement inhumain?

Mrs Koonjoo-Shah: Mr Speaker, Sir, I again thank the hon. Member for the supplementary question. The rights of the child are respected at each and every level by the Government and by my Ministry. My officers cannot impose our services on families that do not wish to benefit from the services although through the multi-disciplinary team and the visit conducted, our services were offered to these families and children.

Mr Speaker: Hon. Mrs Mayotte!

Mrs Mayotte: Thank you, Mr Speaker, Sir. Can the hon. Minister state what are the main difficulties observed on the different sites and what are the measures being taken? Thank you.

Mrs Koonjoo-Shah: Mr Speaker, Sir, I thank my hon. Colleague for the question. From the service conducted at those sites, the main issues reported by the families were those of financial and accommodation nature and this multi-disciplinary team, headed by the Ministry of Housing, is working on finding solutions to address these issues raised.

Mr Speaker: Next question!

(Interruptions)

Okay!

Ms Bérenger: Thank you. Au-delà de l'aspect psychologique qui était identifié dans la question concernée, j'aimerais attirer l'attention de la ministre sur l'aspect matériel. Étant donné que Maurice est signataire de la Convention Internationale relative aux Droits de l'Enfant, l'Article 27, section 3 dit que l'État a la responsabilité d'aider les parents à mettre en œuvre les droits des enfants, notamment en ce qui concerne l'alimentation, le vêtement et le logement. J'aimerais savoir qu'est-ce qui est fait précisément concernant ces trois critères. Merci.

Mrs Koonjoo-Shah: I thank the hon. Member for her question and I would like to reiterate again that through the site visits effected by a team, an inter-ministerial team, provisions have been made, through the NEF, to get in touch with NGOs so that help can be accorded to those in need. But I would like to reiterate again that my Ministry cannot impose its services or be it psychological support, family welfare support upon families who are not requesting or willing to accept such services.

Mr Speaker: Next question!

RIVIÈRE SÈCHE – CONCRETE WORKS

(No. B/399) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of National Infrastructure and Community Development whether, in regard to the concrete works being executed at Rivière Sèche, next to the Gymkhana, he will state if –

- (a) a hydraulic study has been carried out prior to the implementation thereof, and
- (b) the project includes provision for maintenance and, if so, give details thereof.

(Withdrawn)

RODRIGUES - IN-LAGOON FISHING ZONES - CONVERSION

(No. B/400) Mr J. Léopold (Second Member for Rodrigues) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the representations made by people in Rodrigues for the conversion of the four existing in-lagoon fishing zones thereat into one single zone, he will state if consideration is being given thereto and, if so, indicate where matters stand.

Mr Maudhoo: Mr Speaker, Sir, I am informed that since 2006, the fishing zones in Rodrigues are divided into four zones. It is on this basis, among others, that the Bad Weather Allowance is paid monthly to the Rodriguan fishers.

As per records available at my Ministry, there have been representations made in 2010 and 2014 for the conversion of the four existing in-lagoon fishing zones in Rodrigues into one single zone. After considering these representations, the then Ministry of Fisheries and Rodrigues did not accede to the request based mainly on the advice of the Meteorological Services.

Mr Speaker, Sir, I am pleased to announce in view of the representation on this issue and even from the Mauritian fishers regarding the four in-lagoon fishing zones in Mauritius, I am contemplating the conversion of the four existing in-lagoon fishing zones in Mauritius and in Rodrigues respectively into one single zone.

Mr Speaker: Hon. Léopold!

Mr Léopold: Thank you, Mr Speaker, Sir, and thank you for your reply, hon. Minister. As you know, meteorology is not an exact science and it takes only less than 15

minutes for the fishers to get from one zone to another. On this line, would the Minister look into the matter as soon as you possibly can, quickly, address the matter?

Mr Maudhoo: Mr Speaker, Sir, this will be done as soon as possible.

Mr Armance: Mr Speaker, Sir, since the Minister mentioned same is going to be implemented in Mauritius as well, may we know about the timeframe for implementation, where matters stand at the level of his Ministry?

Mr Maudhoo: Mr Speaker, Sir, when I say as soon as possible because this is done through regulation, so, it won't take a long time for me to bring in the regulation.

Mr Speaker: The Table has been advised that PQ B/447 has been withdrawn.

Next question!

RODRIGUES – DISTRICT COURT – UPGRADING

(No. B/401) **Mr J. Léopold (Second Member for Rodrigues)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to the District Court of Rodrigues, he will state if consideration will be given for the upgrading thereof to allow the setting up of a –

- (a) Financial Division, and
- (b) Land Division thereat.

Mr Gobin: Mr Speaker, Sir, the Financial and Land Divisions will be set up by way of the Courts (Amendment) Bill, which is already before the House and, of course, this will also be applicable to the Court of Rodrigues.

With regard to the question of whether the Court of Rodrigues requires upgrading, this will depend on the volume of cases and I intend to take up this matter with the Honourable Chief Justice and the Master and Registrar in due course.

Mr Speaker: Next question!

RODRIGUES - SUPREME COURT

(No. B/402) **Mr J. Léopold (Second Member for Rodrigues)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to Rodrigues, he will state if consideration will be given for the setting up of a permanency of the Supreme

Court thereat to expedite the trial of cases, including, those related to sale by levy of fixed assets.

Mr Gobin: Yes. Mr Speaker, Sir, I am informed by the hon. Master and Registrar that a Judge of the Supreme Court is designated by the hon. Chief Justice to hear and determine all cases except sale by levy cases that are dealt with at the Supreme Court level in the months of April, August and December of each year. Now due to the lockdown and non-availability of flights, no Judge visited the Court of Rodrigues in April of this year. However, a Judge will be visiting the Court of Rodrigues in August to hear and determine the cases scheduled there and there will be another visiting Judge in Rodrigues in the month of November or December 2020.

With regard to the suggestion of setting up a permanency of the Supreme Court as contained in the question, this again, Mr Speaker, Sir, depends on the volume of cases, the time taken too for the despatch of court matters and, of course, this will depend on the availability of necessary budget. This, once again, I intend to discuss with the Judiciary.

Mr Speaker: Hon. Léopold!

Mr Léopold: Would the hon. Minister consider or contemplate of increasing the frequency of visits to Rodrigues?

Mr Gobin: This is indeed a valuable suggestion and I will certainly be raising the matter with the hon. Chief Justice.

Mr Speaker: Hon. Uteem!

Mr Uteem: May I know from the hon. Attorney-General whether consideration will be given to conducting cases by way of video conferencing as has been done during COVID-19, especially to avoid any problem in circulating with the Judge and lawyers having to travel?

Mr Gobin: Yes, this also is indeed being looked into especially after the installation of the recent cable; I forget the name of the cable, making internet connection even faster. So this will indeed be looked into.

Mr Speaker: Next question, hon. Léopold!

RODRIGUES - CIVIL CASES - TRIAL

(No. B/403) Mr J. Léopold (Second Member for Rodrigues) asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to Rodrigues, he

will state if consideration will be given for measures to be taken to alleviate the financial and other hardships caused to the residents thereof who are required to travel to and from Mauritius for the purposes of showing up at the trial of civil cases in which they are involved.

Mr Gobin: Yes. Mr Speaker, Sir, the question as the House will appreciate already contains the suggestion. I should say that I have to thank hon. Léopold for putting forward the suggestion by way of a question which I welcome.

Hon. Léopold always comes up with valuable suggestions and I thank him for that. Now, the issue, we have to differentiate between witnesses and parties. As regards witnesses who have to attend the Court, I am informed by the Master and Registrar that there are provisions in the Budget of the Judiciary to provide for airfare to witnesses travelling to and from Rodrigues. However, this is limited to criminal matters only.

As regards civil cases, costs are to be borne by the litigants. Now, once this question was set, I have already engaged in discussion with the Master and Registrar and I am informed that the Judiciary is contemplating carrying out a comprehensive review of the administration of cases at the level of the Court of Rodrigues which include a number of issues which have been raised by way of these three PQs - the television link, the number of visits and costs, of course, and in the light of the comprehensive review which the Judiciary will undertake, recommendations will be put forward.

Mr Speaker: Next question, hon. David!

POMPONETTE BEACH - HOTEL DEVELOPMENT

(No. B/404) Mr F. David (First Member for GRNW & Port Louis West) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the extent of Pomponette Beach earmarked for the proposed hotel construction project, he will state if consideration will be given for the re-proclamation thereof as public beach.

The Deputy Prime Minister: Yes, Mr Speaker, Sir. I presume that the hon. Member is referring to the State land previously leased to Clear Ocean Hotel and Resorts Ltd.

Now I am informed that that company entered into a lease agreement with what was then the Ministry of Housing and Lands on 15 August 2017 for a hotel project extending over some 30 *arpents* of State land, out of which some 16.5 *arpents* formed part of the public beach which was de-proclaimed in August 2016.

The lease agreement of Clear Ocean Hotel and Resorts Ltd was cancelled in 2019 for non-compliance with the conditions of the said lease.

Now, as at date, the site is still earmarked for hotel development. Moreover the hon. gentleman might be interested to learn that there is, in any event, an ongoing case before the Supreme Court pertaining to the de-proclamation of the public beach.

Mr Speaker: Hon. David!

Mr David: Puis-je demander au ministre la date précise à laquelle le bail de *Clear Ocean Hotel and Resorts Ltd* a été résilié et les raisons derrière cette résiliation ?

The Deputy Prime Minister: Mr Speaker, Sir, I believe it was August 2016 and the reasons related to non-payment of the rent, I do not have the exact date but I believe it was August 2019, sorry.

Mr David: *Le lease agreement* a donc été résilié il y a bientôt un an et selon ce même *lease agreement* signé entre l'État mauricien et *Clear Ocean Hotel and Resorts Ltd* le 15 août 2007, à l'Article 13 de ce contrat, *cancellation of lease*, au chapitre (c), il est clairement stipulé que *the lessee shall remove the buildings, structures and installations standing on the land at the expiry of the term of its leave within a period of not more than three months*.

Le ministre peut-il nous dire donc la raison pour laquelle le barrage en feuilles de tôle n'a toujours pas été démoli, évacué ? Est-ce qu'il ne serait pas grand temps de lancer la légitime et, dans ce cas, souhaitable, opération *craze baraz* ?

The Deputy Prime Minister: Mr Speaker, I have not been on site. I am thankful to the hon. Member for drawing my attention to that point and I shall certainly look into it.

Mr Speaker: Hon. Duval!

Mr X. L. Duval: Mr Speaker, may I ask the hon. Deputy Prime Minister, in view of the dire situation of the tourism industry at the moment and, you will agree I am sure, he will agree I am sure, the very poor prospects for the future whether Government is setting up a freeze, a moratorium on a leasing of such sites to hotels for a number of years in future just to allow the tourism industry to be able to recover from COVID-19?

The Deputy Prime Minister: I am grateful to the hon. gentleman for the suggestion. This matter has not been addressed by Government as yet.

Mr Speaker: Last supplementary!

Mr David: M. le président, à Pomponette vivent et poussent des plantes qui protègent la plage contre l'érosion et stabilisent le restant de dunes, notamment les veloutiers verts et argentés et la liane communément appelée batatran. Puis-je obtenir du ministre la garantie qu'une attention particulière sera accordée à ces plantes lors de la démolition et de l'évacuation des barrages?

The Deputy Prime Minister: Certainly, Mr Speaker, I shall speak. Now that the point has been raised, I shall look into it, I shall speak to my colleagues, MPs from the Constituency and, maybe, we can have a site visit and I'll invite the hon. gentleman to join us.

Mr Speaker: Next question, hon. David!

BAIN DES DAMES & POINTE AUX SABLES FISH LANDING STATIONS

(No. B/405) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the proposed development and embellishment of the fish landing stations island-wide, he will state where matters stand, indicating the nature and schedule of works planned in respect of the Bain des Dames and Pointe aux Sables fish landing stations, respectively.

Mr Maudhoo: Mr Speaker, Sir, as the House may be aware, in accordance with the Fisheries Regulations 1983, as subsequently amended, there are currently 61 fish landing stations grouped under 14 fisheries posts. Since I took office as Minister of Blue Economy, Marine Resources, Fisheries and Shipping, I requested my Officers to work out on a project for the upgrading and embellishment of each of the fish landing stations island-wide with the dwell objective of providing a conducive environment to the fishers and upgrading the working environment of our Fisheries Protection Officers. In this context, a comprehensive inventory of the existing amenities at the fish landing stations was carried out in the months of March and April 2020 and a report has been submitted. As per the report, there is a number of upgrading works involving, in some cases, major and in others minor works to be carried out at these fish landing stations.

Mr Speaker, Sir, the estimated cost of the works stands at around Rs22 m. my Ministry will proceed with the works on a priority basis subject to availability of funds.

Mr Speaker, Sir, in the same vein, I am pleased to inform the House that the Grand Gaube fish landing station, which has been completely renovated, will be inaugurated in August 2020.

Mr Speaker, Sir, with regard to the embellishment works at the Bain des Dames and Pointe aux Sables fish landing stations, following a request from my colleague, Dr. the hon. Ms Chukowry, Parliamentary Private Secretary, for the provision of toilet blocks, jetties and slipways for fish landing station at both Bain des Dames and Pointe aux Sables, officers of my Ministry effected a site visit on 30 April 2020. During the site visit, both the fisher Community and residents of Bain des Dames expressed their wish for the relocation of the existing fish landing station of Bain des Dames to a site around 1000 metres away from the existing site and converting the present fish landing station into a public beach.

Consequently, on 15 May 2020, my Ministry made a request to the Ministry of Housing and Land Use Planning for the exchange of the existing vested land at Bain des Dames Fish Landing Station with a plot of land facing the sea approximately 1000 metres away.

Mr Speaker, Sir, a site visit is being scheduled on Friday 31 July 2020 with officers of Housing and Land Use Planning for the relocation of the fish landing station. Once, approval is obtained from the Ministry of Housing and Land Use Planning, my Ministry will initiate procedures for the installation of the required amenities.

Mr Speaker, Sir, with regard to the fish landing station at Pointe aux Sables, I am informed that officers of the Ministry of Housing and Land Use Planning and my Ministry have effected a site visit on 08 July 2020 for the demarcation of the land thereat. Upon receipt of the report from the Ministry of Housing and Land Use Planning, my Ministry will initiate procedures for the construction of a jetty as well as a toilet block.

Mr Speaker: Hon. David!

Mr David: Merci, monsieur le ministre, pour vos précisions. Puis-je savoir si un appel d'offres en bonne et due forme sera lancé pour ces travaux de développement et d'embellissement à Bain des Dames et à Pointe aux Sables, et si oui, avec quel calendrier préliminaire?

Mr Maudhoo: Mr Speaker, Sir, for the fish landing station for Bain des Dames, in fact, there is a fish shed with all the amenities, of course, the water tank, the electrical works, etc and a sum of about Rs800,000 has been earmarked but we have not launched any Expression of Interest till now. For the Pointe aux Sables fish landing station, it will cost about Rs1.3 m. but we have not yet started with the quotation. Once, we have the green light from the Ministry of Housing and Land Use Planning, we will initiate the procedures.

Mr Speaker: Hon. Armance!

Mr Armance: Thank you, Mr Speaker, Sir. Regarding the fish landing station of Pointe aux Sables, may I know from the Minister whether there has been a feasibility study regarding the sea level and the ground level, if yes, what is the output and if no, are you prepared to make a feasibility study regarding the sea level and the ground level?

Mr Maudhoo: I thank the hon. Member for this question. I have no information right now on this issue. I will definitely look into it before proceeding.

Mr Speaker: Next question, hon. David!

DISABILITY BILL - INTRODUCTION

(No. B/406) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the proposed introduction of a Disability Bill in the Assembly, she will state where matters stand.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, Government puts disability rights at the heart of everything we do. Our aim is to ensure that persons with disabilities are consistently included in the formulation of our policies. Over the past five years, we have already taken significant actions to build a society that cares and values our disabled persons. We are doing everything possible to provide practical support and eliminate discrimination against persons with disabilities.

As regards the Disability Bill, as stated in my reply to a PNQ on 12 July 2016, my Ministry had been working on a draft Disability Bill. We also held consultations with various Ministries. However, as stated in November 2017 and December 2018 by the then Minister of Social Security, there are still a number of issues to be addressed to ensure that we introduce a proper Bill.

Following several consultations with the State Law Office, it was found that we may need to amend sections 3 and 16 of the Constitution so that the fundamental rights and freedom of disabled people are fully respected. Since I assumed Office as Minister of this Ministry, I have resumed discussions with the State Law Office and the Bill is still under consideration. It is also worth highlighting that the Bill can only be effective when the necessary preconditions and environment are created for the promotion and protection of the rights of persons with disabilities.

However, although the Bill has not yet been introduced, this has not prevented our Government from taking key initiatives over the past five years to create an enabling environment for persons with disabilities. For instance, the Building Control Accessibility and Gender Compliance in Buildings Regulations have been promulgated as from 01 November 2017 to ensure accessibility in respect of new buildings and buildings under major renovation and the Special Education Needs Authority Act was passed in 2018 to cater for the educational needs of children with disabilities amongst others.

Mr Speaker: Hon. David!

Mr David: May I know from the hon. Minister whether, during the period from 2015 to 2019 and in regard to the then discussed Disability Bill, consultation meetings were held with relevant stakeholders including NGOs, Disabled People's Organisations, disability activists and civil society at large and if so, how many meetings took place?

Mrs Jeewa-Daureeawoo: Well, as I mentioned in my reply, we have had some consultations but if we are going forward with this important piece of legislation, I think I will have to resume all the discussions because five years have passed and we will need to get inputs from all the stakeholders anew.

Mr Speaker: Hon. Quirin!

Mr Quirin: Merci, M. le président, l'honorable ministre, peut-elle dire à la Chambre si elle a pris connaissance d'une loi type pour les personnes vivant avec un handicap, rédigée par les experts de l'Union Africaine, du Parlement Panafricain et de *l'Africa Disability Alliance* et sur laquelle son ministère pourrait se baser dans la rédaction du *Disability Bill* ? Si tel n'est pas le cas, M. le président, de bien vouloir s'en procurer une copie auprès du Parlement Panafricain.

Mrs Jeewa-Daureeawoo: Yes, I have taken cognition of this document. As I have said, our Government has a growing focus on disability. We are very much committed in creating an inclusive society. That is why, when we took Office in 2015, we made a very good start. We took some significant measures in the best interest of persons with disabilities. These measures, maybe it will be good if I mention them, we have aligned the basic invalidity pension to that of the basic retirement pension from Rs3,267 to Rs9,000 over the past five years.

We have also removed the age criteria, now all children who have a disability of more than 60% are benefitting from the Basic Invalidity Pension compared to the other years where

there was an age criteria, a very, I must say, serious injustice. We are also providing scholarships to five students with disabilities so that they may pursue tertiary education. So, in regard to measures, a lot has been done but, as I have said, we are giving due consideration to the Disability Bill.

Mr Speaker: Hon. Armance!

Mr Armance: Thank you, Mr Speaker, Sir. It is good to note that the Minister said it is taking five years now that she is working on the Bill. Can I ask her whether there is a draft Bill and if she is prepared to circulate the draft Bill?

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, I do not want to be nasty but since hon. Armance has said that our Government has taken five years to draft ...

(Interruptions)

You put the question, so listen to the answer.

(Interruptions)

Mr Speaker: Order!

Mrs Jeewa-Daureeawoo: I think, I expect some courtesy, you put a question. Am I right? So, you are saying that our Government has taken five years to prepare the Bill. Do you know that in the Government Programme 2012-2015, the then Government announced the introduction of the Disability Bill? And if I am not mistaken, it was the Labour Party and the PMSD.

(Interruptions)

Okay! I have gone...

Mr Armance: You were the Minister for the last five years.

Mrs Jeewa-Daureeawoo: I have gone...

(Interruptions)

No, you asked for it. I have...

(Interruptions)

No, but you asked for it. So, I have gone through the Bill. I have gone through the files. Not a single line has been drafted with regard to the Disability Bill. I am not saying...

(Interruptions)

Mr Speaker: Quiet there! Hon. Armance, behave yourself! Behave yourself!

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, I am not saying an eye for an eye. I am saying that, maybe the then Government faced the same difficulty. I am saying this on the basis that the then Government was of good faith, but because of the major challenges, the then Government has not been able to bring the Bill. So, you have to be patient, we are doing the needful. I have said that the Bill is under consideration. So, let us wait.

Mr Speaker: Last supplementary!

Mr David: In the same line, as a former question regarding African experience, I would like to share with the House that India has enacted its Rights of Persons with Disabilities in 2016. Since then, some countries have drawn from Indian experience to develop their Disability Act. Will Mauritius ask for Indian assistance and expertise to help in preparing our Disability Bill?

Mrs Jeewa-Daureeawoo: Well, Mr Speaker, Sir, the question is very specific. It is about the introduction of the Disability Bill and the supplementary question of the gentleman is very far from the original question, but I will have a look at it.

Mr Speaker: Next question, hon. Mrs Tour!

NATIONAL WHOLESALE MARKET - CONSTRUCTION

(No. B/407) **Mrs J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to the national wholesale vegetable market in Belle Rive, he will state where matters stand as to the implementation thereof.

Mr Gobin: Mr Speaker, Sir, the construction works of the National Wholesale Market is well underway and nearing completion.

The operation of the National Wholesale Market will be under the responsibility of the Agricultural Marketing Board and to that end the Mauritius Agricultural Marketing Act (1963) will be amended accordingly with a view to broadening the roles and functions of the AMB and to cater for the operation of the National Wholesale Market.

Consultations are ongoing with planters, auctioneers and the Corporate Sector as well as other stakeholders to finalise details on the operation of the facility.

The main objectives of the project, I wish to remind the House, are to –

- Firstly, provide growers with a fair remuneration for their produce;
- Secondly, enable a transparent mechanism for price discovery and fixing;
- Thirdly, market the produce as per relevant hygienic and sanitary norms, and
- Fourthly, put in place a market information system.

It is expected that the national wholesale market will start operations this year.

Mr Speaker: Hon. Mrs Tour!

Mrs Tour: Can the hon. Minister give us information on the composition of the Management Committee for the national wholesale vegetable market?

Mr Gobin: As at present, Mr Speaker, Sir, there is an Ad Hoc Committee which has been set up by the Agricultural Marketing Board, which is finalising the operational guidelines for the national wholesale market. The present Ad Hoc Committee is composed of, of course, members of the Marketing Board, but also officers of the Food and Agricultural Research and Extension Institute. That Ad Hoc Committee is the forum where consultations are held with growers, auctioneers, wholesalers, dealers, distributors and other relevant authorities, for example, the Ministry of Health. I can inform the House that as at now, there have been a number of meetings, nine meetings in all, including nine site visits with the members of the Ad Hoc Committee. The consultation is on-going, as I have stated earlier.

Mr Speaker: Hon. Mrs Tour!

Mrs Tour: Will the hon. Minister advise if provision is being made to facilitate access to the wholesale market for lorries coming from the north, for instance?

Mr Gobin: Yes, the national wholesale market, Mr Speaker, Sir, is situated in Wootton, which is fairly well-serviced by motorways. We do not expect any serious traffic congestion for lorries coming from the central and the southern regions, but there is perhaps a suggestion for lorries coming from the northern region. I have had opportunity of discussing the matter with my colleague, the Minister for National Infrastructure to facilitate access for those vehicles which will be coming from the north. *Il y a déjà un tracé.* We are working on this project.

Mr Speaker: Hon. Duval!

Mr X. L. Duval: Mr Speaker, Sir, in July 2017, the then Minister of Agriculture stated that the cost would be around Rs370 m. Can I ask the hon. Minister what is now the estimated final cost for the project?

Mr Gobin: I am informed that it is the same. What I have as figure which I can confirm is the amount which has been paid so far. It is about Rs272,578,000. As at now, we have reached about 90% of the works, although the initial completion date was December last year. Due to adverse climatic conditions which prevailed in that area, it was expected to be completed early this year, about April, but then, of course, now due to lockdown, it has been extended to August of this year.

Mr Speaker: Hon. Lobine!

Mr Lobine: The hon. Minister has already answered to the question that I wanted to put. Hon. Duval has already asked the question.

Mr Speaker: Last supplementary, hon. Armance!

Mr Armance: *Thank you.* Est-ce que le ministre a considéré que les planteurs qui habitent dans le nord, le coût du transport, et ça va ajouter au prix des légumes et ça va défavoriser ...

Mr Gobin: No, no.

Mr Armance: ...ceux qui habitent dans le nord. A-t-il considéré le prix? Est-ce que c'est un prix qui va être fixé ou pas ?

Mr Gobin: No, no, there is no direct correlation between distance and national wholesale market. I recall very well in the PNQ which was asked by the then Leader of Opposition to my very abled predecessor, hon. Seeruttun. He had already explained. I do not have the answer with me, but he has explained that there is no direct correlation between distance and the price in the market, because right now as it works, vegetables have to be taken to about five regional markets. So, transport costs are already high. So, there is no direct correlation between what we are doing in Wooton and the transportation cost.

Mr Speaker: Next question, hon. Mrs Tour!

**NATIONAL SPORTS FEDERATIONS & SPORTS ORGANISATIONS –
GOVERNMENT GRANTS**

(No. B/408) Mrs J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the categorization of the National Sports Federations and Sports organisations in connection with the optimization of the disbursement of government grants, he will state if same is being applied and, if so, give details thereof and, if not, why not.

Mr Toussaint: Mr Speaker, Sir, in July this year, Government has approved the categorization of National Sports Federations and Sports Organisations in order to optimize the disbursement of Government grants. This is in line with the spirit of one of the pillars of the National Sports and Physical Activity Policy, that is, the creation of an amateur to elite sport environment. Under this categorization scheme that is being implemented, National Sports Federation and Sports Organizations would be listed under one of the following four categories in order of precedence –

- (i) world
- (ii) intercontinental
- (iii) continental, and
- (iv) regional.

The criteria used for this exercise include the type of sports, olympic and non-olympic, the projected performance and the achievements of the National Sports Federations and Sports Organisations. National Sports Federations and Sports Organisations would be provided with a baseline funding for the development and promotion of the respective disciplines locally. The quantum of this baseline would vary depending whether the sports discipline is an individual, combat, racket or team sport.

With regard to their participation in international sports competitions, the National Sports Federations and Sports organisations would be funded to participate in competitions up to one level above the present category. In practice, this means that the National Sports Federations or Sports organisations would not be funded to participate in a world or intercontinental level competition if it is classified at regional level. Of course, the National Sports Federations and Sports organisations can always self-finance their participation in

international sport competitions in case they do not meet my Ministry's funding criteria. This categorisation will be reviewed yearly. Thank you.

Mrs Tour: Will the hon. Minister advise if there will be a transitional period to allow federations to adapt to the new scheme?

Mr Toussaint: Tout à fait, M. le président, puisque justement *it's a new scheme*. *We will allow for some period of adaptation*. Et donc, nous allons travailler avec les fédérations pour qu'elles puissent déjà comprendre le *scheme* et leur donner le temps de s'adapter, et aussi prendre en considération le fait qu'à cause de la pandémie, il n'y a pas de compétition internationale.

Mr Speaker: Hon. Quirin!

Mr Quirin: Merci, M. le président. Peut-on savoir, selon les nouvelles dispositions pour l'année financière 2020-2021, qu'elles sont les fédérations qui verront leurs allocations être augmentées et celles dont les allocations seront en baisse ?

Mr Toussaint : M. le président, il est prématuré en ce moment pour répondre à cette question, puisqu'au niveau du ministère les techniciens vont avoir un atelier de travail avec toutes les fédérations afin de leur expliquer le *new scheme*, et ensuite, ce sera *on a one to one basis*. Les techniciens vont identifier leur performance, leur niveau actuel et les mettre dans une catégorie, et ensuite, à partir de là, décider du quantum dont elles vont bénéficier.

Mr Speaker: Hon. Mrs Tour!

Mrs Tour: The Minister has already answered the question.

Mr Speaker: Next question! Hon. Ms Foo Kune!

BIO FARMING – LOCAL FOOD PRODUCTION

(No. B/409) **Ms K. Foo Kune (Second Member for Beau Bassin & Petite Rivière)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to Bio Farming, he will state the –

- (a) percentage of local food produced thereunder, and
- (b) number of farmers who benefitted from the Bio Farming Promotion Scheme and certification under MauriGAP to date.

Mr Gobin: Mr Speaker, Sir, the promotion of organic farming was enunciated in Government Programme 2015-2019 with a view to encouraging farmers to shift from

conventional farming systems to bio-farming and hence to produce high quality food free from harmful chemicals.

I am informed by the Food and Agricultural Research and Extension Institute (FAREI) that out of an estimated total production of 95,960 tonnes of agricultural produced in 2019, 2,000 have been derived from bio farming.

With a view to promoting this type of agricultural practice, training programmes and sensitisation campaigns have been undertaken. The Bio Farming Promotion Scheme has been put in place and is open to individuals, companies and cooperative societies.

With regard to part (b) of the question, Mr Speaker, Sir, I am informed that 30 operators have been MauriGAP certified and have benefitted from the Bio Farming Promotion Scheme.

Ms Foo Kune: Thank you. It seems that the target previously set by this Government to achieve not less than 50% of total local food production, according to bio norms, by 2020, has not been met and a very small number of farmers have benefitted from the scheme and certified under MauriGAP out of the 9,000 farmers of the island. Can the Minister tell the House why those numbers are so low and why this Government has failed to meet its target?

Mr Gobin: La question trahit une méconnaissance de la réalité sur le terrain.

(Interruptions)

Mr Speaker, Sir, I appreciate that the hon. Member prefers to use the word 'low' concerning the numbers, but I prefer to say that the numbers are encouraging. Why I say so, it is because we live in a tropical island where the climate is very important, where we have to realise that you do not change from conventional farming to bio farming overnight. It is a gradual process because the soil has to adapt.

Secondly, the bio farming project under MauriGAP is not the only project which is going in the direction of bio farming. We also have the Smart Agriculture initiative. This one is an initiative which goes hand in glove with the bio farming one. The Smart Agriculture Project is an initiative of *La Chambre d'Agriculture* in collaboration with the *Union européenne*. In that Smart Agriculture Project, with the same objective, both the corporate sector and the small planters are being trained. Of course, it is gradual, as I said. In the Smart Agriculture Project, there are two groups of small planters: one in La Laura and one in Plaine Sophie. And for the corporates, you have Medine, Alteo, St Antoine; in Rivière

des Anguilles, you have Senneville. They are all participating. So, gradually, we will get there, but it all depends on climatic conditions and how the soil adapts to the new farming techniques.

Ms Foo Kune: This strategic plan was actually launched in 2016 and as it takes, at least, three years for land contaminated with pesticides and chemicals to get clean, can the hon. Minister tell us what is the area of land which has been cleaned or is being cleaned so as to accommodate organic cultivation?

Mr Gobin: *Je remercie l'honorable membre.* It takes three years for the soil to adapt. So, you see, here, lies the answer to the question. Now, the project is being implemented in targeted areas. I do not have the exact figure for the number of acres or the extent, but where the project is being implemented there you will have the gradual changes there. Once these new techniques are assimilated, what happens next is that the statistics are gathered and published, and then, disseminated to a wider audience, if I may say so, to the planters around Mauritius. But, it all depends how the soil reacts, how the produce are grown.

Mr Speaker: Last supplementary!

Ms Bérenger: Pour faciliter l'implémentation de ce projet et pour assurer la bonne santé des mauriciens et des mauriciennes, est-ce que le ministre peut nous dire si le gouvernement compte venir de l'avant avec un amendement à la loi pour interdire l'utilisation des pesticides ?

Mr Gobin: *On l'a déjà fait,* Mr Speaker, Sir, when the Use of Pesticides Act was passed some two years back, if I am not mistaken. This has already been done. Thank you.

Mr Speaker: Next question! Hon. Ms Foo Kune!

HOTELS - QUARANTINE CENTRES - ACCOMMODATION & AMOUNT PAID

(No. B/410) **Ms K. Foo Kune (Second Member for Beau Bassin and Petite Rivière)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the hotels converted into Quarantine Centers, he will state, in each case, the -

- (a) number of persons accommodated thereat as at to date, and
- (b) amount paid thereto.

The Deputy Prime Minister: Mr Speaker, Sir, since the enforcement of mandatory quarantine measures, a number of hotels have served as Quarantine Centres pursuant to the Quarantine Act 2020. A list of all hotels concerned together with the number of persons accommodate at each one and the amounts paid to each, up to 27 July 2020, is being compiled and will be placed in the Library.

Ms Foo Kune: It would appear that some hotels were and are more active than others. Can the hon. hon. Deputy Prime Minister tell the House whether allocation was paid to the hotels based on occupancy or was it paid a flat rate?

The Deputy Prime Minister: I am informed that it is occupancy-based, so payment is effected as per number of nights occupied by the persons placed in quarantine. This is the information I have been provided with.

Mr Armance: Regarding the list of hotels that the Deputy Prime Minister just mentioned, can he confirm that, as at now, there are new hotels which are being added to the list, for instance, Voilà Bagatelle, where last week foreigners joined in for quarantine? Is it true that Voilà Bagatelle is one of the hotels on the list?

The Deputy Prime Minister: Initially, there was a list of 19 hotels, the names of which had been volunteered by *l'HRIM* and *l'Association des Hôtels de Charme*. Concerning Bagatelle, I understand the hon. Member may be referring to an arrangement that is not yet in force. I will have to verify and I shall communicate the information to the hon. gentleman. I do not have the information at hand right now.

Mr Speaker: Last supplementary!

Ms Foo Kune: In the list of hotels converted into Quarantine Centres, there are classifications of hotels with different star ratings. Can the Deputy Prime Minister tell us how is decision taken as to which passengers go to which category of hotels?

The Deputy Prime Minister: As indicated earlier, initially what happened in the crisis situation just after quarantine measures were enforced around 19 March, *AHRIM* and the *Association des Hôtels de Charme* which groups smaller hotels were asked to propose a number of hotels. This was after it was found that the recreational centres that Government had earmarked did not fulfill the requirements of quarantine in terms of separate bathrooms and so on.

As and when groups of returning Mauritians arrive, consultations would be held with the Ministry of Health and returning Mauritians sent to the available hotels. That is still the practice so that we are making use of all the hotels available so that as and when a batch of returning Mauritians arrive, for instance, I believe a batch arrived yesterday, there is another batch arriving tomorrow and as a function of whatever hotels are available, the returning Mauritians will be accommodated.

Mr Speaker: Next question!

BUSES & LORRIES - CONTRAVENTIONS

(No. B/411) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to buses and lorries, he will state the number of contraventions booked in relation thereto for emission of dark and thick smokes over the past two years, indicating the additional measures that will be taken to address this issue.

Mr Ramano: M. le président, le bureau du Commissaire de Police nous informe que, sur les deux dernières années, c'est-à-dire 2018, 2019 et 2020 (jusqu'en juillet), 71 contraventions ont été dressées pour des délits commis en violation de la section 83 (1) (a) et la section 125 du *Road Traffic Regulations 2010* et pour l'offense No. 180 du 4^e *Schedule* du *Road Traffic (Amendment) Act 2018*.

Donc, le nombre de contraventions se lit comme suit –

Année	<u>Nombre de contraventions établies</u>
	(Utilisation d'un véhicule émettant une fumée visible du pot d'échappement pour une durée de plus de dix secondes consécutives.)
2018	08
2019	26
2020 (Jan à juillet)	37
Total	71

C'est-à-dire que le nombre de contraventions établies dans le cas d'émission de grosses fumées noires et denses provenant de bus et de camions.

M. le président, ajouté à cela, des *notices* ont été servies à des chauffeurs de véhicules fumigènes par la police et la *National Land Transport Authority* et les véhicules ont été référés au Centre de Contrôle Technique de véhicules pour vérification donc comme suit –

**Nombre de (PF 71) servis par la police et la *National Land Transport Authority*
(NLTA)**

Year	Nombre de Notices (PF 71) servies		
	Bureau du Commissaire de Police	NLTA	Total
2018	420	425	845
2019	377	576	953
2020 (Jan à Juillet)	76	150	226
Total	873	1151	2024

M. le président, hormis les contraventions et les *notices* servies, le *Road Traffic (Control of Vehicular Emissions) Regulations 2002* assure des tests d'opacité avec un *smoke-meter*.

Dans la même ligne de pensée, les fonds ont été identifiés dans le Budget 2020/2021 pour l'achat des *smoke-meters* portables et faciles à être utilisés.

Je dois préciser aussi, M. le président, qu'un comité interministériel a été mis sur pied comme suit –

- (i) pour travailler les spécifications techniques des *smoke-meters* ;
- (ii) faire des recommandations pour les amendements dans les lois concernées, et

- (iii) faire des recommandations sur la formation pour l'utilisation de l'équipement, et
- (iv) bien sûr, préparer une stratégie de communication à destination des membres du public.

M. le président, la première réunion du comité a eu lieu le 15 juillet 2020. Par la suite, il y a eu trois sous-comités pour notamment –

- (i) travailler sur les spécifications techniques ;
- (ii) apporter les amendements nécessaires à la législation, et
- (iii) finalement comme je l'ai dit, la communication pour les campagnes de sensibilisation.

M. le président, gérer le problème des émissions de fumée noire et épaisse n'est pas une tâche facile. Une approche systémique s'attaquant à l'origine de cette pollution venant des véhicules a été adoptée par le *Global Fuel Economy Initiative*, un projet qui a été implémenté sous mon ministère de 2013 à 2018.

Le *Global Fuel Economy Initiative* est un projet international qui a pour but d'améliorer l'efficacité des combustibles et réduire les émissions du dioxyde de carbone des véhicules en offrant aide et support aux pays participants. L'île Maurice fait partie des pays pilotes implémentant cette initiative parmi d'autres pays comme le Chili, le Kenya et la Thaïlande.

Par conséquent, un *Global Fuel Economy Initiative Report* a été rédigé par mon ministère en collaboration avec d'autres partenaires et ces recommandations sont structurées autour de cinq stratégies, notamment –

- (i) l'introduction de combustible à faible taux de soufre et d'autres combustibles alternatifs propres ;
- (ii) valorisation de véhicules à haute efficacité énergétique ;
- (iii) amélioration de la gestion du trafic routier, et
- (iv) apporter des changements de comportement à travers des campagnes de sensibilisation.

Mon ministère d'ailleurs a déjà promulgué l'*Environment Protection Regulation 2019* qui concerne le *Display of Fuel Consumption and Carbon Dioxide Emission* qui ont pris effet à partir du 01 Juin 2019.

M. le président, il est à noter que le ministère du Transport et du Métro Léger implémentera également un projet sous le Programme des Nations Unies pour le

Développement (PNUD), et le Fonds pour l'Environnement Mondial afin de promouvoir un secteur de transport à faible émission de carbone. Le projet comprendra une série de composants incluant –

- (a) une étude de faisabilité sur l'introduction de bus électriques à Maurice ;
- (b) investissement dans la mise en place d'un système de transport public, moderne, à basse émission de carbone et à faible utilisation énergétique pour les *feeder buses* du Métro Léger.

Mr Ameer Meea: Mr Speaker, Sir, one of the worldwide measures to tackle vehicle emissions is the promotion of energy efficient vehicles. Therefore, can I ask the hon. Minister what Government and his Ministry specifically are doing to tackle this issue?

Mr Ramano: Comme je l'ai dit, M. le président, l'île Maurice fait partie des pays qui sont partie prenantes de ce *Global Fuel Economy Initiative* qui vise à l'introduction de combustibles à faible taux de soufre et d'autres combustibles alternatifs propres et aussi la valorisation de véhicules à haute efficacité énergétique. Donc, nous travaillons là-dessus, nous travaillons de concert avec tous ces pays et donc nous travaillons, bien sûr, en collaboration avec les autres ministères parce qu'il faut bien considérer, M. le président, toute la question énergétique, toute la question de la protection de l'environnement doit faire l'objet d'une approche transversale parce que la protection de l'environnement concerne pas seulement le ministère de l'Environnement mais aussi d'autres ministères, M. le président.

Mr Ameer Meea: The other measure that could be introduced is the introduction of cleaner fuels. Currently, if I am not wrong, our diesel is 50PPM and in Europe presently it is 5PPM. So, can I ask the hon. Minister what is being done to lower the PPM to that as being used in Europe presently?

Mr Ramano: M. le président, dans le dernier budget, nous avons aussi annoncé que nous travaillons actuellement sur un index de qualité de l'air. Cet index de qualité de l'air fait mention expressément de la qualité des carburants. Donc, nous, à notre niveau, M. le président, de concert avec le ministère du Transport, nous travaillons sérieusement sur la question et nous viendrons de l'avant très bientôt avec un index en ce qui concerne la qualité de l'air. Bien sûr, nous allons traiter en même temps la qualité des carburants.

Mr Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you. One of the reasons why heavy load vehicles emit black smoke is because they don't do their maintenance regularly, their servicing and they are

overloaded and when they move upslope, they naturally emit black smoke. This issue has been canvassed in the National Assembly before and the former Minister Dayal who was then Minister of Environment, very aware of this, said he will go with an *opération coup de massue* on such vehicles. Can I ask the hon. Minister whether ...

(Interruptions)

Coup de poing! Sorry! Opération coup de poing! Can I ask the hon. Minister whether he still is looking into this issue because in his reply, I have not heard about this very basic reason why these vehicles emit black smoke?

Mr Ramano : M. le président, peut être que ce soit le poing, que ce soit aussi la massue, je pense que c'est resté avec l'ancien ministre mais nous avons quand même la conviction et aussi la volonté de venir de l'avant avec des changements majeurs en ce qui concerne la protection de l'environnement. Ce que je dois aussi souligner à l'honorable membre c'est que très souvent, en ce qui concerne les *enforcement officers*, il y a cette tendance de verbaliser principalement les chauffeurs mais il convient aussi je pense, et là nous travaillons là-dessus parce que les provisions légales existent déjà - c'est aussi d'engager la responsabilité des propriétaires. Ça je pense que c'est un changement majeur qui mérite d'être considéré parce que, très souvent, les chauffeurs, disons cela ainsi, sont un peu à la merci des employeurs parce qu'ils n'ont pas le contrôle des véhicules tels quels. Par contre, il y a lieu au niveau des *enforcement officers* d'engager aussi la responsabilité des propriétaires et, à ce niveau-là, je pense que nous pouvons apporter des contrôles nécessaires.

Mr Speaker: Next question!

PENSIONS - OVERPAYMENT

(No. B/412) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the pensions, she will state the quantum of overpayment effected over each of the last three financial years, indicating the additional measures that will be taken to avoid the recurrence thereof.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, overpayment of pensions have accrued over the years since the implementation of the National Pension Fund in 1976. The amount of overpayment is cumulative. During the last three financial years, that is, from July 2017 to June 2020, an amount of approximately 73.5 billion has been paid out as basic pension. The quantum of overpayment discovered during that period stands at 142.2 million. The overpaid

amount of 142.2 million represents 2% of the total amount of pension paid for that period. Out of 142.2 million, an amount of 67 million was recovered. This represents around 50% of the total amount overpaid. A series of measures have been taken to address overpayment. They are the following -

- (i) following several meetings chaired by myself with representatives of the Civil Status Office since 2015, a mechanism was put in place for my Ministry to be notified of the death of beneficiaries on a daily basis;
- (ii) since October 2015, following an amendment to the Civil Status Office, we also get information from the Civil Status Office on the change in status of widows on a daily basis through the Info Highway platform;
- (iii) since October 2018, information relating to the travel movements of beneficiaries are obtained on a daily basis from the Passport and Immigration Office through the Info Highway platform. We also receive information for all beneficiaries over 60 years who have been abroad for more than six months.

My Ministry is currently working on additional measures to prevent the recurrence of overpayment. On 21 January 2020, I chaired a meeting with the representatives of the Passport and Immigration Office with a view to obtaining information regarding the travel movements of beneficiaries for the period prior to 2009. It was agreed that a web service will be created for this purpose. We are also correctly working with the Passport and Immigration Office and the Info Highway team to verify travel movements of new beneficiaries prior to awarding basic pensions to them.

Similarly, we are also working with the Civil Status Office and the Info Highway team to verify details of remarriage or death prior to awarding basic pensions to new beneficiaries. The collaboration of the Registrar General is also being solicited to obtain, on a monthly basis, information on citizens who have passed away abroad if any affidavit has been drafted in Mauritius.

Further, we also write off overpayments which are already time-barred by three years under Article 2279 of the Mauritian Civil Code. My Ministry is also working on an e-social security project.

Mr Ameer Meea: Yes, Mr Speaker, the issue of overpayment has been raised by the Director of Audit in his reports in June 2017, June 2018, June 2019 and has been severely criticised. And among the measures that the hon. Minister announced, these measures were

being taken manually. That is why in the Director of Audit's reports, mention was made for the procurement of an integrated e-social security system to address the issue of discrepancies so that all this matching is not done manually but computerised, that is, when a person passes away there is an automatic report that is generated to the Ministry so that it can be updated. So, can I ask the hon. Minister where matters stand in relation to this e-social security system which was announced since 2017?

Mrs Jeewa-Daureeawoo: Yes. I must say that our Government views overpayments very seriously. That is why since we took office in 2014, a series of measures have been taken precisely to address the issue of overpayment. The hon. Member is right because, in the past, we were receiving information manually.

Now, I must say that all the cases we are detecting are old cases of overpayment. This has been made possible through the Info Highway platform for data sharing. So, now we are sharing data and I can say to the House that we are having fewer new cases now.

Now, with regard to the e-social security project, we are working on it.

Mr Ameer Meea: Mr Speaker, the cumulative balance is 114 million of overpayments. The hon. Minister did not say anything about the investigation on those overpayments. What is her Ministry doing to recover this sum?

Mrs Jeewa-Daureeawoo: Well, I have mentioned in my reply that an amount of 67 million has been recovered for the period the hon. Member mentioned in his question. So, well, the needful is being done to recoup the amount of overpayment.

Mr Ameer Meea: The point I wanted to make is, according to law, some people have defrauded the system. There has been a fraud in the system. What is her Ministry doing against these persons?

Mrs Jeewa-Daureeawoo: Well, I must say that my Ministry normally sends letters to the beneficiaries for them to contact our Ministry to return the amount of overpayment and we are looking into this issue of overpayment in our regular management meetings and monitoring this closely so that the amount of overpayment is being recouped by our Ministry from the beneficiaries as much as we can.

Mr Ameer Meea: Mr Speaker, just to finish on this issue, has the Ministry made any report to the Police? This is the main point.

Mrs Jeewa-Daureeawoo: Yes. I have been informed that some cases have been referred to the Police, but I will have to check where matters stand with regard to the cases.

Mr Speaker: Next question!

ORTHOPAEDIC IMPLANTS & INSTRUMENTS - PROCUREMENT

(No. B/413) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the procurement of orthopaedic implants and instruments over the past two years, he will state the procurement method used therefor, indicating the -

- (a) name of the successful bidders;
- (b) cost thereof, and
- (c) number thereof supplied to each hospital.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that my Ministry last awarded contracts, in November 2015 and August 2016, for procurement of orthopaedic implants and instruments for all five regional hospitals for a period of 2 years. In June 2017, my Ministry invited bids through the Open International Bidding from the Central Procurement Board for the procurement of these items for another two years.

Mr Speaker, Sir, following invitation to bids, my Ministry received requests for clarifications on specifications of orthopaedic implants from potential bidders. As a result, the Consultants in Charge who worked out the specifications had several working sessions to address these clarifications.

However, in July 2018, the procurement exercise had to be cancelled, pursuant to section 39(1) (e) of the Public Procurement Act 2006, as several inconsistencies and shortcomings were noted in the bidding document.

Thereafter, several meetings were held with the Consultant in Charge to review the specifications. In November 2019, my Ministry submitted the draft bidding document under the Open International Bidding method to the Central Procurement Board for vetting prior to launching bids. Following approval of CPB, bids were launched on 13 February 2020 with closing date set for 16 April 2020.

In March 2020, my Ministry received requests for clarifications as well as for review of specifications from potential bidders. My Ministry convened the Consultants in charge to

look into the matter and the latter were unanimously of the view that the procurement exercise should be cancelled and the specifications be revised. Accordingly, my Ministry has had to cancel this procurement exercise. It seems there was a disagreement among the Consultants in charge on the specifications and a consensus could not be reached.

At present, a team of specialists is working on the specifications. Once these are finalised, my Ministry will prepare the bidding document for eventual launching of bids through the Central Procurement Board.

Accordingly, parts (a), (b) and (c) of the question are not applicable.

Mr Speaker, Sir, pending procurement exercise and award at Ministry level, the five Regional Hospitals have had no alternative than to resort to procurement of these items on an 'as and when required basis' at their level in order not to disrupt the hospital services.

Mr Speaker, Sir, I have requested my officers to ensure that the bidding exercise of these items at Ministry's level is initiated at the earliest.

Mr Ameer Meea: Mr Speaker, Sir, we listened carefully to the hon. Minister's reply. Bidding has started since five years and on several occasions it was cancelled, another bid was launched, cancelled and again, up to now, it has not been awarded. And it has taken unreasonable time to finalise the procurement exercise. In the meantime - this is the thing that is fishy about the whole issue – each hospital is buying its equipment, its materials individually and this is costing the country hundreds of millions of rupees. Is the hon. Minister aware that by doing so, there are major differences in prices being paid by each hospital?

Dr. Jagutpal: Yes, Mr Speaker, Sir, I agree with the hon. Member, the question he has raised. In fact, it is so. When the exercise is being done at hospital level, I am sure the payment that they are doing for procurement of those orthopaedic items would have a higher cost, but we are following the procedures. The procedures say that all the specifications have to be made by the Consultant in charge of the different hospitals. At that point itself, we could not meet the specifications because the users will be the Consultants, the orthopaedic surgeons and we have to reach a consensus between them so that we can go along with the procurement exercise. In fact, he is right to say that if we don't do that, we will keep on paying a higher price.

We expect that as from now on, the Consultants will come to a consensus to give the specifications so that the Ministry can launch the bids.

Mr Speaker: Hon. Mrs Mayotte!

Mrs Mayotte: Mr Speaker, Sir, can the hon. Minister give us more explanation about how the procurement exercise is done at the level of the hospital?

Dr. Jagutpal: Mr Speaker, Sir, at the hospital level, there are three different types of procurement method that are being used. One is called the informal quotations for value items up to Rs500,000 per contract and it is for the work and consultancy services as well.

There is a second method called the restricted bidding. So, in accordance with section 19 of the Public Procurement Act –

“Where a public body has reason to believe that the goods, other services or works are only available from a limited number of bidders;

Where restricted bidding is used, a public body shall, as far as possible, solicit bids from a minimum of five bidders.”

Now, you have another type of procurement that is called the Request for Sealed Quotations (RFQ). This one in accordance with section 20 of the Public Procurement Act, method used to procure readily available goods, small works and services. So, where RFQ is used, a public body shall, as far as possible, solicit bids for not less than three bidders unless the item in question is not available from three suppliers. So, these are the different types of procurement methods used at the hospital level.

Mr Ameer Meea: Mr Speaker, Sir, please allow me to differ from what the hon. Minister just mentioned. He mentioned that his Ministry is following the procedures. According to the Director of Audit, in its report, I will quote –

“At the time of audit, in October 2019, Victoria hospital was still procuring from the same company on the basis of these informal quotations, that is, for nearly two years. The procurement procedures adopted for this exercise was against section 25 of the Public Procurement Act 2006 and section 24 of the Public Procurement Regulations.”

So, clearly, they were flouting the regulations and the law. And as I said earlier, there is something fishy about it, that is, a tender procedure *ne peut pas aboutir durant cinq ans*. Therefore, my question to the hon. Minister, considering all the information that I have just given to the House and also the Report of the Director of Audit, does he consider that this matter requires an enquiry from his Ministry?

Dr. Jagutpal: Obviously. The first thing that we have to do, it is the Central Procurement from the Central Procurement Board. Now, if all those procedures have been flouted, these are at the hospital levels and the hospital levels have been informed...

(Interruptions)

I agree with you. I totally agree with you. But these orthopaedic implants, we need to have it for the patients. But at the same time, there is only one solution for this and the solution is to have it done at the Central Procurement Board.

Mr Speaker: Next question!

FREE TRAVEL SCHEME – TERMS & CONDITIONS

(No. B/414) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Land Transport and Light Rail whether, in regard to the Free Travel Scheme, he will, for the benefit of the House, obtain from the National Land Transport Authority, information as to if new terms and conditions with the bus companies have been worked out and, if so, table copy thereof.

Mr Ganoo: Mr Speaker, Sir, the Free Travel Scheme was introduced with a view to relieving parents from the financial burden relating to travelling expenses of their children so that their access to free education is not impeded upon and to improve the quality of life of old age pensioners and disabled persons.

I am informed by the National Land Transport Authority that in the context of the introduction of the scheme an agreement was signed between the Government and bus operators in August 2005. The terms and conditions of the agreement are still prevailing. However, a technical committee has been set up under the chairpersonship of the Road Transport Commissioner to examine and make recommendations for a more efficient administration of the FTS, to assess the modalities and the possible inefficiencies of disbursement made in terms of financial support to the transport operators.

Additionally, the Office of Public Sector Governance will conduct an assignment on the FTS and make recommendations to Government. Changes in the terms and conditions of the agreement, if any, will be made in the light of the recommendations of the technical committee and of the OPSG after consultation with Government.

Mr Ameer Meea: Mr Speaker, Sir, the yearly budget for free transport is Rs1.2 billion and it has, time and again, been criticised that the system is not efficient and not cost

effective. Answering to a past PQ, his predecessor mentioned that there was a report that was being carried out by PricewaterhouseCoopers and he also mentioned, if I can quote him –

“I would like to inform the House that we will lay copy of the findings of PricewaterhouseCoopers report for debate.”

Therefore, can I ask the hon. Minister is the report ready? Because the PQ was in 2017. Is the report ready, and can we have some more information on this report?

Mr Ganoo: Mr Speaker, Sir, I will request my hon. friend to come up with a substantive question and I will give him the answer.

Mr Speaker: Hon. Osman Mohamed!

Mr Osman Mahomed: Thank you. Metro belongs to Government whereas buses belong to private sector companies. Can I ask the hon. Minister, since the Metro has started its operation on the very busy Rose Hill-Port Louis Corridor, whether this has impact on the disbursement that he has just mentioned himself in his opening remarks and, if not, why not?

Mr Ganoo: The sum which has been earmarked for free travel scheme, Mr Speaker, Sir, is allotted, as I just said in my answer, for the old age pensioners and the disabled persons and also the students who travel in the buses. So, it does not include old age pensioners and students who travel in the Metro.

Mr Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Again, this issue has been criticised by the Director of audit in 2019 and the main issue was, if I can quote –

“Maintaining the same contract over several years without review and the terms and conditions may have resulted in expenditure being incurred for services not rendered and which could have been avoided and even an advice was being sought by the Attorney General’s Office which was it stands to reason that there cannot be any legal obligation to effect payment on days where service may have not been provided on school days.”

And also, Mr Speaker, Sir, the NLTA was advised that a specific clause be included in the agreement to exclude payment due to stances, such as inclement weather conditions, torrential heavy rainfall, and as we are now in COVID situation. But the NLTA informed the National Audit Office that there was no need to sign any new agreement as the terms and conditions were the same.

Mr Speaker: Put your question!

Mr Ameer Meea: Therefore, can I ask the hon. Minister in light of the information I just mentioned to the House, that it is not wise to review this contract according to the Auditor's remarks?

Mr Ganoo: This is precisely why I said in my answer, Mr Speaker, Sir, a Technical Committee has been set up under the chairmanship of the Road Traffic Transport Commission - listen to what I said! - to examine and make recommendations for a more efficient administration and to assess the modalities and the possible inefficiencies of disbursement made in terms of financial support to transport operators. And I said also, additionally, the Office of Public Sector Governance is conducting an assignment on the FTS and making recommendations to Government and changes in the terms and conditions of the agreement, precisely the agreement signed in 2005, as the hon. Member, I think, underlined, will be made in the light of the recommendations of the Technical Committee and of the OPSG after consulting Government. So, this is precisely to remedy this unsatisfactory situation, the possibilities of inefficiencies in the disbursement that this Committee has been set up together with the assignment being conducted by the OPSG, Mr Speaker, Sir.

Mr Speaker: Hon. Members, the Table has been advised that PQ B/421, B/422 and B423 have been withdrawn. Next question, hon. Armance!

QUARANTINE CENTRES - SAFETY MEASURES

(No. B/415) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Ministry of Health and Wellness whether, in regard to the Quarantine Centres, he will state the –

- (a) actual cost incurred, and
- (b) safety and other measures put in place thereat to ensure non-propagation of COVID-19 through same or staff attached thereto.

Dr. Jagutpal: Mr Speaker, Sir, ever since the first cases of COVID-19 were detected, the Souillac Hospital was declared and used as Quarantine Centre. Thereafter, Pointe Jérôme Youth Centre, Anse la Raie Youth Centre, Belle Mare Recreational Centre, Pointe aux Sables Recreational Centre and Pointe aux Piments Recreational Centre were used as Quarantine Centres. In all these places, staff of my Ministry had to perform extra duty, catering was provided by different hospitals and other facilities had to be catered for on-site. All costs

incurred in relation to extra duty, catering, renovation of amenities and other facilities were undertaken by my Ministry.

Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Ministry of Tourism that, as at 23 July 2020, an amount of Rs74,326,781.99 has been paid by the MTPA to 18 hotels in connection with the quarantine of passengers.

As regards part (b) of the question, all safety and other measures have been put in place at the Quarantine Centres to ensure non-propagation of COVID-19. There is an adequate number of medical staff, nursing personnel and attendants to provide services in the quarantine facility as per established protocol. There is one doctor and one Nursing Officer per 75 quarantine passengers. The doctor had to do consultation of passengers and in case of complication, refer to a specialist. Moreover, all the staff are provided with personal protective equipment during their stay at the Quarantine Centre.

Further, my Ministry has established a protocol for Quarantine Centres which ensures that all the staff, including doctors, nurses and attendants stay in separate rooms at the Quarantine Centres along with the passengers for a minimum of 14 days. The passengers are not allowed to leave their room and a COVID test is done on arrival, on 7th day and on 14th day of quarantine. If the COVID test result is negative on the 14th day, the passenger is allowed to go home. If the COVID-19 test result is positive on the 14th day, the passenger is sent to ENT hospital for treatment and all the remaining passengers and staff are required to stay for an extended period of 7 days. A COVID-19 test is done on the 6th day of the extended quarantine period and if the result is negative, all the passengers and the staff may leave the Quarantine Centre on the extended 7th day.

Additionally, the Police and security guards are posted within the premises of the hotels to ensure that all passengers observe the quarantine provisions during their stay at their respective centres. Medical staff are there to ensure that passengers receive their medication as appropriate and also to check temperatures regularly to ensure that they are not having any symptoms of the virus. The Quarantine Centre itself is declared as a restricted area and movement is controlled. The passengers have to sign a consent form which defines the conditions of their stay at the Quarantine Centre.

Mr Speaker: Hon. Armance!

Mr Armance: The Minister mentioned 18 hotels have been converted. His colleague earlier mentioned 19 and from the list I have, it is 20. So, they have to fix it between them,

first. From the list, Mr Speaker, Sir, I don't see Voila Bagatelle which I mentioned earlier. Is it that Voilà Bagatelle has been added as an additional Quarantine Centre last Thursday and that foreigners are right now at the hotel, and what is the cost related to same?

Dr. Jagutpal: Mr Speaker, Sir, I'll reply to the first part of the question. So, I have informed the House that 18 hotels have been paid for the quarantine facilities they have provided. Now, about the Voila Hotel, yes, the Voilà Hotel has been quarantined as a centre because this is the request from the passengers who have come to the hotel and all the costs are borne by the passengers staying at Voilà Hotel.

Mr Armance: Est-ce que le ministre peut nous éclairer sur ces passagers qui sont actuellement à Voilà Bagatelle, puisque les officiers du ministère de la Santé sont aux petits soins par rapport à ces étrangers qui sont actuellement là-bas, alors que d'autres mauriciens sont toujours *stranded* à l'étranger ?

Dr. Jagutpal: Mr Speaker, Sir, I have already replied to the question, that the Voilà Hotel is a quarantine hotel and as the passengers there have been looked after and all the cost is being borne by the passengers.

Mr Speaker: Hon. Ramful!

Mr Ramful: Just one question, Mr Speaker, Sir. With regard to the catering services, can we know the actual cost that has been paid as well as the name of the contractor and the procurement procedure that was followed?

Dr. Jagutpal: Mr Speaker, Sir, I remember last time I replied a question about the cost, but I don't have it. This part of the question has already been replied in my previous question about the Quarantine Centres.

Mr Speaker: Hon. Lobine!

Mr Lobine: Thank you, Mr Speaker, Sir. Can the hon. Minister say to this House who are those foreigners, what are the nationalities of those staying at Voilà Bagatelle and what are they doing there in the Quarantine Centre?

Dr. Jagutpal: Mr Speaker, Sir, I don't....

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Everything was going out smoothly.

Dr. Jagutpal: Mr Speaker, Sir, the question was about the Quarantine Centres, safety and non-propagation of the virus. Now, if the hon. Member comes up with a specific question, I am going to reply to it.

(Interruptions)

Mr Speaker: Hon. Quirin, this is the last warning!

An hon. Member: Who are those people?

(Interruptions)

Dr. Jagutpal: Mr Speaker, Sir, I don't have the information from where these passengers have come because the question is about the safety.

Mr Speaker: Hon. Abbas Mamode!

Mr Abbas Mamode: In fact, South African Nationals are staying at Voilà Bagatelle. What is the purpose of their visit in Mauritius?

Dr. Jagutpal: Mr Speaker, Sir, again this question is not related to a specific centre and why these passengers have come. I have replied to whatever has been asked. The question was about the cost, about the measures put in place. So, come up with a specific question, we are going to give the reply.

Mr Speaker: Last supplementary!

Mr Armance: Many Mauritians are stranded all around the world. Why is it that foreigners have access to Mauritius and the cost is borne by the Ministry of Health and Wellness while other Mauritians are still stranded outside?

Dr. Jagutpal: Mr Speaker, Sir, I would ask the hon. Member to please come up with a specific question and we are going to reply to this.

Mr Speaker: Honourable Members, the Table has been informed that PQs B/427, B/428, B/429 have been withdrawn!

Next question, hon. Armance!

CEB (FIBERNET) CO. LTD – RUNNING COST & REGISTERED CLIENTS

(No. B/416) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Energy and Public Utilities whether, in regard to the CEB (Fibernet)

Co. Ltd., he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) actual running cost thereof, and
- (b) number of registered clients thereof category-wise as at to date.

Mr Lesjongard: Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the Central Electricity Board that the administrative and operational cost for the period from 01 July 2019 to 30 June 2020, is Rs20.3 m. which includes Rs7.6 m. for operational cost such as maintenance, licenses and professional fees and Rs12.7 m. for staff cost.

While regard to part (b) of the question, there are no registered clients as to date. The following milestones have to be completed for the commercial service of the project, that is –

- a) completion of pilot test with operators by December 2020;
- b) installation and commissioning of the METISS Submarine Cable System linking Mauritius to Reunion, Madagascar and Durban in South Africa. The cable is now expected to be operational in the first quarter of year 2021, following delays caused by sanitary lockdowns in all the four countries where the cable is planned to be connected, and
- c) the appointment of a system integrator to ensure fibre connectivity from the Fibernet site to the telecommunication operator sites by the first quarter of 2021.

Mr Speaker: Hon. Armance!

Mr Armance: I refer to part (a) of my question regarding the staff cost. Can the Minister confirm to the House that out of the Rs12.7 m, the General Manager draws a salary of around Rs400,000 per month?

Mr Lesjongard: Yes, I do confirm that the General Manager draws a salary of Rs400,000 per month and that is since 2016, but it is good also to inform the House that....

(Interruptions)

If you know the answer, then I don't have to reply.

(Interruptions)

Mr Speaker, Sir, I am giving the information which is requested; either they listen to what I am saying or they don't listen.

Mr Speaker: Hon. Members, please keep quiet and listen to the reply!

(Interruptions)

Mr Bérenger: *Li mett nou dan suspense...*

(Interruptions)

Mr Lesjongard: *Tonn sispann ek to trois partis ki to ena labas!*

What I am saying, Mr Speaker, Sir, is that the General Manager was appointed as a Project Consultant in the year 2016. It is an Indian citizen and the appointment went through a local recruitment agency.

Mr Armance: From a previous PQ, we have learned that this project cost around Rs800 m. for its implementation and the hon. Minister just confirmed to the House that not even one single cent of profit has been derived from the project. Can he please confirm this to the House?

Mr Lesjongard: Yes, I have said - you have to listen to what I say - because the project will be fully completed after the installation and commissioning of the METISS Submarine Cable which will be during the first quarter of the year 2021. There are four components in this project. Three of the four components have already been completed. Only the fourth part of the component is not completed. Until that fourth part is completed, that company will not draw any revenue.

Mr Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: The core business of the Central Electricity Board is the production and distribution of electricity, not telecommunication. Now, can I ask the hon. Minister, himself being a professional engineer in the domain, whether being new in the Ministry, he intends to cast a new look at this company which is syphoning so much money and without any client or potential client, because this company has got no goodwill in that domain? Thank you.

Mr Lesjongard: Mr Speaker, Sir, I think there have been several questions put to this House in the past whereby the former Minister has replied to what has been put as question just now, that is, the setting up of that company was done through a feasibility study.

After that feasibility study, there was a business model evaluation. But, in reply to what the hon. Member has just asked as question, we will be looking into that company, and if decisions need to be taken, we will take the necessary decisions.

Mr Speaker: Last supplementary, hon. Armance!

Mr Armance: Yes, Mr Speaker, Sir...

Mr Assirvaden: Mr Speaker, Sir, *à chaque fois que je lève la main, vous ne me voyez pas !*

(Interruptions)

Mr Speaker: Listen! Hon. Member!

(Interruptions)

Hon. Member! Hon. Member, the catching of the eyes rests with the Speaker and he is unquestionable!

(Interruptions)

Unquestionable!

(Interruptions)

Are you ruling after my ruling?

(Interruptions)

I order you out!

(Interruptions)

I order you out! I order you out!

Hon. Members: *Dehors! Dehors!*

(Interruptions)

Mr Bérenger: *Soutir zott meme !*

(Interruptions)

Shame!

Mr Speaker: Time over!

MOTION

SUSPENSION OF S.O. 10(2)

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

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) rose and seconded.

Question put and agreed to.

STATEMENTS BY MINISTERS

CONSTITUENCY NO. 15 - STREET LIGHTING

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, following the matter raised at adjournment on 07 July 2020 by hon. Lobine regarding the issue of faulty street lighting in several localities in Constituency No. 15, I wish to make the following statement.

(Interruptions)

I have been informed by the Chief Executive of the Municipal Council of Vacoas-Phoenix that –

- (i) following a procurement exercise, the contract for the supply of 300 led bulbs has already been awarded;
- (ii) 120 bulbs have already been delivered on 17 July 2020;
- (iii) the remaining 180 bulbs were received on 27 July 2020;
- (iv) the bulbs received are being used for the maintenance of the street lighting facilities within the township, and
- (v) the Council is also proceeding with the procurement of 300 additional bulbs so as not to disrupt the service.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Ganoo!

(4.29 p.m.)

POINTE AUX SABLES - TRAFFIC CENTRE

The Minister of Land Transport and Light Rail (Mr A. Ganoo): Mr Speaker, Sir, following the issues raised in connection with the Pointe aux Sables Traffic Centre by the hon. Armance, Third Member for Grand River North West and Port Louis West at Adjournment Time at the Sitting of 07 July 2020, I wish to make the following statement -

The works at the Traffic Centre at Pointe aux Sables had been completed since March 2019. The Centre could not be made operational as the Road Development Authority was carrying out works for the realignment of the Pointe aux Sables Road which leads to the Centre. The RDA completed the works on 10 February 2020. However, the National Development Unit which was concurrently undertaking drain works along that same road had still at that time not completed its works.

Taking the above into consideration and in order to provide an alternative, my Ministry had in the meantime, in collaboration with the National Land Transport Authority already worked out a diverted bus route to allow buses to access the bus terminal. Several site visits and road tests were conducted in that context. The Traffic Management and Road Safety Unit had already given its approval to the NLTA for siting of the bus stops along the diverted bus route and I am informed that the bus stop signs have already been fixed.

Sir, following the completion of the works at the Traffic Centre as a result of the lockdown and the following issues, the Traffic Centre could still not become operational.

The handing over of the site to the District Council of Black River had suffered a delay in view of the fact that the Council had to launch tenders for the security at, and maintenance of the toilet facilities at the centre.

Moreover, a site visit which was scheduled on 20 March with all stakeholders, especially the Black River District Council for the handing over of the site had to be postponed in view of the lockdown due to the COVID-19 pandemic effective from that date. This joint site visit was finally fixed to 08 June 2020 for the handing over.

Finally, during the site visit, that is, 08 June 2020, certain shortcomings and defects in the works, some of which were incomplete, were identified. It was observed that there was a crack on the wall, no water tank and some other snags. Moreover the CEB and CWA meters had to be transferred from the contractor's name to that of the Black River District Council. Finally, it was observed that the retention wall ought to be extended in order to prevent water and soil from penetrating the site during rainfall.

Mr Speaker, Sir, I effected a visit on 20 July accompanied by PPS Dr. the hon. Ms Chukowry and with all stakeholders, including the representatives of the Black River District Council and I took note of all the remedial works which have been undertaken. A water tank has been fixed and provision for supply of water on site has already been arranged for. The crack was attended to. The transfer of the CEB and CWA meters from the contractor's name to the Black River District Council has already been effected. In regard to the issue of water and soil penetrating the site, I am informed that presently the construction of a retention wall which would certainly address the issue is on being. However, it may happen that in times of flooding, some water and soil may penetrate the Traffic Centre. As precaution, drains have been provided within the curtilage of the Traffic Centre for the evacuation of rain water. In any case, the site will be closely monitored, and in case of any problem, necessary action will be taken by the TMRSU.

The contractor has already undertaken to address the issue of cracks on the platform at the Traffic Centre.

The Black River District Council has already taken over the Traffic Centre pending the remaining infrastructural issues to be dealt with by the TMRSU.

The Traffic Centre is operational since Monday 20 July 2020.

Thank you.

Mr Speaker: Hon. Minister Ramano!

(4.33 p.m.)

MV WAKASHIO - WRECK

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): Mr Speaker, Sir, I wish to make a statement on the wreck of the bulk carrier vessel named MV Wakashio.

The Police Information and Operations Rooms alerted my Ministry that on Saturday 25 July around 7.30 p.m., a Vessel ran aground near Pointe d'Esny. The ship is a bulk carrier vessel named MV Wakashio and the owner is Okiyo Maritime Corp./Nagashiki Shipping Co. Ltd.

The ship was on its route to Brazil from China and its last port of call was Singapore. According to information received there was no cargo on the ship and there are 20 crew members.

It's a bulk carrier of dimension of around 300 m length and width 50 m. As per information received, the vessel has on board fuel for its use as follows –

- 3894 metric tons of low-sulphur Fuel Oil;
- 207 metric tons of Diesel;
- 90 metric tons of Lubricant oil.

As soon as the alert was given, my Ministry activated the National Oil Spill Contingency Plan. The National Coast Guard and the Special Mobile Force of the Mauritius Police Force mobilised on site as from 5 a.m. on Sunday 26 July 2020 with oil-spill combat equipment. A Command Post was set up at the National Coast Guard post of Blue Bay. It was observed at that point in time that there was no oil spillage.

The National Environmental Laboratory of my Ministry collected samples of seawater on Sunday 26 July 2020 around 10.30 a.m. and Monday 27 July 2020 to carry out tests to check presence of any oil and grease and total hydrocarbons. The test results confirmed that there were no oil and grease and total hydrocarbons detected in the samples collected. The National Environmental Laboratory of my Ministry in collaboration with the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping will be carrying sampling and testing of seawater samples on a daily basis.

The Director of Shipping convened an urgent meeting in the morning of 26 July at 8 a.m. to look into salvage matters.

The Director of Environment convened a first meeting of the National Oil Spill Contingency Committee on Sunday 26 July at 9 a.m. In view of the vicinity of the Blue Bay Marine Park, the Director of the Environment in consultation with the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping and the National Coast Guard, advised for the deployment of around 190 m of booms at the seaward entrance of the Blue Bay Marine Park.

My Ministry issued a communiqué on Sunday 26 July 2020 to inform the public in general and beach users to exercise precaution in the lagoons of Blue Bay and Pointe d'Esny and the surroundings.

Mr Speaker, Sir, furthermore, I was informed by the Director of Shipping that –

- (i) a letter of Lloyd's Standard Form of Salvage agreement has been signed with Smith Salvage Co. and local counterpart CELERO on 27 July 2020 to take

remedial actions such as pumping of the fuel oil, salvage of the ship and anti-pollution measures amongst others;

- (ii) the ship hull has not been damaged at this point in time;
- (iii) the engine room was flooded due to the rupture of a water hose pipe;
- (iv) a tug is on its way to Mauritius from South Africa.

A second Tug with oil spill response equipment and a team of 10 persons would be leaving Singapore on 27 July 2020 at night for Reunion Island from where an additional 6 salvators would board the Tug and then would proceed to the wreck site. They are expected on Wednesday 29 July 2020.

An additional Tug would be on standby if required.

On 27 July 2020, traces of hydrocarbons have been reported on smeared algae over a stretch of around 300metres. Slight smell of hydrocarbon was discerned in the algae. Following an enquiry carried out by the National Coast Guard, it has been reported that it may have originated from the engine room. No further leakage has been observed.

A clean-up of the shoreline has been effected by the SMF on 27 July 2020 at 9p.m. under the supervision of my Ministry.

Mr Speaker, Sir, my Ministry, in line with the National Oil Spill Contingency Plan, has already established contact with Authorities in Reunion Island through the French Embassy for support as part of the POLMAR plan whenever the need arises. It is to be noted that such request is triggered only in the event of any major spill, that is, of the order of 10 metric tons and above (Tier 2 (10 - 100 metric ton and Tier 3 (above 100 metric ton)) .

My Ministry is also considering measures such as the pumping of the oil and placement of booms around the ship and in the vicinity in the days to come. Furthermore, a communication cell has been set up at the level of my Ministry to regularly inform the public of measures taken.

As at today morning, Tuesday 28 July 2020 at 09.15hrs, the National Coast Guard has informed that there is no occurrence of any oil spill. All precautions are being taken to prevent any oil spillage.

I thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Members, I will suspend the sitting for 45 minutes.

At 4.41 p.m., the sitting was suspended.

On resuming at 5.55 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated.

Hon. Shakeel Mohamed, you intended to...

Mr Mohamed: No, Sir, I have decided to write to you instead of coming up with it. I will communicate it by way of letter, Sir. Thank you very much.

(5.55 p.m.)

PUBLIC BILL

Second Reading

THE FINANCE (MISCELLANEOUS PROVISIONS) BILL

(NO. VII OF 2020)

Order read for resuming adjourned debate on the Second Reading of the Finance (Miscellaneous Provisions) Bill (No. VII of 2020)

Question again proposed.

Mr Speaker: Hon. Doolub!

Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, as I intervene today on the Finance Bill, the International Monetary Fund has, in April this year, forecasted a deep contraction of the world economy by 4.9% for 2020. Such performance has triggered the worst recession since the great depression in the 1930s. Whilst the Opposition thinks in the Craig Maynard and his contradictions, this Government is taking very bold steps to ensure that our country bounces back from this difficult situation in the forthcoming month.

Results are uncontested, Mr Speaker, Sir, as we can proudly vouch that our country is amongst the select few that have been able to contain successfully this dreadful pandemic. On top, Mauritius has, just a few weeks ago, joined the league of high income countries and nothing will stop us from doing what is right and what is good for the population. I would, therefore, like to reiterate that the Budget, presented and voted, ushers in an era of hope and ambitions for years ahead and, today with the presentation of the Finance Bill, we shall take

further steps to consolidate as well as shield our country for the upcoming recovery process in key sectors of our economy.

The forward-looking Budget, complemented with the provisions of the Finance Bill, will no doubt set the path for a return to near normality in the best possible manner and within the shortest possible timeframe.

Mr Speaker, Sir, there are no less than 71 legislations concerned by the Finance Bill and such rigorous, precise and well-thought amendments to our legal framework is a testimony of Government resolve to bring bold transformation in every sphere of our social economic which has, as prime objective, to improve the quality of life of the population.

Mr Speaker, Sir, the public sector will have a vital and overarching role to play in ensuring that the amendments proposed create a conducive environment for superior service delivery as we continue to adapt, evolve and respond to the effects of the COVID-19 pandemic.

The provisions of the Bill will foster nimble and adaptive structural reforms and align the legal framework where necessary to enable growth, development and innovation with the support of relevant business transformation and digital transformation initiatives. The Sandbox Initiative for innovative digital technologies shall be now an integral provision of the Public Procurement Act. The latter agreement will be an effective mechanism to accelerate the digital transformation process in Ministries and departments, through the adoption of innovative and disruptive technologies such as artificial intelligence, blockchain, fintech, mobile payment, internet of things, amongst others. Such an initiative will have a cascading effect on other areas of transformation and reforms in the public service, such as improved governance and organisational structure, operational efficiency through the adoption of smart processes and an organisational culture which is geared towards a citizen-centric approach in service delivery. The end result is about positive impact on socio-economic growth and development where we put citizens at the heart of our policies, programmes, actions and activities.

Mr Speaker, Sir, several of the amendments brought to existing legislation under the Finance Bill depict the philosophy of Government to bring major transformation in key areas where innovation and technology will be the driving force. As a matter of fact, digital banking and digital currency are given the right legal status and such change will have an impact in all sectors of our economy, and will bring major benefits to Government service

delivery. An internet based bank will carry banking business exclusively through digital means or electronically. The digital bank will come under the ambit of all of the provisions of the Banking Act and the guidelines and directives of the Bank of Mauritius, hence, the interest of the depositors and customers.

The Local Government Act is being amended so that all the applications for Building and Land Use Permit be done online through the National Electronic Licensing System. No application fee shall be payable for the application of a Building and Land Use Permit henceforth. Our people will reap the benefits in terms of speed, quality of service and transparency in using electronic channels. To further accelerate investments in infrastructure, the Build Operate Transfer Projects Act is being amended to ensure greater flexibility and access to opportunities from foreign entities transparently and fairly. By leveraging on the success of adoption of technology in one of the key Government institutions, the Corporate and Business Registration Department will gear up to another level in service delivery by becoming the central repository of all business information and licences. This bold initiative will be a step further to push the streamlining and reengineering exercise in line with the public sector business transformation strategy.

Furthermore, amendments are being brought to the Civil Status Act which makes provisions to empower Public Officers in performing their statutory duties, while at the same time, empowering our citizens to make amends promptly in case errors have been noted in respect of documents issued by the Civil Status Division. As a Small Island Developing nation, and a preferred tourist destination, the protection of our environment and natural ecosystem is being given the right attention it deserves. To that end, the Bill provides for the possibility to appeal against a decision to issue an EIA Certificate, while at the same time, putting legal responsibility on manufacturers, importers, assemblers of polluting goods such as electronics and vehicles. This, I am sure, will help develop the required circular economy of waste management. The changes brought to the Mauritius Revenue Authority Act will touch the lives of all citizens in the country and facilitate the contribution to the building of a responsible society.

The MRA will be able to pursue its journey in its digitisation process, which has become a landmark in public service delivery. Digitalisation of the MRA will significantly help to detect tax evasion, money laundering, illegal activities, and at the same time, facilitate ease of doing business. Application for refund of tax from MRA will be henceforth paid

within two months. It was previously six months, and Mr Speaker, Sir, undoubtedly, during these hard times we are going through, this measure will ease cash flow in businesses.

Mr Speaker, Sir, as a caring Government, this Bill will bring a major and much awaited change in the strengthening of the social safety net of the vulnerable groups of the society and cater for the problem raised by aging population dilemma. This Bill provides for the introduction of the *Contribution Sociale Généralisée*, which is a major milestone in our social security system. It will ensure that the pension system is sustainable while cushioning the financial burden faced by our citizens at the age of retirement. It is simply not acceptable that after many years of hard work in building a greater edifice of this country, citizens still have to face difficulties at a time when they need to rest and reap the benefits of their hard work. The innovative transformation in the proposed amendments, the National Pension Act will therefore ensure a decent living income to all citizens of country at retirement.

Mr Speaker, Sir, we do find several other measures and incentives for the development of sectors such as agriculture and pharmaceuticals, both on the forefront with the Covid-19 crisis. In an effort to further open the economy and attract talents, the Government has proposed changes to the Immigration Act, with changes notable in occupation permits and rights of those entitled to them, for example, extended validity to ten years. The amendments made to the Non-Citizen Act will also allow the right to acquire land in addition to property in more affordable smart cities to non-citizens. These incentives certainly make Mauritius a destination of choice for relocation, be it from a personal or corporate perspective.

M. le président, comme je le disais lors de mon intervention sur les débats budgétaires, cette crise, il ne faut pas la gaspiller. Il est grand temps de réfléchir autrement. Il nous faut plus que jamais un changement dans la mentalité. Le changement, M. le président, est constant, mais cela ne rend pas les choses faciles. On dit souvent que le changement est la seule constante dans la vie. Dès le sixième siècle, avant notre ère, Héraclite d'Ephèse disait que rien n'est permanent, sauf le changement. Ainsi, ce philosophe grec analysait le changement comme une constante dans la vie humaine. Charles Darwin, dans 'De L'Origine des espèces', datant de 1859, a démontré que les espèces vivantes contemporaines sont issues de l'évolution, c'est-à-dire du changement et de l'adaptation à l'environnement des espèces antérieures. Et quand j'écoute l'opposition, M. le président, cela me rappelle que les humains sont prédisposés, du point de vue de l'évolution, à résister aux changements en raison du risque qui est associé. Le monde déteste le changement, pourtant c'est la seule chose qui a

apporté le progrès. Malgré cette résistance au changement, si nous ne changeons pas, nous ne grandissons pas. Si nous ne grandissons pas, nous ne vivons pas vraiment. Lorsqu'il s'agit de changer, le courage est essentiel car les forces du *status quo* sont très fortes. Il faut du courage pour regarder en soi et croire encore que nous avons quelque chose d'unique et de précieux à apporter à la société. Il faut du courage pour mettre ses valeurs et sa vision en jeu, en sachant que certaines personnes ne seront pas d'accord, et que certaines peuvent même être désagréables. Le *Finance Bill* est la démonstration du courage de ce gouvernement de faire progresser notre pays en effectuant les changements nécessaires à la transformation de celui-ci en ces temps combien difficile. Notre succès ne reposera pas sur notre capacité à changer simplement pour le plaisir de changer, il se basera sur notre capacité à changer plus vite que ceux qui n'acceptent pas le changement en ne regardant que leur passé, et qui sont certains de manquer l'avenir.

A cet effet, Albert Einstein disait, je cite –

« Le monde que nous avons créé est un processus de notre pensée. Il ne peut pas être modifié sans changer notre façon de penser. »

Avant de terminer, M. le président, je souhaiterai apporter une clarification sur quelques propos tenus – je remarque que l'honorable Ramful est là - par l'honorable Ramful alors qu'il intervenait lors des discours portant sur le débat du *Finance Bill* la semaine dernière. Il avait mentionné que les candidats du MSM avaient bénéficié d'une salle de mariage pour faire des réunions. Je souhaiterais dire à ce sujet, M. le président, que j'étais parmi les candidats élus du MSM, au numéro 12, et qu'à aucun moment, je le redis, à aucun moment, j'ai bénéficié de quoi que ce soit de salle de mariage pour des réunions.

A bon entendeur, salut !

Merci, M. le président.

Mr Speaker: Hon. Osman Mahomed!

(6.09 p.m.)

Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, thank you for allowing me to speak on the Finance Bill (Miscellaneous Provisions) Bill (No. VII of 2020). Much has already been said by previous orators. I am trying to cover two issues that have been raised by the previous orator, hon.

Doolub, namely, on the Environment Sector, and also on the Civil Status Act, and then, I will have two more points to cover.

I would like to start with an issue, which I think should be of concern to each and every Mauritian in the urban and the rural areas. I wish to refer to those paragraphs of the Bill which referred to the procedure of granting an EIA Licence, for it is clear that this Government wanted to amend paragraph B.4 - Improving our Doing Business Environment, of the Annex to the Budget Speech this year, about the Environment and Land Use Tribunal act. I quote at page 24 of the Annex -

“(b) Easing of Construction Permits

(i) (...)

(ii) the Environment and Land Use Appeal Tribunal Act will be amended to specify clearly who can appeal against the decision of the Ministry of Environment, Solid Waste Management and Climate Change to issue, or not, an EIA License.”

It just makes one wonder if the Minister of Finance wanted to hide away this very important amendment that he wanted to bring. I have asked before, and I ask again: can the country trust the Government to be transparent? Because the hon. Minister, although it was in the Annex, never mentioned this in his Budget Speech. For how we treasure our once matchless ecology is a crucial test of how we value the legacy for our children; what was once our famous brand as a developing island paradise is rapidly being degraded under this Government into a vast building site to make the rich richer and our national environment poorer. Indeed, a misery wreck on which no self-respecting green ecology aware tourist would want to set foot.

This *catimini* move, which I just mentioned, was spotted in a letter copied to all Members of Parliament, dated 16 June 2020, by the Civil Society Coalition, ‘*Aret Kokin Nu Laplaz*’. It is very ironical that this group, ‘*Aret Kokin Nu Laplaz*’, meaning, ‘Stop stealing our beaches’, that was, first, to draw the attention of the hon. Minister of Environment - because the letter was addressed to him - on this issue, because in his reply to my criticisms on the Environment Policy, in my speech on the Budget, the hon. Minister of Environment made mention of a lease that was granted at some point in time to Pandit Sunkur; a dossier I never worked on when I was in office at *Maurice Ile Durable*. That is why I say it is very ironical. So, it is indeed very ironical. Like I said, in the face of this *levée de boucliers* from

'*Aret Kokin Nu Laplaz*', no modification has been brought to the Environment and Land Use Appeal Tribunal Act, but instead the target was moved.

Subsequently, the Minister of Finance has thought it appropriate to amend the Local Government Act, and I have here in mind, Clause 35 (d) of the present Finance Bill, which states -

“35. Local Government Act amended

(d) in subsection (15), by inserting, in the appropriate alphabetical order, the following new definitions – “person aggrieved” means a person whose application for an Outline Planning Permission or a Building and Land Use Permit has not been approved by a Municipal City Council, Municipal Town Council or District Council;”

This move which is touted as being yet a sly move, conceived in a Ministry, the Ministry of Local Government which is not particularly governed by international conventions, to the same extent the Ministry of Environment is. Therefore, there is less pressure from international organisations that way. So, the Government was hoping that the move would go by unnoticed. I think this point has been canvassed, so far, by hon. Ms Joanna Bérenger and hon. Ramful as well, and I endorsed their serious points.

The issue I would further like to raise on this aspect is, whether this Bill, in redefining the definition of the words ‘person aggrieved’, in the context as being the application for an Outline Planning Permission or a Building and Land Use Permit solely and, therefore, *de facto*, seemingly excludes, for example, a neighbour or any other party who could be aggrieved by a proposed development. This seriously sly amendment should be of concern to the whole population, Mr Speaker, Sir, for it foreshadows yet another clandestine blow against the basic democratic principles on which, it seems, wrongly believed all Government supported. So, can we really trust Government to be straight with us, or will it ever wish to pursue the crooked way?

Let me elaborate on the implications of this with a concrete example of a Judgement case reference ELAT/16/17/18, that was pronounced last month on 02 June 2020, before the Environment and Land Use Appeal Tribunal in an appeal by a decision by the Municipality of Vacoas/Phoenix to grant a Building and Land Use Permit for the conversion of an existing residential building - which could be the neighbour of anyone here - to be used as office, tiller room and a storage, and to install electric motors, several tillers ranging from 3.5 kw to 4.5

kw capacities. It is a very long judgement, and I am just going to quote the last two paragraphs, 28 and 29.

Paragraph 28 reads as follows –

“We have also considered the principles of *audi alterem partem* since it was submitted by the council for the appellant that there is a serious problem which is affecting a lot of people.

Their Lordships in Bauman, in recognition of such situations have stated that any person, such as a neighbour, who feels aggrieved by the granting of a Building and Land Use Permit on the Local Government Act 2011, may have recourse before another Court.”

And Paragraph 29 states that –

“For all the reasons set out above, more importantly on the principle of *stare decisis*, this Tribunal will abide by the decision of the Supreme Court in the case of Bauman, and accordingly grants the motion of the correspondent and the respondent.

The appeal is set aside. No order as to cost.”

This is the Judgement. I am not a lawyer, Mr Speaker, Sir, but it would appear that the case of Bauman has become a leading issue of legal jurisprudence. What are the full implications of the situation if this House should pass this Government’s Finance Bill without any alterations? If that were so, we would be letting the authorities have a *carte blanche* to tear up a key element in the democratic processes which should be protecting the fundamental rights of the little people, *les ti-dimounes* to protest at developments of the overmighty that threaten their future and the very quality of our fragile ecosystem. If an aggrieved neighbour can no longer go to the Environment and Land Use Tribunal nor can he go to the normal Court because if he goes there, he or she will not be able to defend for his case because he or she no longer has the *locus standi* because only the applicant would now have the *locus standi*. Then, what will happen? If the hearing committee at the level of the local authority rules in favour of the developer, then the only recourse a neighbour will ever have is the remote Privy Council, when these matters are best adjudicated locally where local people understand the issues at stake and then there is the cost issue as well in going to the Privy Council. So, my appeal today is for the hon. Minister of Finance to look at this amendment again and I understand that the European Union delegation on request of the European Union

Commission in Brussels had included this issue in the meeting they had with the hon. Minister of Environment on Thursday 16 July 2020.

Mr Speaker, Sir, the second point I would like to touch on today is indeed the Construction Industry presented as a major driver in the budget exercise. I'll start with clauses 11 and 55 namely on the amendments to be brought to the Construction Industry Development Act and to the Public Procurement Act respectively.

I start with clause 11. Last year's Finance Bill, that is, the 2019 version brought about a new classification for contractors and indeed at clause 9 of the then Bill, the grading of contractors was enhanced. For example, a Grade A contractor could then undertake for public contracts, contracts of value of up to Rs500 m. and a Grade C contractor, for example, could take up to Rs200 m. worth of contract at one go in the same contract. In the present Finance Bill of 2020 at clause 11, the same grades of contractors, that is, Grades A and C can now undertake contracts of up to Rs1 billion and Rs350 m. respectively. My question is: does this mean that the quality standards of contractors will automatically be upgraded - this is the question I would like to ask - within one year because from one year to another, it has been doubled? The contractors can now handle double the size. Does that mean that the quality of end product will be able to follow? This is an incredibly high rate of upgrading if you think about it. Have consultations been undertaken with stakeholders of the construction Industry before proceeding with this major upgrading across the full spectrum of hundreds of contractors from Grade A+ and to ascertain whether these contractors have seen their resources be it in terms of equipment, personnel and other resources enhanced so as to allow them to handle contracts twice the magnitude that only last year they were allowed to handle? This is the question that I want to put tonight to the hon. Minister of Finance.

Mr Speaker, Sir, year in year out, the report of the Director of the National Audit Office and the report of the Chairperson of the Public Accounts Committee draw the attention to the poor quality of works and to the delays encountered in the management of public contracts. Can we trust the Government to be honest about this process and to ensure that the National Audit Office concerned are followed up and the quality of contractors is fully in line with their enhanced responsibility for public funds?

Mr Speaker, Sir, still in the construction domain, I now move to clause 55 which deals with the amendment to be brought to the Public Procurement Act. I could not refrain myself from consulting the Consolidated Public Procurement Act of 23 August 2018 and more

specifically at paragraph 47 which deals on how payment is to be made in public contracts. The law provides for 5 lines in two paragraphs and yet these are the legal provisions available for the payment of billions of rupees on Government projects especially.

I wish to reiterate my concerns about the proposition made in the Budget Speech this year at paragraph 38 to release retention money within six months instead of 12 months for Government projects of up to Rs300 m. Rs300 m. is the contract amount of almost of the majority of Government projects that the Infrastructure Division of the Ministry of Public Infrastructure handles safe when we go for large projects like schools and hospitals.

I had touched on the implications of this measure during my speech on the budget exercise which was not the subject I am given to understand of any consultation with stakeholders of the Construction Industry. However, I have not heard also anyone from the Government having responded on this issue. I have spoken to a few construction professionals from within the public sector and outside and I still maintain my position that this is a bad measure. When you take into consideration that in certain projects in the private sector, the retention money is now released after a longer period of time, like in the RES project of Mont Choisy, Le Parc, the defects liability period was doubled from the normal 12 months to a full 24 months. That means retention money released after 24 months instead of 12 months. And, here, for Government projects, we are going from 12 months to 6 months. So, what is the Government playing at here? This could pose more problems in cases where contracts are undertaken in phases like in the Port Louis Theatre. So, unless the second phase is started, you would not know what are the defects in the first phase. So, releasing the money could be at the disadvantage of the client, which is Government.

So, what I was thinking is that at clause 47 of the Public Procurement Act regarding payments, this could have been amended so as to cater for this proposition of Government if Government wants to really go ahead with this by including safeguard, for example, retention guarantee that legally binds the contractor to make good of any defects that crop up between the period of six months and a year. This proposition which can also be covered in contracts if not backed by the law, little in words but heavy in financial consequences, will weaken our protection against the mighty and cause nightmares to Government Engineers, Architects and Quantity Surveyors wanting to do a good job for the country and for the people they serve.

Mr Speaker, Sir, next I would like to touch on the clause dealing with the Non-Citizens (Property Restriction) Act amended and I would particularly like to zoom in on subsection 45 (b) in section 5 which adds the following new subsection –

“A non-citizen who contravenes section 3 shall commit an offence and shall on conviction be liable to a fine not exceeding Rs10,000 and to imprisonment for a term not exceeding one year.”

As we talk about non-citizens holding property, we all know there are issues of housing and agricultural lands in Mauritius, but we also know that we have at times quite a bit of problem with foreigners wanting to buy properties in Mauritius.

Having said so, I find that Rs10,000 of fine and to imprisonment for a term not exceeding one year for which foreigners contravening serious Mauritian law, is, in no way, proportionate to the risk and harm involved. Let us just compare this to what a poor Mauritian who forgot to wear a mask in public will have to pay, that is, up a fine of 50,000 rupees and to imprisonment for a term not exceeding two years as per the Public Health Act. Why am I raising this issue tonight is: last Saturday, a lady from my Constituency in Tranquebar, from a very modest family background, was almost in tears on the phone to me when his young son of 19 years old was arrested by the Police for having forgotten to wear a mask. She was taken to the Police station and there, the mother was briefed that she could be liable to the Rs50,000 fine and the two years’ possible imprisonment, and she was in a terrible state. So, can we trust the Government to protect the little people of these islands or will it continue to hand out favours to the rich and concealed them in many little slight clauses of this Finance Bill.

Mr Speaker, Sir, I would now like to move to a final point I would like to canvass today and it has to do with the several amendments being brought to the Civil Status Act. At paragraph 8(e)(ii)(1B) of the Finance Bill, this one deals with the rejection of the celebration of a marriage. As a matter of fact, on Tuesday 07 July 2020, I had sent a parliamentary question to the hon. Prime Minister on -

“whether, in regard to the Muslim Family Council, he will state if consideration will be given for amendments to be brought to the rules and regulations thereof with a view to allowing the registration of the Muslim religious marriages contracted over the period 01 January 1982 to date and which are still awaiting registration?”

This was my substantive question which was not reached for verbal debate because of the 30 minutes time constraint for Prime Minister's question time. In fact, up until now, it is one of the 162 parliamentary questions out of 383 awaiting a written reply. This was the subject of a press article over the weekend.

Mr Speaker, Sir, several MPs, on several occasions, have brought to the House the problems of ladies having undergone Muslim religious marriages and whose families are, in some circumstances, not recognised, to Parliament. What happens is when their husband passed away, several hundreds of them, in fact, in this case and when they knock at the door of the authorities, they are not recognised as being married ladies. To put it crudely, these ladies are considered as concubines and they are deprived of many of their entitlements as provided by our Welfare State program and I have here in mind access to basic widows pension and other related benefits that they must find themselves, sometimes, in position of extreme hardship when they don't get it. I have personally come across many such cases since I joined politics some six years ago.

Moreover, there is a particular group, those who became widows between the time the Civil Status Act was amended on 13 November 1987 when Muslim marriages ceased to be recognised and the day Muslim religious marriages were recognised again, that is, on 21 of December 1990. During that time, the Muslim Family Council did not exist and hence this group of ladies find themselves in a neither here nor there position so to speak. To make matters worse, since November 2019, for 10 months now, there is no Chairperson at the head of the Muslim Family Council - 10 months, Mr Speaker, Sir. My appeal to the hon. Prime Minister today is in the name of human rights of these widows; is to have a look at this sorrow state of affairs and to constitute a competent Muslim Family Council at the earlier, that is comprised of people who are knowledgeable in both local and Islamic laws and practices.

Mr Speaker, I have raised a small number of detailed critical issues arising in the small print of the Finance Bill. Little as these points may be in words, they are of enormous significance to the very heart of the way we conduct the business of Government. We all know we are increasingly under international scrutiny for the way we conduct our public affairs whether in financial matters or in the protection of our priceless environment. The various points I have raised have one thing in common, that is, the question: how far can the little people in this democracy really trust the Government to be on their side. As the rightly

celebrated British Prime Minister Benjamin Disraeli wrote - 'all power is a trust from the people'.

Mr Speaker, Sir, allow me to close with a warning that without the trust, Government will ultimately fall, but the irreparable damage that they have done before the day they fall. Our task in Opposition is to test that trust to hold all Ministers accountable; the test we, in Opposition, have used on this Finance Bill, leave the Government solely wanting not so much few, not so much as you but to the many little people of these islands who have a right to expect from any Government to be transparent and honest about the laws it openly proposes and not to govern by the sly unfair devices it tries to conceal.

Thank you.

Mr Speaker: Hon. Nuckcheddy!

(6.34 p.m.)

Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil): Mr Speaker, Sir, we are here to debate the Finance Bill following the Budget Speech of last month. The Bill will put into law the Budget proposals that have been announced last month and it is important for me to point out that the circumstances have changed beyond recognition since we came into power. This year's Finance Bill is being debated in the shadow of a pandemic unprecedented in living memory to which our Government is responding with one of the largest and most comprehensive economic responses aiming to protect people's jobs, incomes and businesses.

The future today is defined by today's difficult and dangerous. It did not take much time for this health crisis to become an economic one. This is not, of course, the first global economic crisis. However, this time, it is different. We had crisis in the 20th century and, also, in the early years of the 21st century where we saw the global financial crisis that started in 2007. Each of these crises has been studied in detail and, while economists and politicians may not concur on the response mainly due to their ideological perspective, our Minister of Finance had to come with measures that would help our country to face the situation.

As a responsible Government, we expect and are taking measures so that our economy bounces back at the earliest and have the so-called V-shape recovery. It is, therefore, very important that the Government be allowed the time and space to take those decisions and that we are patient with them.

Mr Speaker, Sir, before I comment on some clauses of the Finance Bill 2020, please allow me to comment on some aspects of the same Bill which had been wrongly interpreted by hon. Members on the other side of the House as it is important for the people of this country to know the truth.

Mr Speaker, Sir, in her speech, hon. Joanna Bérenger expressed her worries about the powers given to Landscope because of the supposed hidden scandals that are now coming to light.

Mr Speaker, Sir, one, Mr G. S., made an outrageous allegation which had been immediately and forcefully denied by the Board of Landscope Mauritius. Based on the saying of just one person, hon. Joanna Bérenger came forward and talked of scams without having ascertained the fact first and certainly by hiding under Parliamentary immunity. This is how disappointing our friends on the other side of the House are, especially, when they self-

proclaimed themselves to be doing *politique autrement*. Is that doing *politique autrement*, Mr Speaker, Sir, taking allegations from *les coins de la rue* and bringing it in this House, disguised as a proof, under the Parliamentary immunity? That is really disappointing for the new Members of the Opposition.

The same hon. Member also spoke about the Rose Belle building constructed for the astronomical sum of Rs300 m. without a feasibility study. Let me remind the hon. Member that this project was initiated and the contract was awarded in September 2014 under the Labour Government. The same Labour Government that her party, the MMM was in alliance with and head over heels in love within 2014 elections. And it now seems that the love is on again. In his reply to a PQ raised by hon. Reza Uteem, PQ No. B/742 on 31 July 2018, the Prime Minister provided an insight of how projects were carried out by the Labour Government and confirmed that there were no market survey and neither any feasibility study on the Rose Belle Project which started in September 2014.

The hon. Member is perfectly right in saying that no project should be implemented without undergoing a detailed feasibility. She mentioned the fact that tender for the Data Technology Park has been launched without undertaking a feasibility study first. Let me inform her that she is mistaken. Landscape (Mauritius) Ltd has launched only an Expression of Interest with the objective of having an understanding on the demand of such projects. It is based on this understanding and only after a feasibility study has been undertaken that Landscape will proceed with the development of the park.

Mr Speaker, Sir, hon. Bérenger has queried whether Landscape has the required competence to undertake such projects. Perhaps the hon. Member is not aware that Landscape has, at its head today, a Chartered Quantity Surveyor and a Project Manager with over 20 years' experience in the Real Estate Sector. She has occupied senior positions in two of the largest property companies in London. She has been credited for turning five loss-making companies into highly profitable ones that is, Landscape (Mauritius) Ltd today. She has also implemented several projects namely, the renovation of Port Louis Waterfront, the new Supreme Court building, the Riche Terre Business and Industrial Park among many others. As a Quantity Surveyor myself, I have no doubt that Landscape (Mauritius) Ltd is in the right hands and that the Government is absolutely right in entrusting such strategic projects to Landscape (Mauritius) Ltd.

That being said, Mr Speaker, Sir, let me now comment on the amendments proposed to the Construction Industry Development Board Act. In his Budget Speech, the hon. Minister of Finance mentioned that the construction industry will be the engine of our recovery. This Bill provides several clauses to be amended so that our construction industry can be stimulated.

I now move to clause 11 where provision is being made to review the great designation for values of contracts that a contractor is allowed to undertake. We listened to those major projects which were announced in the Budget Speech. Provision is being made, Mr Speaker, Sir, to increase the ceiling of the value of a contract that our local contractors can undertake. This provision is empowering our local contractors. Taking the example of the two top grades of contractors, it is provided that our local contractors registered as Grade A+ can now bid for projects up to an amount of above Rs1 billion. And those registered as Grade A up to an amount of Rs1 billion. The increase in the ceiling will facilitate public sector procurement and promotes contractors' development. The grading of the Contractors, Mr Speaker, Sir, is based on the technical and financial abilities of the contractor. By allowing these Contractors to bid for projects of greater value, this will help them to reinvent themselves and also invest in research and development and become more efficient, thus delivering projects of high quality in a successful manner.

Mr Speaker, Sir, very often, our big projects are awarded to foreign companies because our local contractors have a constraint on the project value. With the provision proposed at clause 11 of this Bill, our local Contractors will be provided the opportunity to prove their worth.

Health and safety, Mr Speaker, Sir, is an aspect which is very often not given its due consideration. The statistics on accidents at construction sites worldwide give us a picture that construction industry is one of the critical sectors that needs a huge and fast overall from the current site safety practices. Accidents don't just happen; they are caused by unsafe acts, unsafe conditions or both. Most accidents result from a combination of contributing causes and one or more unsafe acts and unsafe conditions. In order to improve the overall safety performance so that the life of the construction workers are protected by allowing our local contractors to undertake projects of higher amount than they are actually allowed will provide them the opportunity to provide trainings and awareness to their operatives and also invest in PPEs and more secured scaffoldings and equipment. Research conducted on the causes of accidents on construction sites have shown that one of the major causes is defective

equipment and all the researchers have also shown that unsafe practices decrease as the economic performance of the Contractor increases.

Mr Speaker, Sir, nothing can be more important than the life of our citizens, I therefore endorse the provision of clause 11 of this Bill. I just heard hon. Osman Mahomed talking on the provisions of this Bill. He is worried that the Contractors are now allowed, within a year, to bid for projects twice the amount that they were allowed last year. Hon. Osman Mahomed is maybe not taking into consideration the time effect on cost. Hon. Osman Mahomed should understand that last year we had the NRB for the construction workers which provided for the increase in the wages of construction workers to be increased by about 23% and as we know in a construction project, the cost of labour turns around 30%. So, this has increased the price and also the exchange rates and changes in legislation which occurred recently has boost up the price of construction. He also talked about the detention amount which is released earlier.

Mr Speaker, Sir, the cash flow is the life blood of contractors. He is worried that by releasing the retention money earlier will provide construction of poor quality. This is not the case because the DLP and the retention bond are not linked. We can have a DLP period, that is the Defects Liability Period of a longer period and the contractor will still have the obligations to rectify any defects and also the CIDB has the right to bar those non performing contractors. So, we don't have to worry on anything that the contractors will be delivering projects of poor quality.

Mr Speaker, Sir, at clause 4, provisions are made to the Build Operate Transfer Act to facilitate the implementation of BOT projects. Developed countries have used BOT to implement large projects. For the modern country we want our island to be, it is important that we implement infrastructure and buildings of high quality and which are defects-free. At no cost, shall we again have projects like Terre Rouge-Verdun Road which was a nightmare. In the prevailing economic condition, we should definitely allow private firms to invest in public infrastructure and the provision of clause 4 of this Bill provides the Central Procurement Board, the ability to have recourse to BOT projects. The BOT model allows the public sector to take the advantage of the efficiency firms in the private sector for a minimal investment and reduces the public debt, as it is the private companies that assume the cost of the project at initial phases.

It has also been observed, Mr Speaker, Sir, that BOT projects allow for innovation, as this process encourages innovation which allows the community to benefit from advanced technologies which will be included within the projects. Projects implemented by the public sector do not normally include innovative factor because of the cost involved.

BOT project, Mr Speaker, Sir, almost famous for not being completed within the time frame and thus, eliminating time and cost reference, but have low maintenance cost and less defects. It is also proposed under clause 54 to amend the Public Private Partnership Act in a much similar manner.

Mr Speaker, Sir, these measures will definitely enhance the use of the procurement routes for our major public projects which will, in turn, help our country to pave its way towards modernity.

Mr Speaker, Sir, as I mentioned at the beginning of my speech, that time is difficult, but this Government has commitment which remains unchanged.

I would like to conclude by a saying of Rebecca Solnit. I quote –

“Crises are often resolved only through a new identity or new purpose, whether it’s that of a nation or a single human being.”

The Bill provides for that new identity which will help us to bounce back and adapt to the new normal.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Juman!

(6.50 p.m.)

Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East):
Thank you, Mr Speaker, Sir. It is a matter of great concern that while we are here sitting, debating about the Finance Bill and amendments proposed to the Public Procurement Act, il y a un scandale hors norme qui boulverse la population. Cela concerne justement, M. le président, l’achat des équipements médicaux et des médicaments pendant le confinement.

En brandissant la section 21 de la *Public Procurement Act* soit l’*Emergency Procurement*, je me réfère justement, d’abord, à l’amendement de la section 21 (1) à la *Public Procurement Act* pour remplacer les mots ‘*other services or works*’ par ‘*works, consultancy services or other services*’ à la page 96.

M. le président, je vais vous expliquer en détails, pourquoi c'est dangereux d'amender la section 21 (1) pour étendre l'*Emergency Procurement* au *Consultancy Services*. Déjà, on a vécu une mauvaise expérience avec l'*Emergency Procurement*. Au contraire, il faut mettre des garde-fous. J'ai parlé d'un scandale hors norme, un scandale qui frôle l'indécence, l'immoralité où l'*Emergency Procurement* a été dévié pendant le confinement.

Mr Speaker, Sir, while we were told to stay at home, quand la population dans son ensemble était confinée, peur au ventre, angoissée, beaucoup parmi nous, pas d'argent, pas de nourriture, on ne savait même pas ce qui nous réserve à l'avenir. Des petits malins, très, très petits malins ont trouvé les moyens de s'enrichir immoralement, refugiant derrière le même *Emergency Procurement*, même le ministre de la Santé, l'honorable Dr. Jagutpal et le ministre du Commerce ont concédé à plusieurs reprises tout ce qui venait de l'avant pour proposer leurs produits. Par produit, je me réfère aux équipements médicaux, on a accepté. Parmi, on a tout vu, quincaillerie, bijouterie, agence publicitaire, tours opérateurs, *even dormant companies, company without any single trade, for the last three years, bade 300,000,000 plus contract from the Ministry of Health and the STC, and they are even paid in advance. Companies, trading without appropriate licence, sold their product to the Ministry of Health and STC with mark-up ranging from 100%, 200%, 400%, 700% mark-up.*

L'honorable ministre de la Santé n'a pas manqué d'occasion, que ce soit lors des conférences de presse, à la radio ou même dans cette auguste Assemblée, il a dit que c'est le comité d'évaluation qui s'occupe des *procurement process*, le ministre ne se mêle pas des *procurement process*. Vous avez parfaitement raison M. le ministre, sauf, c'est le contraire qui est pratiqué. Voilà, ce qui est fait. Conseiller bénévole au *PMO*, voilà, ce qu'ils disent, '*Juan Antonio Carrion from Pack & Blister, supplier of medical equipment, addressing to Dr. Joomaye on Saturday March 28, 5.35 p.m.*'

"I send you the quotation.

I need to book them in the following 3 hours."

Plus loin, M. le président, le *SCE*, M. Bhugun s'adressant à Dr. Joomaye: 'Le modèle des ventilators VG70 au prix de 45,998 dollars'. Retenez bien le prix. Alors qu'on dit que le ministre ne se mêle pas des *procurement process*, alors que nous savons très bien dans le processus de *procurement*, *quotation* est très important pour ne pas dire le plus important, alors que le ministre dit qu'il ne se mêle pas des *procurement process*, un conseiller au

bureau du Premier ministre est en train de deal avec le *procurement*. Et normalement, dans un cas normal qui décide des spécifications? C'est le client.

Voilà, ce qui est dit –

« *After going through the mail concerning the ICU ventilators, myself Dr. V. Dinassing and Dr. S. Hemoo have read the specifications given by the supplier (...)* »

C'est Pack & Blister qui dicte les spécifications. Voilà, sous *l'Emergency Procurement* comment on a géré les affaires du pays.

Maintenant, je vous ai parlé du prix de 45,998 dollars, un *ventilator, mark Aeonmed, model VG70*, d'origine Chinoise. Voilà, je vous donne le prix que moi aussi j'ai contacté le fournisseur, M. Joel Moss. Le même *ventilator* avec toutes options, un an de garantie, démonstration, livré dans une ou deux semaines, tout de suite, si je commande aujourd'hui, j'aurais ça dans une semaine. Si j'avais commandé au début d'avril, j'aurais la livraison dans six à huit semaines. On a commandé avec Pack & Blister, bientôt 16 semaines. *Ganta, zéro! Zéro!*

Et vous savez le prix? C'est bien que vous notez le prix, M. le ministre. 25,500 dollars. La moitié du prix qu'on a payé 25,500 dollars. Voilà, je vais déposer ça. Même modèle, même marque. Voilà, Aeonmed, VG70, garantie un an, pièces de rechange, service après-vente, démonstration, tout inclus, par visioconférence, bien sûr.

Maintenant, laissez-moi vous dire, M. le président, comment on a, je ne vais pas dire *bangoler*, mais je ne sais pas comment dire ça. Rien que sur les *ventilators*, on aurait économisé R 41 millions, sans le courtier qui est M. Joomaye, intermédiaire, *sorry*. R 41 millions d'économie.

Maintenant, je vais aller plus loin, item 1 sur la facture *STC*, 5 millions de masques. Voilà, document déposé à la douane, même période. J'espère que demain les ordinateurs de la *MRA* ne seront pas saisis.

Un masque qu'on a payé avec Pack & Blister, 0.675 dollars l'unité et on a procuré 5 millions. A la douane déposé par un fournisseur, par un importateur, la même période, 0.1 dollar, facture déposée à la douane. Rien que sur les 5 millions de masques et si on aurait vendu à ce monsieur-là, on aurait eu 15% de taxe, l'argent aurait resté à Maurice. On aurait économisé 0.1 dollar. Okay. M. Mungroo, facture déposée à la douane, même masque, 0.32

dollars et nous on a payé 0.675 dollars. Oublions 0.1, on prend référence le plus cher, celui de M. Mungroo, on aurait économisé sur l'item 1.5 million de masques, R 71 millions.

Mr Lesjongard: Mr Speaker, Sir, can I make a point of order, please?

Mr Juman: Mr Speaker, Sir, I am not giving way.

(Interruptions)

Mr Lesjongard: Point of order, you have to give to give way! My point of order is related to the relevancy of what the hon. Member is saying with regard to the Finance Bill. We are debating the Finance Bill; we are not debating on purchasing of medical equipment today, Mr Speaker, Sir.

(Interruptions)

Mr Speaker: Order! Order! Hon. Member! Hon. Member, there is a rule for relevancy of debate! Come back to the Finance Bill!

Mr Juman: Yes, of course. I am on the Finance Bill. I am explaining the Members of the both sides of the House, why the arrangement should not be entertained. *Si vous êtes d'accord avec ça.*

(Interruptions)

An hon. Member: *To gagne dimal.*

Mr Lesjongard: *Ki dimal ki mo gagner? Ki dimal ki mwa mo gagner ? Ar twa mo gagne dimal?*

Mr Juman: Mr Speaker, Sir, I won't be long. I won't be long.

Mr Mohamed: *Tender!*

Mr Lesjongard: *Ki pou tender?*

(Interruptions)

Mr Speaker: What is happening now? What is happening in the House? Both sides of the House!

(Interruptions)

Both sides of the House!

(Interruptions)

Mr Lesjongard: *Mo pann gagne zafair ar twa. Mo pe kause ar Speaker.*

Mr Mohamed: He is losing his head.

Mr Lesjongard: What losing my head? You are losing something else.

Mr Speaker: Hon. Shakeel Mohamed! Hon. Joe Lesjongard, calm yourself!

Mr Lesjongard: But he started the crosstalking. Did I start the crosstalking, Mr Speaker, Sir?

Mr Speaker: Okay, the one who speaks first now, will be ordered out, again!

Continue, hon. Member!

Mr Juman: Thank you, Mr Speaker, Sir. Let me come to the last item because I want to finish on it. Item 2, N94 mask, we procured from Pack & Blister through emergency procurement.

Mr Speaker: Hon. Member, you are going on the same track, again!

Mr Juman: Yes, yes, it is very important, Mr Speaker, Sir. Let me finish! Let me finish!

Mr Speaker: I am giving you a ruling.

Mr Juman: Yes.

Mr Speaker: Don't go along the same track again. You are drifting the debate to something else. This is debate on Finance Bill and I gave an announcement. I made an announcement to restrict yourself to the Finance Bill. So, please, do it!

Mr Juman: Thank you. I stay guided to your ruling, but yes. Emergency procurement, we are asking to extend emergency procurement to consultancy services and now, I am showing the House how we misuse the emergency procurement and this should not happen again because *on a jeté par la fenêtre sur R 500 millions, R 255 millions, parce que vous savez pourquoi? Des gens qui ne sont pas supposés deal avec le procurement, comme l'a si bien dit, M. le ministre. Mais M. le ministre a oublié, c'est sa responsabilité d'assurer qu'on utilise à bon escient l'argent venant du profond public.*

Et vous savez, je viens vous dire, M. le président, *mark-up* de 400%, 500% qui sont, je ne sais pas qui dire illégal, parce que voyons ce que le ministre du Commerce nous a dit, 'Nous sommes en confinement'. Il s'agit d'une situation sans précédent avec la fermeture

totale des commerces, tous les prix pour les commodités de base ont pris l'ascenseur. Nous avons fixé le prix pour la pomme de terre à R 40 le kilo, mais il y a des commerçants qui vendent beaucoup plus cher; aussi, on va prendre des contraventions aux commerçants. Le prix est fixé à R 40 et ils sont en train de vendre à R 50, R 55 le kilo. Voyons ce que le ministre a dit la semaine dernière, à la *MCCI (Mauritius Chamber of Commerce and Industry)* –

“Some traders have indulged in profiteering and abusive trade practices. It is unfortunate that in an already difficult situation traders had made such behaviour. My Ministry undertakes to educate consumers so that they are well equipped to face such a situation. They are paying 50%, 40% mark-up more than supposed to be.”

Here, his Ministry is procuring with mark-up of 500%. Who needs to be educated? I am looking forward to have the views of the Ministry of Finance regarding the handling of the procurement of ventilators or any other items procured under the Emergency Procurement, whether it is Pack & Blister, whether the implication of Dr. Joomaye, and about the careless management of the Minister of Health and Wellness and that of the Minister of Commerce.

Mr Speaker, Sir, let me now come to another topic. *Je ne veux pas être un prophète de malheur*, but I can see the doom and gloom looming on the financial sector, especially when we have a failing institution like the Financial Services Commission to regulate the Financial Services Sector. Besides, I don't know how the FSC can be a regulator while flouting the law, and they are still wondering why Mauritius is on the European Union blacklist. But what worries me most, Mr Speaker, Sir, is the way in which the FSC is playing its role as a regulating body. We will come into it in a while; the amendment of the Financial Services Act, 30 (a), with regard to extension and exemption of 30 (b) for the filing of annual financial statements. Now we are asking to amend the Financial Services Act to ask to extend or to exempt a company from filing financial statements in case of emergency. Let me tell you why this is very dangerous. Since 2016, not a single audited financial statement has been submitted by the NIC Ltd. I wonder if the amendment is to protect the NIC Ltd. That's why it is very dangerous. Mr Speaker, Sir, we are talking about the Finance Bill. PQ B/38, put by hon. Uteem on 28 March 2017 with regard to NIC Ltd., he wanted to know if the NIC has filed its audited account. The reply was as follows –

“With regard to part (b) of the question, I wish to inform the House that Ernst & Young was appointed as the statutory auditors of NIC in April 2016. The financial statements for the year ended 30 June 2016 has been audited, but not yet finalised as there are certain pending audit issues. One of the main issues concerns the valuation of the assets of the company.

In this context, management is working hard to resolve the pending issues. I wish to reassure the House that this matter is receiving the required attention (...).”

We were in March 2017. In December 2017, hon. Uteem, in PQ B/920...

Mr Speaker: Hon. Member, I have been very lenient to you. I know this is a very difficult topic, but please don't refer to questions and answers already given. Carry on!

Mr Juman: Thank you. Same thing, in December 2017, no audited account filed. March 2019, no audited account filed. I don't know if we have more PQs, but now we are in 2020, not a single audited account is filed by the NIC, and yet, they are asking us to amend the Financial Services Act, I wonder if it is to protect the NIC. If it is so, it's okay. *C'est scandaleux, M. le président, je vais vous dire pourquoi.* We are in July 2020, Mr Speaker, Sir, where are the audited reports of the NIC? Has there been another request for extension? What has the FSC been doing in this case? I am eagerly waiting for the reply of the Minister of Finance. The truth, Mr Speaker, Sir, is that the NIC Ltd is already insolvent. Four years, they have not filed the audited accounts. They are already insolvent. Yes, insolvent! *La NIC est cliniquement morte à l'heure où je vous parle.*

Mr Speaker: Come back to the Finance Bill, hon. Member!

Mr Juman: *Yes!* M. le président, on a un trou à la *NIC Ltd* de R 7.5 milliards. Il paraît que le gouvernement tente de la maintenir sous respiration artificielle en lui accordant un certificat de garantie dans le dos du peuple à hauteur de R 6 milliards. Mais cette garantie ne servira...

Mr Speaker: Explain, hon. Member! However, refrain yourself to the Finance Bill. You owe the House an explanation.

Mr Juman: Soyez patient! On est en train de parler de R 7 milliards. Je vais vous expliquer.

(Interruptions)

What will happen to the 300 employees, to the 500 agents, to the 150,000 policyholders tomorrow morning? I am telling you, the NIC Ltd is already insolvent.

Mr Speaker: So, hon. Member...

Mr Juman: We all know what happened to the Bramer Bank, for less than this it was revoked!

(Interruptions)

Mr Speaker: Hon. Member, I am on my feet! I am on my feet, hon. Member!

(Interruptions)

I am on my feet! So, you stop talking. Very simple! Decorum in the House! Parliamentary democracy! I have been reminding you. I know it's a very difficult subject to talk for 30 minutes; I must concede. However, don't go far from the Finance Bill, come back to it or else you can close your speech. There is no wrong, there is no harm to Parliamentary democracy.

(Interruptions)

Mr Juman: *I know it hurts! I know it hurts!*

M. le président, il faut savoir pourquoi *Ernst & Young* s'est désisté comme auditeur. Pourquoi on doit amender cette loi? C'est ça qu'il faut savoir. Pourquoi les auditeurs refusent systématiquement de signer un *clean report*? Quel est le rôle de *Transaction Adviser*, M. Sattar Hajee Abdoula? Il faut savoir tout ça.

Comment voulez-vous qu'on inspire confiance aux opérateurs économiques, aux institutions internationales dans un climat pareil? Que ce soit l'ancien *CEO* de la *FSC* qui est aujourd'hui gouverneur de la Banque de Maurice, l'ancien *Chairman* qui est aujourd'hui ministre des Finances, l'ancien ministre des Finances qui est aujourd'hui Premier ministre, qu'ils sont tous coupables de l'écroulement de la *NIC*.

This is why I think when we are talking of amending of...

Mr Speaker: You are imputing motives.

Mr Juman: ... some sections of the Financial Act that we are...

Mr Speaker: Hon. Member! Hon. Member, you are imputing motives. Time is over! Next orator!

Hon. Ittoo!

(7.19 p.m.)

Mr A. Ittoo (Third Member for Vacoas & Floréal): Je vous remercie, M. le président, de me donner l'occasion d'apporter mon humble contribution aux débats sur le *Finance (Miscellaneous Provisions) Bill 2020*.

À entendre les honorables membres de l'autre côté de la Chambre, on croirait qu'ils sont les seuls concernés, alors vraiment concernés, par l'avenir de notre économie, le bien-être des Mauriciens et l'intérêt de l'île Maurice. Il est vrai que c'est toujours plus facile de critiquer assis dans le *passenger seat*, venir critiquer celui qui dirige la machinerie gouvernementale, celui qui est appelé à prendre les décisions difficiles, mais nécessaires, celui qui trouve les solutions souvent complexes avec toutes les difficultés d'implémentation que cela comporte. Mais que voulez-vous, c'est le jeu de la démocratie. Je suis tenté de dire -

«*Bef travay et banla walk out.*»

Je vais essayer de ne pas répéter les arguments déjà mis de l'avant par mes collègues qui ont pris la parole avant moi et ont, avec raison, défendu les provisions de ce *Bill* et de ce fait, je ne vais pas être long. J'avais, lors de mon allocution sur le discours budget terminé avec une citation d'un économiste disant -

«*A crisis is a terrible thing to waste.* »

Et je voudrais continuer dessus car la *Finance Bill* s'inscrit dans cette même logique. Malheureusement, dans une situation *COVID-free* locale, et en pleine crise *COVID* internationale. La question qu'on se pose c'est où trouver les opportunités quand une économie comme la nôtre, *services sector driven*, avec le tourisme, secteur financier, *banking* et *BPO* entre autres, qui contribuent à 76% de notre PIB sont directement affectés et un secteur touristique quasiment à l'arrêt. Le gouvernement vient aujourd'hui encourager entreprises et individus à un retour à la production stratégique en quête d'autosuffisance. Le *Finance Bill* se focalise autour des secteurs clés qui sont la construction, l'agroalimentaire, le secteur manufacturier ainsi que la pharmaceutique pour être les moteurs d'une économie souveraine et résiliente.

M. le président, suite à une crise sanitaire *COVID-19* sans précédent, les entreprises sont encouragées, incitées à investir et se développer dans ce secteur prioritaire. Ceux

affectés par la crise sont aussi soutenus par des *tax incentives* pour les encourager à continuer leurs opérations et rester en business.

Government continues to provide incentives to the private sector by introduction of tax holidays to companies engaged in inland aquaculture, companies engaged in manufacturing of nutraceutical products, are but a few examples of Government action.

M. le président, on a beaucoup entendu les critiques par rapport aux taxes de 15% sur les produits et services digitaux, électroniques tels que Netflix, achat *online* et autres. Beaucoup a été dit, cependant ce qui n'a pas été dit assez c'est que cet amendement vient corriger une injustice. On parle aujourd'hui de *buy local*, acheter Mauricien, protéger nos entrepreneurs locaux et c'est cela le but principal. S'assurer qu'il ne soit pas désavantageux à la compétition étrangère. Par exemple, quelqu'un qui achète un produit *online* est exempté de toute taxe tandis que le petit commerçant local vendant le même produit doit lui absorber comme coût, la location de son emplacement, les utilités publiques, le coût du personnel et en plus de cela charger la *VAT*. Idem pour les entreprises spécialisées mauriciennes offrant des services comme le *web hosting*, *cop cloud computing* et autres, ils sont désavantageux à leur compétiteur *online* surtout lorsqu'il s'agit du b to c ou s'ils ont affaire à des firmes *non-vatable*

Concernant la fameuse *Netflix*, je constate beaucoup de comparaisons faites avec la redevance de R 150 de la *MBC* qui, à mon avis, sont malheureusement mal inspirées. Je fais un appel à notre sens de patriotisme pour notre télévision nationale, c'est à travers cette même *MBC* qu'on découvre nos talents locaux, les coins et recoins de notre île paradisiaque et aussi qu'on arrive à connaître le progrès que connaît le pays avec le gouvernement du jour, vu que les médias travaillent toujours pour, on le sait déjà.

Mr Speaker, Sir, Government has, on the one hand, proposed measures to promote numerous sectors but also to protect low-income earners in various ways. The opening of the economy to investors and talented experts, as well as the opportunity offered to skilled Mauritians to set up their own businesses, reflect a plan of sustainability as well as long term resilience. Under the taxation section, despite pressure to raise taxes during this COVID period and to finance the Wage Assistance Scheme, Government did not raise the Corporate Income Tax and same remains at 15%. Government is maintaining all the existing tax holidays being provided to boost a number of sectors and activities like global headquarter licence, innovation-driven activities, manufacturing of pharmaceutical products, global

treasury and more. Moreover, export of goods continues to be taxed at 3% and tax credit or double tax deduction is being provided on certain capital expenditure.

Hence, Mr Speaker, Sir, Mauritius continues to be a low corporate tax jurisdiction, VAT rate has remained at 15% while we continue not to tax capital gains in Mauritius and neither has an inheritance tax been introduced. On the personal tax front, most tax resident individuals will be taxed at effective rate of less than 15%. Only individual residents in Mauritius earning over Rs3 m. will be subject to the levy but the overall effective tax rate should not exceed 25%.

M. le président, pour résumer, selon l'OCDE, avec un taux de taxation maximum établie à 15%, Maurice fait partie des 20 pays qui ont un taux d'imposition sur le revenu des sociétés les plus bas au monde.

Full deduction on capital expenditure, on electronic high precision or automated machinery or equipment, double tax deduction to companies engaged in medical RND, double tax deduction to companies on the acquisition of cost of patents and franchises and to comply with international norms and standards, is clear intent from the Government to encourage companies to embrace technology in their businesses either through direct acquisition of equipment or through medical research and development.

Mr Speaker, Sir, the latter measures proposed in the Finance Bill are clear indications of the vision of this Government to further assist entrepreneurs in not only making optimum use of technologies and digitisation but also to provide them all the required facilities to compete in terms of standard and high quality end products on the market. Yet, another key set of measures to encourage the local *savoir-faire*.

M. le président, un des défis majeurs qui nous guettent dans un futur pas trop lointain est d'ordre démographique. Il nous faut plus de bébés. La population active mauricienne ne sera pas suffisante avec la tendance actuelle pour atteindre nos objectifs économiques entre autres. Le gouvernement s'est engagé dans une politique d'ouverture de Maurice. Ouverture à des talents professionnels, investisseurs et *high net worth individuals*. Les professionnels en ressources humaines parlent souvent de '*attraction and retention of talents*'. L'extension de l'*occupation permit* et du *permanent residence permit* aidera surtout au *retention* d'expatriés pour qu'ils puissent investir, travailler, vivre et prendre leur retraite à Maurice. Grâce à la gestion proactive et efficiente de la crise sanitaire, il y a un sentiment de confiance qui règne désormais dans le pays. *The World Travel & Tourism Council* a même reconnu Maurice

comme un *Covid-safe destination*. Il nous faut capitaliser sur cette situation. Cette semaine même, la firme *Google* a annoncé ‘autoriser ses employés au *work from home* jusqu’en juillet 2021’ Des propos similaires émanent des compagnies comme *IBM* et *Facebook*. Cela nous démontre deux choses : la fin de la pandémie n’est malheureusement pas pour de sitôt, et plus important, le *work from home* est appelé à devenir le *new normal*. De l’autre côté, on constate que beaucoup de nos partenaires économiques majeurs se trouvant, par exemple, en Inde et en Afrique du Sud, passent par une crise sanitaire prolongée, eux aussi forcés à se contenter de *work from home*. Dans cette situation, unissons nos forces pour faire du *work from home* se résumait à *work from Mauritius*. C’est ça l’intention du gouvernement.

Mr Speaker, Sir, to conclude, please allow me here, to commend the hon. Minister of Finance and his team for this Bill, balanced between measures to encourage emergence of new sectors of revenue generation for the country; creating the conducive conditions for an ecosystem favorable to innovation while, at the same time, saving existing industries heavily impacted by the pandemic. Encouragingly enough, the MCB and Moody’s have forecasted growth in the GDP for more than 7% in the next year. Government is doing its part and we now rely on the Mauritian genius, Mauritian entrepreneurial spirit to take advantage of the measures and opportunities put at their disposal to embark to the next level of our economic development. Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Ameer Meea!

(7.30 p.m.)

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):
Yes, Mr Speaker. Although there is so much to comment on this Finance Bill, but due limited time allotted to me, I shall be restricting my intervention to the implication of the income tax, the value-added tax and the CSG.

Mr Speaker, we note that several measures announced in the Budget Speech have not found their way in the Finance Bill and this is welcome. In my view, the Minister of Finance has realised that these measures were not tenable, and will have serious adverse effects on our economy. This realisation has come as a result of outcry from all stakeholders. There are other proposals such as CSG, which should be considered thoroughly in consultation with players of the industry. It is still not too late, and I urge the Finance Minister, in the interest of the country, to do so.

Now, I will come directly to clause 42(f) of the Bill. This is a very important clause of the Bill. At the outset, it gives the Finance Minister wide powers under the proposed section 30F in the National Pension Act. Furthermore, the Bill provides that the following will be prescribed by way of regulations. The affected participants, as provided under clause 30A, the rate of the CSG, the amount of which the CSG should be applied, the time the CSG should be paid, the benefit in respect of the CSG. Such a major amendment to our pension landscape will be dealt with through regulations. We are talking about billions of rupees, retirement of hundreds of thousands of Mauritians, and more importantly, about taxpayers' money. This will be done through regulations. In my view and my friends' in this House, and everyone in the sound mind, will agree that this measure should be introduced as an act of Parliament through a Bill and debated fully by Members of this House, and involving all experts and stakeholders. Unless and until this is resolved, the whole of clause 42(f) should be kept in abeyance. The fact that the CSG is pooled in the Consolidated Fund and so that the contribution made by the participant does not influence his financial benefits, implies that it is in substance, a tax. This means that the employer contribution will not be a deductible expense for the employer as the employer contribution is not towards the exclusive benefits of the employees. Furthermore, the CSG the employee will pay will not be deductible on the basis that it is a tax; there is a provision in the income tax as there is no provision in the Income Tax Act. At the same time, the participant will be liable to tax on receipt of the retirement pension.

Additionally, it is important to highlight that the CSG will be pooled in the Consolidated Fund, and not a dedicated pension fund, and more so, its management falls under the Ministry of Finance and not that of the Ministry of Social Security. The interaction of the CSG with the Income Tax Act should be considered so that employers and participants assess its full impact. There is far too much uncertainty around this new proposal. Apart from the tax administration angle, there is a discriminatory part to its proposed measure, and, in my view, unconstitutional. The private sector and self-employed are called upon to make a contribution towards CSG while the public sector, although they will reap the same benefit, will not have to contribute a cent. This, in my view, Mr Speaker, Sir, is very unfair, and I say, it might be unconstitutional. Also, why would a company pay its additional tax when there are already private pension plans in place? This will in turn affect insurance companies and pension funds surely. This measure will have a ripple effect in downgrading our economy. Before introducing such a measure, the Finance Minister should have taken into account the

fundamentals of the Mauritian economy, its workforce and its social fabric. I stress again, engaging with stakeholders is a must and this has been the practice of past Finance Ministers.

Now, Mr Speaker, let me come to income tax. Clause 28 (p) subsection (ii), the proposed subsection 2A provides that the tax to be withheld under the PAYE should include the levy once the emoluments exceed 230,769 rupees per month, that is, a threshold of 3 million on a yearly basis. The fact that the levy applies to resident individuals, only applies at a minimum that the individual is eligible to Category A Income Exemption Threshold. In practice, this presupposes that the employer has the appropriate evidence of the fact that the individual is resident in Mauritius. Considering an amount of Rs325,000, an individual with a yearly emoluments of 3 million will not be liable to the levy and his chargeable income will be computed as 2,675,000. If the levy is maintained in accordance with clause 28, the threshold of Rs233,769 should be applied to the chargeable income of the individual. I think there the hon. Minister of Finance still can change this figure.

Mr Speaker, Sir, Clause 28 (h) of the Bill, Electronic Tax return. Electronic Tax return will be compulsory as from year ending 30 June 2021, at the same time the submission and payment date will be 15 October. Government cannot impose the electronic submission and payment of tax. There are a number of perfectly valid reasons as to why a number of individuals do not favour electronic submission and payment of tax. For example, a small taxpayer, a layman who has to pay his taxes, who does not have the facilities of Internet Banking, what does he do? Not everybody has a computer at home, not everybody has internet access. This creates a prejudice and may be subject to tax evasion as well. He cannot seek the help of someone else or a family member as this may create problem, such as disclosing confidential and private details. The option of not submitting a tax return and its payment electronically should be kept, even if that means that the submission of tax payment be 30 September. In my view, the compulsory submission of tax return electronically can be maintained for corporate entities and high taxpayers, but not for individuals generally.

Mr Speaker, Sir, Clause 28 (c) of the Bill, Taxing of high-income earners; even with a single tax rate, the high-income earners suffer a higher amount of tax in view of the fact that the tax base is higher compared to individuals with a lower taxable income. Hence, there is no need to a higher tax rate to redistribute income from the rich to the poor. Currently, we do have a tax rate of 10% for a category of individuals. The drawbacks of different tax rate, Mr Speaker, Sir, having more than one tax rate is not desirable and prompts insights taxpayers, both individuals and businesses in business communities to implement tax

arbitrage strategies. Such behaviour is commonly and at international level one of the main reasons of the base erosion and profit sharing project of the OECD. Any variance in the different tax rates should be minimal. Currently, a domestic tax company is taxed at the rate of 17%, considering the 2% of Corporate Social Responsibility. Our former tax regime, that is, a flat rate of 15% across all income classes, has been an important selling point of our jurisdiction and has always been loaded by the international community. This has, among other matters, reduced tax administration cost and history has proven that since we introduced this flat rate, our income tax revenue has increased compared to when there were different tax rates in the past.

First, Mr Speaker, Sir, new tax regime is discriminatory among businesses. A company is not subject to the levy so that it only impacts on the taxable income and Mauritian sourced dividends and of individuals. Taxpayers engaged in the same activities are, therefore, subject to different level of taxes. With the proposed measure, it is certain that businesses will restructure their business activities, whilst there are anti-avoidance clauses in the tax laws. Such anti-avoidance laws cannot counter up any lawful tax mitigation strategies. Certain businesses cannot be undertaken by a company so that the levy would be a direct cost. Hence, the profit realised from activities of the same nature, with the same level of business would be taxed at significantly different tax rates.

Now, Mr Speaker, Sir, let me come to dividend, as mentioned in the Bill - Dividend income from Mauritian tax companies. Dividend is a return on the investment by a shareholder. Taxing dividend gives rise to economic double taxation. The dividends have already been taxed at company level, that is, at 15% and will be taxed in the hand of a shareholder at a minimum additional tax of 10%. This is what we call double taxation on the same profit. It does not place all shareholders on equal footing. Foreign non-resident shareholders will not be subject to an additional tax in Mauritius on dividends received from a Mauritian company. This is clearly, for me, a disparity, Mr Speaker, Sir. I will now say a few words on dividend income from foreign companies. A foreign dividend is eligible to foreign tax credit so that the Mauritian tax on the dividends is reduced by the foreign tax suffered, if the Mauritian residents own at least 5% of the share capital of the foreign company. With the levy, the individual is not able to claim underlying tax, underlying foreign tax credit on any of its foreign-sourced dividend.

Mr Speaker, Sir, dividend income of a resident partnership or succession. Mr Speaker, Sir, as from the income year 30 June 2020, dividends of resident partnerships and

successions are also include in the tax base of the individual for the purposes of the levy. This means that the individual may be taxed on an income that he may never actually receive. A resident partnership may be engaged in a number of activities. The level of its drawings depends on its financial performance as a whole, where the partnership or succession, as the case may be, incurs a loss on the dividend income; the loss cannot be used to reduce the tax base for the purposes of the levy, Mr Speaker, Sir. If the levy is maintained, it should be based on the rate of 2% on the chargeable income of the company. Mauritian sourced dividend should be excluded from the above reasons. On the other hand, other income like bank interest may be considered. Bank interests are generally deductible in the computation of taxable profits for banks.

Mr Speaker, Sir, let me now say a few words on VAT. At clause 70 (b) of the Bill, a new subsection (2A) is to be introduced. Section 5 of the Value Added Tax of 1998, the new subsection reads as follows –

“(2A) Where services are provided to a Ministry, Government department, local authority or the Rodrigues Regional Assembly under a construction works contract, the supply shall be deemed to take place at the time payment for that supply is received by the supplier.”

Section 5 of VAT, 1998, essentially provides that the output tax is payable on the earlier of the issue of an invoice or payment. Hence, a VAT registered person is required to account output tax once an invoice is issued, even though by the time the VAT return is submitted the debtor has not paid the registered person anything. The proposed new subsection (2A) implies that the output tax on services under a construction works contact during the period starting on 01 October 2020 and ending 30 September 2022, will be accounted by a VAT registered person on a cash basis.

However, the cash basis only applies to services provided to a Ministry or Government department, local authority, Rodrigues Regional Assembly and not services to other persons. Mr Speaker, Sir, this proposal is totally discriminatory. Why is it discriminatory? Because in my view, the fact that a registered person who provides services under a construction work contract during the period I just mentioned to a person other than Ministry, Government or local authority or the Rodrigues Regional Assembly is still required to account the output tax on the earlier of the issue of an invoice or receipt of payment. If it is a policy decision to account output tax on a cash basis during the 24 months I have

mentioned, it should be applied to services provided to all persons. It can't be discriminated between private companies and Government entities. This is why I say it is discriminatory, Mr Speaker, Sir.

Also section (c) of the Bill, section 12 (3) of the Value Added Tax 1998 would be repealed and replaced by the following –

“The value of the supply shall be taken to be the open market value of the supply or such other amount as the Director General may determine where the supply is –

(a) for a consideration not consisting, or not wholly consisting, of money; or

(b) not made in the course of an arm's length transaction.”

Currently, section 12 (3) of the Value Added Tax reads as follows –

“If the supply is for a consideration not consisting or not consisting wholly of money, the value of the supply shall be taken to be the open market value of the supply or such other amount as the Director may determine.”

So, Mr Speaker, Sir, section 12 (3) of the Value Added Tax 1998 already provides that the value of the supply is the open market value where the consideration is not wholly and in money and empowers the MRA to determine another value.

This is the difference and the amendment being made. We already have therefore two valuation methodologies in the Income Tax Act where the consideration for a supply is not wholly in money, the open market value and the value of the MRA may indicate. With the proposed amendment, the above two valuation methodologies may apply where supply is not made in the course of an arm's length transaction. This may apply in case where a company, where a sole trader decides to put, as we say, a promotion, a promotion on his items. The MRA can state that this transaction is not at arm's length transaction. We are already giving additional powers to the MRA. As the law stands, the MRA is empowered to adjust the taxable value so that we end up with a VAT outcome that departs from the neutrality principle. Most importantly, it creates an uncertainty in genuine business transactions. The approach of the MRA may lead to VAT being imposed on fictitious income. VAT Act 1998 does not have any corresponding adjustment so that any adjustment made by the MRA, will breach the neutrality principle.

Section 36 (a) of the VAT 1998 is wide enough to catch cases of abuse and was introduced by section 29 (d) of the Finance Act 2000. For this purpose, tax advantage

includes any reduction in the total consideration payable by any person in respect of any supply of goods or services. For all the reasons that I have just mentioned, Mr Speaker, Sir, the proposed amendment should not be implemented. If any amendment is required to section 12 of the Act, the discretionary power introduced by section 30 of the Finance (Miscellaneous Provisions) Act 2013 should be removed, Mr Speaker, Sir.

Mr Speaker, Sir, let me say a few words on tax online services. Taxing online services such as streaming clouds, social media, instant messaging, drop box, Facebook, WhatsApp, Messenger, You Tube, Google Drive, One Drive, Gmail, Hotmail, Yahoo and so on is merely a measure to fill the coffers of Government to the detriment of the Mauritian public and especially the youth. Our youth is the future of our country and we rely heavily on electronic means in the advancement of education and their career, especially in the context of COVID and post-confinement.

This measure is a major drawback and should be rethought. The Minister of Finance should look at this measure more holistically. And coming to the technicalities of the Bill, clause 70 (e) ‘a foreign supplier will be required to charge VAT on any digital or electronic services. For this purpose, a foreign supplier is defined as a person who has no permanent establishment in Mauritius and supplies in the course of his business. Digital or electronic services to a person in Mauritius! Digital or electronic service is defined as services supplied by a foreign supplier over the Internet or an electronic network which is reliant on the Internet or by a foreign supplier and is dependent on information technology for its supply.

Mr Speaker, Sir, the regulation will provide the manner in which VAT will be charged by the foreign supplier. The regulation will also provide the services that will fall within the scope of this provision. We are hoping that the regulation will be discussed with all relevant stakeholders. The treatment for services rendered by a non-resident to a Mauritian person through traditional mediums should be clarified because it is not sufficiently clarified in the Bill. Mr Speaker, Sir, we also assume that exempt and zero rated services will be treated in the same manner otherwise this will discourage the trade of exempt and zero rated supplies through an online platform. It is uncertain if a foreign service provider will still be required to charge VAT on a transaction that has always been subject to VAT in his country of establishment, that is, if he has already been taxed in his country, whether this will be taxed again to Mauritian. If Mauritian VAT is applied irrespective of the amount of VAT charged by the foreign service provider in his country of origin, the total VAT charged by the foreign service provider may be above 15%.

Mr Speaker, Sir, to conclude, on clause 70 (h) of the Bill, a new subsection is to be introduced section 21 (3) of the VAT 1998 where a registered person is engaged in a project spanning over several years and the Director General is of the opinion that the apportionment in accordance with paragraph (b) is not appropriate, the Director General may, by notice, require the registered person to apply an alternative basis of apportionment of input tax.

Mr Speaker, Sir, section 21(3) of VAT 1998 provides the methodology – a registered person is required to apply where the person is engaged in taxable and exempt supplies and is based on the proportion of the value of the taxable supplies over total turnover. A person may apply for an alternative basis if it is proved to the satisfaction of the MRA that the apportionment methodology under section 21(3) (b) of VAT 1998 is not fair and reasonable under section 21 (3) of VAT 1998. The alternative basis may only be applied by the registered person if it is approved by the MRA.

With the section proposed 21(3) of VAT 1998, the MRA will effectively impose an alternative basis on the registered person. Mr Speaker, Sir, a minimum of consistency is required in the application of any law. We must not forget that, irrespective of the strength of an alternative basis, the approval of MRA is already required under section 21(3) of VAT Act 1998.

So, Mr Speaker, Sir, I have made my point and, as I said earlier, we still have time to consult the stakeholders before the introduction of the CSG because this is a very important Clause of the Bill which will have drastic consequence on the economy.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Members, I will suspend for one hour and a half.

At 7.59 p.m., the sitting was suspended.

On resuming at 9.41 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you, hon. Members, please be seated. Hon. Minister Ganoo, please!

Mr Ganoo: Mr Deputy Speaker, Sir, I move for the adjournment of the debates.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

(9.41 p.m.)

MOTION

MR SPEAKER – MOTION OF NO CONFIDENCE

Order read for resuming adjourned debate on the following motion of the hon. Leader of the Opposition (Dr. A. Boolell)

“This Assembly has no confidence in Mr Speaker.”

Question again proposed.

The Deputy Speaker: The motion again continues with regard to the motion of no confidence as to the Speaker. I shall again request Members to be guided by the parameters as set out.

I shall invite hon. Teeluck.

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): Thank you, Mr Deputy Speaker, Sir.

As a Member mindful of the Standing Orders, since November 2019 and for all these past 28 sittings and this present one, I have, like all my friends on this side of the House, naturally submitted and complied with the rules of decorum and debate of the House. As such whenever any hon. Member, particularly when Members on the other side of the House took the floor for debates or otherwise, I have always respectfully been attentive to their speeches and have never caused any disturbance nor interrupted nor notched in-between. I hope that Members on the other side will tonight show the same respect and allow me to provide my views on this motion of no confidence without any unwarranted comments, disturbances or fallacious points of orders and I know that I can rely on your maturity.

Mr Deputy Speaker, Sir, this motion being debated tonight comes neither as a surprise nor does it come because of a lack of confidence in the Speaker. This motion was foreseeable, foreseeable well before the Speaker even took office as Speaker of the House, well before this Government took office and well before the election of November 2019. This motion was foreseeable since December 2014, *plus précisément depuis le 10 décembre 2014. Depuis ce jour et jusqu’aujourd’hui*, Members of the Opposition are themselves on a crusade, on a crusade to win confidence, the confidence of the population. But, unfortunately, the last 2019 election again showed then that the country neither has trust in them nor has confidence in what they politically represent.

Depuis le 10 décembre 2014, some are even fighting to win confidence within their own respective parties. A leader who consecutively lost two general - en 2014, in his own Constituency and, in 2019, in his adopted Constituency - is today fighting for confidence in his own party. Therefore, would it not be wiser that *avant toute chose* and for the benefit of his own party that the mover of the motion directs the motion of no-confidence towards his own leader, who as everyone knows, does not have the confidence of his own members and party colleagues including the hon. Leader of the Opposition.

Alors, n'allons pas parler de démocratie ou prétendre défendre la bonne gouvernance instead try to restore confidence within your own party and believe me, the so-called *rencontre historique de samedi dernier* will not change anything. Change the people in your parties because *bien sûr on est nombreux aujourd'hui*; get new blood in as we have done, revisit *la façon de faire de la politique, les tentatives d'alliance et de mésalliance avec comme seul agenda le partage de leadership rotatif à la quinzaine* is not what the people of this country are looking for. Yesterday, you were all *à couteaux tirés et aujourd'hui* you all sit together *dans soi-disant l'intérêt du pays*.

Mr Deputy Speaker, Sir, qu'est-ce qu'on reproche au président de la Chambre - that the Speaker is biased, that the Speaker is unfair, that the Speaker is impartial. Mr Deputy Speaker, Sir, the issue is not about the behaviour or attitude of the Speaker, the issue is about understanding why we are sitting here. The issue is about our purpose of being Members of the Parliament. This Assembly where all of us *indistinctement nous nous réunissons pour honorer nos engagements envers le peuple* - I say it loud and clear particularly to Members of on the other side, this Assembly is where you show to the country that the people of this country were right to entrust you with the trust to safeguard their interest. This Assembly is not a *plateau de tournage de films* where you come to do your cinema. This Assembly is not a *bazaar* where you come to mongolize deceitful arguments. And I am sorry to say, this Assembly is not a circus where Members on the other side would treat hon. Members on this side as 'zako'...

(Interruptions)

None of the Members of the Government are 'zako'. This insult, hon. Members, was not only addressed to us. It was addressed to all those hundreds of thousands of electors who voted for us and who decided that we are humane, *Nous sommes humains* enough to drive this country.

(Interruptions)

You know *je vous accorde le bénéfice du doute*, that maybe you might have said the word in a fit of anger. I understand that you might have reacted out of *l'amour paternel mais* the fact remains that you have insulted us. *Vous avez insulté nos enfants, vous avez insulté nos parents, nos aînés*. You have insulted the Mauritian population. Don't get me wrong. *Nos parents ont, pendant longtemps milité, ils ont versé leur sang et trop souvent au prix de leur vie, lutté à faire valoir leur dignité, d'être tout simplement respecté en tant qu'être humain*.

My appeal tonight, as a respected Member, as a representative of the youth, I would humbly appeal to you to show to the people that you indeed are a hon. Member and tender your apologies for using such a humiliating and degrading word.

Mr Deputy Speaker, Sir, as I said, the issue is not about the behaviour or attitude of the Speaker. As many of the Members present here, I am, myself, new to this House and in all humility, I ask the Members of the Opposition, through you, Mr Deputy Speaker, Sir, to help me on this. Since 23 June 2020, Members of the Opposition have chosen not to rise when the Speaker walks in the House because of the motion of no confidence, but yet they choose to sit and participate in all debates, yet they choose to sit here under the Speakership of the same Speaker to put PQs and PNQs. Should we understand that?

(Interruptions)

Please, just allow me to make my point. Should we understand that you have a selective or qualified confidence in the Speaker? *Soyez honnête envers vos démarches*. Stand by your acts. Either you have confidence or you don't have confidence. In any case, Mr Deputy Speaker, Sir, this does not surprise me. They were also not *d'accord avec les élections*, but yet even though they are legally challenging the elections, they come here, they take oath as Members, they draw their salary, they take their duty-free cars, they enjoy all the benefits. And here, I would like to reiterate my request to my dear friends on the other side of the House, *si pas d'accord*, then *démissionner*, walk your talks, if not withdraw your case and accept that we have won the elections.

Mr Deputy Speaker, Sir, as I said, the issue is not about the behaviour or attitude of the Speaker, the issue is about the behaviour of Members of the Opposition. This is how you address the Chair; it is not about the conduct of a hon. Member of Parliament. Last week, hon. Ivan Collendavello remarkably reminded us, through the different paragraphs and chapters of Erskine May of how we are to behave as Members of Parliament, of our conduct as hon. Members. Hon. Mrs Navarre-Marie highlighted that none of the Members, on this

side, has been ordered out by the Speaker. Well, hon. Member, the answer is very simple. We, Members on this side, stand guided by the Standing Orders, we stand guided by the provisions of the authoritative Erskine May.

(Interruptions)

You have the right. We do not point fingers at the Chair. We do not interrupt the proceedings of the House to put fallacious points of orders. For reference, approximately 40 point of orders by the Opposition as at 21 June 2020. The point of orders *entachés de mauvaise foi* at times. We do not nudge in between speeches even if we are not agreeable to your opinions. But Members on the other side do. We do not insult Members, we do not make personal attacks, we do not judge Members on their looks or *tenues vestimentaires*. We do not, during PNQs, *chuchote à l'oreille du Leader de l'opposition* as if he needs to be guided or instructed how to put questions. We do not, under the garb of Parliamentary immunity, make cheap accusations on Members of the House. Here, I would like to congratulate hon. Kavi Doolub, who has set the clock right and rebutted the chief allegations about the supposed use of a *salle de mariage*.

Mr Deputy Speaker, Sir, we, on this side of the House, do not challenge the authority of the Speaker and this is what Members of the Opposition failed to understand. The Speaker is not a person, he is not an individual, once seated, the Speaker becomes the authority impersonating the Standing Orders and we, Members are subject to this authority. What Members of the Opposition failed to understand is that as per paragraph 4.23 of Erskine May, the chief characteristics attaching to the Office of the Speaker in the House are authority and impartiality. What Members of the Opposition failed to understand is that that same paragraph further provides that on rising to preserve order or to give a ruling on a doubtful point, the Speaker must always be heard in silence and no Member may stand when the Speaker is on their feet. Reflections upon the character or action of the Speaker may be punished as breaches of privilege. Where is the relevance of this motion since day one, since November 2019 when the Opposition fails to understand these basics? Again, I humbly appeal that you go and learn your basics and come back honourably to serve your duty.

Mr Deputy Speaker, Sir, as I said, the issue is not about the behaviour or attitude of the Speaker. The issue is when a PNQ is put to the Minister of Health, my friend, hon. Dr. Jagutpal on 03 February 2020, and under the cover of Parliamentary immunity, it is stated that, and I quote Hansard –

“(...) there is coronavirus in this country and they have to assume their responsibility.”

when it is only on 19 March 2020 that we recorded the first three cases of Covid-19. That is more than a month after the statement of the Leader of the Opposition. *Démagogie ! Mensonge ! Irresponsable !* The simple incident could have had a disastrous consequence on the population, but who cares, Mr Deputy Speaker, Sir. What is important is to create sensation, isn't it? And to show to the population that they are working. *Démagogie* is what matters for them. This is how they define democracy. This is their definition of patriotism unfortunately. And despite all odds, despite all predictions of the WHO, despite the *démagogie*, despite the lies we have ensured that the population remains safe from this virus. Thanks to the Minister of Health, thanks to the Prime Minister and thanks to this Government Mauritius is COVID safe. *M. le président, hélas, là aussi pas d'accord. Pas d'accord avec les élections, pas d'accord avec le Speaker et finalement pas d'accord avec la gestion de la COVID-19.*

Last week, during the PNQ, we all heard something most outrageous, that there was a conspiracy to defraud. No, Mr Deputy Speaker, Sir, there was no conspiracy, but there was collaboration. Each and every Member of this Government has collaborated *depuis le 19 mars jusqu'à ce jour à œuvrer dans l'intérêt de la population et pour la population.* Collaborated to ensure that our kids and families are safe from COVID-19, collaborated to ensure that everyone, including the Members of the Opposition are safe and in sound health, collaborated so that Members of the Opposition are able to come here today in this Assembly *en sécurité et en bonne santé* to do their work as Members of Parliament. This Government has collaborated with the population to win over COVID -19, Mr Deputy Speaker, Sir. Be thankful, be grateful!

Mr Deputy Speaker, Sir, I would like to conclude, *mais avant cela*, I would like to bounce back on a statement made previously to the effect that the Speaker is supposedly a *taper parlementaire*.

Mr Deputy Speaker, Sir, in my college days, *on est le 13 avril 1999*, I was watching *le JT de la MBC*. At that time, there was no live broadcasting and only highlights were broadcasted in the news. And that fine Tuesday night, what I witnessed is something which has remained engraved in my memory, not a scene of disorder, but a scene of violence. I am sure Members of MMM will recall that particular incident, if not, let me remind them how

taper they were. *Le 13 avril 1999, Le Mauricien* reports and the MBC actually has records of all this, and I quote –

"Des actes de violence au parlement à la mi-journée.

Deerpalsing consigne une déposition contre le député Jean-Claude Barbier pour agression physique. Bérenger évacuait de l'hémicycle par la Police sur l'ordre du Speaker. Deux invités dans la galerie des VIP s'en prennent aux députés du MMM, dont le député Barbier. Un cameraman de la MBC prit à partie dans l'hémicycle lors des incidents."

I have these Press cuttings. I can still remember those incidents. I will definitely table these. *Le lendemain, L'Express*, and I quote hon. Bérenger –

"Je vais me battre avec force pour retrouver mon siège."

And this is the picture that actually marked my college days.

M. Rajesh Bhagwan –

"Si j'avais entendu M. Deerpalsing, j'aurais une réaction dix fois plus violente que celle de M. Barbier."

And we can see how violently *le comportement d'un honorable membre à l'Assemblée*. This is what we call *taper*.

21 years down the line, nothing has changed. *L'histoire se répète aujourd'hui*. They still defy authority. They create chaos and disorder in the name of parliamentary democracy. *Cependant*, some things have changed. They are today not just *des tapeurs parlementaires*, but they are also today *des coiffeurs parlementaires*. *N'est-ce pas mon très honorable Toussaint?*

Mr Deputy Speaker, Sir, I have said enough and will end by saying that, just like all Members on this side of the House, I have complete and unqualified confidence in the Speaker.

Thank you.

The Deputy Speaker: Thank you very much. Hon. Mrs Koonjoo-Shah!

(10.00 p.m.)

The Minister of Gender Equality and Family Welfare (Mrs K. D. Koonjoo-Shah): Mr Deputy Speaker, Sir, allow me to, first of all, thank you for granting me this opportunity to bring my contributions to the debate on the Motion of no confidence in the Speaker.

The very fact that such a motion is being debated, Mr Deputy Speaker, Sir, is a vivid example of our vibrant democracy and bears testimony to the respect of our democratic principles that all self-respecting Members of this august Assembly adhere to.

Mr Deputy Speaker, Sir, we all know that this is not the first time that such a motion is being moved for debates in this august Assembly and, I dare say, it will not be the last either.

Mr Deputy Speaker, Sir, I have to draw the attention of the House that it can also be interpreted as something that we expect all Opposition parties to do, and it is, in fact, part and parcel of the democratic principles that enshrine the smooth running of our august Assembly. However, it would be quite relevant to recall that the last Motion of no confidence in the former Speaker in April 2017 ended rather ignominiously with the Opposition walking out ‘*en-masse*’ after the expulsion of four MMM parliamentarians by the then Deputy Speaker, which brought an end to the debate regarding that no-confidence Motion. Mr Deputy Speaker, Sir, this is rather similar to a singer known for his supposed mastery of lyrics bragging about this mastery and his singing skills in *gamat*, like we know it in Mauritius, and an eventually walking out in a huff, when the *gamat* goes on ‘*l’accroche*’, when he realises that his well-prepared lyrics and his gesticulations were not having the desired effect on the audience and realising that his opponent has, in fact, gained the audience on his side. This is what the Opposition amounts to currently, Mr Deputy Speaker, Sir.

In fact, regarding the last Motion of no confidence against the then Speaker, one of our local newspapers had the reflection to make on that event or, in fact, non-event, and I quote, “With the drama capturing the headlines, what exactly were the points raised by the Opposition on the conduct of the Speaker?”

Mr Deputy Speaker, Sir, one can only hope that this Motion of no confidence in the Speaker will not suffer the same fate as the previous one.

Political bickering, with a high dose of drama is, of course, the strategy which is very often used by Members of the Opposition, and the more mature elements will recognise it as the normal cut and thrust of business in this Assembly.

What does, however, Mr Deputy Speaker, Sir, stick in the craw is this blatant attempt to gain some cheap popularity, based on the perception that the Speaker, who is admittedly quite new to the post, may not have reached the exalted standards of the late, the departed, but much lamented Sir Harilal Vaghjee.

And Mr Deputy Speaker, Sir, with your permission, as I am aware there are many fans of football in this House, one of them may be myself. Let me put forward an analogy that, hopefully, they can all relate to: Mr Deputy Speaker, Sir, no football referee has ever reached the level of mastery and strength of personality as Pierluigi Collina, the universally revered Italian referee. And we all remember that just one glance from his eyes, even the biggest macho of players would immediately accept their mistakes and, crucially, acknowledge the fact that Collina's rulings must never be disputed, that, of course, assuming that you want to continue to play the game until its natural end, Mr Deputy Speaker, Sir.

We have been witness to so many theatrical walkouts from hon. Members of the Opposition, since the very first day of the mandate of this current Government. We have witnessed, just as in a marketplace, this '*incontournable*' cacophony that they create to distract attention when Members of this side of the House are busy providing information on matters related to public affairs.

Mr Deputy Speaker, Sir, this House is governed by Rules, by Standing Orders, by the Constitution, and as a matter of relevant practice, and if there is a problem regarding the interpretation of those rules, we refer to Erskine May and how in practice it is done in the United Kingdom. Hence, Mr Deputy Speaker, Sir, Members of this Assembly have a duty and obligation to be ethical and respectful in their conduct and manner, in the fulfilment of their duties.

Mr Deputy Speaker, Sir, the motion that is being debated relates to the conduct of the Speaker inside the House in his official capacity. The fundamental elements that we are concerned today relate to the issue of fairness, impartiality, integrity, respect for the decorum, dignity and discipline towards the fellow MPs and the smooth running of the business of this House.

Mr Deputy Speaker, Sir, Parliamentary democracy is indeed a fundamental part of the way this House should - and I say should - conduct itself. And it goes without saying that the Speaker always remembers his duties and responsibilities in this Constitutional role.

I have, Mr Deputy Speaker, Sir, listened to hon. Members on the other side of the House. The arguments they put forward were far from convincing and I would like to demonstrate that no concrete evidences were put forward to demonstrate that the Speaker has faulted in his official capacity.

Mr Deputy Speaker, Sir, throughout his speech, the hon. Leader of the Opposition has been extremely vague and imprecise. There has been no cogent evidence that has been put forward with regard to the conduct of the Speaker in his official capacity.

The Leader of the Opposition seemed to always challenge the rulings of the Speaker which is not acceptable. His speech is grounded on baseless and unfounded grounds and completely missed the focus of the current motion.

On the other hand, hon. Paul Bérenger, Leader of the MMM Party, has shown absolutely no respect for the decorum. While he was addressing the House, arguing that the Speaker has no discipline, he himself was busy shouting the word ‘*bachiara*’ in this House. This is extremely contradictory, Mr Deputy Speaker, Sir. He even allowed himself to use the words, and I quote –

“I will put him to order *différemment*.”

These are elements that amount to threats towards the Speaker.

Hon. Patrick Assirvaden, his arguments were not within the purview of the motion with no cogent evident to substantiate the motion of no confidence. In fact, he was so busy yelling and mentioning ‘Ganoo’ and ‘Maya’ and one would even reasonably think that the current motion was actually against hon. Ganoo and Mrs Maya Hanoomanjee, instead of the current Speaker.

Mr Deputy Speaker, Sir, amidst the crisis of COVID-19 which admittedly has changed the way and mode of living of billions of people around the world, one must never forget the role, the duty and responsibilities of the Speaker in this difficult situation. In particular, one must never forget that in the spirit of Parliamentary democracy, the Speaker personally ensured that all the necessary sanitary measures had been diligently taken care of before the reopening of this august House as soon as it was practically prudent to do so. And I am sure every Member of this Assembly recognises this tedious but very important organisational task which was carried out with great skills by the Speaker in reopening our National Assembly. And I find it highly unfortunate, Mr Deputy Speaker, Sir, that not a single Member of the Opposition has thought of thanking the Speaker for having successfully

ensured a safe continuity of the Parliamentary business of our country in such a short span of time.

How, then, Mr Deputy Speaker, Sir, may I ask, can the Opposition party say '*il ne faut pas museler l'opposition.*' In what way did the Speaker muzzle the Opposition? I for one, I am still awaiting for a plausible argumentation from the other side of the House, which I must, unfortunately, has not been very forthcoming for the simple reason, Mr Deputy Speaker, Sir, because there is no argumentation.

I know that other Members would have raised this point, but I wish to repeat it, if only to highlight the fact that in 2014, Members of the then Government decided to shut the doors of this temple of democracy for nine months, that is an entire 270 days. By any standard, that was a terrible example of trampling over the democratic rights of our people. In fact, it was akin to parking an army tank in front of this House. I do not recall the then Opposition putting forward any motion of no confidence in the then Speaker for doing nothing to repair that terrible breach of Parliamentary democracy and to restore the honour and ethos of this Assembly. Of course, I am here, I stand to be corrected by the more experienced Members of the Opposition if they wish to tell me that those 270 days of forced idealess was a wonderful example of our democracy hard at work. That, Mr Deputy Speaker, Sir, is one of the most significant historical example of what muzzling our democracy exactly means, and we know who did it. We know who did it, Mr Deputy Speaker, Sir.

The motion that is being debated relates to the conduct of the Speaker inside the House, in his official capacity and I have listened very carefully and attentively to the interventions and speeches of the hon. Members of the Opposition and I am very disheartened, very sad that the principle issue of fairness as per applied rules seems to have evaded their dramatic speeches and with your permission, Mr Deputy Speaker, Sir, I would like to explain my point of view.

Fairness demands a duty to look at all the circumstances around any given situation before you decide to throw brickbats at any individual. Logic demands that Members of the Opposition party should be able to change their own unacceptable mannerisms and talking about fairness with the Opposition claiming that the Speaker has failed to uphold fairness in this House, it harkens the time when Mauritius emerges as champions during the *Jeux des îles*, the Opposition went on picking on irrelevant things and called the entire affair, unfair.

When the Government was busy procuring essential kits to save the lives of our citizens during this pandemic, the Opposition went ahead and called the entire affair, unfair. When a Government was democratically elected in 2019, even that the Opposition went and called that affair, unfair.

Mr Deputy Speaker, Sir, this is almost akin to the Opposition or people betting on a donkey to win the Maiden race at Champ de Mars and when a pedigree horse wins that race, the Opposition gets up and calls it unfair, *lé course trické, élection trické*. The perpetually dissatisfied Opposition! I urge them; it is never too late to change.

Mr Deputy Speaker, Sir, it is very often the case that the conduct and attitude of the Speaker is directly related to the conduct of Members of the House. The role of the Speaker is primarily that of a referee, an arbiter of fair play and adherence to the rules. It is a tradition in this august Assembly that the use of unparliamentarily words is unacceptable and if not withdrawn, then the Speaker has really no choice but to ask the Member to withdraw from the House or withdraw the words. None of us can expect the Speaker or any other Speaker to do otherwise. It would otherwise be like a football referee refusing to brandish a red card even when the player has compounded his dirty foul by maybe kicking the opponent somewhere where it should not be.

Mr Deputy Speaker, Sir, when there is unmistakable foul play, there must imperatively be a sanction. And Mr Deputy Speaker, Sir, while we do agree that the Speaker, in his interpretation and application of the rules has never gone outside the ambit of the Standing Orders, I am actually disheartened to conclude that this motion of no confidence stems from only one source and that source is the number of players from the other side who have been shown a red card over and over again. The reality is if you don't commit a foul, Mr Deputy Speaker, Sir, then no referee in the world, however, biased you might feel he is against you, could ever send you off. It is rather disingenuous of the Opposition to blame the Speaker when they themselves have been committing foul after foul in this august Assembly.

Mr Deputy Speaker, Sir, there is a line that we should not cross. We have all been witness to so many unauthorised interruptions by Members of other side of the House; we have all been witness to the use of so many unparliamentary words like '*mal élevé*', 'shut-up', *bachiara*, and that's just to mention a few. Those words do not dignify our status of hon. Members, but I would choose to cite the latest and to me, probably, the most memorable we have heard so far and this, unfortunately, comes from a young Parliamentarian on the other

side of the House who did not hesitate one second to tag Members on this side of the House as ‘zako’.

Ms J. Bérenger: *Ou pa pu koner kine traite mwa !*

(Interruptions)

Mrs Koonjoo-Shah: As ‘zako’.

(Interruptions)

Mrs Koonjoo-Shah: Mr Deputy, Speaker, Sir, it is a shame!

(Interruptions)

The Deputy Speaker: Order! Order!

(Interruptions)

Mrs Koonjoo-Shah: It is so gross.

(Interruptions)

The Deputy Speaker: Order!

Mrs Koonjoo-Shah: It is so gross.

(Interruptions)

The Deputy Speaker: Order!

Mrs Koonjoo-Shah: And with your...

Ms J. Bérenger: ... *ou pa dir nanier ?*

The Deputy Speaker: Order! Order! Stick to the debate and continue!

Mrs Koonjoo-Shah: Thank you, Mr Deputy Speaker, Sir. Not only is it shameful, it is also gross, and with your permission, I would like to explain why it is so gross. Personally, I have been affronted by such a disgraceful word. Mr Deputy Speaker, Sir, that hon. Member should be aware, having been brought up, being a daughter of a country where we all live in harmony in a multi-ethnic society...

(Interruptions)

The Member should have been aware before uttering such an unparliamentary word.

Ms J. Bérenger: *Kan li dir mwa zak dan tente divan ou, ou pane dir nanier !*

The Deputy Speaker: Order! Order!

Ms J. Bérenger: *Kan li dir mwa zak dan tente, ou pane dir nanier !*

The Deputy Speaker: Hon. Minister, hon. Ms Joanna Bérenger! We keep an orderly conduct in this House. We will continue the debate in peace, orderly.

Ms J. Bérenger: *Kan traite mwa - en coler - ou pa dir nanier! La ou vine kozer !*

The Deputy Speaker: Hon. Ms Joanna Bérenger, I have just reminded her to order, please! Hon. Minister, stick to the debate, continue! You were doing very well. Thank you very much.

Mrs Koonjoo-Shah: With your permission, Mr Deputy Speaker, Sir, I am sticking to the debate because it relates to something...

The Deputy Speaker: That's what I am saying!

Mrs Koonjoo-Shah: ...that has been uttered on record in this House.

(Interruptions)

Mr Mohamed: Mr Deputy Speaker, Sir...

Ms J. Bérenger: How is it related?

Mrs Koonjoo-Shah: It is...

(Interruptions)

Mr Mohamed: On a point of order!

The Deputy Speaker: One second! I will take your...

Ms J. Bérenger: She is challenging your ruling.

Mr Mohamed: I have the clear impression that you have ruled on the matter...

The Deputy Speaker: One second! One second! One second!

Mr Mohamed: ...and the impression I have...

(Interruptions)

The Deputy Speaker: One second! Please, allow him! Please, hon. Mohamed!

Mr Mohamed: I have the impression that you have ruled on the matter; I have the impression that you have clearly invited the hon. Minister to refrain from going on that

terrain and now she seems to be challenging your ruling. This is my point of order! The ruling was clear. She cannot speak about the conduct without substantive motion. That was clear, you just ruled.

The Deputy Speaker: No! What I have said is continue with the debate. Please!

Mrs Koonjoo-Shah: Thank you, Mr Deputy Speaker, Sir, I shall continue with the debate and would invite other hon. Members not to confound themselves with people who actually do contest your ruling, and that is not me.

I go back to affirming how affronted I have been personally by the word uttered by the Member of the Opposition who is now choosing to be quite ignorant and choosing a very different attitude apart from going around to look for sympathy in the Press afterwards, after uttering such a shameful word in Parliament. This attitude, Mr Deputy Speaker, Sir, is very dangerous for our democracy, dangerous for our multi-cultural, multi-religious societal fabric, dangerous for the peace and harmony in this country. And she is the one who is choosing to support this...

Mr Mohamed: Mr Deputy Speaker, Sir, on point of order...

Ms J. Bérenger: You are dangerous!

The Deputy Speaker: Order! Order!

Mr Uteem: ...*sa li korek!*

The Deputy Speaker: Hon. Uteem! Hon. Uteem!

Mr Uteem: *Hypocrite!*

The Deputy Speaker: Hon. Uteem!

(Interruptions)

The Deputy Speaker: Hon. Uteem! Hon. Uteem!

Mr Mohamed: Mr Deputy Speaker, Sir, on point of order.

The Deputy Speaker: I will surely take your point of order. You know how I work. First of all, hon. Uteem, whoever you uttered *hypocrite*, you didn't have the floor, it's not permissible. Please, withdraw it!

(Interruptions)

Mr Uteem: I withdraw!

The Deputy Speaker: Thank you very much. I hear your point of order! Please be on a different point of order!

Mr Mohamed: Yes, I am being very, very specific. I am here referring to Erskine May, Part 3, Chapter 21, and the chapter is called, ‘incidental criticisms of conduct of certain persons not allowed’; paragraph 21.23, and that paragraph of Erskine May reads, and I quote –

“As indicated at paragraph 20.1, unless the discussion is based upon a substantive motion, drawn in proper terms, reflections must not be cast in debate upon the conduct of Members of the Parliament...”

Now, this is the equivalent section to Standing Order 40, paragraph 5. I give you a copy of Erskine May for your reference. I also invite you to read a ruling of the Commons of 1965, which confirms that.

(Interruptions)

The Deputy Speaker: You have done your point of order.

Mr Mohamed: Here we go!

The Deputy Speaker: Hon. Mohamed, first of all, on the last occasion, I did clearly make it a point to say that commenting around circumstances that lead the Speaker to take certain action is allowed. More so, I have gone to the ruling of 2017 debate, you raised a similar point of order; you very well know the fate of this point of order. I am ruling it out. I know what you are trying to say, but, as far as circumstances leading to the inaction and action of the Speaker is concerned, I am going to allow it. I am allowing it and I am telling you this is the fourth time I have taken the same point from you. Be very careful! Thank you very much. Continue!

Mrs Koonjoo-Shah: Thank you, Mr Deputy Speaker, Sir. Going back to my intervention, I would like the House to recall the use of ‘forbidden placards’ which amounts to grossly disorderly conduct according to Rule 48 and 49 of the Standing Orders that everybody likes, on the other side loves to quote all the time which was a predetermined collective, disorderly conduct by Members of the Opposition within the premises of this august House. This act, Mr Deputy Speaker, Sir, is clearly a breach of the rules of the Standing Orders, and how would one expect the Speaker to remain passive towards this gross misconduct? The non-respect of the decorum, the non-respect of the rules of the National

Assembly and the constitutional authority conferred to the Speaker makes one believe, Mr Speaker, Sir, that all this political wrangling with a high dose of drama from the other side of the House, is meant only to get publicity, but more importantly, it is meant to hamper very critical policymaking that our country urgently needs in this post COVID era. Mr Deputy Speaker, Sir, the hon. Members of the Opposition would perhaps be better performers in a theatre, and the award for the best villain, I must admit, would have been very, very competitive.

Mr Deputy Speaker, Sir, I shall not be too long. I would wish to quote Pandit Jawaharlall Nehru, who happens to be an epitome of parliamentary decorum, who once observed, and I quote: “Democracy does not simply mean shouting loudly and persistently, though that might occasionally have some value but democracy entails freedom which requires responsibility and certain standards of behaviour and self-discipline.”

Mr Deputy Speaker, Sir, I will conclude on the issue of fairness. It is fair to say that the other side of the House has been provocative; they have not adhered to the prescribed Standing Orders of the National Assembly and have blatantly showed lack of respect to the authority of the Speakership. It is wrong and unfair to bring this motion of no confidence in the Speaker in the absence of substantial facts and evidence of breach of rules and regulations.

Mr Deputy Speaker, Sir, as Victor Hugo once said, and I quote:

“No power on earth can stop an idea whose time has come.”

This is our time and I, therefore, would like to invite the hon. Members of the Opposition, if they so feel inclined, of course, to shed aside these shenanigans. Our endeavour to transform Mauritius as a major economic power in the world in this post-COVID-19 era happens to be such an idea, Mr Deputy Speaker, Sir, and this remains our main focus. I have no doubt that with our 4-Square leadership we have, that our small country and its people will emerge still stronger as a nation, and such motions from the Opposition Parties, parties now, considering the recent developments. Such motions from the Opposition Parties will not distract or deviate us from our main focus, Mr Deputy Speaker, Sir.

I thank you very much for your undivided attention.

Thank you.

The Deputy Speaker: Thank you very much. Hon. David, please!

(10.29 p.m.)

Mr F. David (First Member for GRNW & Port Louis West): M. le président, ce n'est pas de gaieté de cœur que j'interviens aujourd'hui dans le cadre d'une motion de blâme contre le président de notre Assemblée nationale, car je considère qu'un débat sur une telle motion marque un jour sombre et triste pour notre Parlement et pour notre démocratie. Ce jour est d'autant plus pesant dans un contexte doublement chargé, d'une part dans une situation où notre pays tente de se relever d'un séisme mondial post-COVID-19, et d'autre part, dans un contexte national où depuis plusieurs semaines un scandale chasse l'autre et la colère populaire gronde de plus en plus. Et voilà que, désormais, alors que l'extérieur fait face à une crise économique sociale et sociétale sans précédent au cœur même du Temple de notre démocratie, éclate une crise de confiance, et cette nouvelle crise, on s'en serait bien passé, mais elle concerne précisément le gardien du Temple. Bien mal inspiré serait celui ou celle qui considérerait que cette motion de blâme, déposée par le Leader de l'opposition n'est qu'une basse tentative politicienne à prendre à la légère.

Il s'agit d'une décision mûrement réfléchie et gravement prise au bout de plusieurs semaines d'observation de déception et d'indignation, mais je tiens à dire, ici, que mon intervention de ce soir, qui sera brève, n'a pas pour intention de blesser le *Speaker* mais de redorer le *Speakership*, n'a pas pour vocation de diviser davantage la Chambre mais de rappeler le fondement de la démocratie parlementaire. Elle n'est pas non plus une condamnation. Qui suis-je ? Qui suis-je pour condamner, mais une interpellation pour que notre Parlement retrouve sa dignité et son décorum.

M. le président, je tiens à rappeler que lorsque le *Speaker* a été élu lors de la première session de la 7^{ème} Assemblée nationale le 21 novembre 2019, tout comme cela a été le cas pour vous, M. le président, l'opposition parlementaire, dont je fais partie, n'a fait ni contestation ni contre-proposition car nous voulions donner au président sa chance d'exercer ses fonctions dans le respect de la déontologie parlementaire. J'ai réécouté le discours d'introduction du *Speaker* ce jour-là, et le *Speaker* avait alors affirmé, je cite -

« Honourable Members, I am aware of the obligation of the holder of this high Office in as much as impartiality and fair-play have to be the guiding principles at all times. »

Huit mois après son élection à ce poste constitutionnel, quel bilan ? Le président de notre auguste Assemblée dresse-t-il de son début de mandat face à ses propres paroles, face à

sa conscience, face à sa fonction, face à ses obligations, considère-t-il qu'il ait fait preuve d'impartialité et de *fair-play at all times* ? Cinq semaines de cela, le mardi 23 juin, pendant l'intervention du ministre de la Santé au sujet des *flu clinics*, j'ai assisté à une scène surréaliste - de la position un peu surélevé où nous sommes avec mes collègues des deux côtés de la Chambre, nous voyons tout d'ici. Par respect pour la situation dans laquelle se trouve, ai-je appris, actuellement, le ministre concerné, à qui je souhaite un prompt rétablissement, je ne reviendrai pas en détail sur l'épisode lui-même. Par contre, ce qui m'a marqué c'est qu'à l'issue de cet événement parlementairement inacceptable, celui qui est censé être le gardien du code de conduite parlementaire n'a nullement réagi. Il a simplement demandé au ministre de la Santé de continuer son intervention, comme si rien ne s'était passé, et il a fallu que le *Whip* de l'opposition interpelle le *Speaker* pour que celui-ci réagisse. Et quelle réaction ! Une goutte d'eau ! Mais c'est cette même goutte d'eau qui a fait déborder le vase de la stupéfaction:

« *I did not hear.* »

Ce que nous avons tous vu, tous entendus, le président de la Chambre, lui, n'avait, mystérieusement, rien vu, rien entendu. Je ne sais pas si le *Speaker* est un adepte du bouddhisme, et si c'est le cas, c'est son droit le plus fondamental et sa liberté personnelle la plus totale, mais son comportement lors de la séance du 23 juin m'évoque la symbolique des trois personnages introduits par un moine bouddhiste. On voit d'ailleurs souvent la sculpture de ces trois figurines qui illustrent un sourd, un muet, un aveugle avec pour allusion le fait de ne rien entendre, de ne rien dire et de ne rien voir. C'est précisément l'inverse de ce que l'on attend du *Speaker* : il doit entendre les abus de langage ; il doit voir les comportements indignes, il doit dire son *ruling*, son *guidance*, et quand il le faut, sa sanction vis-à-vis des deux côtés de la Chambre de façon impartiale et en conformité au *Standing Orders* de notre Assemblée.

Je me suis imaginé un instant quelle aurait été la réaction du *Speaker* le 23 juin dernier dans une situation miroir. Imaginez avec moi la scène suivante, en pleine séance parlementaire, le *Whip* de l'opposition qui perd son sang-froid, qui insulte les parents d'un ministre, qui le provoque d'aller au *CID*, qui quitte sa place en furie, qui baisse son masque...

(*Interruptions*)

The Deputy Speaker: Hon. Abbas Mohamed!

Mr David: ... pour mieux vociférer.

(Interruptions)

The Deputy Speaker: Hon. Abbas Mohamed and hon. Nuckcheddy! Hon. Armance and hon. Quirin! Hon. Quirin!

Mr Quirin: Yes, sorry.

The Deputy Speaker: You better be sorry! It is the last time...

Mr Quirin: I said I am sorry!

(Interruptions)

The Deputy Speaker: Hon. Quirin, this is your last warning. No arguing with me! Hon. Nuckcheddy!

An hon. Member: It is not Nuckcheddy. It is not Nuckcheddy!

Mr Mohamed: Hon. Dhunoo! *Lakoz toi sa!*

The Deputy Speaker: Thank you very much!

(Interruptions)

Mr Abbas Mamode: *Ki akoz moi? Akoz li!*

The Deputy Speaker: Hon. Abbas Mohamed!

Mr Abbas Mamode: Mamode! Abbas Mamode!

The Deputy Speaker: Abbas Mamode. I will pronounce it better next time!

(Interruptions)

Hon. Fabrice David, please continue! He was doing very well, please be mindful of this young gentleman!

(Interruptions)

Hon. Dhunoo, everybody in the House...

(Interruptions)

Hon. Quirin, I order you out! I gave you a last chance!

(Interruptions)

I gave you a last chance!

All Members in the House, please be mindful, there is a young Member who is expressing his opinion on this debate. He is doing very well. It is not clever to be interrupting him, at least from the Opposition side. Thank you very much. Please, continue!

Mr David: Imaginez la scène suivante, en pleine séance parlementaire, le *Whip* de l'opposition qui perd son sang-froid, qui insulte les parents d'un ministre, qui le provoque d'aller au CID, qui quitte sa place en furie, qui baisse son masque pour mieux vociférer et qui s'agite tout seul en faisant de grands gestes menaçants. Quelle aurait été, selon vous, M. le président, la réaction du *Speaker* dans une telle situation ? Quelle aurait été votre réaction à vous-même si vous présidiez ce jour-là les débats ? Je suis prêt à parier que dans une situation similaire mais symétrique, la réaction aurait été toute autre. Le *Speaker* aurait expulsé le *Whip* de l'opposition, l'aurait *named*, et l'aurait certainement sanctionné de façon exemplaire.

Le Président de l'Assemblée nationale doit exercer son autorité dans la fermeté, mais dans l'impartialité et l'équité afin de préserver le droit d'expression de tous les membres de la Chambre indistinctement et également pour faire respecter le décorum.

Dans l'histoire de notre Parlement, il y a, me semble-t-il, une personne qui fait unanimement référence. Il s'agit du tout premier *Speaker* mauricien, feu Sir Harilal Vaghjee, qui occupa cette haute et prestigieuse fonction du 22 mars 1960 au 25 mai 1979. Ceux qui l'ont connu parlent d'un homme d'une extrême intelligence, avec un sens de l'honneur prononcé, et surtout une impartialité à toute épreuve, n'hésitant pas à rappeler à l'ordre ministres et députés qui faisaient digressions. Serait-ce une utopie que d'espérer que 40 ans après, l'esprit de Vaghjee puisse à nouveau souffler dans cet hémicycle ?

Dans le modèle westministérien du Parlement, le *Speaker* tient le rôle d'un arbitre dans le jeu parlementaire, et parfois, reconnaissons-le, conflictuel entre le gouvernement et l'opposition, mais à la fin de la partie, il ne doit n'y avoir qu'un seul gagnant, notre pays, et dans ce contexte, M. le président, avant de poursuivre sur l'arbitre lui-même, je tiens à dire un mot sur la qualité et la responsabilité des joueurs, et, plus particulièrement, celles des jeunes recrues dont je fais partie.

Dois-je rappeler à mes honorables jeunes collègues de l'autre côté de la Chambre que le pays attend beaucoup de nous, que la jeunesse mauricienne cherche à s'identifier à nous, que les gradins du stade national sont remplis d'espoir de voir émerger une nouvelle génération d'hommes et de femmes politiques qui seront, si nous le souhaitons et si

l'électorat le décide, appelés à incarner l'île Maurice des 25 prochaines années ? Alors lorsque j'entends certains de mes jeunes collègues de l'autre côté de l'espace technique qui nous sépare, jouer à la *shouting brigade*, probablement pour mieux exister aux yeux du prince, lorsque je constate qu'un jeune PPS cautionne l'attitude belliqueuse d'un ministre en la qualifiant d'acte de bravoure et lorsque j'observe avec horreur l'inconscience d'un jeune ministre de notre république qui brandit au sein de notre Assemblée Nationale le code noir dans une maladroite et dangereuse tentative de jouer à son matador, je suis effaré.

Go and learn your basics pour reprendre les paroles, il y a quelques instants, de l'honorable Teeluck, un autre jeune ministre. Et pour revenir à l'arbitre, dès lors qu'il se met à jouer dans un camp et de toute évidence, celui de la majorité, tout en affichant une neutralité de façade, les règles du jeu se retrouvent faussées. Les dés sont alors pipés et l'arbitre devient arbitraire. Les conséquences pour notre Parlement et pour notre démocratie sont alors désastreuses, tyrannie de la majorité, abus d'autorité, musellement du débat démocratique, et oserais-je dire, instauration d'un régime proche de la monarchie absolue.

Par le hasard du calendrier, si toutefois le hasard existe, la motion de blâme contre le président de notre Assemblée Nationale était inscrite à l'*Order Paper* d'un mardi 14 juillet, fête nationale française qui commémore la prise de la Bastille le 14 juillet 1789. C'était d'ailleurs également un mardi, date symbole de la fin de la monarchie absolue. Je lance humblement un appel démocratique pour que cette motion de blâme soit connue comme la motion du 14 juillet Mauricien pour symboliser la révolution parlementaire, pour guillotiner toute conspiration entre le *speakership* et l'Exécutif, et pour proclamer la libération et l'indépendance de *Speaker* face au monarque.

M. le président, au sein du *receptorium* de notre Assemblée nationale, j'ai pris la peine de m'arrêter devant chacun des dix portraits photos des dix *Speakers* entre 1957 et 2019. Parmi ces *ex-Speakers*, j'en connais deux personnellement et j'en côtoie un troisième, actuellement ministre du gouvernement, présent ce soir, et qui parfois vole au secours du *Chair*. Tôt ou tard, le portrait de notre président actuel ornera les murs du même salon en tant que onzième *Speaker*. Quelle image souhaite-il donner de son *speakership* ? Quel souvenir souhaite-il laisser aux générations futures de députés qui nous succéderont, et qui s'arrêteront, un jour, comme je l'ai fait devant son portrait ? Lui seul peut en décider.

En guise de conclusion, je fais référence à *Erskine May Part I, Chapter 4, paragraph 4.23. I quote –*

“Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker, but also to ensure that this impartiality is generally recognised.”

A ce jour, dans cette auguste Assemblée, je considère tristement que l'impartialité du *Speaker* n'est ni garantie, ni généralement reconnue.

A bon entendeur, salut !

Je vous remercie, M. le président.

The Deputy Speaker: Thank you very much. Hon. Minister Maudhoo!

(10.50 p.m.)

The Minister of Blue Economy, Marine Resources, Fisheries and Shipping (Mr S. Maudhoo): Mr Deputy Speaker, Sir, before I start on the motion of no confidence, I wish to draw the attention of hon. David on the three figurines which he described in his speech. Amazingly, the figurines refer to three ‘*zako*’, but the real meaning is, and I will tell it in Hindi -

1. *Bura mat suno* (Never listen to bad words)
2. *Bura mat dekho* (Never look at bad things)
3. *Bura mat kaho* (Never do any harmful act)

It is not as was explained by hon. David about the three figurines; it is not that someone don't see, don't hear and don't act. Better not debate on this; otherwise, it will go in the wrong way.

Mr Deputy Speaker, Sir, this august House is debating a motion of no confidence against its Speaker, the Speaker of the National Assembly. This motion, I sincerely feel, is dictated by someone other than the mover of the motion himself. And I mean it. I say this because, still now, during debates, I have observed a touch of nervousness, uneasiness and a tinge of regret on the face of the Leader of the Opposition. These signs are revealing. In the heart of his heart, he is fully aware that he has been misguided and ill-advised to come forward with a motion that tantamount to a direct and brutal attack on the integrity of the Speaker, especially when the main concern should have been the sanitary and economic pandemic caused by COVID-19.

I have a feeling, Mr Deputy Speaker, Sir, that the mover of the motion, and all those who tried to encourage him to do so are flying on borrowed wings.

(Interruptions)

Yes, once again, I mean it. Deep inside their heart, they know that the Speaker has always acted in a manner to uphold the dignity of this House, to ensure the respect and application of Parliamentary rules and regulations, and above all, maintain a high and civilised level of the debates at all cost and at all times.

His rulings have been often very tough, I admit. But they were badly needed to put order in the House. His decisions, the same just right now you decided his decision and rulings came at moments when some Members on the other side of the House began to slip into bathos, into ridicule, and started to play to the gallery, maybe, to impress the handful few supporters in blinkers.

The Opposition deliberately took the time of the House to create drama, sensationalism where there was need for none. They tried to prick political opponents where there was no reason, made unwarranted remarks, all these to a point of, not only irritating the majority in general, but also the Speaker.

Mr Deputy Speaker, Sir, they knew very well what they were doing. Their actions were deliberate to incur the wrath of the Speaker. They fished for walk out, hullabaloo, taunts, hecklings, all the roar and din to impress a few, which is an insult to the democratic principles and practices.

M. le président, toutes ces mascarades, ce sont là du déjà-vu. Désormais, on connaît ces comportements très bien : les mises en scène pour des *walkouts* injustifiés, immoraux. Voilà ce qu'on a retenu du comportement de ces honorables membres ! Rien de nouveau, M. le président ! A reprendre les termes souvent utilisés par l'honorable Paul Bérenger, l'honorable Xavier-Luc Duval et même l'honorable Uteem : 'c'est du réchauffé, du recyclé, du rassis'. Et c'est cela qu'on appelle la honte.

The public simply cannot understand how the Members, they have voted to be in the Opposition to oversee the work of Government, choose to walk out whenever they feel like things are not going their way. They simply shy away from their responsibility, walk out and proceed to make social media posts claiming that they were poorly treated by the Speaker.

The behaviour of the Opposition reminds me of a Bollywood movie wherein one villain artist is an Opposition Leader. There is a flood in one State in India. A radio, same like what we have here, *Top FM* like in Mauritius, and Press, like our hon. friend over there, *Sunday Times*, *L'Express*, etc. come to ask the Opposition Leader what to write in the Press and what to say on radios. Here also, the same is happening. Here is what the villain artist replied: 'If the Prime Minister goes by helicopter, you write that people are drowning there and the PM is watching from the sky'. And if the Prime Minister goes by train, then you write: 'When today we have helicopters, when we can easily reach in one hour, the Prime Minister is going by train, which will take eight hours.'

Let me remind the Opposition, this Assembly is neither a studio nor is any shooting going on. We have both a sanitary and an economic pandemic worldwide. In such a harsh moment, this was the solution of the Opposition vis-à-vis their motherland: a motion of no confidence in the Speaker.

Le public en a assez de vos simagrées. Je suis sincère quand je dis cela.

The walkouts of the Assembly only to congregate outside to try to drum up support from the media based on their distortion version of facts.

Mr Deputy Speaker, Sir, the present motion is like a cheap feature film that comes after the rosary of equally cheap trailers that attracts no one - likely to fail both in this House and among the population. The whole island is now used to these gimmicks. The Opposition is no longer taken with the seriousness that it deserves. It is no longer credible.

Mr Deputy Speaker, Sir, patience has a limit; so also respect. Respect is reciprocal; so also is courtesy. As you sow, so you reap. One must learn how to behave, and work for the respect that one expects.

The Speaker has done no harm. He has all along been doing his share of the job and carrying out his duties as he should and as best as he could. Every single ruling made by the Speaker has been made in adherence to the Standing Orders of the House. The motion, as presented before this House by the Leader of the Opposition, appears to be based not on his desire to dispute those previous rulings, but in reality to play to the gallery, utilise the live broadcast time of the House to impress a handful few of his blind, dumb and deaf followers and above all to satisfy the voice of perhaps a toothless and senile lion that roams in the wilderness at Riverwalk maybe.

I wish here to come to the St. Louis case. The Prime Minister revoked his Deputy Prime Minister based on a confidential report from a foreign investigative body. The name of hon. Paul Bérenger was mentioned in that report, but the Leader of the Opposition was the first to defend hon. Bérenger. In this case, he stated that the report should be made public. The hon. Prime Minister invited the Leader of the Opposition to come and see the official document.

(Interruptions)

But, no, Mr Deputy Speaker, Sir, he has not even gone though he holds a constitutional post as Leader of the Opposition. Why? They want the ADB Report to be public when the same Leader of the Opposition is fully aware that it can't be because of the confidentiality clause in that document. Yet, he insists and to mark question, doubts in the population, they played cheap politics instead of diffusing the misunderstanding they themselves created in their mind.

As a Leader of the Opposition, if he had the interest of the country at heart, he should have come and consulted the report to know the truth, but, Mr Deputy Speaker, Sir, what could he do? I think based on this issue only, I personally think the motion of no confidence should have been presented against the Leader of the Opposition himself who is duty bound by our Constitution to work in the interest of the public. He could have easily taken cognizance. He has been given an opportunity to know the truth, but I believe the Members of the Opposition should seriously ponder on this unless they are also on remote control mode. I hope not. But sometimes I can understand his reaction, Mr Deputy Speaker, Sir. Be it inside himself, he knows he is not representing himself in this august Assembly. Had it been so, I sincerely believe the decorum of this august Assembly would have been respected.

This motion before the House also clearly states the Opposition has nothing in its cranium for the advancement of this country. They have no plan for the welfare of the people. They are unable to think ahead or contribute to the economic and social advancement of this country during this post Covid-19 global slowdown. Covid-19 seems to have maimed their cognitive faculty and so like all drowning men they want to save themselves by holding to a weak, flimsy motion that they know very well *en leur âme et conscience* has not any chance to get through.

Mr Deputy Speaker, Sir, if the Leader of the Opposition wishes to dispute the ruling of the Speaker, he ought to have followed the Standing Orders. He did not do so. In his speech, the hon. Leader of the Opposition claimed that his motion is, and I quote –

“An opportunity for redemption.”

Redemption for what, Mr Deputy Speaker, Sir? We are not sure and it appears neither is the Leader of the Opposition. Moving a motion of no confidence as a disguise to dispute the rulings is not only disappointing, but it is clearly not in the interest of our democracy. It is regrettable that the Leader of the Opposition has claimed that the Speaker lacks the quality of firmness.

Fortunately, the public was able to watch the sittings of this Parliament live and will testify one of the greatest qualities is not the greatest of the Speaker, it is actually the firmness with which he conducts the debates and maintain the dignity of the House.

Moreover, the Speaker has backed his rulings. Yes, Mr Deputy Speaker, Sir, the Speaker adopts a no-nonsense approach to the sometimes childlike conduct of some Members of the Opposition. He does so in the interest of promoting quality debate that this House is expected to uphold and allow the population at large to make informed decision. It appears that the Leader of the Opposition is offended by his approach and this is highly regrettable again.

Mr Deputy Speaker, Sir, it is the role of the Speaker to call to order any Member of this august Assembly when their conduct is deemed unparliamentary. And all they wish to bring to the attention of the House matters not within the parameters defined in the Standing Orders. To describe the illogical offence, they claim that the Speaker is, and I quote –

“Sabotaging the work of the Opposition.”

Members of the public know who is who, which is which and what is what. They are not stupid. They know the truth. They are aware that those sabotaging the work of the Opposition are in fact the Opposition Members themselves. It is clear, Mr Deputy Speaker, Sir, that this Opposition is determined to conduct themselves on their own terms and not on the terms prescribed within the Standing Orders.

Mr Deputy Speaker, Sir, the Members of the Opposition have been voted in to oversee and scrutinise the work of Government. This oversight and scrutiny is required to be done in a civil way. A significant number of those in Opposition today have been elected

Members who have sat in this very House for many years now. A number of them have been in Government. The expectation of the public is for those Members to clearly articulate their views in order to achieve a healthy debate for the benefit of those who have elected us all.

However, what we have seen, Mr Deputy Speaker, Sir, we have seen these very Members yelling using obscene words against the Speaker and other Members, coming prepared with printed signs to display upon their plan workouts and hon. Bérenger a le culot de nous dire que le Speaker le provoque à faire des *walkouts*. He wants us to now believe that those signs they came with to display were not prepared in advance. *Mais quel culot!* The Leader of the Opposition claims to be so aggrieved that he is denied access to Parliament on Saturdays, that is, on days where there is no sitting. He calls it sabotage but what the public fails to understand, Mr Deputy Speaker, Sir, is why on the days Parliament does sit, the Members of the Opposition are so keen to walk out. This, Mr Deputy Speaker, Sir, is the real sabotage. Sabotage by the Opposition themselves and not in any way by the Speaker.

Who can forget the instance when hon. Bhagwan when correctly ordered by the Speaker! The Serjeant-at-arms positioned himself next to hon. Bhagwan to escort him out of the House following threatening exchanges with the Speaker. Hon. Bhagwan pointed the finger at the Serjeant-at-arms and proceeded to threaten him too with the words “*tension to touss moi.*”

Again, at the National Assembly sitting in your presence, Mr Deputy Speaker, Sir, on 21 July, he has rightly diagnosed using unparliamentary words and sent for quarantine for two sessions and I hope for this serious unparliamentary disease, since rightly pointed out by hon. Teeluck, my Colleague, since 1999, so he has a special medication for that. So, all the Members know what is that medication. This is one of the countless examples where the Opposition has chosen to be defied, those who follow the rules, those who are simply doing their jobs.

Mr Deputy Speaker, Sir, the hon. Members of the Opposition excel in blatant hypocrisy and partiality. Their attacks and criticisms are always directed towards the Government even when there is no reason or justification for them. The present motion of no confidence is one of many examples. However, when one of their likes commits the worse blunder or gets recourse to insulting words against Members of this august Assembly, they bury their heads in the sand; they turn deaf, dumb and blind. Why did not anyone of them ever raise a little to condemn when the hon. First Member of Constituency No. 16 insulted

Members of this Government by treating all of them as *bann zako*. Wasn't that a prettier fault? Insults can be reciprocal, but we will not stoop at her level? The word 'zako' may mean what it means to her, but I am telling her and Members of the House that this word is a very serious insult and a form of bashing.

In my opinion, Mr Speaker, Sir, a simple apology would have done magic. But what can we expect from a party that promotes ethnic and cast division under the seal of an often repeated slogan *enn sel lepep enn sel nation*. Everybody knows the leader of MMM is notorious in putting ridiculous names to people like calling them *la queue chatte*, *intellectuellement limité*, *bourrique* and what not. Before anybody cast it like communal but these are all his words. This attitude, Mr Deputy Speaker, Sir, reminds me of the colonial days when the masters enjoyed in putting such names to their slaves...

(Interruptions)

The Deputy Speaker: Don't go down that line.

Mr Maudhoo: Until today, many of their descendants still bear those names...

The Deputy Speaker: Hon. Member...

Mr Maudhoo: This is history!

(Interruptions)

The Deputy Speaker: Hon. Member...

Mr Maudhoo: This is history!

An hon. Member: *Communist!*

(Interruptions)

Mr Maudhoo: Oui, c'est dommage !

(Interruptions)

The Deputy Speaker: Hon. Member! Order!

(Interruptions)

Order!

(Interruptions)

Order! Hon. Uteem!

(Interruptions)

Order!

Mr Maudhoo: Oui, c'est dommage...

The Deputy Speaker: I need to take a point. Hon. Minister, do not go down that line.

(Interruptions)

Mr Maudhoo: Mais en deux mots, tel père, telle fille. Je continue.

The Deputy Speaker: One second.

(Interruptions)

Hon. Abbas Mamode!

Mr Abbas Mamode: On a point of order. Contempt of speeches - a Member shall confine his observation on the subject under discussion and may not introduce matter not relevant thereto.

(Interruptions)

The Deputy Speaker: You understood my ruling. So, don't go down that line.

Mr Maudhoo: Okay.

The Deputy Speaker: You understood it rightly.

(Interruptions)

Mr Mohamed: He does not have to go down that line; I presume it is a wrong road. So, not only must he not go down that road, maybe he should withdraw what he has done.

The Deputy Speaker: Hon. Mohamed!

(Interruptions)

If all hon. Members could, at least, give me the opportunity to hear exactly what is going on, once I have a feel of where he is going, I would stop him. But all of you would not allow me to listen. Whatever was said, I have told him not to do so and I have made it clear that this kind of line is not acceptable. I think I have a point of order from hon. Mrs Diolle.

Mrs Diolle: M. le président, à plusieurs reprises j'ai entendu l'honorable Shakeel Mohamed faire un *point of order* disant que ce n'est pas normal que les membres de l'Assemblée nationale fassent référence au comportement des membres, mais quand le débat

est sur le décorum et la dignité de l'Assemblée nationale et du *ruling* du président, du *Speaker*, justement par rapport à...

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Order! Order! I'll listen to everyone. Let me listen to her. She is a new Member. It is the first point of order, I think, she is taking. Please go ahead. We want to hear it.

Mrs Diolle: Justement, le débat qui tourne autour de la motion de blâme; les arguments qui ont été avancés par le leader de l'opposition à l'introduction de la motion de blâme étaient justement sur le comportement et le *ruling* du *Speaker* par rapport au comportement des membres de l'Assemblée nationale. De ce fait, faire référence au comportement des membres de l'Assemblée nationale par rapport au décorum, à la dignité que nous avons au sein de cet hémicycle en tant que collègues ne peut pas être *irrelevant*. C'est mon point.

The Deputy Speaker: Thank you very much. I think you have been listening to my Ruling. Thank you very much. Continue!

(Interruptions)

You have a point of order; a different point?

Mr Nuckcheddy: Mr Deputy Speaker, Sir, I heard hon. Ms Joanna Bérenger treating Members on this side of the House as racists. If you could ask her to withdraw that word, please.

(Interruptions)

The Deputy Speaker: One second!

(Interruptions)

Mr Uteem: And what the hon. Minister said was not racist?

The Deputy Speaker: Hon. Uteem!

(Interruptions)

Hon. Uteem! Hon. Uteem! You are a seasoned Member. I want to deal with every point that comes before me as Chair inasmuch fairness as possible. I have got your point. Personally, I

heard the word 'racist', I don't know whether it came from her, but whoever is this gentleman or lady and has uttered this word, which I surely heard, wherever it came from, would have the decency and courtesy to stand up and withdraw it, or from a sitting position do it. That is all I expect. Otherwise, that goes on record; any kind of racist comment or any kind of attribution of racism towards any Member is not correct. Continue please, hon. Minister.

Mr Maudhoo: Mr Deputy Speaker, Sir...

(Interruptions)

The Deputy Speaker: One second. Unless we have somebody who has the decency to raise his or her hand.

(Interruptions)

Thank you. Continue.

Mr Maudhoo: Anyway, Mr Deputy Speaker, everybody knows this habit of hon. Bérenger to put these names like *la queue chatte* I repeat; *intellectuellement limité, bourrique* and so on. That is the way it goes on. The Speaker of this House sees to it that such bad conduct is quickly dealt with. He does so because that is indeed his role, the role of ensuring that the dignity of the House is upheld. The public strongly disagrees with suggestions made by the Opposition. The Opposition appears unhealthily obsessed with making personal attacks against Mr Phokeer, the private citizen. The obsession has blurred any logic. For a motion of no confidence against the Speaker to have any merit, Mr Deputy speaker, Sir, all accusations made against him are required to be substantiated.

Mr Deputy Speaker, Sir, the mover of this motion and those who spoke in his favour have not provided any real grounds for a motion of no-confidence against the Speaker. It is clear that the Speaker's allegiance is an allegiance to this Parliament and the standing orders which bind everyone. Since tabling this motion on the 23 of June, the Leader of the Opposition had the benefit, ample time to come to this House and present a robust, serious and substantiated motion of no confidence. However, all he did was to highlight how he does not understand the provisions of the Standing Orders and proceeded to make personal attacks on the Speaker claiming that his actions favour one side of the House. But, as rightly pointed out by my colleague, hon. Ganoo, this side of the House does not need any favours from the Speaker. We have the favours of the public who have elected us as the majority.

Mr Deputy Speaker, Sir, I find people on the other side of the floor to be irresponsible, harbouring malicious intents, content in wasting time on petty arguments. Hon. Shakeel, for instance, often engages himself in a Goebbelsian way to convince...

(Interruptions)

Mr Mohamed: Sorry. I note that the hon. Minister pronounced my name, Mr Deputy Speaker, Sir, with so much love and affection. I know that he feels so intimate with me, but, then again, just out of Standing Order, maybe he could be more formal about it, but later on, he will show me his amorous side and I will welcome it. Thank you very much my dear love!

The Deputy Speaker: Okay. We have a positive note. Please continue!

Mr Maudhoo: It is good that we have some humour also in this august Assembly. It is not bad, but it is for humour that we say 'Shakeel'. For instance, he engages himself in a Goebbelsian way to convince and nobody pays him any attention neither here nor outside the House. He forgets that hills cannot shake mountains. The Government is an invincible mountain, a Himalayan rock, that the hill-shaker cannot even touch because we have the blessing of the population of the country.

Mr Deputy Speaker, Sir, when the Opposition cannot make a dent in this august Assembly, he rushes to seek support from a lion in wilderness, whose feeble roar does not even scare a mosquito. Now we have an old lion, still in clutches, he is getting around an old shark and a cock which crows at odd hours, but supposedly still a *zoli mamzelle* for some. I am sorry to say la cause *zoli mamzelle lion ek requin pou manz entre zotte meme*. We know their past and I am certain their blunders will be repeated. Old habits never die.

Mr Deputy Speaker, Sir, I still remember, who can forget the 1995 election while the lion promise *zoli mamzelle* for marriage and finally he married the *requin*, *zoli mamzelle* kept waiting? However, the Opposition has now realised what the population has known for a very long time that this Opposition *est une opposition faible, avec des arguments encore plus faible, plus faible que jamais, dirais-je. Alors que font-ils, M. le président ? Pour se fortifier, ils font une énième tentative d'alliance. Il propose de présenter un repas réchauffé, surchauffer, je ne sais pas, un repas touffer, un repas quine fini gâter, pe fermenter, eh bien qui fait vomir la population, bref. Vous n'avez qu'à lire les remarques sur les réseaux sociaux sur cette alliance.*

Ceci dit, M. le président, ils se réinventent pour essayer d'avoir un petit espoir de réélection. Pour eux, c'est une question de survie purement politique. Pour eux, ce n'est pas

l'avenir de Maurice qui compte. Ah, non, c'est leur propre avenir qu'ils veulent assurer. Pour l'avenir de nos jeunes, très loin de là, M. le président. M. le président, la population a le ras-le-bol avec cette opposition qui manque d'imagination, cette opposition qui ne sait pas quoi faire de soi-même.

It is clear that the Leader of the Opposition does not fully appreciate the seriousness nor the responsibilities which he is bounded by, in moving such motion. He has clearly not done his homework. He does not even appear committed to even studying and educating himself to be able to do any of that homework. All he appears to be committed to do, is to continue to willingly abuse of the processes of this House, and then, when he is called out for doing so, will play the victim. But make no mistake, Mr Deputy Speaker, Sir, his tactics are being closely watched by the public. A public which is in dismay as how he would depart from his responsibilities of overseeing the work for Government by fabricating some substantiated motions. I would like to remind here what late Sir Harilal Vaghjee once said, I quote –

“It's not the Speaker who needs to teach Members of Parliament how to behave. It's upon them to set the example in the House. The Speaker is always nominated by the majority. This should never become an excuse for MPs to misbehave and go against the Standing Orders.”

Mr Deputy Speaker, Sir, I will end by stating the obvious, by stating that every single ruling made by the Speaker has always been made in adherence to the Standing Orders of the House.

I thank you for your attention.

The Deputy Speaker: Thank you very much. Hon. Toussaint, please!

(11.22 p.m.)

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): *Thank you, Mr Deputy Speaker, Sir.* M. le président, une année de cela, le 28 juillet 2019, la République de Maurice célébrait la grande victoire des jeux des îles. Vient ensuite le temps des élections et à partir de cette année, nous avons eu à faire face et nous continuons à faire face à la pandémie de COVID-19. Aujourd'hui, à l'heure que nous débâtons sur cette motion de blâme contre le *Speaker*, le monde est dans une situation difficile. Qui l'aurait imaginé, M. le président, une année de cela, pendant que nous étions en train de célébrer, qu'une année après nous saurions obligé, pendant un débat de porter un masque, nous saurions obligé de

nous s'assoier l'un un peu loin de l'autre, nous saurions obligé d'avoir notre *hand sanitiser* avec nous. Tout ceci pour dire que la vie nous réserve parfois de belles surprises, mais parfois nous avons des épreuves qui nous tombent sur la tête.

M. le président, le leader de l'opposition, l'honorable Dr. Arvin Boolell, a déposé une motion de blâme contre le *Speaker* pour dire, selon lui, que *this Assembly has no confidence in Mr Speaker*. J'ai été prendre son discours sur Hansard pour lire et relire et essayer de comprendre, essayer de cerner les différents points avancés par l'honorable leader de l'opposition, mais telle a été ma déception, M. le président, que j'ai ressenti dans le discours même de l'honorable Dr. Arvin Boolell, le leader de l'opposition, un manque de précision. J'ai ressenti comme un genre de, allons dire qu'il n'était pas – si je me trompe, vous me pardonnez d'avance – convaincu lui-même de ce qu'il avançait comme point. Et tout ceci pour dire que nous, de cette côté de la Chambre, la population en général, bien sûr que nous ne pouvons pas accepter cette motion de blâme qui est sans fondement. Je vais essayer de prendre quelques exemples pour ne pas être long puisque nous approchons bientôt de demain. Je vais essayer de ne pas être long, je vais prendre quelques exemples au fur et à mesure, pour montrer que le *Speaker* et même vous, M. le président de séance de ce soir, vous avez besoin de maintenir l'ordre dans l'Assemblée, vous avez besoin de faire respecter les règlements, les *Standing Orders* dont certains sont friands, M. le président. Et ce n'est pas chose facile. Je demande à la population de fermer les yeux et d'essayer de se mettre dans votre position, dans la position du *Speaker* à gérer 70 membres, 70 caractères différents, des partis politiques différents, des mentalités différentes, d'âge différent, des visions différentes. A quel point cela peut être difficile, surtout qu'aujourd'hui, l'espace où nous sommes assis a augmenté, c'est allée très loin à l'arrière et que nous avons des masques, à quel point que faire respecter l'ordre et la discipline, faire respecter les *Standing Orders* devient encore plus difficile, M. le président.

M. le président, je suis d'origine très modeste. Mes parents ont fait un point d'honneur à ce que moi-même, mon frère, ma sœur, toute la famille, nous ayons des valeurs dans la vie. A ce que nous ayons les bonnes manières. A ce que nous soyons polis, dire 'merci', dire 'pardon', dire 'bonjour', s'excuser quand il faut s'excuser. Si, par exemple, d'emblée, je le dis, si quelque part, dans une phrase, dans un mot, que ce soit le mandat précédent ou là, j'ai blessé quelqu'un, je lui demande mes plus humbles excuses. C'était la façon que nos parents, mes parents, plus particulièrement ma mère m'a élevé, M. le président.

Mais, nous avons vu ces derniers temps, par rapport au respect, *respect to the Chair*, respect à l'autorité. Même si nous nous ne sommes pas d'accord avec la personne, avec l'être humain et je le redis, cela peut être vous-même ou le Speaker, M. le président, nous devons respect à cette auguste Assemblée, nous devons respect à l'institution, à l'autorité du *Speaker*.

Or, depuis plusieurs semaines, les membres de l'opposition ont décidé de ne pas se mettre debout quand le Speaker fait son entrée à l'Assemblée. Dommage! Dommage, parce que nous envoyons un très, très mauvais signal à la jeunesse mauricienne, M. le président. Nous l'avons tous appris à l'école, au collège, quand le professeur entre dans la classe, même si c'était un professeur que nous n'aimions pas, même si c'était un '*minente*' comme on le dit, même si c'était, '*ayo, li sa*', mais, par respect pour sa profession, par respect, par le protocole, on se mettait debout, on se met toujours debout dans les écoles.

Grâce à notre gouvernement, cette image *live* qui va sur tous les réseaux sociaux, qui va à la télé, qui fait le tour du monde, montre que, malheureusement, dans la République de Maurice, les membres de l'opposition ne respectent pas cette institution et préfèrent rester assis quand le président fait son entrée dans l'Assemblée. Dommage ! Et oui, j'ai écouté avec beaucoup d'attention, le discours de l'honorable David. Je le félicite pour son calme, c'est un style. Et il a fait appel aux jeunes membres de l'Assemblée, à ceux qui viennent d'être élus - à ceux dont ce n'est même pas la première année, puisque nous sommes encore en juillet - dans cette auguste Assemblée, pour donner l'exemple. Je renvoie la balle à l'honorable David et aux jeunes membres de l'opposition qui viennent d'être élus pour la première fois. Les anciens aussi peuvent suivre, il n'y a pas de souci. A partir de la semaine prochaine, chers amis, pour respecter ce que votre ami a dit, mettez-vous debout quand le Speaker fait son entrée dans l'Assemblée. On va voir ça!

M. le président, très souvent, nous sommes interrompus dans nos discours, dans les questions, lors des débats. Il y a eu pas mal d'exemples. Aujourd'hui même, il y a eu beaucoup d'exemples ; la semaine dernière, il y a eu beaucoup d'exemples. Pas plus loin que là, il y a eu un exemple. Nous sommes interrompus tout le temps, en permanence et de façon *unparliamentary*. C'est vrai qu'il y a les *Standing Orders* qui permettent si quelqu'un n'est pas d'accord avec ce que nous sommes en train de dire, qu'il voit que nous sommes en train de dériver, on peut utiliser les *Standing Orders*, mais en faire un abus, ça c'est un autre cas. Je reviendrai là-dessus un peu plus tard, mais nous sommes interrompus en permanence.

Je le redis, et j'espère que les personnes qui regardent actuellement, ceux qui vont regarder après, les membres de la presse, j'espère qu'ils vont relever ce point pour dire, 'oui, c'est vrai', et qu'ils vont faire des recherches. Hansard est là pour le prouver. Allez faire des recherches pour voir à combien de reprises, nous avons été interrompus dans notre travail. Moi, je suis ministre, je lis ma réponse, je donne une réponse, au milieu je suis interrompu. Mais de grâce, laissez-moi terminer, ensuite, posez les questions qu'il faut, demandez la parole. Posez les questions, nous sommes là pour répondre.

Je prends un petit exemple. M. le président, ce soir. C'était pendant le discours du budget, pendant mon discours pour le budget et vous-même, vous présidiez la séance. Pendant mon discours, M. le président, à trois reprises, j'espère que j'arrive toujours à compter, l'honorable Quirin m'a traité de lâche. A trois reprises, M. le président! Je lisais mon discours, je disais, je faisais mon discours; s'il n'était pas d'accord avec un point que j'avais soulevé, un petit *point of order*, comme le fait certains, et vous avez dû l'arrêter M. le président.

Parfois, cela arrive que les membres de l'opposition insistent, quand on les rappelle à l'ordre. Et dans ce même discours, M. le président, je dis cela pour que la population puisse comprendre à quel point votre travail et le travail de notre Speaker n'est pas facile. Et quand le *Speaker* veut faire respecter l'ordre, la discipline, les *Standing Orders* et là, on décide de dire que le Speaker ne fait pas bien son travail. Et voilà, nous avons une motion à débattre ce soir et bientôt, très tôt ce matin.

A la page 114, je cite Hansard, l'honorable coiffeur, mille excuses, l'honorable Bhagwan je cite: '*Eh, écoute moi do foutou!*' Plus loin, '*Ki couyonade! Pa fer mal élevé bonhome*'. Regardez ces mots! Heureusement qu'il est tard et que les enfants ne regardent pas. Visa 16-18. Regardez ces deux phrases, M. le président. Dans mon discours, j'étais traité de lâche trois fois, et voilà les deux autres phrases lancées par l'honorable Bhagwan. Et vous avez dû intervenir. Est-ce que à cause de cette intervention, plus tard on va recevoir une motion de blâme contre vous, dans ce cas-ci? Je pose la question.

M. le président, je continue à prendre un autre petit exemple et c'était dans le cas de la *Private Notice Question* de l'honorable leader de l'opposition sur, donc, je cite Hansard, '*Saint Louis Power Plant Redevelopment Project*'. Ce jour-là, c'était le Speaker qui présidait la séance. A la page 18, l'honorable Bérenger, leader du MMM, a lancé 'lâche', c'est dans Hansard. Et quand le *Speaker* lui demande: 'Hon. Bérenger!' Il répond: '*What?*' Je cite

toujours. Le *Speaker* lui demande : ‘*Can you withdraw that word ‘lâche’?*’ Et je cite, l’honorable Bérenger, leader du MMM, répond, ‘*No*’, avec force. Dans ce cas qu’est-ce qui arrive, M. le président? Que la population comprenne quand l’autorité demande à un membre de ‘*withdraw*’ et qu’il refuse, c’est quoi? La solution c’est que la personne est renvoyée de l’Assemblée. C’est aussi simple que cela.

Est-ce à cause de cela que l’honorable docteur Boolell est venu de l’avant avec une motion de blâme contre le *Speaker* ? Parce qu’il a fait respecter l’ordre? Parce qu’il veut qu’il y ait de la discipline? Parce qu’on ne peut pas utiliser des *unparliamentary words* ici? Puisque tout le monde parle d’auguste Assemblée ; tout le monde dans leur discours parle de *temple of democracy*. Est-ce que ce genre de mots serait accepté dans un *temple of democracy*? Et c’est là que le *Speaker* ou même vous, vous avez besoin d’intervenir, M. le président.

M. le président, je prends aussi un autre exemple et c’est encore vivide, c’est encore clair dans la tête de tout le monde. Donc c’était pendant intervention de mon collègue et ami, l’honorable ministre Balgobin, la semaine dernière et à la page 200, dont c’était le président qui était là. Donc à la page 200, à un certain moment, l’honorable Bhagwan qui dit, M. le président –

« **Mr Bhagwan:** *Bachiara! To enn bachiara!* »

Et c’était vous qui était là. Est-ce que encore une fois ce genre de mots est acceptable? Et quand il refuse encore une fois de retirer le mot ‘*bachiara*’, quelle est la solution? Mais cette fois-ci il a fait le malin, *he withdraws himself* avant d’être renvoyé et bien sûr, vous n’avez pas eu le choix que de *name him*.

Et vous savez, M. le président, ce qui arrive aussi très souvent, très souvent et là, je pèse mes mots, c’est qu’il y ait des attaques personnelles, des attaques sur notre personne. On peut ne pas être d’accord, vous avez votre parti politique, vous avez votre idéologie, vous avez votre façon de faire, nous avons les nôtres, nous avons notre opinion. *Tout dimounn pas kapav dakor lor tout zafer*. C’est clair, mais quand on est à court d’arguments, M. le président, et c’est là qu’on voit des attaques sur notre personne et c’est comme ça que, à un certain moment, en sortant donc l’honorable Bhagwan a osé, je cite –

« **Mr Bhagwan:** *Taler mo coupe to sévé do couyon!* »

Et les membres de l’opposition tapaient la table, contents, *excited* ; tapaient la table.

An hon. Member: *Ban zene tout?*

Mr Toussaint: Tous les jeunes. Je ne sais pas si l'honorable David l'a fait. Il est dans mon dos, je ne le vois pas. Tout le monde ricanait.

An hon. Member: 14 juillet.

Mr Toussaint: Voilà et on ose parle de 14 juillet. Quel exemple, M. le président, '*Taler mo coupe to sévé do couyon!*'. Je répète pour ceux qui regardent. Je répète pour la presse qui va reprendre un peu les débats, j'espère qu'ils vont le citer, qu'ils vont dire et je n'accepte pas cela, M. le président. *Mo sévé, li mo sévé, li couma li été* et j'ai déjà ma coiffeuse, M. le président. Je suis désolé, avec ce genre de coiffeur, *tention li met lizol lor là, tout bruler, non.*

(Interruptions)

Maybe.

Alors de grâce, n'essayez pas de venir nous montrer du doigt, n'essayez pas de venir nous faire la leçon. Je préfère m'arrêter ici, M. le président, pour que les autres puissent aussi donner leur voix au chapitre. Il y a des tonnes et des tonnes et des tonnes d'exemples du mauvais comportement des membres de l'opposition.

Nous aussi, on a été ramené à l'ordre. Nous aussi, on a dû *withdraw* et on le fait. Même moi, j'ai dû *withdraw* certains mots et je le redis, je présente mes plus humbles excuses à ceux que j'ai pu blesser durant le dernier mandat ou même maintenant.

Et pour terminer, M. le président, je suis peiné, je suis déçu, c'est dur, c'est très, très dur. Peut-être que l'honorable membre n'a pas réalisé. Peut-être, c'est sur un moment de colère, ça peut arriver, on est humain après tout. Peut-être! Je lui donne le bénéfice du doute mais je le redis pour rejoindre ce que notre ami l'honorable David a dit, j'invite l'honorable Joanna Bérenger à retirer, à s'excuser pour nous avoir traités de '*zako*', M. de président.

Sur ce, je remercie la Chambre de leur attention.

The Deputy Speaker: Thank you very much. Hon. Wochit, please!

(11.43 p.m.)

Mr R. Wochit (Third Member for Pamplemousses & Triolet): Mr Deputy Speaker, Sir, thank you for allowing me to participate in this debate regarding the motion of no confidence against the Speaker.

No doubt I have to refund myself from giving a lecture as to why and how a Speaker of the National Assembly needs to manage and conduct the affairs of the Legislative Assembly.

The Speaker stands guided by the Standing Orders, the Rules of the Legislative Assembly and by Erskine May Parliamentary Practice.

I shall start by quoting the famous and clear sentence of late Sir Ramesh Jeewoolall when he was elevated to the Speakership in June 1979, I quote – “I will show fear or favour to nobody. I will be a servant of only one master that will be a freely elected Legislative Assembly”.

These words are full of meaning and provide a role model to all those who aspire to cumulate the functions of the Speaker –

- A Speaker is the presiding officer of the Legislative Assembly and symbolises the authority of Parliament;
- He has to ensure that the debates are carried out in compliances with the Standing Orders;
- He has to act with tact and diplomacy with all fairness and impartiality;
- He must not be biased and his loyalty belongs no longer to the party which appointed him but transferred to the dignity of Parliament;
- He should be above partisan politics and has to ensure that the voice of the minorities is heard in the House;
- He must keep his ears and eyes wide open and, most importantly, keep his voice low to avoid being a loudspeaker, and
- A Speaker speaks rarely and, in fact, the Speaker is a one who speaks less.

Unfortunately, we have one who shouts on top of his voice, thus creating much discomfort to the Members in Parliament. He often stands on his feet more than he sits. He walks away from his seat, pointing fingers meaninglessly to the elected Members of the Opposition as though addressing himself to a crowd.

I shall now try to elucidate among others a few instances when he tried to muffle the Opposition –

- The PNQ of the Leader of the Opposition and the PQ of hon. Patrick Assirvaden were rejected by the Speaker without any explanation on time;

- Hon. Shakeel Mohamed, hon. Paul Bérenger, hon. Bhagwan and hon. Patrick Assirvaden were suspended from the Assembly without valid reasons on different occasions;

Not respecting time and favouring the Government side to give lengthy, irrelevant answers especially by the hon. Prime Minister. He suspended the sitting while hon. Xavier Duval had his Budget Speech because the hon. Member was not wearing his mask properly, but he did not take any action when hon. Ivan Collendavelloo was not wearing his mask accordingly and same were viewed live.

He is seldom selective in being deaf especially when the Government side utters unparliamentary words. He often pretends not to see whenever the Opposition Members raise their hands to put supplementary questions or point of orders or even during adjournment time and this has become a common practice. How unfortunate, he did not notice the vulgar attitude and unparliamentary behaviour, not to say very indecent, of a Minister who was acting as a thug towards one Opposition Member.

Holding a piece of paper, not a placard, mentioning '*Ivan démission,*' on that very occasion, the Speaker seized the Opportunity to suspend all Members of the Opposition deliberately just to debar them from participating in the Committee of Supply. This has gone in the history of Parliament because this exercise hardly took 20 minutes to vote and approve. This suffices to prove that the Speaker was in connivance with the Government. Later, the then Deputy Prime Minister was revoked due to St Louis scandal by the hon. Prime Minister.

Mr Deputy Speaker, Sir, it is most appropriate for me to share my personal experience as an ex-Chairperson of the District Councils. I had very fruitful and interesting experiences. Never in any session of the full Council meeting that debate was connected in an uproar situation but every member was given the right and opportunity to express himself freely and without any disturbance. Mr Deputy Speaker, Sir, I am appalled, as a new elected Member of this august Assembly, to witness the way every session is chaired by this Presiding Officer.

There are also many interesting anecdotes in the Parliamentary life in Mauritius. Let me, Mr Deputy Speaker, Sir, refer to a famous incident that occurred in 1976 to 1982. The then Prime Minister, late Sir Seewoosagur Ramgoolam, was alleged to have interrupted an Opposition Member and that he uttered the word 'bullshit', thus causing an uproar in the Assembly. When the then Speaker, late Sir Harilal Vaghjee, pressed upon the Prime Minister to withdraw the offending word, Sir Seewoosagur Ramgoolam refused and said that he was,

in fact, referring to bolshevism and that he was drawing a parallel between the tactics of the Opposition and the Russian revolutionaries in 1917. Sir Seewoosagar Ramgoolam was given the benefit of doubt and *le droit à l'excès* should sometimes be allowed in debates to ease and to calm the atmosphere. This shows the real impartial role of a Speaker. Even selective deafness plays an essential role in Parliamentary practice.

The Speaker must show and prove to be above politics and discard his partisan politics. He must become a real servant of the House and not to a Party. He must develop a keen sense of humour to diffuse the tense Parliamentary atmosphere. Sorry, Mr Deputy Speaker, Sir, this Speaker has no comparison with other Speakers. He deliberately provokes instances to create uproar and loses the time of the House. I hereby refer to two recent instances that of St Louis and Hyperpharm deliberation. I shall fail in my duty if I do not pay tribute to late Sir Harilal Vaghjee, Sir Ramesh Jeewoolall and ex-Speaker Ajay Daby among others who stand as role model in our Mauritian Parliamentary democracy. We are waiting for the day when we shall be guided by the principle of regulation to ease the work of our institution.

Having said so, I may conclude that a Speaker must be an architect of *détente* and not a trouble-shooter in the Parliament. Unfortunately, the Speaker has lamentably failed in his responsibility and so long he remains in Office and acts as a partisan for a particular party, our Parliamentary democracy will be at stake. Moreover, the attitude of the Speaker is a serious blow to the reputation of our country. His actions are followed attentively, not only locally but even internationally as every session is broadcast live. I can only hope that tonight's debate may not be in vain but we do expect if the Speaker remains in Office that he changes his attitude, mind-set and behaviour towards the Opposition Members of this House and this will help to create a congenial atmosphere and I am sure that every Member will fully contribute for the development of our nation.

I thank you for your attention, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. We shall break for 20 minutes.

At 11.55 p.m. the sitting was suspended.

On resuming at 00.37 a.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you. Please, be seated!

Hon. Hurdoyal, please!

(00.37 a.m.)

The Minister of Public Service, Administrative and Institutional Reforms (Mr V. Hurdoyal): Mr Deputy Speaker, Sir, I listened with great interest to all my colleagues' remarks and I want to remind the House, we are in the Office for only 8 months and already the Leader of the Opposition has put forward a No confidence Motion against the Speaker.

I wonder what could have prompted him to do so? Is it a lack of opportunity to criticise the Government which is doing very well? Or is it lack of imagination? Well, whatever it is, it is leading to nothing but a waste of time of this august Assembly. Indeed, Mr Deputy Speaker, Sir, the timing of this motion looks very suspicious. Within such a short period of time, Members of the other side of the House, seem to have made a definite and permanent appreciation of the Chair.

Let me remind the other side of the House that the Speakership is the most important Office in the House. In fact, the first business of the House is to elect a Speaker when the Assembly first meets, after a general election, as per Standing Order No.7. The Constitution provides that the Speaker may or may not be an elected Member of the House. The Government and the Opposition normally agree on a candidate.

If I recall, Mr Deputy Speaker, Sir, when that motion to elect the Speaker was presented to the House, the motion was unanimously approved by both sides and such gesture clearly demonstrated that the Speaker was held a high esteem and did not suffer any single negative comment, as mentioned by hon. David previously.

Mr Deputy Speaker, Sir, the Speaker is the principle Office holder of the House, and its spokesperson in relation to other constituent part of Parliament - the President of the Republic. The Speaker symbolises the authority of Parliament. This is the very essence of a vibrant democracy.

Mr Deputy Speaker, Sir, the main function of the Speaker is to ensure that the Standing Orders and Rules of the National Assembly are complied with. I can state strongly that this has been the case from this first day of the House. Mr Deputy Speaker, Sir, for the good conduct of the House matters, it is imperative that discipline prevails in the House which is guided by the Standing Orders.

Let me remind the House that it is the role of the Speaker to interpret and enforce the Standing Orders and for the purpose of interpretation, recourse is often made to Erskine May's Parliamentary Practice, responds to Members' points of order and give rulings when necessary. His rulings cannot be challenged, except on a substantive motion to that effect,

and any criticism of his actions outside Parliament may amount to contempt of the National Assembly. This is what a civilised society expects from the National Assembly.

Mr Deputy Speaker, Sir, if a parallel is made with a lecture, where all the students are allowed to voice out their opinion in a disciplined manner without using unacceptable words and phrases under the able guidance of the lecturer. Imagine, if you remove the lecturer, what will happen to the lecture room? It will be a chaos. Do we want to create chaos in this House? What example are we setting for the younger generations? Go and blame the teacher who is the guru, the discipline master, and destroy everything? Let us be careful! Let us be serious! Let us maintain the decorum of this Temple of democracy! Let us work harder on both sides to ensure that our energy is focused on improving the state of affairs of our country!

Mr Deputy Speaker, Sir, the Chair of the House decides on the admissibility of question to Ministers and on the choice of speakers during the debates and in so doing, he seeks to allocate the call evenly between the Government and Non-Government Members. It is most unfortunate, Mr Deputy Speaker, Sir, that are no less than 66 occasions, I repeat, 66 occasions for a mere 22 debate sessions, Members of the other side of the House have had to be called to order by the Speaker due to the disruptions of the proceedings. Allow me, Mr Deputy Speaker, Sir, to enumerate some examples –

There has been repeated use of unparliamentary terms by the Opposition Members which I prefer not to repeat to give due respect to this Assembly and also to the people watching us on TV. Despite the effort made from the Speaker to reason the Members to withdraw the terms, they refused to do so. What examples are we giving to the younger generations?

Mr Deputy Speaker, Sir, it is unacceptable, that there have been provocations and physical threats from the other side of the House which have had to be dealt promptly by the Speaker. This will, unfortunately, go down in history, as unacceptable conducts from the Opposition Members during each session of the House.

Moreover, we have another clear example of bad faith, from the other side of the House. During the debate on the Appropriation Bill 2020, on Tuesday 16 June 2020, the hon. Members of the Opposition stood up and displayed a poster seeking the resignation of the then Deputy Prime Minister and they left the House. Their act was against the Standing Order No. 48 and therefore, the Speaker gave his ruling and ordered the Opposition Members out

from the House and from the precincts of the Assembly for that day's sitting. It is because of this ruling that we have a no-confidence motion against him?

Mr Deputy Speaker, Sir, I wish to point out that at all the sittings, despite unparliamentary actions, the ruling has always been cleared, and in accordance to the Standing Orders. In fact, we need to commend the Speaker for his bold actions, in ensuring decorum in the House. I would advise my friends from the other side of the House not to criticise just for the sake of criticising.

Mr Deputy Speaker, Sir, very often we propose A, the Opposition always says why you did not go for B? When we go for B, they blame us for not going with A. This is clearly not helping the country to progress, especially during the period of COVID-19. The Speaker's aim is to try to avoid that we waste the time of this prestigious Assembly. He endeavours to refocus the debates; he reprimands Members from both sides of the House when he feels that Members are not respecting the rules set for decades.

Let me remind the House that it is provided in the Standing Orders that the Speaker may order a Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of the day's sitting. It is a normal response to such unparliamentarily actions. It is unfortunate that the other side of the House fails to understand this point. Mr Deputy Speaker, Sir, if a Member persistently flouts the authority of the Chair, or wilfully obstructs the business of the House by abusing the rules of the Assembly, the Speaker is empowered to name the Member.

One of the most important qualities of a Speaker is impartiality. Once elected to the Chair, he owes his loyalty to the dignity of Parliament. I can strongly advocate that this is the case for the Speaker. Mr Deputy Speaker, Sir, the Speaker has ultimate responsibility, together with the Office of the Clerk for the administration of the Parliament and the operation of the Parliament House. Furthermore, the parliamentary precincts of the National Assembly are under the control and management of the Office of the Speaker.

Mr Deputy Speaker, Sir, Members of the House need to understand that we are living testing moments. It was a *tour de force* to ensure that Parliament is able to conduct its business. I would invite the Members of the other side to understand the present situation. If they do not, I again invite them to look around. We are seated further apart, but still everyone can contribute to the democratic process. We need to commend the Speaker and the Office of the Clerk for making it possible. The no confidence motion fails to find justice.

The no confidence motion has exposed the negative politics of the Opposition. It is a test for the Government to improve our attachment to democratic values and principle, and also a test for the Opposition to vent out their opinions and express their arguments and claims under the pretence of a no confidence motion. We have passed our test and the Opposition has failed. Mr Deputy Speaker, Sir, I wish the no confidence motion to be dismissed so that the Government can work for the people. However, Mr Deputy Speaker, Sir, this Government has always ensured that democracy prevails with all the sentiment of respect for the dignity and decorum of the sacred House, which is symbolised by the Speaker.

Mr Deputy Speaker, Sir, just as my colleague the Ministry of Gender, Equality and Family Welfare, hon. Mrs Koonjoo-Shah, I am also inspired by Pandit Nehru, who once said, and I quote -

“Democracy does not mean simply shouting loudly and persistently, though that might have occasionally some value. Freedom and democracy require responsibility and certain standards of behaviour and discipline.”

Mr Deputy Speaker, Sir, I have to admit my grief and sadness to intervene on the motion of no confidence presented by the hon. Leader of Opposition. As a young and elected Member of the National Assembly for the first time, it is my duty to set the record straight, and I want to send a strong signal to the young generation, that being engaged in politics is, first and foremost, to be at the service of the country.

I end up here, and I thank you Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much! Hon. Dr. Jagutpal, please!

(00.53)

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Deputy Speaker, Sir, I cannot prevent myself from going back in time, in April 2017, as already commented by my colleague Minister, hon. Mrs Koonjoo-Shah - a same group of hon. Members, targeting the then Speaker of this House when, obviously, out of argument, and for the sole purpose of putting on a show. This show that hon. Members on the other side of the House put on week in, week out, of course, when they are not boycotting or have simply walked out of the House and from their duties of this Assembly, well, the show, they so rely on, they forgot that in a great measure, they owe it to that very Speaker, whom they were accusing of being antidemocratic back then. It is easy to talk about democracy and freedom of speech, but they failed in their responsibilities.

Mr Deputy Speaker, Sir, it is worth to remind the House that for live broadcast of Parliament, only a Government that truly values the fundamentals of democracy could have made it a reality. Those who bluffed, when in Government, knew very well why they would have never come up with such an advancement. This is simply because they were afraid when they were in Government of the behaviour of the Opposition. This very sorry behaviour they feared from the Opposition then, this very behaviour, has sadly become the order of the day for them, now that they are on the other side of the House.

Mr Deputy Speaker Sir, allow me to remind this House of one thing. Those, who during five years, have been relentlessly and harshly directing attacks towards the first woman to ever hold the position of Speaker of the National Assembly, how can you expect them to spare the actual Speaker from their motto, from their wicked schemes?

Mr Deputy Speaker Sir, ever since the Mauritian population reiterated its faith and confidence in this Government, the Opposition has always been unkind towards the Speaker of the House.

As the American novelist, Edgar Watson rightly stated, I quote -

“A thief believes everyone steals.”

What have we been seeing since the re-election of this Government? First, the General Elections were supposedly manipulated. Then, the Electoral Commission failed in its duties. No one is spared with this Opposition. Now, they are accusing also the Emergency procurement. Today, we are here, using the precious time of this House, even at this hour to debate on another whim of the Opposition.

Mr Deputy Speaker, Sir, we have elected a Speaker on the basis of his experience in politics and in diplomacy. The Speaker, indeed, directs the proceedings of this House with an utmost sense of responsibility and integrity. Those who accuse him of impartiality should first evaluate their own behaviour in this august Assembly.

Mr Deputy Speaker, Sir, let's start from 28 February this year, in this very House. All of us, and the population in its entirety witnessed the deplorable attitude of hon. Members on the other side of the House towards the Speaker. We all remember the then Deputy Prime Minister laid a motion to contest the fact that an Usher of the Supreme Court gave him a Court Order in Parliament in December 2019. For some hon. Members, Mr Deputy Speaker, Sir, there is absolutely no issue in throwing out unparliamentary comments and words towards other Members or even the Speaker himself. And what do they do when they are

asked to withdraw? There is arrogance; there is defiance that ooze from the behaviour of some hon. Members which is, indeed, a disgrace of this democracy. Even the staff working here is subject to their haughtiness.

How many times have we seen the authority of the Serjeant-at-Arms being challenged? I think everybody remembered that clearly. Is it the kind of behaviour we wish to portray to the public and to our youth? If it only happens once, Mr Deputy Speaker, Sir! On 05 May this year, the same old story, only the protagonists were different for a change. And what was not said to the Speaker on that day! One hon. Member had very unpleasant words directed towards the Speaker. And we should note that that hon. Member was not even intervening at that moment, but when requested to withdraw, again the same defiant and arrogant attitude took over. What should we expect the Speaker to do in such circumstances?

The Standing Orders regulating the proceedings of this House are clear and today the Speaker is being accused of being impartial because he rightly applied the provisions of the Standing Orders against those who regularly do their best to go against those rules.

The rulings of the Speaker of this House when addressed to Opposition Members are never adhered to. Instead, they choose to further disrespect Standing Orders and refuse to abide.

Mr Deputy Speaker, Sir, on 16 June 2020, and ironically, it was to be this repeated misbehaviour from the other side of the House that has supposedly motivated the motion of non-confidence we are debating today. Their move was calculated and orchestrated days back and it was even widely publicised. We should remember that the ongoing debates were on a very important issue, that is, of the Budget 2020- 2021. To boycott hon. Member's speech is one thing, but then, to brandish slogans against an elected Member of this House, in this very House, I cannot recollect having heard of such a gross misbehaviour in the past. How can the Speaker not react, like he did and sanction this unacceptable and collective move from the rank of the Opposition?

Not later than last week, during the debates on this very motion of no-confidence, what have we seen coming from a Member of the other side of the House and we are here talking about someone who is a seasoned Member of this House. Unacceptable comments have been directed towards elected Members of this side of the House.

Mr Deputy Speaker, Sir, you did give them the latitude to withdraw, but again, the hon. Member chose to completely disregard your ruling, your attempt to restore decorum and

instead he insisted on defying your authority and leaving you with the only alternative of applying Standing Orders in such situations.

Mr Deputy Speaker, Sir, as I pointed out in the beginning of my speech these hon. Members are only here to put a show, cinema. They lack arguments to engage in constructive debate while respecting the decorum of the House. They would rather behave like bullies and when they are rightly sanctioned for their deeds they all turned into crying babies, in their systematic Press conferences, organised straight after their disgraceful attitude. This is the protocol, this is the order! This is the attitude!

Mr Deputy Speaker, Sir, I have listened with interest to what Members on the other side of the House have to say on the motion of no-confidence and, according to me, their motives are unjustified and dishonest. The Speaker is being accused of partiality without any proof or evidence. His rulings directed towards the Opposition are systematically challenged and never adhered to. Members on the other side of the House should understand that the Speaker's ruling are final and, therefore, they cannot be challenged. Hon. Members complaining about these rulings should question themselves. These rulings do not just come out from thin air. The Speaker only abides and acts according to the Standing Orders guiding this august Assembly and whoever is in infringement of these Standing Orders should be taken to task.

If the Opposition finally resolve to behave in an orderly manner respecting decorum and the rules in place, the Speaker will not have to intervene at all. It's as simple as it gets. We should instead of coming with a totally unjustified motion of disallowance, congratulate and commend the Speaker's tedious work in disciplining Members on the other side of the House. The actions and the rulings of the Speaker should not be confused with Standing Orders guiding this House. There is absolutely no premeditation in the Speaker's stand; he only applies the rules of the House. We are indeed lucky to have someone of his tenure chairing this august Assembly otherwise the disgraceful attitude of the Opposition Members would have turned this democracy into a jungle.

Mr Deputy Speaker, Sir, the aim of the Opposition is very clear. They only want to cheat this population. At least...

Mr Mohamed: On a point of order!

(Interruptions)

The Deputy Speaker: Hon. Member, I want to hear your point of order.

Mr Mohamed: The hon. Minister has said two things. One, he has treated every single Member of the Opposition as being dishonest. I'll concentrate on this point of being dishonest. That this is totally unparliamentary to call every single Member 'dishonest', and this should be withdrawn. Now, you can't have a clearer violation of Standing Orders than that! That is unparliamentary, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you. Hon. Member, I am not too sure about the use of the word 'dishonest'.

Hon. Minister, if you have done so towards the Members of the Opposition, can you kindly withdraw it?

Dr. Jagutpal: I am not sure also whether it is dishonest or lack of honesty. So, I withdraw it.

The Deputy Speaker: Thank you very much.

Dr. Jagutpal: Mr Deputy Speaker, Sir, the aim of the Opposition is very clear.

(Interruptions)

Dr. Jagutpal: They only want to lure this population. At least...

Mr Mohamed: Mr Deputy Speaker, Sir, the point of order is very simple. What is your ruling? Are you asking him to withdraw it or not?

The Deputy Speaker: Hon. Mohamed, I said it clearly, I could not decipher whether it was 'honesty' or 'dishonesty'; sincerely. This is what I asked him.

(Interruptions)

My ruling is that you should not go on 'dishonesty'; he said 'lack of honesty'.

Mr Mohamed: Lack of honesty is good enough?

The Deputy Speaker: Don't argue with me! Don't argue!

(Interruptions)

Mr Mohamed: So far I...

(Interruptions)

...that lack of honesty is parliamentary? And hon. Ganoo gives lessons...

(Interruptions)

We just accept it! Lack of honesty is good! Next time, I'll say that for him.

(Interruptions)

The Deputy Speaker: Hon. Mohamed! First of all, for decorum of this House, hon. Jagutpal, have you withdrawn the word 'dishonesty'?

Dr. Jagutpal: Yes, obviously.

The Deputy Speaker: He has withdrawn it. And for the orderly conduct of this House, the way you just acted is totally improper. So, please apologise!

Mr Mohamed: I apologise.

The Deputy Speaker: Thank you. Please continue!

Dr. Jagutpal: So, the aim of the Opposition is very clear and the show is on. Luckily, our population is not as easy to persuade to believe as they would have expected them to be. Their bluff has been called. They will go down history as the champions of walk-outs and boycotts. In fact, Mr Deputy Speaker, Sir, it would be very interesting to know the amount of time Members of the other side of the House have walked their way out of this august Assembly while they were supposed to be representing the people of this country.

Mr Deputy Speaker, Sir, instead of being faithful to their commitments towards this country, its population and the National Assembly, hon. Members on the other side of the House have abandoned their parliamentary seats and resolved to Facebook, Tik Tok and What to further distil manipulative in public opinions.

Let me conclude by once more, commending the work which the Speaker has done since his election. I am of the view that there is mutual respect, respect of Standing Orders and respect of the decorum of this House. This temple of democracy in which we are elected to serve shall thrive for the betterment of our Republic and citizens. A motion of no confidence will not bring any change unless and until Members on the other side of the House finally accept that they should abide by rules and regulations, learn humility even though they have been in this House well before some new Members, including me and be genuine and serious regarding their responsibilities as elected Members of this Assembly and therefore answerable to the population of this country.

I thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. Hon. Ms Anquetil, please!

(1.11 a.m.)

Ms S. Anquetil (Fourth Member for Vacoas & Floréal): Je vous remercie, M. le président. Je tiens, à mon tour, à contribuer aux débats sur la motion de blâme qui vise non seulement le président de l'Assemblée nationale mais aussi son comportement qui porte atteinte à la démocratie parlementaire.

C'est la première fois dans l'histoire parlementaire qu'un président de l'Assemblée nationale, avocat de profession soit largement contesté non seulement au niveau de l'opposition parlementaire et extra parlementaire mais également dans l'opinion publique. Le ras-le-bol est quasi général. Pour couronner le tout, fait rarissime une motion de blâme envers un président de l'Assemblée nationale après seulement 27 séances parlementaires, un record sans précédent, Les médias sont les témoins privilégiés depuis son installation par le régime actuel comme président de la Chambre.

Cette motion de blâme est le principal moyen dont nous disposons dans notre Parlement pour dénoncer la multiplication des incidents qui a d'ores et déjà pollué le débat parlementaire. Quel exemple nous projetons dans notre société sur le plan national et international dans son ensemble.

M. le président, ce soir dans les rangs de l'opposition non seulement tous les députés font bloc pour condamner avec force les dérives du président mais aussi la société civile et les observateurs politiques. Je peux vous assurer, M. le président, que nous avons le soutien de la population. Mais avant de rentrer dans le vif du sujet, permettez-moi, M. le président, de rappeler à la Chambre les différentes personnalités qui se sont succédées au perchoir avant and après l'indépendance et ce après que le pays ait acquis le statut de république.

Le premier président du Parlement en fonction avant l'indépendance a été Sir Robert Stanley. Natif de Grande Bretagne, il a été en poste de février 1957 à mars 1960. Le premier Mauricien à accéder à cette fonction n'a été autre que le respectueux Sir Harilal Vaghjee de 1960 à 1979. Sir Ramesh Jeewoolall lui a succédé comme troisième président et ensuite les autres ont été dont notamment comme quatrième président Alan Ganoo, le cinquième président Ajay Daby, le sixième président Iswardeo Seetaram, le septième président a vu le retour d'Alan Ganoo. Pareil, le huitième président a vu le retour de Sir Ramesh Jeewoolall au sein de l'hémicycle. Le neuvième président de l'Assemblée nationale a été Premnath Ramnah et le dixième président Kailash Purryag, le onzième président Razack Peeroo, la douzième présidente Maya Hanoomanjee et depuis le 21 novembre 2019, M. Soorojdev

Phokeer devient le treizième président de l'Assemblée nationale. Quelle malchance diront certains. Le mystique No. 13 qui affole les superstitieux portera-t-il chance au président. L'avenir nous le dira. Quoiqu'il en soit, le président est perçu comme un chef d'orchestre qui bat mal la mesure et entraînant la cacophonie dès les premières notes au sein de la Chambre. En effet, il étonne par ses excès.

M. le président, le poste de président de l'Assemblée nationale est un poste clé dans notre système démocratique, mais, malheureusement, depuis novembre 2019, la dignité même de l'Assemblée nationale est bafouée. En effet, ce poste est prestigieux et entraîne plusieurs responsabilités entre les obligations institutionnelles, le devoir de neutralité comme un arbitre de football fait sa tâche la plus délicate car il ne doit en aucun cas en être partisan, le sens de l'écoute et de droiture. Les responsabilités du No. 1 de l'Assemblée nationale consistent aussi à assurer le bon déroulement des travaux parlementaires dans les meilleures conditions en maintenant l'ordre et la discipline et au respect des députés entre autres. Et surtout protéger les droits de tous les élus sans exception, mais surtout ceux des minorités, c'est-à-dire de l'opposition. En effet, le président de l'Assemblée nationale est le président de tous les députés sans distinction quelle que soit leur couleur politique, orange, rouge, mauve ou bleu.

M. le président, lors de mon premier mandat durant la période 2010-2014, j'ai eu le privilège de connaître deux Présidents pour qui j'ai beaucoup de respect. Il s'agit de Kailash Purryag et Razack Peeroo. Ces deux présidents ont fait honneur dans leur style respectif de présider les séances parlementaires. Ils avaient la carrure, ils étaient justes envers les députés de tous bords, jamais grossiers ni partisans.

M. le Président, pourquoi la cohabitation se passe très mal entre le président de la Chambre et l'opposition. Nous savons tous, plusieurs parlementaires l'ont dit, que le Parlement est le temple de la démocratie. Nous, nous en avons assez avec les grands coups d'éclat de monsieur Phokeer. Il nous est impossible d'assurer notre rôle de député avec un Président au comportement inqualifiable et inacceptable qui applique les *Standing Orders* lorsque cela l'arrange, qui perd son sang-froid, qui devient colérique, qui ose même dans la foulée quitter son perchoir, c'est-à-dire son lourd fauteuil, sur lequel vous êtes assis, pour aller menacer les députés de l'opposition sans cesse alors qu'il est supposé rester debout ou assis. Du jamais vu, M. le président ! Comme l'a dit les autres collègues de ce côté de la Chambre, nous vivons des scènes surréalistes à l'Assemblée nationale.

Depuis son installation le 21 novembre 2019, la neutralité du numéro six de l'État dans l'ordre de préséance mauricienne est remise en cause. Il est souvent accusé de partialité. Le Président tolère de façon évidente toutes les remarques de la majorité. Ce n'est pas le cas pour les députés de l'opposition. Récemment l'utilisation du mot 'lâche', plusieurs en ont parlé, avait chamboulé l'hémicycle, entraînant en deux occasions l'expulsion de deux membres de l'opposition, en l'occurrence l'honorable Shakeel Mohamed et l'honorable Paul Bérenger. Ce même mot, repris par le Premier ministre la semaine d'avant, n'a même pas fait l'objet d'un rappel au règlement. A aucun moment, le président lui a demandé de retirer ces propos non parlementaires.

Les rappels à l'ordre sont destinés uniquement aux députés de l'opposition. Le rôle du *Speaker* ne consiste pas non plus à *barre goal* des ministres. Notre système démocratique doit fonctionner dans le respect afin d'approfondir nos débats parlementaires pour le bien-être de notre société arc-en-ciel.

Ma collègue, l'honorable Arianne Navarre-Marie, et moi-même, avons été victimes le mardi 7 juillet lors de la tranche de questions adressées au ministre. Nous avons essayé par tous les moyens d'attirer le regard du président afin d'intervenir sur une question de l'honorable Joanna Bérenger portant sur un cas d'agression sexuelle sur une enfant de trois ans. Le président a tout fait pour nous éviter du regard afin de ne pas embarrasser davantage la ministre de l'Égalité du Genre, Développement de L'enfant et Bien-Etre de la Famille qui s'embrouillait dans sa réponse. Le président a préféré donner la parole aux honorables Dhunoo et Assirvaden. Pas de doute qu'un président averti, expérimenté, neutre et transparent aurait accordé une importance au respect de l'équilibre homme-femme dans le choix des intervenants sur un sujet aussi sensible.

Ce matin encore, pour la deuxième fois consécutive, uniquement trois questions ont pu être adressées au Premier ministre en raison des réponses interminables de manière délibérée. Je voulais apporter ma contribution en proposant quelques mesures d'urgence aux problèmes de la violence domestique. C'est déplorable la considération réservée à ce fléau qui fait rage dans notre pays.

M. le président, avec la nouvelle configuration des sièges à l'Assemblée en raison de la distanciation sociale, le président doit pouvoir avoir une bonne vision, sur tous les membres surtout les *backbenchers* qui se retrouvent dans l'enceinte de la galerie des invités, comme nous par exemple.

En effet nous avons été victimes de son incapacité à gérer la situation. Alors qu'il sait que l'honorable Navarre-Marie et moi avons toutes les deux un intérêt particulier pour tous les dossiers qui concernent les femmes, les enfants et la famille et que nous sommes membres du *Gender Caucus* dont il est lui-même le président, quel exemple pour les femmes qui veulent se lancer en politique. Son comportement, ses menaces, sa brutalité, son mépris et tant d'autres effraient les femmes à se joindre à la politique. A la hauteur de ses responsabilités qui vont de pair avec le sang-froid dont il faut faire preuve face à une assemblée, le président ne respecte pas le décorum, c'est-à-dire l'ensemble des règles de bienséance qui sont d'usage dans une société soucieuse de garder son rang.

Aujourd'hui, M. le président, on ne peut plus rien dire sans que le président irrité et surexcité s'enflamme et se met à hurler et à perdre patience. On ne compte plus le nombre de suspensions de séances. A chaque fois qu'un membre de l'opposition soulève un point d'ordre pour faire appel au règlement, il est tout simplement balayé d'un revers de la main par le président. Nous ne sommes plus à l'époque des monarchies absolues où les sujets doivent une obéissance aveugle aux rois, au Parlement ou à l'État. Avec une ambiance électrique et chaotique dans l'hémicycle chaque mardi c'est le pays qui en fait les frais. Aujourd'hui, les intérêts partisans priment sur ceux du pays.

Peut-être - peut être que le président ne réalise pas l'image qu'il projette et subséquemment de notre temple démocratique à tous les mauriciens et mauriciennes qui nous regardent. Pour établir la réputation ternie du Parlement, il va falloir que le président revoie ses prises de position et qu'il change sa façon de faire. Le respect, M. le président, se mérite, il doit gagner le respect des députés de l'opposition pour cela il devrait commencer par donner lui-même l'exemple et cesser de se mettre en représentation.

Cette motion de blâme est nécessaire et prend toute son importance car notre système démocratique est bafoué depuis novembre 2019. Tout comme mes collègues de ce côté de la Chambre, je réitère mon soutien à la motion de blâme déposé par le leader de l'opposition. Il est de notre devoir d'interpeller le président sur ses dérapages et de le '*call to order*'.

Mr Deputy Speaker, Sir, before concluding I would like to quote Tony Benn -

"It is not surprising that more and more people are coming to the conclusion that the ballot box is no longer an instrument that will secure political solutions. They can see that the parliamentary democracy we boast of is becoming a sham."

Je vous remercie, M. le président.

The Deputy Speaker: Thank you very much. Hon Mrs Diolle!

(1.27 a.m.)

Mrs T. Diolle (Fourth Member for Belle Rose & Quatre Bornes): M. le président, j'ai écouté attentivement les différentes interventions depuis le discours de lancement des débats par le leader de l'opposition sur la motion de censure contre le *Speaker*. Je dois dire que je suis très étonnée par la perception que génèrent les discours des membres de l'opposition parlementaire. Ils donnent l'impression qu'ils attendent à ce que les membres de la majorité parlementaire soient acculés, soient sur la défensive et prennent la défense du *Speaker*. Ce n'est pas parce qu'un membre de l'opposition dépose une motion de censure contre le *Speaker* que nous, les membres de la majorité, devons être sur la défensive et encore moins nous sentir obligé de défendre le *Speaker* ou ses *rulings*. Il existe une démarcation claire entre nos rôles et défendre le *Speaker* n'est pas le rôle de la majorité parlementaire. Ce qui est encore plus ridicule est cette perception que le *Speaker* défend l'exécutif et les membres de la majorité parlementaire. Nous n'avons pas besoin de protection. Nous pouvons nous défendre seul et rendre les coups donnés par l'opposition.

M. le président, que faisons-nous de mal au niveau du parlement pour solliciter la protection du *Speaker* qui est en effet un arbitre ? Je ne pense pas que les parlementaires de la majorité ou de l'Exécutif fassent quoi que ce soit de mal au sein de l'hémicycle. Donc, nous n'avons pas besoin de protection. Cette attente que les membres de la majorité parlementaire doivent défendre le *Speaker* ne doit pas perdurer. Bien au contraire, nous sommes là pour participer aux débats, il incombe au leader de l'opposition, qui est aussi le *mover* de la motion, ainsi que ceux qui soutiennent sa démarche de nous convaincre, nous les membres de la majorité, de voter en faveur de cette motion. Un débat, M. le président, qui est fort intéressant pour nous les jeunes parlementaires, puisqu'il nous pousse à nous engager dans une réflexion sur les *Standing Orders* et le décorum de la Chambre. Des règles qui n'ont pas beaucoup évolué certes mais qui néanmoins régissent les débats et de ce fait l'interaction entre opposants au sein de cette auguste Assemblée. Ces règles, M. le président, sont essentielles pour la bonne marche de la démocratie parlementaire. Elles découlent non seulement d'une sagesse qui s'est formée sur plusieurs siècles de vie parlementaire mais elles ont permis de cultiver ce qu'on appelle un ethos et une culture de la démocratie dans plusieurs pays et notamment dans notre belle République.

Pour apprécier l'importance de ces règles, il faut être animé d'une conviction de démocrate qui implique le respect de l'autre et de ce fait ne pas tomber dans la facilité de l'insulte de son adversaire pour l'intimider ou l'empêcher de parler ou encore moins avancer des arguments pour ensuite refuser d'écouter la réplique de son adversaire direct ou même la version de la personne qui est sujet à des allégations ou des accusations qui se trouvent de l'autre côté de la Chambre. La démocratie, M. le président, un mot souvent mentionné pendant les débats, est un *constant work in progress* et il nous faut une belle équipe d'hommes et de femmes animées par cette culture de la démocratie pour que les choses avancent dans le bon sens. Les institutions et la liberté d'expression ne sont pas suffisantes, il nous faut des politiciens, des hommes et des femmes de la presse et des citoyens qui sont animés par ce désir constant pour promouvoir la culture de la démocratie. Lors des débats précédents, le *Speaker* a souvent rappelé à l'ordre les parlementaires qui gesticulaient quand la réplique de leur adversaire se faisait entendre en disant *I know it hurts but you have to hear it, you had your turn...*

The Deputy Speaker: Yes, you did it. Please be minded to keep the mask. I know it's difficult at this time but be minded to keep the mask. I'm having remarks from the Clerk as well.

Mrs Diolle: Okay!

The Deputy Speaker: You can hold it, no problem, I can understand but just be minded that it serves the purpose.

Mrs Diolle: Okay ! M. le président, revenons sur les arguments avancés par le leader de l'opposition, l'honorable Dr. Arvin Boolell et les autres membres de la Chambre qui sont en faveur de cette motion de censure, qui sont principalement de l'autre côté de la Chambre. M. le président, notons qu'aucune voix dissidente jusqu'à l'heure a été entendue du côté de l'opposition parlementaire. Une vraie discipline parlementaire de '*yes man*' je dirais. En ce qui concerne les arguments avancés et repris par la majorité des membres de l'opposition, je note qu'il est reproché au *Speaker* d'agir comme un *shield* pour l'exécutif. Que l'opposition parlementaire perçoit le *Speaker* comme étant complice de l'exécutif pour empêcher l'opposition de poser des questions. Il est aussi reproché au *Speaker* d'avoir un parti pris et d'être devenu une risée dans la population. Et le quatrième point qui a été mis de l'avant pas deux parlementaires de l'opposition est que le *Speaker* a un problème avec les femmes. En tant que président du *Gender Caucus*, il devrait être sanctionné. Ils utilisent cet argument

pour expliquer pourquoi cette motion devrait être justement adoptée par la Chambre. M. le président, ces arguments ont été présentés à la Chambre comme étant des vérités d'oracle et des raisons valables et irréfutables pour sanctionner le *Speaker*.

En tant que jeune parlementaire et afin de prendre ma décision en ce qui concerne mon vote pour cette motion, il est essentiel que j'analyse les arguments apportés et que je revois les circonstances et faits qui entourent certains de ces *rulings* et incidents mis de l'avant pour nous convaincre de voter en faveur de cette motion de censure. M. le président il faudrait aussi que vous me permettiez de m'engager dans une analyse des arguments qu'avancent certains membres de la Chambre en comparaison à leur comportement puisqu'il y a par moment certaines contradictions dans les arguments avancés et les comportements de certaines membres de l'Assemblée qui me fait douter de la bonne foi ou même de la réelle volonté à travers cette motion pour rehausser le niveau et la dignité de la Chambre. Pour commencer, l'argument selon lequel le *Speaker act as a shield* pour la majorité est fort contestable et je dirais même qu'il me semble irréaliste et sans fondement.

Je m'explique : la raison pour laquelle je m'aventure à faire ce genre de déclaration est simplement dû au fait que dans la tradition parlementaire le *Speaker* est appelé à protéger la minorité et pour cela il y a une raison logique...

The Deputy Speaker: Take your time; I'll give you ample time to breath.

Mrs Diolle: *Thank you.* C'est ainsi parce que le *Leader of the House* est issu de la majorité, le *Leader of the House* qui est le Premier ministre décide de l'agenda de notre auguste Assemblée simplement parce qu'une grande majorité des *policy decisions* qui sont adoptées au Cabinet doivent être adoptées par le Parlement pour avoir force de loi et autorité. C'est pour cette raison, M. le président, que le *Leader of the House* est dans notre système, le Premier ministre lui-même, chef du Cabinet. L'opposition parlementaire a pour rôle de *scrutinise* l'action du gouvernement, c'est-à-dire du Cabinet, c'est-à-dire de l'Exécutif. Le rôle du *Speaker* est de protéger cette minorité parlementaire parce que dans la configuration même du Parlement la majorité parlementaire a les pleins pouvoirs, puisque notre système encourage et fait des *strong Governments*. Donc, à quel moment est-ce que la majorité parlementaire ou l'exécutif a besoin de protection?

Ce n'est pas plausible M. le président. Dans quel scénario cependant parce qu'on a écouté, j'ai écouté les arguments avancés par nos collègues de la minorité parlementaire, qui parlent d'un ressenti. Donc, je me suis posé la question : dans quel scénario est-ce que le

Speaker aurait besoin de protéger la majorité parlementaire ? J'ai réfléchi et je pense, M. le président, après m'être permise de revoir quelques-uns des incidents mentionnés par mes collègues de la majorité et de la minorité parlementaire, je vous dirais que ces incidents démontrent qu'effectivement il y a par moment le *Speaker* sort de ses gonds quand la minorité parlementaire se comporte mal ou comme des *bullies* et refuse de se calmer.

Les expulsions font suite systématiquement à un refus des membres de l'opposition parlementaire de se calmer et d'adopter les conventions d'usage, qui sont de présenter des excuses et retirer les propos jugés *unparliamentary*, ou simplement, respecter the *authority of the Chair*.

M. le président, nous sommes tous des êtres humains. Que nous soyons de la majorité parlementaire ou de la minorité parlementaire, nous avons beaucoup d'émotions. Nous nous comportons mal, mais la différence - puisque j'ai entendu beaucoup d'arguments qui parlent du comportement de la majorité parlementaire - est que quand vous nous rappelez à l'ordre, vous ou votre collègue, M. le *Speaker*, c'est que nous acceptons de nous calmer et nous acceptons de présenter nos excuses et de suivre les conventions d'usage. Mais les expulsions que j'ai noté depuis novembre sont toutes suite à un refus, M. le président.

Le problème n'est pas qu'un parlementaire s'emporte. Le problème n'est pas qu'un parlementaire exprime une colère. Le problème est quand un parlementaire refuse d'adopter un comportement qui permet la bonne marche des travaux parlementaires. C'est systématique, M. le président, il sera difficile, et je demande à ce qu'on me prouve le contraire, de prouver qu'il en est autrement. De ce fait, j'arrive à la conclusion, M. le président, qu'insinuer que la majorité parlementaire a besoin de protection n'est pas juste. Mais, il est juste de dire que le *bullying* n'est pas toléré dans la Chambre.

Le deuxième point, M. le président, mis en avant, est que le *Speaker* est complice de la majorité pour empêcher l'opposition de poser des questions et de *scrutinise the work of Government*. M. le président, deux incidents où l'opposition parlementaire a volontairement, complètement abandonné ses droits de *scrutinise the work of Government* me viennent à l'esprit.

Le 5 mai 2020, nous sommes en situation de couvre-feu sanitaire. Le Comité de gestion de crise tient des conférences de presse quotidiennement pour informer le public des avancées du combat menées par la nation mauricienne contre le COVID-19. L'opposition parlementaire, qui communique ses critiques de la gestion de la crise via des *Facebook live* et

des *status*, parle d'angoisse et de la nécessité de répondre aux inquiétudes de la population. Le *Leader of the House*, c'est-à-dire, le Premier ministre, qui était en communication régulière avec le Leader de l'opposition, accède à la demande de l'opposition parlementaire et les dispositions sont prises pour que le parlement soit aménagé.

Ce fameux 5 mai 2020, M. le président, le Premier ministre s'apprête à faire un *statement* sur la situation du COVID-19 dans le pays. Mais avant ce *statement*, je devais faire le *summing-up* du discours-programme. Le Leader de l'opposition fait un appel solennel pour que le discours soit apolitique. Dans les couloirs, ils se murmurent que l'honorable Bérenger, père, a dit qu'il refuse d'écouter le *summing-up*. Comme par hasard, M. le président, ce jour-là, l'honorable Bérenger, père, ne peut contenir sa colère quand le *Speaker* accorde à l'honorable Ramyad une *supplementary question*. Il était tellement en colère qu'il traite le *Speaker* de mal élevé, parce que la question n'a pas été accordée à l'honorable Uteem. Le *Speaker* lui demande: 'Avez-vous dit quelque chose?' Il répète: 'Oui, j'ai dit 'mal élevé'.' Le fait même qu'on traite le *Speaker* de mal élevé, le *Speaker* lui donne l'opportunité de rectifier le tir, de se calmer, de retirer ses propos, de présenter ses excuses. Mais, non, non; il refuse, il insiste et continue à dénigrer le *Speaker*.

Mais n'oublions pas, M. le président, que les règles qui justement régissent notre comportement, impliquent que nous respectons votre autorité et que même si vous m'agacez, parce que vous me demandez le masque, je n'ai pas le droit de vous insulter. Et si, je l'ai fait, je dois vous présenter des excuses parce que je me plie à votre autorité. Mais, si je ne peux pas me plier à votre autorité, M. le président, je n'ai pas ma place dans la Chambre, puisque je vais déranger les travaux parlementaires. C'est une logique simple, M. le président!

Et ce jour-là, l'honorable Bérenger est expulsé en mettant en pratique la section 49, qui oblige le *Speaker* à prendre des sanctions contre les membres qui ne respectent pas son autorité. L'honorable Bérenger a fait de la résistance et le *Serjeant-at-Arms* est appelé pour le mettre à la porte. A notre grande surprise, M. le président, tous les membres de l'opposition effectuent un *walkout*, ainsi, oubliant les questions et préoccupations pressentes de la population, parce que l'honorable Bérenger refusait de faire preuve d'un *orderly conduct* pour la bonne marche du *Question Time*, M. le président. Nous étions en *Question Time!* M. le président, nous étions surpris, vraiment surpris. Dans ce cas précis, il est difficile de nous faire croire, de me faire croire, qu'il y avait connivence entre le *Speaker* et les membres de la majorité pour empêcher les membres de l'opposition de poser des questions. C'est *implausible*, M. le président!

Malheureusement, ce n'est pas une chose qui ne se passe qu'une fois. Il y a un autre incident qui me ramène à la même conclusion et qui confirme cette tendance, M. le président. Et là, je fais référence à ce fameux 11 juin 2020. Ce jour-là sera à jamais gravé dans l'histoire parlementaire de notre République. Les jeunes et les générations futures devront se rappeler de ce jour, comme le jour où l'opposition parlementaire a préféré l'opposition des rues à son rôle qui est de *scrutinise* les comptes publics.

Je vous rappelle les faits, M. le président. L'opposition parlementaire s'agite. La Banque africaine de développement a émis un communiqué incriminant le *Board* du *CEB* dans une histoire de maldonne. L'opposition réclame la démission de l'honorable Collendavelloo. Une *PNQ* est posée sur le sujet. Le Premier ministre répond aux questions. L'honorable Collendavelloo promet de donner sa version des faits suite aux nombreux arguments avancés par l'opposition parlementaire réclamant sa démission. Ce fameux 11 juin, comme en témoigne toutes les évidences qu'il a *tabled to the House*, il était prêt à répondre.

Permettez-moi, M. le président, de vous affirmer que ce jour-là, je ne le pense pas, qu'à un moment ou un autre, l'exécutif avait besoin de la protection du *Speaker* contre l'opposition parlementaire. Non seulement l'honorable Collendavelloo était prêt, preuve à l'appui, pour *substantiate* ses *arguments*, mais aussi les membres de l'Exécutif étaient prêts à répondre à toutes les questions qui allaient être posés lors du *Committee of Supply*. Pour preuve, la présence d'un grand nombre de fonctionnaires et de conseillers au sein de l'hémicycle, ce jour-là.

Ce jour-là, M. le président, l'opposition a été expulsée parce qu'ils ont fait preuve d'un *unparliamentary behaviour*. Le Leader de l'opposition avait crié au complot dans la presse et a promis d'apporter l'affaire jusqu'à la Cour suprême. La jeune parlementaire que je suis est restée sur sa faim. Ce genre de divergence d'opinions est essentiel pour la bonne marche de notre démocratie parlementaire, mais jusqu'à l'heure, cela n'a été qu'une promesse faite dans les medias.

M. le président, je ne sais quoi vous dire. Je ne suis nullement convaincue qu'il y a une collusion entre le *Speaker* et les membres de l'Exécutif pour empêcher l'opposition parlementaire de poser des questions. Ces deux incidents démontrent clairement que quelques fois c'est l'opposition parlementaire qui n'a pas vraiment envie de poser des questions. Mais, nous avons témoigné, par contre, ce jour-là, ce fameux 11 juin 2020, à une tentative

systématique de l'opposition pour *bully* l'honorable Collendavelloo à coup de pancartes et de manifestation, au point où la réponse de l'honorable Collendavelloo n'intéressait pas l'opposition parlementaire, puisqu'ils ne voulaient qu'accuser. Mais est-ce que la démocratie parlementaire n'implique pas l'écoute, la réponse. On a le droit dans les débats d'avancer des arguments. Mais, est-ce qu'on peut se dire démocrate et parler de démocratie parlementaire quand on refuse d'écouter, ce que l'autre côté de la Chambre a à dire?

L'honorable Bérenger a reproché au *Speaker* d'être devenu une risée et de ne pas inspirer le respect. M. le président, qui passe son temps à défier l'autorité du *Speaker*, à le ridiculiser et à coup de conférence de presse lui donner des sobriquets avec pour but de le ridiculiser et de faire de lui une risée? Quand cet argument vient d'un honorable membre qui passe son temps à faire des conférences de presse pour se moquer, dénigrer ses adversaires et tous ceux qui le déplaît, l'argument est très peu crédible. Donc, permettez-moi de ne pas faire grand cas de cet argument.

M. le président, je terminerai par l'argument comme quoi que le *Speaker* en tant que Président du *Gender Caucus* a fauté et que pour cette raison, il faut adopter la motion de censure. Je suis membre du *Gender Caucus* donc je me sens directement concernée, M. le président. J'ai écouté attentivement aux arguments avancés et je dois vous dire, M. le président, permettez-moi de vous dire que j'ai entendu l'honorable Madame Arianne Navarre-Marie dire que l'honorable Dhaliah aurait dû être sanctionné par le *Speaker* pour avoir osé appeler un membre de son parti jeune maman. M. le président, excusez-moi mais c'est une insulte à toutes ces femmes qui ont mis leur sueur dans le combat, à toutes les vrais féministes de ce pays.

Quand l'honorable Ms Bérenger et son parti utilise sa grossesse, sa condition de femme comme un produit de *marketing*, pourquoi reprocher aux collègues politiques de l'identifier comme jeune maman. Le combat de la femme au sein du *Gender Caucus* dépasse, M. le président, ce genre de subterfuge politique pour instrumentaliser le combat du féministe comme arme politique envers les hommes.

M. le président, nous avons trop lutté pour arriver là et nous avons tellement à faire que nous ne pouvons pas cautionner ce genre de comportement et encore d'un *senior Member*, d'une femme qui a donné sa sueur dans ce combat, pour venir faire ce genre d'allégation dans le Parlement.

M. le président, si j'avais, moi, à faire une plainte au *Gender Caucus* et je vais ramener la chose au *Gender Caucus*, ça je peux vous le garantir, c'est justement autre chose, rien à voir avec ce genre de petites accusations, d'instrumentalisation de la condition de la femme mais le traitement qu'a subi l'honorable Toussaint. L'honorable Toussaint était dans la Chambre, il est devant moi. Il a été accusé dans les médias d'avoir tenu des propos indécents envers une femme dans l'Assemblée nationale alors qu'il n'a rien fait, M. le président, et j'en suis témoin. Cette campagne de dénigrement et l'utilisation du combat de la femme à des fins politiques et comme arme politique contre les hommes parlementaires, ne fait pas honneur, c'est pourquoi on se bat au quotidien, M. le président. Donc, cet argument en lui-même n'a non seulement pas de sens mais est de mauvaise foi, M. le président.

Donc, je ne vais pas m'emporter plus que ça, je vais changer de sujet mais seulement je vais vous dire une chose, c'est que cette attitude de l'honorable Madame Arianne Navarre-Marie qui s'est dit déçue depuis les premiers jours du Parlement, des jeunes de ce côté de la Chambre, qui avait tellement d'espoir en nous, les jeunes femmes de ce côté de la Chambre, démontre qu'il y a un problème de conscience chez elle, qu'il y a un problème de cohérence, que le combat du militantisme est devenu un instrument politique pour se faire passer pour une victime, M. le président.

M. le président, comme je vous ai dit, à aucun moment, je ne prends cet argument comme un argument qui peut être utilisé pour sanctionner le *Speaker*. Le *mover* de la motion ainsi que les collègues qui ont pris la parole pour soutenir cette motion, ne m'ont pas convaincu. C'est pour cela que je ne voterai pas en faveur de cette motion. Ce mal-être que je pense émane de l'opposition qui explique cette motion et qui peut expliquer ce que l'honorable Mlle Anquetil a exprimé, parce qu'elle nous parle de son étonnement qu'après 27 séances parlementaires, qu'il y ait une motion de blâme contre le *Speaker* mais ce mal-être, je pense que c'est symptomatique et on peut facilement identifier le problème. Allons commencer par le début. Le Parlement se rencontre, le boycott du discours programme par l'opposition parlementaire qui juge que le gouvernement n'est pas légitime puisque les élections étaient truquées. Ils boycottent le discours programme.

Deuxième fait, arrive le COVID-19, le Leader de l'opposition est consulté régulièrement, demande la réouverture du Parlement mais effectue un *walkout* avec les membres de l'opposition.

Le 16 juin, nous avons droit à une manifestation dans la rue au lieu de poser des questions dans le Parlement. Nous avons aussi droit à cette motion de censure et tout dernièrement, la fameuse alliance qui a commencé par une séance photo historique, M. le président.

Donc, quand l'honorable David parle de la fin de la monarchie, quand il parle du comportement des jeunes, je suis tout à fait aligné avec lui. Je pense que nous partageons les mêmes valeurs, sauf qu'il ne nous faut pas être hypocrite dans ce qu'on dit et qu'il faut se remettre en question quelques fois puisque nous sommes des parlementaires, nous avons droit à l'erreur, nous sommes jeunes, nous venons d'arriver mais notre comportement exige, M. le président, que nous ayons la capacité de présenter des excuses quand il faut en présenter. Qu'on ait la capacité d'admettre qu'on a pu avoir tort au sein de l'hémicycle par respect pour nos collègues puisque nous avons cinq ans à passer ensemble.

Et le comportement de l'opposition parlementaire depuis le discours programme et je me souviens de mon *maiden speech* où j'avais dit que nous subirons ces dénigrements et ces attaques systématiquement. Effectivement, c'est ce qui arrive puisqu'il est difficile pour l'opposition parlementaire d'accepter le fait que ce gouvernement va durer encore cinq ans. Donc, si l'honorable Melle Anquetil cherche une explication par rapport à cette motion de blâme, si je pouvais m'adresser à elle, je lui dirais que je pense qu'il y en aura beaucoup plus de motion et beaucoup plus de remise en question de la légitimité du gouvernement tant qu'on ne s'assoit pas et qu'on ne se met pas d'accord sur le fait qui a gagné les élections et qui a perdu les élections.

M. le président, permettez-moi de vous dire qu'alors que nous avons écouté avec attention les arguments de l'opposition parlementaire depuis novembre 2019, il serait temps que l'opposition parlementaire oublie leur rancune, leur sentiment de désespoir et écoute le message passé par la majorité parlementaire. Simplement, parce que la démocratie parlementaire fonctionne - il faut des démocrates qui soient capables d'écouter et qui gardent leurs principes à tout moment et cela même en temps de crise.

À force de jouer un film, ils en oublient la réalité et ce qui attend notre pays est les vraies préoccupations de la population. Alors qu'il prenait la parole lors des débats du discours programme, l'honorable Assirvaden a regardé en ma direction et a affirmé que le gouvernement était en décrépitude totale. Si l'honorable Assirvaden était présent et que je

pouvais m'adresser à lui, je lui dirais que la décrépitude totale se trouve de son côté de la Chambre.

Merci, M. le président.

The Deputy Speaker: Thank you very much. Hon. Minister Ramano, please!

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

Mr Seeruttun rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 04 August 2020 at 11.30 a.m.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) rose and seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned.

(1.57 a.m.)

MATTERS RAISED

DISPOSABLE PLASTICS

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you, Mr Deputy Speaker, Sir.

With your permission, I would like to raise an issue which is of serious concern for our environment and the quality of life and health and wellness of our population, as well as the protection of our marine ecosystem. And I am here referring to single use plastic products, also known as disposable plastics.

Mr Deputy Speaker, Sir, according to available data over 300 million tons of plastics are produced every year for use in a wide variety of applications and of which, at least, 8 million tons almost 3% of global annual plastic waste and end up in our oceans through multiple outlets including rivers. In all, plastic waste account for up to 80% of all marine debris from surface waters to sea deep sediments.

There has been a dramatic increase in plastic production from 1950 to 2015. Reports indicate that in 1950, the world production of plastics stood at only 2 million tons now the annual production has escalated by almost 200 fold which constitutes more than one ton of plastic for every person alive. China alone produces the largest quantity nearly 60 million tons followed by the US at 38 million tons and Germany at 14.5 million tons. The situation has been further exacerbated as a result of the global pandemic COVID-19 and if we are not careful and pro-active the damage to our environment would be calamitous in the future.

Mr Deputy Speaker, Sir, we do not have to be a scientist or an expert in environmental protection to understand that plastic in general is choking our planet. The more so as most plastic becomes trash after a single use. Plastic is known to be the worst polluting factor. It has contaminated the soil, rivers and oceans. It has even entered our food supply chain which has hazardous effects on people health and quality of living. The issue of plastic pollution is of growing concern and our natural environment is at serious risk. We need to reverse the trend for our continued survival and protection of marine life including the protection of our future generations. Today, we are living in a world invaded by plastic products, more importantly single use plastic which has become a way of life regardless of whether an item is used for a few minutes such as drinking straws, disposable coffee cups, plates, plastic shopping bags, bottles, you name it the list is an exhaustive one.

What makes matters worst is the manner in which plastic wastes are disposed. Different countries have different plastic waste management systems. However, plastic and their disposal are still a major global issue. It is, therefore, imperative that plastic waste disposal systems are effective, that is because several chemicals used in the production of plastic materials are known to be carcinogenic which, in turn, interfere with the body's endocrine system causing developmental, reproductive, neurological and immune disorders in both humans and wild life.

Researchers have already highlighted the possibility of humans being contaminated through the consumption of seafood as there are risks of transfer of contaminants between marine species and human through consumption.

In Mauritius, plastic waste is said to represent around 3% of the total waste produced also some 1.5 thousand tons of domestic plastic waste are being generated annually. These figures are on the high side especially in view of the non-biodegradable nature of plastic.

Mr Deputy Speaker, Sir, I am aware that the hon. Minister of Environment is very sensitive to the damage being caused to our eco-system by the increasing use of plastic. He has already initiated a series of measures to contain the problem including promulgation of the environment protection, that is, banning of plastic bags regulations that will become effective on 15 January next year. But, in my view, there is an urgency for an aggressive and rigorous campaign for the reduction of single use plastic products in our country. In the same breath, there should be an appeal against the littering of plastic wastes in open environment by some irresponsible people and these *récalcitrants* should be taken to task. Can you imagine that even our rivers and seas are not spared? We witness it almost every day. In many cases, plastic wastes are being dumped openly and with impunity. Such a behaviour can neither be condoned nor allowed to go unchecked.

Mr Deputy Speaker, Sir, we are not oblivious to the situation prevailing in the world. According to some reports, invisible plastic has been identified in tap water, salt and fish, and other marine products. It is also present in all samples collected from the world's ocean including Artic. The presence of plastic element is continuously injurious to our health. Plastic is a petroleum product that is accelerating the process of climate change and global warming. It takes decades to degrade and, if incinerated, it releases carbon dioxide into the atmosphere which increases carbon emissions. The economic and social impact of this man-made predicament is immense and should stop. Images of floating litter can appear shocking but observation suggests that the garbage on the surface of the open oceans accounts for only about 1% and all the plastics in the ocean of the remaining 99%, it is estimated that about 30% floats below the surface in the ocean while the remaining 70% ends up in coastal waters on beaches or resting on the sea bed. Today, it is estimated that about 8.8 million metric tons of plastics reach the ocean every year and 80% of this is from sources inland.

Around the world, nations are acting on reducing plastic pollution by setting targets and banning plastic. Plastic proliferation no doubt threatens our planet and the climate on a global scale. Our fight against plastic and its use should, therefore, be a major preoccupation. In other words, it should become a fierce urgency of now.

Mr Deputy Speaker, Sir, we have to get down to the overrating task of building a sustainable future for the next generations, of building a safer and more just world not just a world of scarcity as Thomas Friedman, three-time Pulitzer Prize winner and author of the international best seller 'The World is Flat', has stated in his no less famous book 'Hot, Flat

and Crowded'. Indeed our future as a nation will depend on how successful we are in our relentless effort against climate change. That's the best that we can legate to our children.

I thank you for your attention.

The Deputy Speaker: Thank you very much. Hon. Minister!

(2.05 a.m.)

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): M. le président, permettez-moi de remercier l'honorable membre de venir de l'avant pour exprimer sa préoccupation en ce qui concerne les déchets plastiques et surtout de soutenir l'initiative du gouvernement en ce qui concerne la promulgation de l'*Environment Protection (Control of Single Use Plastic Products) Regulations 2020* qui je dois le souligner, M. le président, est entrée en vigueur, a été *gazetted* le 15 juillet 2020 donc, dont les effets prendront effet à partir du 15 janvier 2021.

M. le président, avant d'entrer dans les détails en ce qui concerne les *regulations*, permettez-moi de dire que depuis les années 1950, la production de plastique n'a pas cessé d'augmenter et a dépassé celle de presque tous les autres matériaux. Une grande partie du plastique que nous produisons est conçue pour être débarrassée après une seule utilisation. En conséquence, les emballages en plastique représentent environ la moitié des déchets plastiques dans le monde.

Notre capacité à faire face aux déchets plastiques est déjà dépassée. Seulement neuf pour cent des neuf milliards de tonnes de plastique que le monde a produit a été recyclé. La plupart se trouve dans les centres d'enfouissement, obstrue les drains et les canalisations, contribue à la prolifération des maladies et représente une réelle menace pour la vie marine. Si les modes de consommation actuels et les pratiques de gestion des déchets se poursuivent, alors d'ici 2050, il y aura plus de plastique dans nos océans que de poissons. Si la croissance de la production de plastique se poursuit à son rythme actuel, l'industrie du plastique pourrait représenter 20% de la consommation mondiale totale de pétrole.

Les dommages économiques causés par les déchets plastiques sont considérables. Les déchets plastiques dans la région Asie-Pacifique coûtent à eux seuls 1,3 milliard de dollars par an aux industries du tourisme, de la pêche et du transport maritime. En Europe, le nettoyage des déchets plastiques des côtes et des plages coûte environ 630 millions d'euros par an. Des études suggèrent que les dommages économiques totaux causés à l'écosystème marin mondial par le plastique s'élèvent à au moins 13 milliards de dollars par an.

En ce qui concerne Maurice, M. le président, les chiffres sont d'autant préoccupants. Chaque individu génère quelque 1,2 kg de déchets par jour. Rien qu'en 2019, le volume total de déchets qui a convergé vers notre seul centre d'enfouissement à Mare Chicose s'élevait à environ 538,000 tonnes par an et, à ce rythme, Mare Chicose est déjà arrivé à un point de saturation. Le plastique représente environ 12.4% des déchets solides municipaux. La gestion de déchets coûte au gouvernement R 1.5 milliard annuellement, ce qui représente un coût majeur. Selon les statistiques obtenues de la douane, en 2019, Maurice a importé environ 27,296,789 unités de contenants en plastiques non-biodégradables. Parmi on retrouve les plats, plateaux, bols, gobelets, boîtes et récipients à nourriture entre autres. Sur une population de 1.3 million d'habitants, cela représente 21 contenants en plastiques non-biodégradables par habitant. Les raisons économiques, sanitaires et environnementales d'agir contre la pollution plastique sont donc claires pour chacun.

Au fil des années, notre mode de consommation a grandement changé. Nous avons évolué vers une société qui consomme énormément surtout les plastiques à usage unique non-biodégradables comme les récipients en plastique à emporter, les *takeaways*, les gobelets jetables, les assiettes, les bols jetables, les plateaux jetables entre autres.

Les gouvernements du monde entier sont de plus en plus conscients de l'ampleur de la pollution plastique, M. le président. En effet, plus de 60 pays à travers le monde ont introduit des interdictions et des taxes pour réduire les déchets plastiques à usage unique. Les sacs en plastique et, dans une certaine mesure, les produits en plastique expansé comme la mousse de polystyrène ont été le principal objectif de l'action gouvernementale jusqu'à présent, car ces produits en plastique sont souvent les formes les plus visibles de la pollution plastique.

L'Union européenne, visant à réduire les déchets plastiques, en particulier les déchets plastiques à usage unique qui polluent les plages et les mers européennes, a adopté le 27 mars 2019, de nouvelles directives pour cibler les produits en plastique à usage unique que l'on trouve le plus souvent sur les plages et les mers d'Europe, ainsi que les équipements de pêche perdus et abandonnés. Ensemble, ils constituent 70% de tous les déchets marins. Concernant les produits en plastique tels que les gobelets, les *takeaways* pour lesquels il existe des alternatives durables, au plus tard le 03 juillet 2021, les états membres de la commission européenne doivent mettre en place des mesures concrètes afin de promouvoir les alternatives moins nocives pour l'environnement. Pour les produits en plastique à usage unique comme les couverts, les plats, les pailles, les assiettes jetables, le coton tige avec bâtonnet en plastique, tige en plastique pour ballons, les touillettes à boissons, les récipients en mousse de

polystyrène utilisés pour consommer de la nourriture sur place et à emporter, ainsi que les produits en plastiques oxodégradables, c'est-à-dire qui contiennent un additif qui les dégrade en micro-fragments, au plus tard le 3 juillet 2021. Les états membres doivent interdire la mise à disposition de ces produits sur le marché. Quant aux produits en plastique à usage unique pour lesquels il n'existe pas d'alternatives, l'objectif est d'éduquer les consommateurs afin de les responsabiliser et aussi l'application de la responsabilité élargie des producteurs.

Le gouvernement a reconnu que l'augmentation croissante des déchets plastiques et la présence de déchets plastiques dans l'environnement, en particulier dans le milieu marin, doivent être abordés sans délai, M. le président. Par ailleurs, lors des Assises de l'Environnement organisées le 16 et 17 décembre 2019, les participants nous ont fait part de leur vive inquiétude face à l'impact de la pollution plastique sur notre santé, notre environnement et notre économie qui appelle à la mise en place d'un cadre légale pour attaquer efficacement ses effets négatifs.

Pour réduire notre empreinte plastique, une des premières étapes consiste à une réduction à la source. En cadre avec la vision du gouvernement, « *zero plastic waste by 2030* », le 15 juillet 2020, le ministère de l'Environnement, de la Gestion des déchets solides et du Changement climatique a promulgué une nouvelle réglementation notamment l'*Environment Protection (Control of Single Use Plastic Products) Regulations 2020*. L'objectif de cette réglementation est d'interdire une première liste de 10 produits de plastique à usage unique et là je les nomme, ils sont comme suit, nous avons les –

- 1) couverts jetables, fourchettes, cuillères, couteau, chop sticks, etc.;
- 2) gobelets jetables ;
- 3) assiettes jetables ;
- 4) bols jetables ;
- 5) conteneurs avec couvercle à charnière ;
- 6) touillettes pour boissons ;
- 7) pailles ;
- 8) plateaux jetables ;
- 9) couvercles en plastique des récipients à usage unique, et les

- 10) récipients jetables pour consommer de la nourriture sur place ou à emporter et fournis par les services alimentaires.

Bien entendu, la loi prévoit un délai de six mois afin de permettre aux importateurs et fabricants d'écouler leurs stocks existants et de se tourner vers les alternatives. Il est à ressortir qu'à la suite de l'introduction d'une taxe de R 2 par le ministère des Finances sur les *plastic containers* en mai 2019, nous avons noté une augmentation considérable dans l'importation des récipients biodégradables.

Ce nouveau règlement prendra effet, M. le président, à partir du 15 janvier 2021. L'utilisation par tout individu, y compris la possession, la vente, la mise à disposition, l'importation pour le marché local et la fabrication de ces produits seront interdits sauf ceux qui sont biodégradables ou réutilisables. La loi fait provision de différentes pénalités dépendant du type d'offense commise. Ainsi, tout individu qui possède ou utilise ces produits en plastique interdit sera passible d'une amende ne dépassant pas R 2,000. Tout individu qui possède à des fins de commerce, vend ou met à la disposition, sur le marché, un produit en plastique à usage unique interdit sera passible d'une amende ne dépassant pas R 20,000. Tout individu qui importe pour le marché local ces produits en plastique interdit encourra une amende ne dépassant pas R 50,000 et qui en fabrique encourra une amende ne dépassant pas R 100,000.

Quant aux plateaux jetables et les conteneurs avec couvercle à charnière, un délai additionnel de trois mois sera accordé et ces produits pourront être utilisés uniquement pour contenir des produits alimentaires frigorifiés ou frais autres que les produits alimentaires prêts à être consommés. De la même manière, pour les pailles scellées aux briques de boissons, un délai additionnel de trois mois sera accordé. Ces produits seront interdits à partir du 15 avril 2021.

M. le président, nous n'inventons pas la roue, Maurice rejoint l'île Rodrigues qui a introduit une nouvelle réglementation le 25 juin 2019 et qui est entrée en vigueur à partir du 01 janvier 2020 et qui vise à interdire une liste de 16 produits, parmi les plats, les gobelets, les bols, les plateaux, etc.

Il faut souligner que cela fait déjà quelques années, M. le président, que l'AHRIM, L'Association des Hôtels Mauriciens encourage le secteur hôtelier à remplacer les bouteilles d'eau en plastique par les carafes d'eau et les pailles en plastique avec celles en papier ou métal qui sont réutilisables.

M. le président, ces règlements symbolisent la volonté de ce gouvernement d'afficher sa conviction comme matière de protection de l'environnement. Aucun compromis n'est possible. Il y va de l'avenir des générations futures, un changement de mentalité est requis. Un environnement propre, M. le président, est bien une valeur humaine.

Je vous remercie, M. le président.

The Deputy Speaker: Thank you very much.

At 2.18 a.m., the Assembly was, on its rising, adjourned to Tuesday 04 August 2020 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS**INDIA - POLICE OPERATION - ALLEGED TRANSFER OF MONEY
BETWEEN AND MAURITIUS**

(No. B/390) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the alleged case of transfer of money between India and Mauritius purportedly unveiled in the course of a police operation in India has been reported thereto and, if so, if an inquiry has been initiated therein.

Reply (The Minister of Financial Services and Good Governance): I am informed by the Commissioner of Police that according to Police records, no case of transfer of money between India and Mauritius unveiled in the course of a Police operation in India has been reported to the Police as at date. Accordingly, the question of an inquiry on this matter does not arise.

SEAPORT (NEW) - MAHEBOURG - CONSTRUCTION

(No. B/392) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the proposed construction of a new seaport at Mahebourg, he will, for the benefit of the House, obtain from the Mauritius Ports Authority, information as to where matters stand.

(Withdrawn)

CONSTITUENCY NO. 1 - SPORTS INFRASTRUCTURE

(No. B/417) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the sports infrastructure located in Constituency No. 1, Grand River North West and Port Louis West, he will, for the benefit of the House, obtain information as to the upgrading and renovation thereof carried out in 2018, 2019 and since January 2020 to date, if any, indicating the –

- (a) cost incurred, and
- (b) start and completion dates thereof.

Reply: I am informed by the Municipal City Council of Port Louis that three projects relating to Sports infrastructures have been implemented in years 2018, 2019 and since January 2020 to date in Constituency No.1 –

- Construction of a new Gymnasium at Pointe aux Sables at the cost of Rs12.6 m. started in February 2017 and was completed in March 2018;
- Repair works were undertaken by the in-house labour of the Council at Les Salines swimming pool at the cost of Rs111,615. The works started in February 2019 and were completed in April 2019, and
- Construction of a cloakroom at Camp Chapelon Football Ground at the cost of Rs764,125 started in July 2020. The works are expected to be completed in October 2020.

VALLEE DES PRETRES - FLOOD-PRONENESS - SURVEY

(No. B/419) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of National Infrastructure and Community Development whether, in regard to Vallée des Prêtres, he will state if a survey has been carried out to assess the flood-proneness thereof and, if so, indicate the –

- (a) outcome thereof, and
- (b) urgent measures taken by his Ministry, if any, prior to the upcoming rainy season.

(Withdrawn)

CAESAREAN SECTION DELIVERIES – 01 JANUARY 2019 TO 30 JUNE 2020

(No. B/420) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of Health and Wellness whether, in regard to caesarian delivery, he will state the number thereof resorted since 01 January 2019 to date, indicating the –

- (a) reasons accounting for the number thereof, and
- (b) if measures are being taken to reduce the need to resort thereto and increase the chances of normal delivery.

Reply: I am informed that since 01 January 2019 to date, there have been 4,519 caesarean section deliveries carried out in our public hospitals in 2019 and 2,347 cases from 01 January 2020 to 30 June 2020 amounting to a total 6,866. As far as the private clinics are concerned, there were 2,278 C-section deliveries carried out in 2019.

As regards part (a) of the question, there are numerous reasons for the number thereof. I am informed that there are some 30 indications which could be the cause for C-section deliveries. These include, amongst others, abnormalities of pelvic organ, congenital malformation of the foetus, hypertension in pregnancy, maternal complications, obstructed labour, premature rupture of membrane, teenage pregnancy and gestational diabetes mellitus.

There are so many other reasons accounting for the number of C-section deliveries, to name but a few -

- (i) increasing maternal age;
- (ii) increased numbers of multiple births;
- (iii) higher rates of obesity among women;
- (iv) a lot of previous caesarean pregnant ladies require to be re-sectioned;
- (v) many previous caesarean pregnant ladies do not want to have a trial of vaginal delivery after having been explained the risks that the baby or themselves are exposed to despite adequate counselling;
- (vi) a growing number of teenage pregnancies with inadequacy of the maternal pelvis/Cephalopelvic disproportion, and
- (vii) increased number of sexually transmitted diseases, syphilis, HIV, Herpes where LSCS is recommended to avoid transmission to fetuses.

I am placing in the Library of the National Assembly a list of indications leading to CS deliveries.

As regards part (b) of the question, various avenues are being explored to reduce the need to resort to Caesarean section deliveries, amongst others, -

- (i) planned pregnancy;
- (ii) proper counselling;
- (iii) regular ante natal care as from 1st trimester of pregnancy;
- (iv) health education;
- (v) appropriate selection of previous CS pregnant ladies for a normal delivery, and
- (vi) implementation of fetal blood sampling during intrapartum monitoring.

LA COLOMBE & OASIS SHELTERS - CHILDREN & YOUTH

(No. B/421) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to La Colombe and Oasis shelters, she will state the number of children and youth residing thereat by age group since January 2016 to date.

(Withdrawn)

CHILDREN (MAURITIAN) - ADOPTION

(No. B/422) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to adoption, she will state the number of requests received therefor in each of the years 2015 to 2019 and since January 2020 to date in respect of Mauritian children by –

- (a) Mauritian nationals, and
- (b) foreign nationals, indicating in each case, the number thereof adopted over the same period.

(Withdrawn)

**MAURITIUS WEIGHTLIFTING FEDERATION - ATHLETE A. M. - JUNIOR
AFRICAN CHAMPIONSHIP**

(No. B/423) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Mauritius Weightlifting Federation, he will, for the benefit of the House, obtain therefrom, information as to why athlete A. M. was not selected for the Junior African Championship, held in Uganda in 2019.

(Withdrawn)

CEB - WIND FARM PROJECT - PLAINE SOPHIE

(No. B/425) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Energy and Public Utilities whether, in regard to the 29 MW capacity Wind Farm Project at Plaine Sophie, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the fate thereof in the light of the current problems being faced by the local promoter thereof.

Reply: I am informed by the Central Electricity Board that the promoter of the Wind Farm Project at Plaine Sophie is Consortium Suzlon-Padgreen Co. Ltd (CSP), a limited liability company incorporated under the Companies Act 2001, on 28 October 2010. The shareholders of the Consortium are Padgreen Co. Ltd and Valum Holding B.V., an affiliate of Suzlon Energy Ltd.

I have also been informed by the Central Electricity Board that the reconstituted Board has, at its meeting of 24 June 2020, decided to initiate actions to terminate the Energy Supply and Purchase Agreement with the Consortium Suzlon-Padgreen Co. Ltd. Legal advice has been sought, accordingly.

FOOTBALL SEASON 2019-2020 - FOREIGN PLAYERS

(No. B/427) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Labour, Human Resource Development and Training whether, in regard to the five foreign players transferred from Madagascar for the 2019-2020 football season by the *Cercle de Joachim* Football Club, which attracted the imposition of a fine of approximately Rs400,000 by the FIFA for failing to abide by the Transfer Matching System Regulations, he will state if consideration is being given for the setting up of an inquiry regarding the

submission of International Transfer Certificates not recognised by the FIFA which led to the issue of work permits to the said players.

(Withdrawn)

**LIGUE DES CHAMPIONS DE LA CONFÉDÉRATION AFRICAINE DE FOOTBALL
& COUPE DE LA CONFÉDÉRATION AFRICAINE DE FOOTBALL -
PARTICIPATION**

(No. B/428) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the *Ligue des Champions de la Confédération Africaine de Football* and the *Coupe de la Confédération Africaine de Football*, he will, for the benefit of the House, obtain from the Mauritius Football Association, information as to if Mauritius will participate therein and, if so, indicate the teams that will represent Mauritius thereto.

(Withdrawn)

**GEORGE V STADIUM - COMMISSION INFRASTRUCTURE DU COJI 2019
REPORT**

(No. B/429) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the bad conditions of the football ground at George V Stadium, he will state –

- (a) if the final report of the *Commission Infrastructure du COJI 2019* has been submitted to his Ministry and, if so, table copy thereof and, if not, why not, and
- (b) the remedial measures taken by his Ministry in relation thereto.

(Withdrawn)

LA VALETTE INTEGRATED SOCIAL HOUSING VILLAGE

(No. B/430) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Integrated Project of La Valette, in Bambous, he will state the number of

families concerned therewith, indicating the number thereof having obtained their respective housing contract and where matters stand for the remaining families.

Reply: La Valette Integrated Social Housing Village comprises 199 housing units, of which 197 units are currently occupied.

According to the lease agreement between the beneficiaries of La Valette and the Mauritius Housing Corporation Ltd (MHC), upon completion of payment of the first three years amounting to a total sum of Rs36,000, and subject to all the terms and conditions of the social contract, the lease agreement and the “*cahier des charges*” having been complied with, the beneficiaries may have the option to purchase the housing unit.

Out of the 197 existing beneficiaries of La Valette, 143 have already paid the three years of rent amounting to Rs36,000 while the remaining 54 still have arrears.

Discussions are ongoing with the National Empowerment Foundation in an effort to regularise the situation of the families at La Valette.

VILLE NOIRE - NEW BRIDGE - CONSTRUCTION

(No. B/431) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of National Infrastructure and Community Development whether, in regard to the proposed construction of a new bridge at Ville Noire, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the work progress thereof, indicating what will be the fate of the existing bridge.

(Withdrawn)

M4 MOTORWAY – CONSTRUCTION

(No. B/432) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of National Infrastructure and Community Development whether, in regard to the proposed construction of the M4 Motorway, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the –

- (a) alignment;
- (b) total project cost, and
- (c) expected start and completion dates thereof.

(Withdrawn)

JAWAHARLAL NEHRU HOSPITAL – PARKING SPACES

(No. B/433) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to the Jawaharlal Nehru Hospital, he will state if consideration will be given for the –

- (a) setting up of an enhanced management system of the parking area thereof, and
- (b) provision of additional public parking spaces thereat.

Reply: The attention of my Ministry had been drawn to the fact that there was a problem of parking of vehicles within the premises of our regional hospitals.

Consequently, my Ministry sought the assistance of the Traffic Management and Road Safety Unit in order to help us in managing the parking space of these hospitals. The Ministry was advised that the provisions of the law regarding road management should also apply to parking areas in hospitals. Hence, the Traffic Management and Road Safety Unit undertook an exercise of marking in four Regional Hospitals so as to prevent uncontrolled parking and also to allow Police to enforce law provisions.

In regard to part (a) of the question, as far as Jawaharlal Nehru Hospital is concerned, there are 266 parking slots which are available within the premises of the hospital. These parkings are allocated as follows –

- | | | |
|-------|------------------|---|
| (i) | Hospital staff | 172 slots (signages are affixed for reserved parkings); |
| (ii) | Public | 92 |
| (iii) | Disabled persons | 2 |

I am also informed that a sensitisation campaign has been carried out by Police to alert members of the staff as well as the public from 24 June to 28 June 2020 on illegal and uncontrolled parking. As from 29 June, contraveners are being sanctioned.

Security Guards and the Police have now reinforced access to the premises of the hospital and control over the parking areas.

As regards part (b) of the question, I am informed that there is no space being given that the land available within the premises of the hospital has already been earmarked for

additional infrastructural projects. However, space is available outside the premises of the hospital for the public to park their vehicles.

CLEAN PETROLEUM PRODUCTS – SUPPLY

(No. B/435) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Commerce and Consumer Protection whether, in regard to the Open International Bidding for the Supply of Clean Petroleum Products with the closing date of 11 August 2020, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the evaluation methodology that will be used prior to the award of the contract.

(Withdrawn)

STATE TRADING CORPORATION - IMPORTS - FOREIGN CURRENCY

(No. B/436) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Commerce and Consumer Protection whether, in regard to the State Trading Corporation, he will, for the benefit of the House, obtain therefrom, information as to the amount of foreign currency made available by the Bank of Mauritius thereto for its imports, since 01 January to 30 June 2020.

(Withdrawn)

MEDICAL EQUIPMENT - PACK & BLISTER - PURCHASE

(No. B/437) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Commerce and Consumer Protection whether, in regard to the recent purchase of medical equipment from Pack & Blister, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the mode of payment therefor and table copy of the pro forma invoice received from Pack & Blister.

(Withdrawn)

STATE TRADING CORPORATION - MEDICAL EQUIPMENT - PURCHASE

(No. B/438) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Commerce and Consumer Protection whether, in regard to the medical equipment purchased by the State Trading Corporation on behalf of the Ministry of Health and Wellness over the period 01 January to 30 June 2020, he will, for the benefit of the House, obtain and table the list of the suppliers thereof, indicating the corresponding amount

of money paid in relation thereto.

(Withdrawn)

CENTRAL WATER AUTHORITY - LA CAVERNE & PHOENIX - NETWORKS

(No. B/439) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the project for the rehabilitation of old water pipes and networks in Constituency No. 15, La Caverne and Phoenix, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the regions concerned therewith, indicating the –

- (a) expected start and completion dates thereof, and
- (b) number of households who will benefit therefrom.

Reply: I am informed by the Central Water Authority that it supplies water on the basis of six District Water Supply Zones and not constituency-wise. I am also informed that the regions in Constituency No. 15 form part of the Upper Mare aux Vacoas water supply zone.

With regard to the rehabilitation of old water pipes, I wish to refer the hon. Member to reply made to PQ B/93 of 09 June 2020. As stated, the CWA is implementing pipe replacement projects around the island in a phased manner so as to achieve 24/7 hours water supply island wide, with priority given to most critical areas.

About 500 kms of pipes have already been replaced across the island over the last five years for a total amount of Rs2.4 billion. This includes the replacement of 27 kms of pipes in John Kennedy Street, 30 kms in Solferino, 4 kms in Henrietta, 6.4 kms from Piton du Milieu to Hermitage. An additional 486 metres of pipes have also been replaced under the Highlands and Valentina sewerage projects.

With regard to parts (a) and (b) of the question, I am informed by the CWA that some 34 kms of old and defective pipelines are planned to be replaced in the Upper Mare aux Vacoas water supply zone up to January 2023 for the benefit of some 24,400 households.

I am also informed that these planned pipe replacement projects include the replacement of some 2.4 kms of old and defective pipes in the regions of La Caverne and Phoenix. The works will be undertaken under the Framework Agreement for Minor Works as follows –

- (i) 935 metres along Royal Road, Camp Fouquereaux;
- (ii) 500 metres along Galea Road 1 and 2;
- (iii) 300 metres along Phael Road, Highlands;
- (iv) 280 metres along Nadess Road, Highlands, and
- (v) 360 metres along Raggio Lane in Paillotte.

The works are planned to be carried out during the next two financial years and will improve the water supply for some 1,400 households.

VACOAS MARKET FAIR - RELOCATION

(No. B/440) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Vacoas Market Fair, he will, for the benefit of the House, obtain from the Municipal Council of Vacoas-Phoenix, information as to if an alternative site has been earmarked for the relocation thereof and, if so, indicate -

- (a) the expected start and completion dates of the relocation works and estimated cost thereof, and
- (b) if the occupiers of stalls thereat have been informed accordingly, indicating when and where they will be relocated.

Reply: I am informed by the Municipal Council of Vacoas-Phoenix that in the context of the implementation of the Vacoas Urban Terminal Project, it has been proposed by the Council that the Vacoas Market and Market Fair would be integrated in the Urban Terminal.

Accordingly, consideration was being given for the temporary relocation of the Vacoas Market and Market Fair during the construction phase. The site which has been identified for the relocation of amenities is the adjacent area where the SMF Quarters, the CAB office and store of the Ministry of Education, Tertiary Education, Science and Technology are presently located.

You may wish to note that the Vacoas Market Fair being the largest market fair of the island, hosts more than 1,300 stallholders on a total extent of land of 1A80. The new site which has been identified for relocation of existing amenities is on a total extent of 2A48.

Consequently, the cost of temporary relocation may reach around Rs50 m., hence, other options are also being considered.

In view of the above, it is not possible at this stage to provide information requested at part (a) with regard to the expected start and completion dates of the relocation works.

As regards part (b), I am informed by the Municipal Council of Vacoas-Phoenix that the stallholders at the Vacoas Market and representatives of the Vacoas Fair have been informed about the Vacoas Urban Terminal Project and their temporary relocation.

**MAURITIUS STANDARDS BUREAU – GENERAL MANAGER –
REMUNERATION & BENEFITS**

(No. B/441) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the General Manager of the Mauritius Standards Bureau, he will, for the benefit of the House, obtain from the Bureau, information as to the remuneration and other benefits drawn.

Reply: I am informed that the General Manager of the Mauritius Standards Bureau draws -

- A monthly salary of Rs110,000 plus compensation at approved rate on a monthly basis;
- An end of year bonus equivalent to one month's salary;
- 100% duty free and loan facilities for the purchase of a car up to 2000 cc and a ceiling of Rs1,186,000 and a monthly car allowance of Rs31,500 in lieu of official car or use of Government official car;
- Monthly petrol allowance Rs12,740 or diesel allowance of Rs10,705;
- Monthly driver's allowance of Rs8,820;
- Passage benefits;
- 21 sick leaves and 21 casual leaves respectively for every year of contract;
- Gratuity at the rate of 2 months' salary of the amount of salary drawn payable on completion of 12 months' satisfactory service and thereafter, *pro rata* against actual rounded number of months' service completed, and
- A cellular phone and calls not exceeding Rs2000.

**POINTE JÉROME YOUTH TRAINING CENTRE - RENOVATION,
REPAIRS & LANDSCAPING WORKS**

(No. B/442) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the

Pointe Jérôme Youth Training Centre, in Mahebourg, he will state if any renovation, repairs and landscaping works are being envisaged thereat and, if so, indicate the estimated cost thereof.

(Withdrawn)

**EXCLUSIVE ECONOMIC ZONE - INTERNATIONAL FISHING VESSELS -
LICENCES**

(No. B/443) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to international fishing vessels, he will give the list thereof issued with licences to fish in our Exclusive Economic Zone as at to date.

(Withdrawn)

**UNIVERSITY OF MAURITIUS & OTHER LOCAL UNIVERSITIES –
INTERNATIONAL RANKING**

(No. B/444) Dr. M. Gungapersad (Second Member for Grand’Baie & Poudre d’Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the University of Mauritius and other local universities, she will state the present ranking thereof at international level.

(Withdrawn)

CAMBRIDGE – SC-HSC EXAMS – MAY/JUNE 2021

(No. B/445) Dr. M. Gungapersad (Second Member for Grand’Baie & Poudre d’Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Cambridge School Certificate and Higher School Certificate Examinations to be held in May/June 2021, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate (MES) –

- (a) information as to the arrangements made in the syllabuses thereof by the University of Cambridge Local Examinations Syndicate and the MES, if any, and
- (b) table copy of the correspondences exchanged regarding the cost thereof.

(Withdrawn)

CAP MALHEUREUX – STATE LAND

(No. B/446) Dr. M. Gungapersad (Second Member for Grand’Baie & Poudre d’Or) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to State land, he will state the number of plots thereof located in Cap Malheureux which have been leased since January 2015 to date, giving the list of the lessees and the corresponding rent payable.

(Withdrawn)

MASKS & PERSONAL PROTECTIVE EQUIPMENT

(No. B/447) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to masks and personal protective equipment, he will state the number thereof purchased and received in donation over the period March 2020 to date, indicating the –

- (a) number thereof utilised, and
- (b) category and number of persons eligible for receipt thereof.

(Withdrawn)

OMBUDSPERSON FOR FINANCIAL SERVICES - APPOINTMENT

(No. B/448) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Financial Services and Good Governance whether, in regard to the Ombudsperson for Financial Services, he will, for the benefit of the House, obtain information as to the –

- (a) name, qualifications held and terms and conditions of appointment of the incumbent, and
- (b) number of complaints received at his office since 2019 to date, indicating the –
 - (i) number thereof investigated into, and
 - (ii) aggregate amount of compensation awarded, if any.

Reply: The post of the Ombudsperson for Financial Services is currently vacant and action is being initiated for its filling. Accordingly, part (a) of the question does not arise.

With regard to part (b) (i) of the question, I am informed that since the Office of the Ombudsperson for Financial Services became operational on 01 March 2019 to date, 1,158 complaints have been received. Of these, 977 have been investigated into, following which 685 cases have been resolved and 25 cases closed in view of the fact that these were either not under the purview of the Office of Ombudsperson or the complaints were withdrawn by the complainants.

The outcome of the remaining 267 complaints which have been investigated into have yet to be determined. Moreover, investigations have not yet started with respect to 181 cases.

As regards part (b) (ii) of the question, I am informed that only one award has been made by the Ombudsperson for a compensation amounting to Rs968,260. Furthermore, the Ombudsperson also conducted mediation in 158 cases between the institutions concerned and the complainants whereby an aggregate amount of compensation to the tune of Rs14,801,237 has been agreed upon for payment in favour of the complainants.

FINANCIAL SERVICES COMMISSION – GLOBAL BUSINESS LICENCE

(No. B/449) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Financial Services and Good Governance whether, in regard to entities holding a Global Business Licence suspected of involvement in cases of money laundering and financing of terrorism over the period January 2014 to date, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to the –

- (a) number thereof;
- (b) aggregate amount of funds involved, and
- (c) outcome of any investigation carried out in relation thereto.

Reply: I wish to inform the House that the financial services sector plays a prominent role in the Mauritian economy, reckoning an average growth of 5.2% over the past five years and contributing to around 12% to the GDP. Mauritius is the second most developed financial sector in Africa, comprising mainly the banking sector, the investment funds, the insurance sector and the capital markets.

It is imperative that the role of the Financial Services Commission (FSC) be placed in its proper context as regards the combatting of money laundering and financing of terrorism.

The Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) Mutual Evaluation Report for Mauritius, published in September 2018, highlights that the FSC is the integrated regulator and the supervisory body in relation to Anti-Money Laundering and Combatting the Financing of Terrorism (AML/CFT) for the non-banking financial services and for the global business.

The FSC is mandated under the Financial Services Act 2007 (FSA) as well as under other legislations, such as the Securities Act 2005, the Insurance Act 2005 and the Private Pension Schemes Act 2012 to license, regulate, monitor and supervise the conduct of activities in the non-banking financial services and the global business sectors. Furthermore, the Financial Intelligence and Anti-Money Laundering and the Financial Services Act confer powers to the Commission to take regulatory sanctions, such as the revocation of licence, disqualification of Directors and officers, against its licensees.

On the other hand, the ICAC is the main specialist agency for money laundering investigations, and the FSC, the Mauritius Police Force (MPF), the Mauritius Revenue Authority (MRA) and other competent authorities refer cases of money laundering to it.

It is, therefore, important that the role of the FSC and the actions it takes with regard to money laundering be considered in the light of the clarifications I have brought, namely the focus for the FSC is primarily on preventative measures to combat and mitigate the risks of money laundering and terrorism financing.

As regards part (a) of the question, I am informed by the FSC that for the period 2014 to date, 64 suspected cases of money laundering and financing of terrorism involving entities holding a global business licence and/or officers of these entities have been reported to the Commission.

With regard to part (b) of the question, I am informed by the FSC that the sources of these reported suspected cases are intelligence shared by the Financial Intelligence Unit and the FSC's foreign counterparts as well as complaints from whistle-blowers.

Generally, the intelligence reports do not mention the quantum or amount of money involved, and, even if same is mentioned, the quantum is not necessarily accurate.

Accordingly, the aggregate amount of funds involved relating to the suspected reported cases cannot be ascertained.

As regards part (c) of the question, I am further informed that out of the 64 suspected cases, investigations have been completed in 33 of them, amongst which regulatory sanctions have been taken in 9 cases. No further action was warranted in 12 cases and information was shared with the FIU in 12 other cases. As at date, 31 cases are still under consideration at the FSC for any other further action required.

FOOTBALL SEASON 2019-2020 - FOREIGN PLAYERS

(No. B/450) Mr E. Juman (Port Louis Maritime & Port Louis East) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the foreign football players, he will, for the benefit of the House, obtain from the Mauritius Football Association, information as to the number of licences, if any, issued for the football season 2019-2020, indicating if the FIFA has imposed any sanction in relation thereto.

(Withdrawn)

EID AL-ADHA FESTIVAL - CATTLE - SALE

(No. A/50) **Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Attorney-General, Minister of Agro Industry and Food Security whether, in regard to the forthcoming Eid Al-Adha festival, he will state if measures will be taken to ensure that all those involved in the selling of cattle on registered cattle parks produce a certificate testifying the age of the cattle to the prospective buyers.

Reply: It is already an obligation under the Consumer Protection (Control of Sale of Imported Live Animals for Home Slaughter) Regulations 2010 for sellers to specify in writing the age of cattle put on sale.

Cattle which are two years of age have two permanent incisors. Consumers are allowed to verify that the animals are of this age by checking the mouth of the cattle and verify the number of teeth and incisors.

I am informed by the Ministry of Agro-Industry and Food Security that the Veterinary Division ensures that the animals imported and put for sale for the Eid Al-Adha festival are aged two years or above.

As per the Consumer Protection (Control of Sale of Imported Live Animals for Home Slaughter) Regulations 2010, a detailed receipt has to be submitted to the buyers. A copy of same is being placed in the Library of the National Assembly.