



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 04 AUGUST 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
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Hon. Avinash Teeluck	Minister of Arts and Cultural Heritage
Hon. Teeruthraj Hurdoyal	Minister of Public Service, Administrative and Institutional Reforms

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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 28 of 2020

Sitting of Tuesday 04 August 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. Prime Minister's Office**Ministry of Defence, Home Affairs and External Communications****Ministry for Rodrigues, Outer Islands and Territorial Integrity**

The Declaration of Assets (Extension of Time during COVID-19 Period) Regulations 2020. (Government Notice No. 167 of 2020)

B. Ministry of Local Government and Disaster Risk Management

(a) The Municipal Council of Quatre Bornes (Pay Public Toilets) (Amendment of Schedule) Regulations 2020. (Government Notice No. 168 of 2020)

(b) The Local Government (Fees) (Amendment) Regulations 2020. (Government Notice No. 169 of 2020)

C. Ministry of Finance, Economic Planning and Development

(a) The Finance and Audit (Special Fund for the Welfare of the Elderly) (Revocation) Regulations 2020. (Government Notice No. 161 of 2020)

(b) The Finance and Audit (Amendment of Schedule) Regulations 2020. (Government Notice No. 162 of 2020)

(c) The Income Tax (Amendment No. 4) Regulations 2020. (Government Notice No. 166 of 2020)

(d) The Freeport (Amendment of Schedule) Regulations 2020. (Government Notice No. 171 of 2020)

D. Ministry of Financial Services and Good Governance

(a) The Annual Report 2018 of the Insurance Industry Compensation Fund.

(b) The Insolvency (Extension of Time during COVID-19 Period) Regulations 2020. (Government Notice No. 163 of 2020)

E. Ministry of Commerce and Consumer Protection

- (a) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 18) Regulations 2020. (Government Notice No. 160 of 2020)
- (b) The Consumer Protection (Control of Sale of Imported Live Animals for Home Slaughter) (Amendment) Regulations 2020. (Government Notice No. 164 of 2020)
- (c) The Steel Bars, Steel Wires and Steel Fabrics (Mauritian Standard Specifications) Regulations 2020. (Government Notice No. 165 of 2020)
- (d) The Consumer Protection (Scrap Metal) (Amendment No. 2) Regulations 2020. (Government Notice No. 170 of 2020)

F. Ministry of Arts and Cultural Heritage

The Annual Report of the National Library for the period 01 July 2017 to 30 June 2018.

ORAL ANSWERS TO QUESTIONS

PENSION REFORM – BENEFICIARIES – FUNDS DISBURSED

The Leader of the Opposition (Dr. A. Boolell) (*by Private Notice*) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Pension Reform, as announced by Government, she will state the –

- (a) current number of beneficiaries of the –
 - (i) Contributory Pension under the National Pension Fund;
 - (ii) Basic Retirement Pension;
 - (iii) Basic Widow’s Pension, and
 - (iv) Basic Invalidity Pension,
 indicating, in each case, the total amount of funds to be disbursed over each of the next three years;
- (b) total number of contributors to the National Pension Fund as at to date, and
- (c) forecast on the depletion of the funds in the National Pension Fund.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, the world is experiencing an ageing population and Mauritius is no exception.

The growth in the population of its elderly is faster than the increase in its birth rate.

By 2050, one in six people in the world will be over the age of 65 years (16%). By 2050, one in four persons could be aged 65 or over. The number of persons aged 80 years or over is projected to triple, from 143 million in 2019 to 426 million in 2050.

The phenomenon of an ageing population will have a direct impact on our social protection system. The number of Basic Retirement Pension beneficiaries in Mauritius rose by 107% from 112,000 in the year 2000 to 232,030 in July 2020 and is expected to reach 343,000 by 2054. Payment of Basic Retirement Pension has increased from Rs6,710 to Rs9,000 as at December 2019. With a decreasing birth rate, increasing life expectancy and an increase in the number of old people aged 60 and above, the sustainability of the pension system represents a real challenge.

As regards part (a) (i) of the question, I wish to inform the House that the National Pensions Act was enacted in 1976 and contributions to the National Pension Fund started as from July 1978. The different contributory benefits payable under the National Pension Fund are as follows -

- (i) Contributory Retirement Pension;
- (ii) Contributory Widow's Pension;
- (iii) Contributory Invalid's Pension;
- (iv) Contributory Orphan's Pension;
- (v) Industrial Injury Allowance;
- (vi) Disablement Pension;
- (vii) Constant Attendance Allowance;
- (viii) Survivor's Pension (Industrial Accident);
- (ix) Dependant's Pension (Industrial Accident), and
- (x) Orphan's Industrial Injury Allowance (Industrial Accident).

I am informed that as at date, the current number of beneficiaries of the contributory pensions under the National Pension Fund stands at around 171,711. For the Financial Year 2020-2021, a total amount of around Rs3.6 billion is expected to be disbursed by the Fund. For Financial Year 2021-2022, the amount is expected to be Rs4 billion and for Financial Year 2022-2023, it is expected at Rs4.5 billion.

As regards part (a) (ii) of the question, I am informed that presently 232,030 beneficiaries are drawing a monthly Basic Retirement Pension. For the Financial Year 2020-2021, the total amount of funds to be disbursed for the payment of Basic Retirement Pension is estimated at Rs27.7 billion. As for the Financial Year 2021-2022, the total amount of funds to be disbursed is estimated at Rs28.5 billion and for Financial Year 2022-2023, the amount to be disbursed is estimated at Rs29.4 billion. I would like to highlight that the number of beneficiaries of Basic Retirement Pension increases by around 12,000 every year.

As regards part (a) (iii) of the question, I am informed that we have presently 18,239 beneficiaries drawing a Basic Widow's Pension. For the Financial Year 2020-2021, the total amount of funds to be disbursed for the payment of Basic Widow's Pension is estimated at Rs2.1 billion. For Financial Year 2021-2022, the total amount of funds to be disbursed is estimated at Rs2.12 billion and for Financial Year 2022-2023, the amount is estimated at Rs2.125 billion.

Now, with regard to part (a) (iv) of the question, I am informed that the current number of beneficiaries of Basic Invalidity Pension stand at 29,049. The total amount of funds to be disbursed for the Financial Year 2020-2021 is estimated at Rs3.7 billion. For the Financial Year 2021-2022, the total amount of funds is estimated at Rs3.71 billion and for the Financial Year 2022-2023, the estimated amount is Rs3.715 billion.

With regard to part (b) of the question, I am informed that the number of contributors to the National Pension Fund as at 31 July 2020 is 317,719.

As regards part (c) of the question, I wish to inform the House that with the introduction of the *Contribution Sociale Généralisée* in September 2020, the National Pension Fund will continue to operate and will honour its obligations towards its beneficiaries. All those who have so far contributed to the National Pension Fund will be paid their benefits as and when they retire. As for existing beneficiaries who have already retired, they will continue to receive their monthly pensions.

Moreover, the National Pension Fund will continue to invest its surplus fund, as has always been the case, with a view to maximizing return.

The existing Actuarial Firm RisCura Solutions (Mauritius) Ltd is undertaking an actuarial review of the National Pension Fund. It is only on completion of that review that we will be in a position to give a forecast.

Thank you, Mr Speaker, Sir.

Dr. Boolell: I thank the hon. Minister for being prompt, precise, and transparent. The hon. Minister stated that we have an ageing population and we wish for a baby boom which is not coming, of course, we call for a buoyancy cut in the economy under the circumstances, quite difficult. Now, in the light of the seriousness of the reform which has been introduced by Government - there is a proposed reform mentioned in the Budget - can I ask the hon. Minister whether the High-Level Ministerial Committee on Pension Reform has met since the coming into office of this Government and, if so, on how many occasions, and when exactly?

Mrs Jeewa-Daureeawoo: Cabinet took the decision in 2016 to set up a High-Level Committee to look into the pension system. At that particular time, in 2016, I was attached to the said Ministry. I, myself, chaired some meetings of the High-Level Committee and I even took the decision to set up a Technical Committee comprising professionals well versed in the pension matter, including an Actuary. I chaired some of the meetings of the High-Level Committee and I do know that the Technical Committee met on some occasions to take stock of all decisions discussed in the meetings.

Dr. Boolell: Can I ask the hon. Minister to be precise? In relation to the Ministerial Committee that was set up in 2016, how many times did that Committee meet? And, of course, with the incoming Government, I would like to know precisely the number of meetings which were held.

Mrs Jeewa-Daureeawoo: As I have said, the High-Level Committee met on some occasions. I cannot say exactly on how many occasions, but I can say that I, myself, have chaired three meetings of the High-Level Committee.

Dr. Boolell: Can you then, Madam Minister, table the Minutes of Proceedings of the meetings of the High-Level Ministerial Committee on Pension Reform since the coming into office of your Government?

Mrs Jeewa-Daureeawoo: Well, hon. Leader of the Opposition, this is not the practice. The Minutes of Proceedings are for the internal use of any Ministry. So, we normally table a report, if there is any, not the Minutes.

Dr. Boolell: Madam Minister, of course, good governance implies that information should be released and made available. I am not saying that you need to release all the information, but at least the salient points of the Minutes of Proceedings so that the public is fully aware as to whether there had been ongoing discussions in the light of the proposed reform introduced in the Budget by the Minister of Finance.

Mrs Jeewa-Daureeawoo: Yes, I fully understand your point, but you will agree with me that whenever there is a Committee, the notes of meetings are for internal use. What we do communicate is the official report of the meetings because there might be changes; all the discussions are not yet over. So, how can one expect a Ministry to release notes of meetings which are not official documents?

Dr. Boolell: Can I ask you then, Madam Minister, whether you are willing to table the findings of the report on the Pension Reform or you are not?

Mrs Jeewa-Daureeawoo: No, there is no report. When there will be a report, as I have said, there is...

Dr. Boolell: Can you give firm guarantee that it will be tabled?

Mrs Jeewa-Daureeawoo: No, if ever there is an...

Dr. Boolell: Am I to understand, Madam, that there will be a report, but it will be tabled?

Mrs Jeewa-Daureeawoo: No, as I have said, the High-Level Committee was set up in 2016 and I, myself, chaired some of the meetings, and that's it. I don't know whether there has been continuation of the said High-Level Committee. So, I can't now say that there will be a report concerning the High-Level Committee.

Dr. Boolell: Can I ask the hon. Minister whether the Technical Committee on the Pension Reform, which comprises Officials of the Ministry of Finance, the National Pension Fund, Business Mauritius and Trade Unions, has met and, if yes, the number of times it met and whether there was exchange of information and proposal or counter-proposal made in the light of the proposed measure announced in the Budget?

Mrs Jeewa-Daureeawoo: Yes, of course, as I have said earlier, I myself - I am not an economist, so it would have been difficult for us to deal with this High-Level Committee without the relevant stakeholders. That's why, at that particular time, I took the decision to set up a Technical Committee comprising relevant stakeholders well-versed in pension matters. As I have said, I have even taken the necessary measure to include an Actuary in that meeting. I can answer for myself; the Technical Committee met on some occasions when I headed the Ministry of Social Security.

Dr. Boolell: Again, in the name of transparency, can the Minutes of Proceedings of the Technical Committee be tabled, Madam Minister? I think it is very relevant.

Mrs Jeewa-Daureeawoo: I will give you the same answer. We are here talking of notes of meetings, not the report. Because one has to understand that the duty of the Technical Committee is to report what has been decided to the High-Level Committee, and then the High-Level Committee would come up with an official report, but we did not reach that step.

Dr. Boolell: Madam Minister, consultation and exchange of information are very important in relation to a major reform. As far as I know, in the light of the reply which you have given to the House, it seems that the consultations have been very light; there has been no in-depth consultation. Can I ask you, Madam Minister, whether the Senior Citizens Council was involved in the exchange of information? Because if we refer to one of the statutory objects, it is to advise Government on matters relating to the welfare of senior citizens. Was the Senior Citizens Council consulted?

Mrs Jeewa-Daureeawoo: Yes, as far as I remember, we have asked for the views and suggestions of our senior members, because they are an important component of our society. In the best interest of the elderly, of course, we do have to take their views and suggestions. As far as I remember, we have taken their views.

Dr. Boolell: On how many occasions did the interactive sessions take place, and what were the views expressed, Madam Minister?

Mrs Jeewa-Daureeawoo: Well, you are taking me back to 2016. Time flies, so many years have passed, I do not have all the information now, but, as I said, at that particular time, we have taken the views of all relevant stakeholders concerned.

Dr. Boolell: Madam Minister, since you cannot recall and bring it into your short-term memory, can I impress upon you then to, again, table the findings of those meetings?

Mrs Jeewa-Daureeawoo: The official report was not completed. We were still at the stage of discussion. So, notes of meetings are normally - you have been in Parliament for so many years, you have been Minister, you know very well the procedures of Ministries.

Dr. Boolell: Madam Minister, I would have expected a wide consultative meeting with all the stakeholders. Things have been going in a piecemeal manner. Can I ask you what were the findings, at least, if you can give us the salient points of the meetings that have been held with the different stakeholders, which are relevant to the reform which has been proposed in the Budget?

Mrs Jeewa-Daureeawoo: Well, up to now, there are no final decisions taken because, as I have said, when I was at the level of the Ministry, I chaired three meetings, and all the meetings were not yet over. So, how can I, at this stage, come up with what has been discussed?

Dr. Boolell: Madam Minister, let me ask you something which is very relevant and which is down to earth, because this is the question that we all want to know. How is it possible that Government has already legislated on Pension Reform when there is not yet a report of the Ministerial Committee, although actuarial review in respect of 2011 and 2013 has been tabled, but yet, a copy is yet to be tabled in the Assembly? Can you tell us how is it possible that Government has already legislated on Pension Reform when there is yet no report available?

Mrs Jeewa-Daureeawoo: I disagree with your comments because the *Contribution Sociale Généralisée* is a budgetary measure provided in the Finance Bill of 2020. You will agree with me that the Bill is still being debated in the House and has not yet been promulgated. In the evening itself, today, debate will resume. So, nothing has been finalised yet. If I may add on what I have just said, my colleague, the hon. Minister of Finance, in his reply, did mention that he has had wide consultations with relevant stakeholders.

Dr. Boolell: Madam Minister, Pension Reform is not a joystick. It entails wide reform, and when we talk of reform, we need to have the relevant document! How is it that

reform is being introduced in a very haphazard manner, which is very hollow? Can I ask the hon. Minister to be serious and to look into all the issues?

(Interruptions)

I don't know whether the Minister of Finance or herself had meeting with the Association of Actuaries. I don't know whether you took cognizance of what the Association of Actuaries is saying, that the *Contribution Sociale Généralisée* is unsustainable!

Mrs Jeewa-Daureeawoo: Hon. Leader of the Opposition, I think there is no need to shout. This is a beautiful Tuesday, nice weather, I don't think you have to shout to get an answer. If you continue shouting, you will not get a rational answer from me. You have the full right to put your questions. I expect courtesy and you have to give me leeway to answer too. Okay! So, I have just explained to you that the pension system which is being brought falls under the Ministry of Finance. The Minister of Finance has explained lengthily in the PNQ addressed to him that he has had wide consultations with the relevant stakeholders. So, that's it; consultations have taken place. The *Contribution Sociale Généralisée* is a policy decision of our Government.

Dr. Boolell: Okay, since it is a policy decision, Madam Minister...

(Interruptions)

Yes, I am addressing her. I have no instruction to take from you. No instruction to take from you! I have been in this House longer than you have been. Okay, please!

Now, can I the hon. Minister what are the detailed changes which Government is going to bring to the Universal Non-Contributory Basic Retirement Pension in this Pension Reform? Will the Minister be able to inform the House?

Mrs Jeewa-Daureeawoo: The National Pension Fund is the paying agent for all the basic pensions, whereas the National Pension Fund is used to pay contributory pensions. So, these are two distinct things and what the hon. Leader of the Opposition is saying is premature. At the time we are discussing the reform, no decision has been taken to bring changes in the Basic Retirement Pension.

Dr. Boolell: You say that no decision has been taken. I am sure, but I want to refresh your memory. You will recall, Madam Minister, what was promised by the then Prime Minister in *Domaine Les Pailles*. And, therefore, I will come to the specific question regarding what is the expected payment under the Universal Non-Contributory Basic

Retirement Pension, which a 65-year old pensioner will receive when the first payment of benefit is made under the *Contribution Sociale Généralisée* in July 2023. What is the expected payment, Madam Minister?

Mrs Jeewa-Daureeawoo: You are talking of the Basic Retirement Pension?

Dr. Boolell: Non-Contributory, yes!

Mrs Jeewa-Daureeawoo: Well, the Basic Retirement Pension will be Rs13,500 for beneficiaries at the age of retirement.

Dr. Boolell: As from 2023. Is that what you are saying? Those who are 65 and over will be entitled to Rs13,500?

Mrs Jeewa-Daureeawoo: Yes. This is my reading. It will be Rs13,500 at the age of retirement.

Dr. Boolell: And part of that contribution is coming from the *Contribution Sociale Généralisée*. In fact, am I to understand that we are going to have an amended BRP?

Mrs Jeewa-Daureeawoo: Maybe I will try to get an answer from the Minister of Finance who is well-versed with the *Contribution Sociale Généralisée*.

Dr. Boolell: Can I ask the Minister whether the Minister of Finance and the Government have been apprised of the findings submitted by the Association of Actuaries, that the *Contribution Sociale Généralisée* will probably be a one-off, and it will be depleted after the additional payment being made to Basic Retirement Pension, in relation to those who are 65 years of age?

Mrs Jeewa-Daureeawoo: Well, to this question, I will simply say that the Minister who is assigned responsibility of the *Contribution Sociale Généralisée* is the Minister of Finance. If I dare to adventure on this particular question, I might give you the wrong information because it is the Minister of Finance who is the responsible Minister. So, I will humbly request you to put a substantive question to the Minister of Finance.

Dr. Boolell: Madam Minister, I take it for granted, and I subscribe to what you said earlier. I take it for granted, because you said that there was a High Powered Ministerial Committee, that information had been relayed to you by your colleague, the Minister of Finance. Am I to understand that there is no collective responsibility in Government, there is no collective sharing of information, and each one acts on its own? Is this governance, is this transparency?

(Interruptions)

Is it the way this Government is run? In a piecemeal manner?

An hon. Member: You need to put your question to the concerned Minister.

Mrs Jeewa-Daureeawoo: Hon. Leader of the Opposition, I am ready and willing to answer the questions which concern my Ministry, but how can you expect me to answer questions which are not directly related to my Ministry? This is very unfair. It is a collective decision; we have had consultations, but I leave it to the Minister concerned to reply to the parts which concern him directly.

Dr. Boolell: In the meantime, Madam Minister, I am sure you have taken cognizance of what the Minister of Finance has said. We are abolishing the National Pension Fund, and the National Pension Fund falls under your responsibility. We are abolishing the National Pension Fund. Did you take up this issue with the hon. Minister of Finance when he stated, point-blank, in the Budget, that this Government is abolishing the National Pension Fund?

Mrs Jeewa-Daureeawoo: Well, the National Pension Fund will phase out with time, but the National Pension Fund will continue to exist to pay out benefits to all those who have contributed to the Fund, so far. However, if I may add, the Fund will no longer take any contribution as from 01 September 2020.

Mr Speaker: Time is over! Prime Minister's Question Time! Hon. Ameer Meea!

EASTERN HIGH SECURITY PRISON – CCTV CAMERA SYSTEM

(No. B/452) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Eastern High Security Prison, in Melrose, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the number of Close Circuit Television Surveillance System cameras installed, indicating the number thereof which are presently not operational.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Prisons that out of the 544 cameras installed at the Eastern High Security Prison, as at date, 339 are not operational.

I wish to point out that Beijing Zhuzong-Hyvec Partners Joint Venture, the Contracting firm which constructed the prison and which also installed the CCTV camera

system, handed over the completed infrastructure to the Mauritius Prison Service on 31 October 2013 with a defect liability period of two years.

During those two years, the contractor intervened on several occasions to address problems related to the CCTV system.

The tender exercise for the contract which was awarded to Beijing Zhuzong/Hyvec Partners included the maintenance component, which reads as follows, and I quote -

“Allow for five-year maintenance cost to make the whole CCTV system in this project fully operational labour and call on site only (Spare parts subject to client’s approval of quotation), contract to be signed between the client and the supplier of the CCTV system after the guarantee period.”

Hence, after the defect liability period, the advice of the State Law Office was sought as to whether the maintenance contract agreement was to be signed with the main contractor. Same was confirmed by the State Law Office. Accordingly, the Mauritius Prison Service signed a five-year maintenance contract on 10 February 2016 with the same contractor to the tune of Rs19 m. plus VAT, as from January 2016 to 31 December 2020.

However, as at June 2016, 73 cameras were not operational. The contractor, who was apprised of the situation, carried out an overall inspection of the CCTV system. The contractor reported that the cause of the non-operational cameras was damage to fibre optic cables by rodents and frequent power loss due to some faulty Uninterruptible Power Supplies (UPS). Thereafter, the contractor submitted a quotation to the tune of Rs2,002,979.16, including VAT for repairs to be undertaken, subject to the UPS and other related materials being supplied by the Prisons Department, as provided for in the contract agreement.

Mr Speaker, Sir, following several meetings held to find a way out as the amount was considered to be on the high side, the contractor subsequently submitted a revised quote to the tune of Rs1,852,755.71, including VAT. A sum of Rs926,377.86 representing 50% of the contract amount was paid. Work started on 21 July 2017 for completion within a period of six to eight weeks.

Action was taken by the Prisons Department to address the issue of rodents by allocating a contract to Alpha Pest Management.

Following a procurement exercise, on 10 January 2018, Powersure Ltd was awarded a contract for the replacement of faulty UPS batteries to be completed by 14 February 2018. It was also noted that 16 UPS were still not working and the resulting situation had an incidence on the functioning of the camera system.

A further quotation of Rs2,295,00.38 was submitted by the contractor on 28 March 2018 to repair same.

Since the functionality of not all the cameras was restored under the first quote, a sum of Rs926,377.86 was withheld until the system was fully operational to the satisfaction of the Mauritius Prison Service. This gave rise to a contractual dispute.

As a result of that contractual dispute and non-satisfactory service by the company, there had been no interventions by the contractor since June 2018.

On 13 July 2018, the Ministry sought the advice of the State Law Office on the possibility of terminating the contract with the company and was advised that termination could be envisaged for convenience, but the contractor could sue Government afterwards.

On 09 July 2019, Beijing Zhuzong-Hyvec Partners Joint Venture served a “*Notice Mise en Demeure*” upon the Mauritius Prison Service with respect to outstanding fees to the tune of Rs5,152,095.50, which include the sum of Rs926,377.86. That was withheld plus interests, representing amount due under the said Maintenance Agreement and other three Maintenance Agreements.

Mr Speaker, Sir, it is important to highlight that there are many dark areas with regard to the contract allocated to Beijing Zhuzong-Hyvec Partners Joint Venture for the construction of the Eastern High Security Prison. The House would wish to know that the original contract value at the time of award on 09 August 2010 was Rs1,491,686,781.53. The final contract value with variations was Rs2,134,890,869.13. The contract also included a mandatory clause to enlist the same contractor for maintenance. At the time of handing over of the prison on 31 October 2013, neither the Resident Project Manager nor the relevant CCTV Consultant reported anything adverse with respect to compliance of the project specifications by the contractor.

The original contract value for the CCTV system stood at Rs29 m. while the final cost reached Rs63.1 m.

As I said earlier, the CCTV system was defective from the very first months following delivery. The maintenance contract was never fulfilled to the satisfaction of the Mauritius Prison Service. To add to that, I am informed that the contractor has not delivered satisfactorily on three other maintenance contracts, namely for -

- (i) maintenance agreement for security systems;
- (ii) maintenance agreement for kitchen equipment, and

(iii) maintenance agreement for computer networking.

In view of the situation which is of concern to me, I have initiated action to look into legal avenues to deal with the contractor and find a workable alternative to ensure that the CCTV system at the Eastern High Security Prison works effectively.

Mr Ameer Meea: Mr Speaker, Sir, we are talking of a high security prison which has cost Rs2 billion of taxpayers' money. The issue of cameras not working dates back to more than five years, and today we are being told that 339 out of 544 cameras are not operational, that is, 62% of the cameras are not operational, and this has been the case for the last five years. My question to the hon. Prime Minister is: will he agree with me that we need an independent enquiry as to why the cameras are not operational in this high security prison, the more so because the previous Commissioner of Prisons and presently his Adviser to prison made a public statement where he stated he does not believe in cameras?

The Prime Minister: I do believe in cameras. I do not know what other people think about cameras, but the hon. Member, I think, should be aware that these are the types of contracts that were signed by the former Labour/PMSD Government.

(Interruptions)

One minute! But let me reply! Let me enlighten you, maybe you are not aware! Have you ever seen such types of contracts where you are obliged - you are obliged, it is mentioned in the contract - that you have to sign a maintenance contract with the contractor and that there is no exit clause. And this is ...

Dr. Boolell: You were the Minister of Finance.

Mr Speaker: Hon. Leader of the Opposition!

(Interruptions)

The Prime Minister: Prison!

Mr Speaker: Hon. Leader of the Opposition!

The Prime Minister: Prison!

(Interruptions)

What are you talking about?

(Interruptions)

What are you talking about? 31 October 2013! This was the baby of Dr. Navin Ramgoolam! Melrose Prison, we all know! We all know the scandal! The scandal of Melrose Prison! This is part of the scandal.

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order!

The Prime Minister: Le Leader de l'opposition est amnésique ! Has Dr. Navin Ramgoolam erased part of your memory?

(Interruptions)

So, hon. Ameer Meea, when you have such a condition, as I have just mentioned, in the contract. I must say that since the very beginning, the prison has drawn the attention of the contractor that number of cameras were not in working order; well, not really working, as at least, they were not having images. You are talking about Mr Appadoo. Mr Appadoo had sent a letter, at that time, to the contractor to say, and I shall quote, because it is very easy to just mention the name of somebody as if you are saying that he has not done anything. He wrote to the contractor to say, and I quote: 'You are reminded that the contract for construction of high security prisons at Melrose specifies that laying of fibre optic cables and other cables in underground conduits should be laid in well secured installation to prevent rodents from entering any conduits and manholes to cause damage to the cables'. And he concluded by saying, and I quote: 'Just after the commissioning of the system in October 2013, cameras started not displaying images and, to date, it is continuously faulty. We are not satisfied with your service of maintenance and the matter has been referred to State Law Office for advice.'

So, this has been the situation, and the problem today is that we cannot get out of it. I was going to use, maybe, an unparliamentary word to qualify this kind of contract which the Labour/PMSD Government has engaged Government into.

Mr Speaker: Hon. Uteem!

Mr Uteem: I just heard the hon. Prime Minister say something which, you know, I am puzzled, because I am a lawyer. And I don't know in which law in the land, when someone breaches a contract, does not perform, Government is obliged to go and keep...

(Interruptions)

I don't know what is the kind of law, but certainly...

Mr Speaker: Order!

Mr Uteem: Certainly, under the law that I studied in Mauritius, if a contractor is not observing his part of the deal, we can rescind the contract and appoint a new contractor.

The Prime Minister: You know, we have throughout sought advice from the State Law Office, and it has given its advice. I have just replied in the answer which I have given that, if the contract is rescinded, Government is liable to pay damages eventually, should the contractor decide to sue Government. So, if we do one thing, then the Opposition will say, 'well, you have rescinded the contract; now you are going to pay heavy damages and then it comes from public funds'. So, we need to know and we need to be guided by legal advice. I am a lawyer, yes, just like the hon. Member, but I am not the one who is advising Government. I do not take decisions on my own. I stand to be advised by our Legal Adviser, the State Law Office.

Mr Ameer Meea: Mr Speaker, Sir, the maintenance agreement which was entered with the company was, if I am not wrong, a five-year maintenance contract which will end in December this year. The issue of rodents, etc., I am not contesting this reason. But cameras, nowadays, in Mauritius, are very common, be it in offices, be it in houses, be it Safe City or whatever, and all these issues like rodents, heavy rain, lighting and thunder are catered for during the installation. My question to the hon. Prime Minister is why is it that we repeatedly have this issue at Melrose prison?

The Prime Minister: Mr Speaker, Sir, I am not a technical person, but when I consider all the information that has been provided to me, I think the situation is so obvious.

En effet, c'est évident que, dès le départ, la construction, les installations ont été mal faites. Clair ! Pas besoin d'aller grimper sur un arbre pour trouver ce qui s'est passé, et pas besoin d'aller grimper sur un arbre aussi pour peut-être conclure que ce qui s'est passé autrement concernant le montant, pourquoi le budget a été augmenté par des millions de roupies.

Mr Speaker: Hon. Mrs Mayotte!

Mrs Mayotte: Thank you, Mr Speaker, Sir. Since some CCTV cameras are not operational, can the hon. Prime Minister tell us what measures have been taken to enhance security at the prison?

The Prime Minister: I must say that not all the cameras are not operational. There are 339 which, I must say, are of great concern because that is quite a number. But, in the meantime, the prison has decided that there should be more officers who are being deployed across the different strategic points of the prison. There are more regular patrols that are carried out both inside and outside the institution, and there is the use of two-way radios and regular communication with the control room, and other measures which have been taken in order to compensate for not being able to use these cameras.

Mr Speaker: Next question! Hon. Léopold!

BALADIROU, RODRIGUES - TECHNOPARK PROJECT

(No. B/453) Mr J. B. Léopold (Second Member for Rodrigues) 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 Construction of a Technopark at Baladirou, Rodrigues, Project, he will state where matters stand, indicating the expected start and completion dates thereof.

The Prime Minister: Mr Speaker, Sir, to enable the implementation of the Technopark Project which would cater for the operation of ICT related companies, availability of High Speed Internet was a must in Rodrigues. This is now a reality via the Mauritius and Rodrigues Submarine (MARS) Fibre Optic Cable, a project that was implemented under my first tenure as Prime Minister.

The project contract was signed between the Rodrigues Regional Assembly and Mauritius Telecom Ltd on 18 November 2017 for the sum of USD 44,784,694.

The official landing of the MARS Fibre Optic Cable was held on 27 November 2018 at Grand' Baie, Rodrigues, well ahead of the scheduled delivery date.

Since 23 April 2020, Mauritius Telecom Ltd has been instructed by the Rodrigues Regional Assembly to make available bandwidth capacity on the MARS Cable, on wholesale basis exclusively to duly licensed operators, as from 11 May 2020. Hence, the tariffs for bandwidth are effective as from that date.

Mr Speaker, Sir, my Government is strongly committed to give its full support to the economic development of Rodrigues. As part of this commitment, I announced in my Budget Speech 2018/2019, the construction of a Technopark in Rodrigues to promote entrepreneurship and employment in the field of ICT.

In accordance with the concept plan prepared by Landscape Mauritius, Lux Consult Ltd was appointed to design a state-of-the-art building comprising four levels (G + 3) of an area of 5,200 M² at Baladirou, with leasable space of around 2,975 M².

The Rodrigues Business Park Development Company Ltd, having as shareholders the Rodrigues Regional Assembly and the Development Bank of Mauritius, was incorporated on 11 February 2019 for the development and management of the Technopark.

Site clearance for the construction of access road has been completed on 23 October 2019. During my visit to Rodrigues in December 2019, I unveiled the concept plan of the Technopark.

Mr Speaker, Sir, a tender exercise for the construction of the Technopark was launched on 10 July 2020. Closing date for the submission of bids is 31 August and construction works are expected to start by mid-October 2020 and will be of a duration of 24 months.

A Call Centre is already operational since last year at Port Mathurin. It currently employs around 60 persons. This shows that there is scope to increase employment in the ICT sector in Rodrigues.

As regards the Technopark Project, the Rodrigues Regional Assembly has already embarked on initiatives to market same and has, since five years, been training the youngsters in the field of ICT.

Mr Speaker: Hon. Léopold!

Mr Léopold: Can I ask the hon. Prime Minister how the project will be funded?

The Prime Minister: There is a loan from Government to the tune of Rs220 m. and there are also proceeds that the RRA will receive once the ex-Pointe Venus Hotel has been sold.

Mr Speaker: Next question, hon. Léopold!

MV WAKASHIO - ESTABLISHED PROCEDURES - COMPLIANCE

(No. B/454) **Mr J. B. Léopold (Second Member for Rodrigues)** 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 bulk carrier vessel named MV Wakashio, he will, for the benefit of the House, obtain from the National Coast Guard, information as to if the captain thereof had complied with all established procedures while sailing in the Mauritian lagoon.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that one of the main responsibilities of Captains of vessels at sea is to comply with the United Nations Convention for the Law of the Sea and with the International Regulations for Prevention of Collision at Sea.

The relevant provisions of the United Nations Convention for the Law of the Sea and the International Regulations for Prevention of Collision at Sea have been enforced in the Maritime Zones Act and the Merchant Shipping Act respectively. Thus, when vessels are sailing within the territorial waters of Mauritius, they have to also comply with the requirements of the Maritime Zones Act and the Merchant Shipping Act.

In line with the established standard practice, all vessels entering the territorial waters of Mauritius are contacted by the National Coast Guard on Very High Frequency Channel 16, which is a dedicated channel used by all vessels at sea. Whilst being advised to keep clear of the Mauritius coast, the following information is requested from the Captain of vessels -

- 1) Last Port of Call, and
- 2) Next Port of Call.

Mr Speaker, Sir, I am further informed that on Saturday 25 July 2020 at 18 15 hours, the National Coast Guard Radar Operators based at the Coastal Surveillance Radar System Station, Pointe du Diable, first spotted a Panama-flagged bulk carrier MV Wakashio at 11.5 nautical miles in the common sea route, that is, the innocent passage, off the Mauritius coast.

The following actions were initiated by the National Coast Guard -

- (a) in accordance with the standard practice, the MV Wakashio was first called at 18 15 hours on 25 July 2020 by the Coastal Surveillance Radar System Station, Pointe du Diable. No response was, however, received. The vessel was thereafter called on several occasions with a view to establishing

communication, but to no avail. The National Coast Guard Operations Room based at Les Salines was also monitoring the vessel through the Automatic Identification System;

- (b) at 19 10 hours, as the vessel was observed to be about 6 nautical miles from Mahebourg and was approaching the coast at a speed of 11 knots, the National Coast Guard Operations Room requested the Coastal Surveillance Radar System Station, Pointe du Diable, to call the vessel anew and to instruct the Captain thereof to alter its course and to keep clear of the coast;
- (c) at 19 10 hours itself, the vessel was again called by the Pointe du Diable Coastal Surveillance Radar System Station, but still without any response;
- (d) at 19 25 hours, as the vessel appeared to stop off Pointe d'Esny, the Coastal Surveillance Radar System Station, Pointe du Diable, immediately called the vessel, but again no response was received. The vessel was anew called at 19 30 hours, but again no response was received;
- (e) subsequently, between 19 45 hours to 20 10 hours, the Mahebourg and Blue Bay National Coast Guard Posts called the vessel on several occasions, but no radio contact could be established.

Mr Speaker, Sir, I am additionally informed that at 20 10 hours, the Master of the vessel finally responded to the call made by the National Coast Guard. Whilst providing information relating to its position, its last Port of Call being Singapore and the next Port of Call being Brazil, the Master of the vessel informed that the vessel was on the innocent passage. After further query, the Captain stated that he had lost control of his vessel, which got grounded near Pointe D'Esny, Mahebourg.

The following observations have been made by the National Coast Guard -

- (a) no distress or MAY DAY signal had been received from the vessel at any point in time, and
- (b) no distress signal was noted on either the Global Maritime Distress Safety System or the Maritime Rescue Coordination Centre.

Mr Speaker, Sir, the National Coast Guard then initiated the necessary actions in accordance with its Standard Operating Procedures, which, *inter alia*, include the following -

- (a) gathering of information pertaining to the vessel;

- (b) informing the Commissioner of Police, the Commanding Officer of the National Coast Guard, the Director of Shipping, the Port Master, the Ministry of Environment, Solid Waste Management and Climate Change, the Ministry of Health and Wellness, amongst others, of the incident;
- (c) informing the Mauritius Radio Services to broadcast to vessels operating in the area to keep clear of the grounded vessel, and
- (d) mobilising the Oil Spill Team and Divers of the National Coast Guard.

Mr Speaker, Sir, I have been informed by the Commissioner of Police that a Police enquiry has been initiated into this case to look into the details such as negligence of the shipping staff, oversight in passage planning, poor judgement in closing the coast and other aspects.

Furthermore, in line with the Merchant Shipping Act, the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping is also conducting an enquiry to look into the circumstances that led to the grounding of MV Wakashio at Pointe D'Esny.

Mr Speaker, Sir, it is, therefore, only after completion of the enquiries that it would be possible to determine the exact circumstances that led to MV Wakashio being grounded at Pointe D'Esny.

Mr Speaker: Hon. Léopold!

Mr Léopold: Thank you, Mr Speaker, Sir. Can I ask the hon. Prime Minister whether the Coast Guard of the Republic of Mauritius has formal training to deal with such type of incident?

The Prime Minister: The Coast Guard, in such a case, would normally monitor the movement of this vessel and, as I have stated in my answer, once it sees that the vessel is, maybe not manoeuvring in a normal manner - well, this is what they did; they got in touch on numerous occasions, at numerous times, but, unfortunately, there was no response from the Captain and, eventually, it was only after the ship was grounded that the Captain got in touch with the Coast Guard.

Mr Speaker: Time over!

Hon. Members, the Table has been advised that PQ B/488 will be replied by the hon. Minister of Gender Equality and Family Welfare. PQs B/496, B/497, B/498, B/505, B/506, B/507, B/513, B/514 and B/515 have been withdrawn.

Mr Speaker: Hon. Ameer Meea!

CENTRAL HEALTHCARE WASTE DISPOSAL FACILITY – IMPLEMENTATION

(No. B/461) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to Healthcare Waste Management, he will state where matters stand as to the proposed implementation of a central healthcare waste disposal facility.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that the United Nations Development Programme in collaboration with my Ministry, the Ministry of Environment, Solid Waste Management and Climate Change, and the Ministry of Agro-Industry and Food Security would be partnering on the Global Environment Facility: Chemicals and Waste projects through a Co-Financing project proposal.

In June 2019, the UNDP has allocated an amount of USD 4.5 million to Mauritius, subject to the submission and subsequent approval of a project concept. Out of the USD 4.5 million, my Ministry is expected to benefit an amount of USD 1.1 million in relation to the setting up of a Central Healthcare Waste Treatment Facility.

Mr Speaker, Sir, I chaired a meeting on 17 March 2020 with representatives of the UNDP, the Ministry of Finance, Economic Planning and Development and the Ministry of Environment, Solid Waste Management and Climate Change to discuss on the management of Healthcare waste and the proposal of the UNDP to provide technical and financial assistance to my Ministry for the implementation of the Central Healthcare Waste Treatment Facility.

A Project Coordination Committee convened by the UNDP was scheduled to meet on 20 March 2020 to follow up on the project. However, due to COVID-19 lockdown, the Committee did not meet.

In the meantime, on 27 May 2020, the UNDP submitted to my Ministry a draft Project Document requesting for our agreement and a letter of co-financing. Subsequently, on 09 July 2020, at the first Project Coordinator Meeting through video conferencing, the project document was discussed.

Following the Committee meeting, my Ministry informed the UNDP of some changes to be effected in the project document and a letter of co-financing to the tune of USD 925,000 was submitted on 22 July 2020.

Mr Speaker, Sir, the UNDP is expected to transmit the project proposal for validation by September 2020 and upon approval, the implementation is expected to start at the beginning of 2021.

Mr Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Mr Speaker, Sir, this issue has been long on the cards. And answering to a PQ in October 2018, the previous Minister of Health informed the House, I quote –

“I am informed that on 20 July 2017, my Ministry invited proposals for consultancy services for the procurement of a National Healthcare Waste Disposal Facility through an Open Advertised Bidding. The cost of the consultancy services was estimated at Rs9,965,000.00.”

And later on, the bid was found to be not responsive.

May I ask the hon. Minister whether since then, has there been any other bidding exercise for consultancy services?

Dr. Jagutpal: Mr Speaker, Sir, no. There has been no further exercise of consultancy services, because, as I have mentioned in my answer, we are working on the UNDP programme for the project of the UNDP.

Mr Speaker: Hon. Nuckcheddy!

Mr Nuckcheddy: Thank you, Mr Speaker, Sir. Can the hon. Minister provide to this House a breakdown of the co-financing project to the tune of 925,000 USD?

Dr. Jagutpal: Mr Speaker, Sir, the co-financing commitment which amounts to the total of USD 925,000 for the period of 2021 to 2026, the items are as follows –

So, recurrent healthcare waste management cost over the five years which may include running cost of incinerator, cost of waste sent from regional hospital and the cost of waste sent to Mare Chicose landfilling, that will amount to 400,000 USD;

Representation in project Steering Committees, meetings, visits, time to review documents and submission of inputs and comments, that amounts to 150,000 USD, and

The capital healthcare waste management cost depending on the recommendations of the feasibility study of the UNDP, GEF, which may include cost of the centrally healthcare

waste incinerator and two incinerators at Sir Seewoosagur Ramgoolam National Hospital and Jawaharlal Nehru Hospital which will amount up to 335,000 USD.

Mr Ameer Meea: The hon. Minister seems to have much information. So, can I ask him presently which incinerator is operational and also, where the untreated biomedical wastes that are generated by the public health institutions are being disposed?

Dr. Jagutpal: At present, the incinerator at Brown Sequard Mental Healthcare Centre is being used to incinerate body parts from other hospitals and wastes from the COVID-19 Treatment Centre. Other wastes are being sent to the Mare Chicose landfilling centre.

Mr Speaker: The Table has been advised that PQ B/499 and B/508 have been withdrawn!

Next question, hon. Ameer Meea!

METRO EXPRESS LTD - INSURANCE POLICY

(No. B/462) 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 insurance policy taken in relation to the Metro Express, he will, for the benefit of the House, obtain from Metro Express Ltd., information as to the –

- (a) name of the insurer, and
- (b) terms and conditions thereof, including, the premium payable, cover period and liabilities covered.

Mr Ganoo: Mr Speaker, Sir, the Government's ambition is to provide this country with the safe, fast and reliable public transport. The Metro Express is a fitting example of such an innovative and alternative mode of transport.

Since the start of operations in December 2019, Metro Express has already safely transported some 1.4 million passengers. In order to run safety and in line with international standards, Metro Express Ltd has ensured compliance with all safety and security equipment. In this regard, among others, all the assets of MEL, MEL's staff and for any third party, necessary arrangements have been made to contact appropriate insurance covers in anticipation of the start of operations. Similar to what is being provided in the Road Traffic Act for land transport, the Light Rail Act puts the burden on MEL to ensure that its policy of insurance covers and captures relevant risks that may result out of the operation of its light rail vehicles.

In addition, under the light rail licence issued by NLTA to the Light Rail Operator, MEL is required to secure and maintain in full force and effect, various insurance policies to cater, *inter alia*, for its operations, employability and protection of its assets against physical damage. In fact, with a view to ensuring that operational risk adequately covered through appropriate insurance policies, Section 15 of the Light Rail Act mandatorily imposes on MEL to contract third party insurance in respect of its light rail vehicles.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that in view of its novelty and its technical intricacies of the light rail, a competitive international tender exercise was launched by MEL to appoint an insurance broker in October 2018. Following this exercise, City Broker Ltd. was appointed in January 2019, in collaboration with MEL, CBL, prepared the bidding documents and launched a competitive tender exercise on 06 August 2019, involving 12 insurers. In order for Metro Express Ltd. to offer a world-class service, thorough safety, security and risk assessment, exercises were conducted. Given the complexity of most of the insurable risks, these were categorised into three packages, namely

–

- (i) property damage;
- (ii) business interruption, and
- (iii) third party liability.

Local insurance companies were invited to submit their best quotes to provide the appropriate insurance cover for the above insurable risks specific in the railway sector. By the closing date of 02 September 2019, seven insurers submitted their quotations. CBL conducted a thorough evaluation of the bids in collaboration with MEL and a report was submitted to MEL's Board for approval on 10 September 2019. The Board approved the recommendations of CBL and awarded the contract for insurance to the SICOM, Swan, Tandem on 20 September 2019, based on the best-evaluated offer and their respective area or specialisation.

With regard to part (b) of the question, Sir, the period of insurance is for one year starting from 30 September 2019 to 30 September 2020. The annual premium is Rs40 m. and covers MEL overall assets for Phase I estimated at Rs9 m. I am informed as from September 2019, MEL has put in place all the required policies and prerequisites in accordance with the Light Rail Act 2019 to operate a public transport light rail transit system. These include appropriate insurance policies that cover MEL operation in respect of the following liabilities

-

- (i) MEL property damage, that is, fire, cyclone, flood, earthquake, terrorist attack, riots, derailment;
- (ii) MEL business interruption, loss of revenue and increase cost of working as the result of the above, and
- (iii) MEL liability towards employees, passengers and other third party.

My Ministry is thus comforted that necessary arrangements have been put in place by MEL to comply with the provisions of the law.

Mr Speaker, Sir, the House may, therefore, rest assured that MEL has made due arrangements to be adequately covered under relevant policies of insurance in order to provide for a safe and efficient commute and that all risks pertaining to the operation of the light rail are duly captured under insurance contracts.

Mr Ameer Meea: Mr Speaker, Sir, there have been a few cases of accident and theft of cables. Can I ask the hon. Minister has there been any claim made to the insurance companies and, if yes, how much has been claimed and how much has been received by MEL?

Mr Ganoo: The hon. Member is right, Mr Speaker, Sir. As at date, six incidents have been reported of which one is being settled on amicable terms and the remaining five claims have been sent to the insurance company. One has been settled as I've just said and the remaining five are still being processed by the insurance company.

Mr Speaker: Next Question!

MAURITIUS - SAUDI ARABIA CONSULAR MISSION

(No. B/463) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the proposed opening of the Saudi Arabia Consulate General and/or Embassy in Mauritius, he will state where matters stand.

Mr Bodha: Mr Speaker, Sir, I wish to inform the House that following a request from the Kingdom of Saudi Arabia, the Government conveyed its *agrément* on 20 January 2017 for the temporary opening of a Consular Mission of the Saudi Arabia in Mauritius to facilitate the issues of visas to Mauritian nationals during the period of Hadj and Umrah pilgrimages and for tourism purposes pending the opening of an Embassy. Subsequently, the Kingdom of Saudi Arabia opened its Consulate General in Mauritius in July 2018.

On 18 June 2019, Mr Ahmed Bin Abdul Aziz Bin Salamah, a career diplomat assumed duty at the Consulate General of the Kingdom of Saudi Arabia in Mauritius. The Consulate General in Mauritius operates under the purview of the Embassy of the Kingdom of Saudi Arabia based in Pretoria, South Africa.

Mr Ameer Meea: Mr Speaker, Sir, answering to PQ B/502 in 2018, the previous Minister of Foreign Affairs informed the House that, I quote -

“In fact a delegation which came in January listed 3 plots of land and we are in the process of locating and identifying the plot of land that would be acceptable to the Saudi Government.”

So, therefore, can I ask the hon. Minister where matters stand in relation to this? Have they or Government identified a plot of land?

Mr Bodha: Mr Speaker, Sir, the first most important thing is the opening of an Embassy and from what I have here as information, I met the Consulate General. This is a sovereign decision that rests with the Government of Saudi Arabia.

As regards to the plot of land, we are waiting for the Ambassador who is based in Pretoria to come to Mauritius. In fact, the Government has already granted its *agrément* to his Excellency, Mr Sultan Bin Abdullah Al-Anqari, Ambassador of the Kingdom of Saudi Arabia in Pretoria to be accredited to Mauritius on a non-residential basis. In fact, in view of the prevailing conditions and the travel restrictions presently, we are making arrangements for his presentation of his credentials virtually and we hope that he will come to Mauritius as soon as normalcy and travel restrictions are lifted.

Then, the plots of lands - I think there were 3 plots of lands, 2 were considered as not being adequate for by the Saudi authorities. So, this matter will be addressed when the Ambassador will come to Mauritius.

Mr Ameer Meea: Mr Speaker, Sir, one of the issues with pilgrims traveling to Saudi Arabia is visa. As we are aware we send our passport to South Africa, if I am not wrong to Pretoria for visa which costs around Rs4,000 and at times to Rs5,000. Can we see to it during our discussion with the Saudi authorities that this service is included and is to be offered here in Mauritius rather than sending the passport overseas.

Mr Bodha: We will certainly do that. As we are aware, the Hadj pilgrimage this year has been, in fact, reduced to only the nationals, about 10,000 pilgrims instead of 2 million. So, we will certainly raise this matter when His Excellency, the Ambassador is in Mauritius.

Mr Speaker: Hon. Quirin!

COROMANDEL - MINI SOCCER PITCH

(No. B/464) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the proposed construction of a synthetic football pitch in Coromandel, he will, for the benefit of the House, obtain from the Municipal Council of Beau Bassin and Rose Hill, information as to where matters stand.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, I am informed by the Municipal Council of Beau Bassin-Rose Hill that the project for the construction of an outdoor mini soccer pitch with lighting facilities at Pavé d'Amour, Coromandel is in its list of projects for implementation by the National Development Unit for this financial year. However, in view of the limited funds available during this financial year because of COVID situation, this project may be considered for implementation during the next financial year.

Mr Quirin: M. le président, ce projet de construction d'un terrain de foot, normal ou synthétique, date depuis des années. Donc, la nécessité justement d'avoir un terrain de foot pour les jeunes de la région est *long overdue*. De ce fait, peut-on savoir si l'honorable ministre compte mettre les fonds nécessaires au cas où comme il vient de le dire lui-même les fonds pourraient manquer au niveau de la NDU, est-ce qu'au niveau de son ministère la *Local Government*, est-ce qu'il compte mettre les fonds nécessaires à la disposition de la municipalité de Beau Bassin-Rose Hill si effectivement le conseil municipal décide d'implémenter ce *long overdue project*?

Dr. Husnoo: Mr Speaker, Sir, as I mentioned, this project was going to be done by the NDU and the Municipal Council of Beau Bassin is not going to fund this project because I was told that this project cost about Rs35 m. for implementation. This was not included in the budget of Beau Bassin-Rose Hill.

Mr Quirin: M. le président, une dernière question. Le coût pour la construction d'un terrain de foot synthétique n'atteint pas, c'est impossible R 35 millions. Là je ne parle pas d'un terrain de foot normal, je parle d'un terrain de foot synthétique, qui ont été construits,

aménagés dans beaucoup de régions à travers le pays et il est clair, je suis sûr que d'autres honorables ministres savent effectivement quel est le prix, quel est le coût d'un terrain de foot synthétique. Venir dire ici à la Chambre que ce projet coûterait R 35 millions n'est pas juste, M. le président, pour ne pas me servir d'un autre mot.

Dr. Husnoo: Mr Speaker, Sir, that's the figure that I've got from National Development Unit, number one and as far as I am concerned, it's mentioned here, 'the work under this project initially will comprise of construction of the mini soccer pitch with provision of lighting and construction of the spectators' stand.' That's the information that I have been given. *R 35 millions.*

Mr Speaker: Next Question!

BEAU BASSIN - PUBLIC ROADS - RESURFACING

(No. B/465) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the roads in Beau Bassin requiring resurfacing, he will, for the benefit of the House, obtain from the Municipal Council of Beau Bassin and Rose Hill, information as to if consideration is being given thereto and, if so, indicate -

- (a) when same will be carried out;
- (b) the roads to be resurfaced, and
- (c) the set timeframe therefor.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, I am informed by the Municipal Council of Beau Bassin-Rose Hill that the resurfacing of five public roads in Beau Bassin to the tune of Rs1.5 m. has been carried out under the Local Development Project 2019 and 2020 as follows –

- (i) Avenue des Artistes, Barkly;
- (ii) Lane-off Avenue des Orangers;
- (iii) Maingard;
- (iv) Remy Ollier Street, Beau Bassin;
- (v) Lane-off de Rosnay Street, Beau Bassin, and
- (vi) Second Lane-off Subramania Bharati Road.

I am further informed that for the Financial Year 2020/2021, the Council has earmarked a total of Rs10,850,570 for the financing of the local development project, including the resurfacing work in the whole of the municipal area.

Out of this amount, a sum of Rs4,850,570 has been earmarked for the resurfacing of the following roads in the region of Beau Bassin –

- i) Avenue Verveine near Barkly Station;
- ii) Remy Ollier, Barkly;
- iii) Pepin Street;
- iv) Dr. Reid Street;
- v) Swami Dayanand Street,
- vi) from Brunette Street to Dr. Reid Street.

The Council is currently in the process of finalising the financial procedure for the issue of work orders to the road contractor. These works will start this month and are expected to be completed by November 2020.

Mr Quirin: M. le président, par rapport à la réponse de l'honorable ministre, il y a des projets qu'il y a des routes qui sont actuellement en train d'être refaites. Je puis lui dire que malgré cela, même si le constat n'est pas visuel, moi j'habite la circonscription et je peux vous dire qu'il n'y a aucun projet actuellement qui est en cours, aucune route qui est *resurfaced*. Donc, peut-on savoir vu que ça fait des mois et des mois que l'état des routes à Beau Bassin et aussi à Rose Hill - mais là, je me concentre sur ma circonscription - est dans un état plus que déplorable. Il y a comme un des arguments, il faut bien le dire - de l'alliance au pouvoir lors des campagnes, donc la campagne des dernières municipales était que si les Collectivités locales et le gouvernement central sont du même bord politique, il n'y aurait aucun problème à donner satisfaction aux citoyens. Or, M. le président, que voyons-nous de nos jours? Tout indique que tel n'est pas le cas et ça fait des mois et des mois que les citoyens sont frustrés, en colère...

Mr Speaker: Put your question!

Mr Quirin: Ils doivent circuler sur des routes totalement déplorables, en très mauvais état. Ma question à l'honorable ministre: est-ce qu'il ne serait pas plus approprié une fois pour toutes que les différents ministères s'asseyent : Utilités publiques, Collectivités locales

et la NDU. Au moins une fois pour toutes qu'on détermine, qu'on constate l'urgence de l'état des routes, M. le président. C'est une situation qui ne peut plus durer.

Dr. Husnoo: Mr Speaker, Sir.

Mr Speaker: Did you ask a question? Question!

Dr. Husnoo: Mr Speaker, Sir, I replied, last year, about five streets were done and, for this year, I have mentioned the name of the five streets that were going to be done and the work is going to start, from what I have been told, this month; expected to be completed by November 2020. I take the point of the hon. Member. A lot of work is being done in Beau Bassin-Rose Hill. I have been told about 17 kilometres of excavated works which are going to be done by the Central Water Authority in Beau Bassin pretty soon. That's coming as well. I know that's going to cause a lot of problems but my colleague, the Minister of Public Utilities is trying to look into the problem. We know the problem that happens in Rose Hill; after excavation the time it takes to do resurfacing. My colleague has been working on it so that when the CWA does the pipe laying, the resurfacing would be done by some local agency, just to solve that problem that the hon. Member has just mentioned.

Mr Speaker: Hon. Members, I will break at this time for one and a half hour.

At 1.02 p.m., the sitting was suspended.

On resuming at 2.36 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Hon. Quirin!

**CERCLE DE JOACHIM FOOTBALL CLUB – FINE IMPOSED BY FIFA –
TRANSFER OF FOREIGN PLAYERS**

(No. B/466) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the decision of the FIFA to impose a fine on the Cercle de Joachim Football Club for fraudulent practices in connection with the transfer of foreign players for the 2019-20 season, he will state the actions taken by his Ministry in relation thereto.

Mr Toussaint: Mr Speaker, the transfer of players is an internal process that takes place between clubs via FIFA's Transfer Machine System (TMS).

I have been informed by the Mauritius Football Association (MFA) that the *Cercle de Joachim* had been imposed a fine of CHF10,000 on the ground that the club had received the International Transfer Certificates (ITCs) of the five Malagasy players outside the TMS.

This is an internal matter between a club and its governing federation.

Mr Speaker: Hon. Quirin!

Mr Quirin: Oui, merci, M. le président. Il est clair que, dans cette affaire, M. le président, il y ait une connivence intolérable et inacceptable entre le Cercle de Joachim et la *MFA*, puisque le président de la *MFA* est aussi dirigeant et représentant du Cercle de Joachim à la *MFA*. Le ministre, de ce fait, peut-il nous dire, malgré ce qu'il vient de nous répondre, pourquoi deux mois après la sanction de la FIFA, qui date du 22 mai de cette année, son ministère n'a toujours pas réagi?

Mr Toussaint: M. le président, comme je viens de le dire, tout ce qui est transfert de joueurs c'est entre la fédération, le club et la FIFA (la fédération internationale) et au niveau du ministère, nous avons demandé un rapport sur ce problème et, malheureusement, la *MFA* n'a pas réagi positivement par rapport à notre demande.

Mr Quirin: M. le président, je regrette de le dire mais, fidèle à son habitude, le ministre se cache encore une fois derrière l'autonomie de fonctionnement des fédérations. Donc, je tiens cependant à lui rappeler ce que le Premier ministre, lui-même avait dit à cette Chambre par rapport à la décision de l'Association mauricienne de volley-ball de réintégrer monsieur K.T. et je cite ce qu'avait dit l'honorable Premier ministre –

« (...) autonomy does not, and cannot mean licence to flout the principles and practice of good governance, (...) ».

De ce fait, vu que la complicité de la *MFA* dans cette affaire est évidente, pourquoi le ministre n'a-t-il pas jugé nécessaire, les documents sont là pour le prouver et je peux même remettre à l'honorable ministre s'il le désire, pourquoi aucune sanction ? Moi, je pense que là où on en est, il est clair qu'il y a eu connivence entre la *MFA* et le Cercle de Joachim pour avoir cautionné justement des pratiques frauduleuses en faveur de certains clubs. Peut-on savoir si l'honorable ministre, cette fois-ci, compte accorder le *regional grant* au Cercle de Joachim pour la prochaine saison de football?

Mr Toussaint: M. le président, nous allons bien sûr étudier la question. Malheureusement, les joueurs ne peuvent pas payer pour les mauvaises décisions de leur

équipe dirigeante. Je ne peux pas, à l'heure actuelle, dire oui ou non, on va donner ou ne pas donner le *regional grant* à Cercle de Joachim. Nous allons étudier la question et voir quelle action que nous allons pouvoir prendre parce qu'il faut se dire qu'on ne peut pas pénaliser les joueurs, on ne peut pas pénaliser le football, mais à aujourd'hui je ne peux pas donner une réponse exacte pour dire quelle action par rapport au *regionalisation grant*.

Mr Speaker: Hon. Juman!

Mr Juman: Thank you, Mr Speaker, Sir. As mentioned by the hon. Minister, the club has been sanctioned by the FIFA for fraudulent practice in connection with the transfer and licensing. I have an extract of the bank statement of the club which I am tabling, where there is a payment of Rs240,000 by cheque and cash by one Mr B. M. B. and it is interesting to note that this gentleman is none other than the Licensing Officer at the Mauritius Football Association. I am tabling a copy where a payment of Rs240,000 has been paid to the Licensing Officer of the Mauritius Football Association. In view of what I have mentioned, Mr Speaker, Sir, can the hon. Minister inform us if he intend to initiate action or what he intend to do with the Managing Committee or the Officer in Charge for the licensing at the *MFA*?

Mr Toussaint: M. le président, il est très vague ce que l'honorable membre est en train de dire et je ne pourrai pas répondre à l'heure actuelle. Il parle d'un document que je n'ai pas en ma possession et éventuellement nous allons voir quelle est la responsabilité de mon ministère en ce qu'il s'agit d'aller enquêter dans les *bank statements*.

Mr Speaker: Hon. Dhunoo!

Mr Dhunoo: Thank you, Mr Speaker, Sir. I would like to know from the hon. Minister of Sports for *Cercle de Joachim*, who is the Manager and what is his nationality?

Mr Toussaint: M. le président, au niveau des *Office Bearers of Cercle de Joachim*, the *technical staff*, Cercle de Joachim, les coaches sont Micheal Mootoosamy and Théodore Timbousaint ; j'imagine que c'est un étranger. Goalkeeper coach: M. Billy Zuel; Team Manager: M. Yusuf Gurrin; Physio: M. Mario Seegoolam.

Mr Speaker: I refer to supplementary question of hon. Juman. This document cannot be tabled. It is a bank statement. If you want to meet the Minister and discuss anything, do it privately, please. This is a bank statement. Thank you. Last supplementary!

Mr Quirin: Merci, M. le président. Il ne faudrait pas que certains essayent de noyer le poisson. Donc, l'honorable ministre est-il informé que cette pratique d'utiliser des documents frauduleux par la *MFA* pour obtenir le *work permit* des joueurs d'étrangers ne s'arrêtent pas à Cercle de Joachim car il y a eu aussi l'épisode d'*Henrietta Football Club* qui est dirigé par nul autre que le même président de la *MFA* ?

Mr Toussaint: M. le président, puisque l'honorable membre a soulevé la question de *work permit*, en ce qu'il s'agit de *work permit*, je peux dire en tout cas qu'au niveau du ministère de *Labour*, *the matter has already been referred to the Police*. Donc, par rapport à *work permit* et spécifiquement dans le cas de Cercle de Joachim, *the Ministry of Labour has already referred the matter to the Police*, la Police va enquêter et certainement il n'est pas question de noyer ou de tuer le poisson.

Mr Speaker: Hon. Members,...

(Interruptions)

With your permission, let me talk first. The Table has been advised that PQ B/488 has been withdrawn.

Next question, with your permission!

Mr Quirin: Merci M. le président. La question que ...

Mr Speaker: No. Already four questions gone, now you have another question, it is B/467.

Mr Quirin: L'honorable ministre n'a pas répondu à ma question, à la dernière question supplémentaire, j'ai fait référence à *Henrietta Football Club*.

Mr Speaker: This is my ruling.

Mr Quirin: Okay if you want me to go to the next question, I'll go to the next. Thank you, Mr Speaker.

NEF - CONCRETE HOUSING UNITS - BENEFICIARIES

(No. B/467) 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 Full Concrete Housing Project, she will, for the benefit of the House, obtain from the National Empowerment Foundation, information as to the required conditions to be fulfilled for households eligible under the Social Register of Mauritius to benefit thereunder.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, with your permission, allow me to answer this question.

In 2016, a new Housing Scheme, the Fully Concrete Housing Scheme was put in place. This scheme replaced the Concrete Cum Corrugated Iron Sheet Scheme. Under the Fully Concrete Housing Scheme, concrete housing units of up to 50 square metres are constructed as compared to housing units of 31.5 square metres made of corrugated iron sheets under the Concrete Cum Corrugated Iron Sheet Scheme.

I am informed by the National Empowerment Foundation that the eligibility criteria to benefit from a fully concrete housing unit are as follows –

- (i) the beneficiary should be eligible under the Social Register of Mauritius;
- (ii) the beneficiary should be the owner of a plot of land or the lessee of a State land, and
- (iii) the beneficiary should have repayment capacity to reimburse 25% of the cost of the housing unit over a period of 20 to 25 years.

Mr Quirin: Merci, M. le président. J'ai bien écouté la réponse de l'honorable ministre, de ce fait ne pense-t-elle pas qu'il serait plus approprié et plus juste que ceux qui sont sur le registre social de Maurice mais qui n'ont ni terrain à leur nom, ni bail avec le gouvernement devraient probablement recevoir une petite portion de terrain de l'État afin que eux aussi puissent avoir accès au *Full Concrete Housing Project*, bien sûr avec des conditions bien établies?

Mrs Jeewa-Daureeawoo: Well, I must say that at the level of my Ministry there are three Housing Schemes. The first one, I have just mentioned, the Fully Concrete Housing Scheme, and the NHDC Housing Scheme. For those who are landless, 10% of the houses are put at the disposal of my Ministry. We also carry out the upgrading of existing houses. Well, it all depends on the beneficiary; the beneficiary chooses which scheme he wants to apply for.

Mr Quirin: Avec votre permission. La ministre peut-elle nous dire depuis que le *Full Concrete Housing Project* existe, combien de maisons ont été construites et combien de familles sont toujours sur la liste d'attente?

Mrs Jeewa-Daureeawoo: Well, 136 fully concrete houses have been constructed so far and we are in the process of handing over 15 more. I can also add that the contract has been awarded to a contractor, Cimic Construction Ltd, for the construction of 24 additional

housing units. We have also launched the tender for the construction of 30 additional housing units. The closing date was 19 June 2020.

Mr Speaker: Hon. Duval!

Mr X. L. Duval: May I ask the hon. Minister what is the current cost of construction of these fully concrete housing units, please, per unit?

Mrs Jeewa-Daureeawoo: Yes, good question. So, the cost of a housing unit is around Rs900,000 to Rs1 m. But it is good to note that Government subsidises 75% and the beneficiary pays only for the remaining 25%.

Mr X.L. Duval: And the size?

Mrs Jeewa-Daureeawoo: The size is 50 sq metres.

Mr Speaker: Hon. Quirin!

Mr Quirin: Oui, merci M. le président.

Mr Speaker: Last supplementary!

Mr Quirin: Peut-on savoir de l'honorable ministre, depuis qu'un accord a été signé entre la *NEF* et la *NHDC*, concernant l'octroi de 10% des maisons construites par la *NHDC* aux plus démunis, la ministre peut-elle nous dire combien de familles sur le registre social de Maurice ont pu en bénéficier? Au cas où elle n'aurait pas les informations demandées de bien vouloir les déposer dans un délai raisonnable. Merci.

Mrs Jeewa-Daureeawoo: Yes, for the Financial Year 2019-2020, 47 NHDC housing units have already been acquired by NEF and 68 additional NHDC housing units are in the process of being acquired. This is the information that has been provided to me by my Ministry and the Ministry of Housing and Land Use Planning.

Mr Speaker: Hon. Members, the Table had been advised that PQ B/489, B/490 and B/491 have been withdrawn.

Next question, hon. Richard Duval!

POINTE D'ESNY - MV WAKASHIO VESSEL - WRECK

(No. B/468) **Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Environment, Solid Waste Management and Climate

Change whether, in regard to the wreck of the bulk carrier vessel named MV Wakashio at Pointe D'Esny, he will state where matters stand.

Mr Ramano: Mr Speaker, Sir, at our sitting of Tuesday 28 July 2020, I informed the House that at around 19.30 hours on Saturday 25 July 2020, my Ministry was notified by the Police Information and Operations Rooms (PIOR) that a bulk carrier vessel, namely, MV Wakashio, owned by Okiyo Maritime Corporation Nagashiki Shipping Co. Ltd. ran aground on the reef of Pointe d'Esny. The bulk carrier, of dimension of around 300 m length and 50 m width, with a crew of 20 members and which contained no cargo but had around 3,894 metric tons low-sulphur fuel oil and 207 metric tons of diesel and 90 metric tons of lubricant oil.

Regarding the salvaging of the wreck, I am informed by the Shipping Division of the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping that as at date –

- a) the vessel was stable and there was no damage to the deck. There were only some internal cracks in the ship. Additionally, no sign of pollution was observed around the vessel;
- b) the bunker tanks were in sound conditions and located well above the bottom of the vessel and there is low risk of an oil pollution;
- c) the Salvage team from SMIT has undertaken a first assessment on Saturday 01 August 2020. According to the Salvage Master, there is only internal leakage in the vessel and the present risk of an oil spill is low. Due to bad weather conditions, consideration for the transfer of onboard oil to another ship is dangerous at this point in time. Detailed assessments are ongoing;
- d) the tug PSV Stanford Hawk with antipollution equipment is already on site. Tug VB Cartier which arrived from Reunion Island on 01 August 2020 is also already on site to provide support to PSV Stanford Hawk. A third and fourth tugs, namely AHT Expedition and AHT Summit are expected to arrive in Mauritius on 06 and 08 August 2020;
- e) five Salvors from Nippon Salvage would be arriving in Mauritius today, 04 August 2020, to assist the Salvage team from SMIT Salvage, and

- f) the Salvage team is still undertaking assessment of the vessel and working on the salvage plan to refloat the vessel. The plan would be circulated as soon as it is finalised.

Mr Speaker, Sir, as regards environmental issues, I wish to highlight that as at to date, no case of oil spill has been reported. However, in view of the risk of an oil spill, the National Oil Spill Contingency Plan was immediately activated on Saturday 25 July 2020.

Since then, five meetings of the National Oil Spill Contingency Plan Coordination Committee have been held under the aegis of my Ministry. The purpose of the Coordination Committee, which is chaired by the Director of Environment, is to discuss with the relevant stakeholders on measures to be taken in the public interest to prevent, eliminate or reduce the adverse impacts of any oil spill in the environment.

Mr Speaker, Sir, in order to reduce any risk of oil spill and mitigate the impacts on the ecologically sensitive areas located in that area, the following precautionary measures have been undertaken by various stakeholders –

- (i) the National Coast Guard started deployment of booms at the seaward entrance of the Blue Bay Marine Park on Sunday 26 July 2020 and by Wednesday 29 July 2020, additional booms totalling 332 metres have been deployed thereat;
- (ii) *Polyeco Société Anonyme* deployed around 435 m of fence booms around the vessel on the lagoon side as at Friday 31 July 2020. It is to be noted that *Polyeco Société Anonyme* has been appointed by the Protection and Indemnity Insurances Club on 29 July 2020 to look into environment issues and assist in any oil spill combat;
- (iii) some 300 m of these fence booms around the vessel have been displaced due to rough seas and strong currents which prevailed during the weekend. They will be repositioned as soon as the sea conditions become favourable;
- (iv) *Polyeco Société Anonyme* has also placed some 30 m of fence booms at the entrance of the water inlet which connects the lagoon with the Pointe d'Esny Ramsar site to protect mangroves and associated ecosystem;
- (v) additionally, in order to protect the Pointe d'Esny Wetlands, which is a Ramsar site and the Ile aux Aigrettes Nature Reserve, lagoon booms were

deployed by the Special Mobile Force in the channel between Pointe Jérôme and the Islet on Sunday 26 July 2020. However, due to strong current and wind thereat, the booms had to be removed. The National Coast Guard, the Special Mobile Force and *Polyeco Société Anonyme* are working together to find a solution for placement of the booms across the channel between Pointe Jérôme and Ile aux Aigrettes to further protect the Pointe d'Esny Wetlands Ramsar site, Ile aux Aigrettes Nature Reserve areas, Mahebourg Fishing Reserves, as well as *barachois* and mangrove areas;

- (vi) Mr Speaker, Sir, an inventory of oil spill combat equipment available at private oil companies and the Mauritius Ports Authority, has been undertaken by my Ministry. In the event of major oil spill, the equipment will be deployed;
- (vii) additional oil spill combat equipment is being brought by the Salvage team. The French Embassy in Mauritius has also expressed its support under the POLMAR (Pollution Maritime) plan from the Reunion Island in the event of a major spill, and
- (viii) the Special Mobile Force, under the supervision of my Ministry, conducted a clean-up of the shoreline on 27 July 2020. The Living Environment Unit of my Ministry has also been mobilised to provide support for any cleaning of the beach required.

I am also informed that the National Emergency Operations Command (NEOC) level II was activated during the night of Saturday 25 July 2020 and that the situation is being monitored on a daily basis at their level.

Mr Speaker, Sir, the National Environmental Laboratory of my Ministry has been collecting sea water samples at Blue Bay, Pointe d'Esny, Pointe Jérôme and Mahebourg Waterfront on a daily basis since 26 July 2020, for analysis. As at date, the tests results have revealed the absence of hydrocarbons, and oil and grease. The pH and Dissolved Oxygen levels were also in compliance with the Guidelines for Coastal Water Quality (Class A1 for Conservation) of the Environment Protection Act for all the samples which were tested.

On 27 July 2020, it was reported that traces of hydrocarbons were detected on algae over a stretch of around 300 metres in front of lessees' sites at Pointe d'Esny. Consequently,

samples have been collected for analysis and the assistance of a private laboratory is being sought for testing of polyaromatic hydrocarbons and heavy metals.

Moreover, the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping is carrying out ecological surveys and water quality monitoring in the lagoons of Blue Bay, Pointe d'Esny and Ile aux Aigrettes. The water quality results have also not indicated any presence of oil and grease except for one sample collected on 01 August 2020. However, since it could not be ascertained whether the oil and grease came from the MV Wakashio or from other pleasure crafts that operate in the lagoon, further tests will be carried out by a private laboratory to ascertain the presence of hydrocarbons.

The National Coast Guard has confirmed that no sheen of oil has been detected to date during the boat and foot patrols, and helicopter flights that they have carried out.

I am also informed that the Mauritius Oceanography Institute is undertaking current and bathymetry mapping to better understand the current hydrodynamics in the area. This will allow for better modelling of the oil movement in case of any spill.

Polyeco Société Anonyme has prepared an action plan including different scenarios with regard to placement of booms taking into consideration the weather forecast and sea conditions over the forthcoming days. The action plan was discussed during the fifth National Oil Spill Contingency Plan Coordination Committee held on 03 August 2020 and *Polyeco Société Anonyme* will review the action plan in line with the comment and views discussed.

Mr Speaker Sir, I am informed that on Saturday 01 August 2020, a plume originating from the casualty area and going past Ile aux Aigrettes towards the Mahebourg Waterfront was observed. This was suspected to be crushed corals, sand and fine silt. *Polyeco Société Anonyme* collected water samples and sediment all along the area up till Mahebourg for testing. The Mauritius Oceanography Institute will also map the plume area to check for smothering effects to corals. Sediments, hydrocarbons, polyaromatics will have to be tested from the collected plume samples.

Mr Speaker, Sir, I wish to reassure the House that the National Oil Spill Contingency Plan Coordination Committee is meeting on a regular basis to ensure the smooth coordination with all stakeholders regarding remedial, and containment measures and the situation is being closely monitored.

Mr Speaker: Hon. Richard Duval!

Mr R. Duval: Can the hon. Minister please inform the House why, as at today, the black box has not been retained from the vessel?

Mr Ramano: M. le président, permettez-moi de dire, comme l'a expliqué ce matin l'honorable Premier ministre, il existe tout un protocole en ce qui concerne l'accès aux navires. Il y va de l'*United Nations Law of the Sea*, on ne peut avoir accès directement sur les navires. Donc, il y a tout un protocole qui mérite d'être respecté. M. le président, le *National Coast Guard* est en train de faire des enquêtes, donc, bien sûr, les enquêtes se dirigeront vers les boîtes noires aussi. Donc, à la base des enquêtes, le *National Coast Guard* et la force policière prendront les mesures qui s'imposent.

Mr Speaker: Hon. Richard Duval!

Mr R. Duval: With the benefit of occurrences in the past with MV Angel in 2011, MV Hansa Brandenburg in 2013, MV Benita in 2016, and now, 2020, the Wakashio, can the hon. Minister state what measures are being taken to prevent similar recurrences in the future and what is the level of vigilance anticipated?

Mr Ramano: M. le président, le ministère de l'Environnement est concerné principalement en ce qui concerne tout le *contingency plan* et *the oil spilling*. En ce qui concerne la protection des eaux, cela relève de la force policière et aussi du *National Coast Guard*. En ce qui concerne tout le *salvage equipment*, c'est le *Ministry of Shipping* qui est en train de prendre les dispositions nécessaires.

Mr R. Duval: Yes, one more. Can the hon. Minister enlighten the House whether he has received any request for any compensation from the local fishermen of the region and if any consultation was made with them?

Mr Ramano: M. le président, cela relève du *Ministry of Shipping*, mais nous travaillons en étroite collaboration avec le ministère et je peux dire que le ministre, personnellement, est en contact avec l'Association des pêcheurs là-bas. Donc, bien sûr, à la lumière de l'évolution de la situation, ils vont prendre les dispositions nécessaires.

Mr Speaker: Last supplementary!

Mr R. Duval: Can the hon. Minister enlighten the House if he has received any report from the National Coast Guard as to why they have not detected this vessel approaching the shore of Mauritius, and why, twice, the Captain was contacted by the National Coast Guard, but never responded on radio?

Mr Ramano: M. le président, je pense que le Premier ministre a donné suffisamment d'informations à ce sujet ce matin lors de la *PQ*.

Mr Speaker: Hon. Members, I have to inform the House that the Table has been advised that PQ Nos. B/492, B/493, B/494 have been withdrawn. Next question, hon. Richard Duval!

POINTE JÉROME YOUTH TRAINING CENTRE - RENOVATION

(No. B/469) 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.

Mr Toussaint: Mr Speaker, Sir, no major renovation, repairs and landscaping works are planned at the Pointe Jérôme Youth Training Centre for this financial year, however, some minor repairs and minor landscaping works are ongoing from the budget allocated to my Ministry.

Mr R. Duval: Mr Speaker, Sir, can the hon. Minister inform the House concerning the minor works, whether the contractor who is doing these minor works is a registered company, and if it is on the database of supplier of his Ministry?

Mr Toussaint: Mr Speaker, Sir, these minor works are being done internally. We receive the help of workers from the MSC. The general workers of the Ministry who are at Mahebourg Youth Centre and Pointe Jérôme Youth Training Centre are doing the necessary.

Je dois signaler aussi que nous avons eu de l'aide, puisque le centre avait été utilisé comme centre de quarantaine, et tout juste après que le ministère de la Santé nous a retourné le centre, il y a eu un appel de la part des habitants de la région, et ils sont venus vers nous pour donner un coup de main. Donc, on a tout un groupe de volontaires qui souvent viennent et volontairement donnent un coup de main à nos officiers pour remettre surtout la cour du centre en état.

Mr Speaker: Hon. Richard Duval!

Mr R. Duval: Can I know the cost that was paid to the inhabitants ...

Mr S. Toussaint: Volontaires ! Je l'ai dit, M. le président, ils sont volontaires.

Mr R. Duval: Okay, no worry.

INTERNATIONAL FISHING VESSELS – FISHING LICENCE

(No. B/470) 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 presently holding licences to fish in our Exclusive Economic Zone.

Mr Maudhoo: Mr Speaker, Sir, as the House may be aware, licenses to fish in our Exclusive Economic Zone are issued by my Ministry to foreign fishing vessels in accordance with Sections 34 and 35 of the Fisheries and Marine Resources Act 2007. Licences are issues to the following fishing vessels –

- (a) European Flag purse seiners and longliners registered in European countries, namely, Spain, France and Italy, and
- (b) Non-European Flag purse seiners and longliners registered in countries, namely, Seychelles, Taiwan, the Province of China, People’s Republic of China, Republic of Korea, Oman and Japan.

Mr Speaker, Sir, with your permission, I am tabling the list of foreign fishing vessels that are presently holding licenses to fish in our Exclusive Economic Zone.

Mr R. Duval: Can the hon. Minister state whether, in light of the annual revenue of fishing companies which run into billions of rupees, if there is a case to review the licenses and, if so, when does the Minister propose to come up with the appropriate regulation to review and increase the license fee?

Mr Maudhoo: Mr Speaker, Sir, indeed, I did find it a big anomaly with the license fee. We have written to the agents and the boat owners that the license fee will be increased. We are still negotiating and awaiting the fishing season. They have made some proposals, but we are still negotiating on the amount.

Mr R. Duval: Will the hon. Minister declare how much fee has been being paid by the company globally on an annual basis?

Mr Maudhoo: Mr Speaker, Sir, in fact, we have three agreements, namely the new Fisheries Partnership Agreement between the Republic of Mauritius and the European Union; fishing agreement between the Republic of Mauritius and the Government of the Republic of

Seychelles; fishing agreement between the Government of the Republic of Mauritius and the Japan Tuna Fisheries Cooperative Association.

Now, the validity of fishing licence for Japanese longliners is either six months or one year and there are different licence fees, like Rs12,000 for an initial period of six months; Rs20,000 is levied for a licence for a period of one year, and then, we have for European vessels, the validity of licence is one year – it's Euro 8,500 for a European purse seiner; 4,000 for a European supply vessel, 4,125 for a European longliner. For Seychelles fishing licence, it has a validity of either six months or one year. The licence fees for Seychelles fishing vessels are 24,000 for a purse seiner annually. USD 5,000 for a supply vessel annually; USD 17,500 for a longliner for a period of six months or USD 30,000 per year.

Mr Speaker: Last supplementary!

Mr R. Duval: Can the hon. Minister state how many fishing vessels in total operate and fish within our territorial sea annually?

Mr Maudhoo: I have just tabled the list. The hon. Member can go along it.

Mr Speaker: Honourable Members, the Table has been advised that PQs B/518, B/519 and B/480 have been withdrawn. Next question!

PAEDIATRIC SERVICES (PUBLIC) – SURGICAL CASES

(No. B/471) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether in regard to public paediatric services, he will state if consideration will be given for the setting up of an additional Paediatric Surgical Unit to deal with elective surgeries and, if so, when.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that activities for paediatric surgeries for the whole of Mauritius and other islands, since years, are centralised at Jawaharlal Nehru Hospital. Currently, there are 117 cases on the waiting list for the whole island. Elective Paediatric surgeries are being carried out at Jawaharlal Nehru Hospital on every Tuesday and an extra session per week is provided for same.

The number of cases performed per week at Jawaharlal Nehru Hospital averages to about 8 to 10 cases, taking into consideration that many paediatric surgical cases require multiple surgeries.

We have two surgeons trained in Paediatric surgery who undertake these operations. One surgeon covers Dr. Jeetoo, Flacq and SSRN Hospitals whereas the second one covers Jawaharlal Nehru Hospital and Victoria Hospital during day time for referrals or follow-up.

After normal working hours, it is the paediatric surgeon on call who attends to emergencies in any regional hospital.

Approval has already been given since December 2019 to start elective paediatric surgical cases at Dr. Jeetoo Hospital.

I am also informed that on 17 July 2020, the Regional Health Director of Jawaharlal Nehru Hospital met the Consultants in charge, Paediatric Surgery for all Regional Hospitals. During that meeting, it was agreed that hydrocele, circumcision, hernia in children aged more than one year, undescended testis, tongue tie and cut down for intravenous cannulation, if needed, would be done by the General Surgeons.

Paediatric Surgeons would concentrate on congenital malformations, complex paediatric surgery and assist general surgeons in paediatric trauma cases. The meeting was held at Jawaharlal Nehru Hospital in view of the fact that paediatric surgeries are centralised at this hospital. Paediatric surgeries are highly specialised surgeries often require experts from abroad. The experts are limited and the cases also are limited compared to general surgery.

At present, there is no need to set up more units in other hospitals.

Dr. Aumeer: Thank you, hon. Minister. I am glad to note that it is mentioned that since December 2019 there would be elective paediatric cases at Dr. Jeetoo Hospital. Can the hon. Minister confirm whether there is a training programme, either locally, using foreign experts or by way of scholarships for aspiring surgeons - as you mentioned rightly, general surgeons will be conducting some of the surgeries - who want to subspecialise in paediatric surgery, among others, keeping in mind that subspecialisation is the future of modern medicine?

Dr. Jagutpal: Mr Speaker, Sir, subspecialisation and all training are being done at a regular interval. It all depends upon the expression of interest of the surgeons. So, once we have the expression of interest, we are obviously going to meet the demand of getting training to general surgeons in different fields, be it in paediatric surgery or other fields.

Dr. Aumeer: Thank you, hon. Minister. Has an audit of paediatric and neonatal surgery been carried out in the public sector in terms of morbidity and mortality during the last five years, keeping in mind, again, caseloads spectrum of disease and the various surgical complex operations provided and their outcome?

Dr. Jagutpal: Mr Speaker, Sir, at present, there is no audit team, but there is a team of the directors of the hospitals, the surgeons and the ICU doctors who are teaming up to see how to improve the service. The Ministry does implement their recommendations as per se.

Mr Speaker: Hon. Ittoo!

Mr Ittoo: Thank you, Mr Speaker, Sir. Can we know from the hon. Minister, with the actual personnel, what is the number of paediatric surgeries that have been conducted since the beginning of this year? Thank You.

Dr. Jagutpal: The number of paediatric surgeries done at Jawaharlal Nehru Hospital up to 31 July, including 19 cases performed by the foreign team of Professor Da Cruz, is 98. Emergency cases carried out up to 31 May 2020, is 13. So, in total, we have 98 + 13 cases being carried out.

Mr Speaker: Last supplementary!

Dr. Aumeer: The hon. Minister rightly said that paediatric surgeons specialising in neonatal surgery is really scarce. Will the hon. Minister, however, consider having a close collaboration, in terms of training of our surgeons and for performing elective paediatric surgery, with the two French paediatric surgeons who are already offering their services in the private sector, and who have also been accredited by the Medical Council of this country, like we had in the days of Professor Paddy Dewan from Australia in the past? Thank you.

Dr. Jagutpal: Mr Speaker, Sir, I take note of the hon. Member's suggestion and, obviously, I'll take it up with the technician of the Ministry to see how this can be implemented.

**ISLAMIC CULTURAL CENTRE TRUST FUND - INTERNAL AUDIT EXERCISE –
JAN 2016-FEB 2018**

(No. B/472) **Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Arts and Cultural Heritage whether, in regard to the findings and recommendations of the internal audit exercise carried out by the then Ministry of Finance and Economic Development at the Islamic Cultural Centre over the period January

2016 to February 2018, he will state if corrective measures and sanctions have been taken in respect thereof and, if so, give details thereof.

Mr Teeluck: Mr Speaker Sir, I am informed that in October 2017, the then Ministry of Arts and Culture had requested the Internal Control Unit of the then Ministry of Finance and Economic Development to conduct an internal audit at the Islamic Cultural Centre Trust Fund. The terms of reference of the exercise were as follows -

- (a) to evaluate the existing control systems and compliance with rules, procedures and regulations;
- (b) to make recommendations to improve the organisation's operations based on the findings and observations;
- (c) to promote operational effectiveness and efficiency in the organization, and
- (d) to ensure that principles of good governance are being adhered to.

The Report, which was submitted to my Ministry in March 2018, covered the following areas -

- (a) Financial Management;
- (b) Human Resource Management;
- (c) Procurement;
- (d) Asset Management, and
- (e) Hadj Organisation.

Several meetings were then held between my Ministry, the Internal Control Unit and the ICC with a view to taking remedial actions.

Moreover, in October 2019, after conducting a follow-up audit exercise to ascertain that corrective actions had been taken by the ICC, the Internal Control Unit submitted a progress report highlighting the status of implementation of recommendations made.

At that time, the follow-up exercise had revealed that almost 60% of the recommendations had already been implemented or were in the process of being fully implemented. For example, most of the recommendations relating to Bank Accounts and Cash Book had already been carried out.

Mr Speaker, Sir, I am now informed by the ICC that most of the recommendations have already been implemented. Let me take, for example, the assessment of operators for Hadj 2020. The ICC had an assessment of new applicants followed by an introductory meeting with the Hadj operators on 25 January 2020. The website of the ICC is also currently being redesigned and will be hosted on the Government Online Centre. Phase Two of the website project includes the introduction of an online application for prospective Hadj pilgrims.

Furthermore, a Departmental Bid Committee, comprising non-Board members, had also been set up to supervise and monitor all procurement activities of the ICC to ensure accountability and transparency.

Likewise, in a particular case where attention was drawn to a conflict of interest following a decision of the Board, the concerned officer was issued with a letter of warning and cautioned that in the event of any recurrence of such misconduct, the ICC will have no alternative than to take appropriate disciplinary actions against him. These are but a few examples.

Mr Speaker, Sir, I am, however, also informed that some of the recommendations made in the report are taking some more time to be implemented in view of their practicability as well as due to the specificity of the ICC.

With this in mind, I am referring to the recommendations made on the staffing issues of the ICC. As such, I am informed by the ICC that the Scheme of Service for the post of Accounts Officer had already been approved by the Board on 28 May 2019 and the approval of the unions had already been obtained. The Scheme of Service is now at the level of the Pay Research Bureau.

Furthermore, with regard to the post of Director, same was prescribed by the Board on 19 March 2020 and it was resolved that the post would be advertised in the coming weeks. However, due to the budget cuts following the Covid-19 pandemic, the matter has been put on hold.

Dr. Aumeer: Thank you, hon. Minister. In reply to PQ B/309 last week, the hon. Minister of Foreign Affairs informed the House that in relation to the 6 million dollars donated by the Saudi Authorities to support refurbishment of mosques that a foundation will be set up with the ICC as the founder to ensure sound management and oversight of funds. Does the Minister believe that it is wise for the ICC alone to be entrusted such responsibility

considering the damning report of the Ministry of Finance in terms of finance management at various levels at the ICC?

Mr Teeluck: Mr Speaker, Sir, it will be premature for me to take any stand on this right now. We will have, of course, to sit with the Ministry of Foreign Affairs before taking any decisions. Obviously, there will be discussions with the relevant officers of the Ministry, then, we will be able to decide on the way forward and whether as recommended, we'll proceed as previously indicated.

Mr Uteem: Mr Speaker, Sir, the hon. Minister just mentioned that the only sanction taken against the person was a warning. Is the hon. Minister aware that the report of the internal audit recommended that criminal action be taken against this person in view of very serious conduct of corruption, of conflict of interest and urge the Board to refer the matter to ICAC? So, may I know from the hon. Minister whether he finds it fit and proper that the Board should only give a warning for someone who has been found to be guilty of criminal conduct?

Mr Teeluck: Mr Speaker, Sir, I concur with the hon. Member, definitely, but, in any case, this is the call for the Board. The Board takes the action and if the Board deems fit that a letter of warning be issued to the concerned person, then that is it.

Mr Speaker: Last supplementary, hon. Dr. Aumeer!

Dr. Aumeer: Hon. Minister, based on such damning report, *qui s'est passé aux yeux et au vu de tout les membres et du Chairman du Board*, will the newly appointed Minister consider dissolving the current Board and its Chairman and reappoint representatives of the community who command respect and trust?

Mr Teeluck: Mr Speaker, Sir, we had an internal control report and there were recommendations for remedial measures to be taken and this is in progress, and I can reassure the hon. Member that as at now most of the measures that were recommended in the Internal Control Report have been implemented or are being implemented. So, I don't find any particular reason for us to be talking about dismantling the ICC as at now.

SOCIAL HOUSING UNITS – CONSTRUCTION

(No. B/473) 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 proposed construction of 12,000 social housing units, as announced in the Budget Speech 2020-2021, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the –

- (a) technical specifications thereof, and
- (b) cost decomposition of the average 1,000,000 rupees per housing unit.

The Deputy Prime Minister: Mr Speaker, Sir, in the Budget Speech 2020-2021 delivered on 04 June 2020, my Colleague, the Minister of Finance, announced provision of Rs12 billion for the construction of 12,000 residential units over the next three financial years.

Work by my Ministry in partnership with the Ministry of Finance, Economic Planning and Development is ongoing regarding the implementation of this budgetary measure, including detailed mapping of demand for social housing units disaggregated in terms of locality and income bounds, taking into account the demand from the poorest families registered with the National Empowerment Foundation.

In parallel, an assessment of the suitability of uncommitted State lands for consideration for the construction of social housing units is being conducted in consultation with the different authorities concerned.

Moreover, the NHDC Ltd, the National Housing Development Company Ltd. has been requested to come up with recommendations on the basis of its past experience as to the type and size of housing units that could be built. The planning and ecological dimensions would also be taken on board before finalisation of the technical specifications. As I indicated to the hon. Third Member for Port Louis South and Port Louis Central only two weeks ago, it would therefore be premature at this stage to provide any further details as to technical specifications.

As regards the second part of the question, it is not clear to me, Mr Speaker, Sir, how the hon. gentleman has arrived at the figure of Rs1 m. per housing unit. All I can say is that my Ministry and the Ministry of Finance, Economic Planning and Development are presently working on the financial aspects of this mega housing project concerned.

Mr Speaker: Hon. David!

Mr David: Merci, M. le président. Je suis surpris que l'honorable Premier ministre adjoint soit surpris au coût moyen d'un million de roupies à un logement social. J'ai simplement fait une simple division des R 12 milliards par les 12,000 logements sociaux, ce qui amène à un coût moyen d'un million de roupies par logement social d'où ma question sur la décomposition de ce million de roupies. Est-ce que l'honorable Premier ministre adjoint peut nous éclairer sur ce chiffre ?

The Deputy Prime Minister: Certainly! I now understand the arithmetic of the hon. gentleman who has assumed that the actual construction will cost Rs12 billion. Now, I understand that this amount of Rs12 billion is a grant provided by Government towards the construction of the 12,000 residential units. Now, the working on the actual financing will be completed and announced in due course.

Mr Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Can I ask the hon. Minister as to further clarify whether the Rs1 m. includes the cost of offsite infrastructure in addition to the cost of the housing unit? That is why we get the Rs1 m.

The Deputy Prime Minister: What I am explaining, Mr Speaker, Sir, is that there has been no costing at the present time of these 12,000 units to be built. Now, depending on size...

(Interruptions)

I thought the gentleman might be interested to listen to me. He can then listen to the gentleman afterwards, out of courtesy, I have been asked a question and I am trying to answer the question.

What I am saying is that the actual cost of each and every one of these social housing units to be built cannot be known at this time. They will depend on the size, on the type of units, on the location, on the actual nature of these units. For instance, earlier today my colleagues the Minister of Social Integration gave an indication in response to another parliamentary question as to the costing of NEF units being built; having been built recently. I know from the NHDC that, on average, one of the units - units they have built over the last couple of years - the cost may vary between 1.2 million and 1.8 million. So, I believe we need a little more time to come up with a clear programme and the cost of the destroyed units may vary from one to another.

Mr Speaker: Hon. Dr. Aumeer!

Dr. Aumeer: Can I ask the hon. Minister whether there is any provision made for maintenance of these units once they are built on a long-term basis to avoid the unfortunate eyesore that we have sometimes seen with such units in the past?

The Deputy Prime Minister: Yes, Mr Speaker. I think the question was raised by hon. Mayotte, I believe it was a short time ago concerning maintenance of the NHDC houses at Montagne Longue. And I mentioned that it was one of the sore points arising out of past experience. After the NHDC sells the housing units and the land where appropriate the State still finds itself having to come in for maintenance years and years after. So, we need to find a new formula and, right now, the thinking that is being carried out will include this dimension of post-sale maintenance.

Mr Speaker: Last supplementary!

Mr David: Merci, M. le président. Ce projet de construction repose sur une double démarche cartographique complexe et le Premier ministre adjoint l'a lui-même souligné dans sa réponse d'une part, la cartographie des demandes pour un logement social et d'autre part, la cartographie des terres disponibles ou alors des terres à acquérir. Puis-je demander au Premier ministre adjoint d'éclairer la Chambre sur les premières conclusions de ce travail délicat mais essentiel qui, je l'espère, a déjà été entamé par son ministère ?

The Deputy Prime Minister: Well, I must say that we have well progressed under the guidance of the Prime Minister who is directly involved in stewarding this project. The demand has been assessed for the income groups up to 30,000 rupees. And we know there was a very important demand in the Plaines Wilhems and Port Louis districts for instance but also beyond. We are now assessing the demand in the income band Rs30,000-Rs60,000 which is unknown because, previously, the NHDC was not catering for that income category. So, this is still work in progress, but already we have interesting results and the priority, of course, will be while we will seek to provide housing for everybody within the different income bands. We will bear a special attention to the poorest among the poor, those on the SRM Register and registered with the National Empowerment Foundation. As regards the supply of uncommitted land, the land that is available to the State right now which is uncommitted does not always correspond to areas of high demand. So, we will be prioritising land that is available immediately, land that is appropriate in terms of the duo techno, duo logical studies and also land where we already have utilities: water, electricity which make it

easier and faster to build. Thereafter, we will have to look into exchange of land acquisition to ensure that we meet the demand where it exists.

Mr Speaker: Next question!

CENTRAL WATER AUTHORITY - CONTRACTS

(No. B/474) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Energy and Public Utilities whether, in regard to works carried out for the Central Water Authority, he will, for the benefit of the House, obtain information as to the number of contracts awarded to Best Construct Co. Ltd. since January 2015 to date, indicating the contractual values thereof.

Mr Lesjongard: Mr Speaker Sir, I am informed by the Central Water Authority that since January 2015 to date the Authority has awarded eleven contracts to Best Construct Co. Ltd.

With your permission, Mr Speaker, Sir, I shall arrange for the list of contracts together with the contractual values thereof to be placed in the Library of the National Assembly.

Mr David: Puis-je savoir de l'honorable ministre quel est le montant total de ces onze contrats alloués par la *Central Water Authority* à la société *Best Construct Co. Ltd* ?

Mr Lesjongard: With regard to the eleven contracts awarded, the total value of the contract is Rs1 billion.

Mr David: Can I know from the hon. Minister, in regard to those eleven contracts, what is the total amount of project cost overrun over the same period?

Mr Lesjongard: Mr Speaker, Sir, unfortunately I don't have the information with me. That is why in my main reply I have stated that I shall arrange for the list of contracts together with the contractual values to be placed in the Library of the National Assembly and I shall, in the list, provide the information requested by the hon. Member.

Mr David: Thank you, Mr Speaker, Sir. In reply to PQ B/310 on 07 May 2019, the then Minister of Energy and Public Utilities informed the House that the Central Water Board set up an independent Committee of Inquiry to investigate into possible shortcomings and irregularities in relation to four contracts awarded by the Central Water Authority. This Committee was chaired by Mr S. Hansrod and submitted its report on the 17 of May 2018.

Can the hon. Minister enlighten us on what has been the outcome of the Hansrod report and whether it can table a copy of the complete report?

Mr Lesjongard: Again, Mr Speaker, Sir, unfortunately, this is a very specific question that does not arise from the main question. I cannot provide the information right now. I shall look into and then revert back to the House, Mr Speaker, Sir.

Mr Speaker: Next question!

CEMENT PRODUCTION - COAL ASH

(No. B/475) **Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to coal ash, he will state the quantity thereof valorised in cement production, indicating the terms and conditions of related agreements between the sugarcane producers and the cement manufacturers.

Mr Ramano: M. le président, le rapport du Comité consultatif technique (CCT) de 2009 sur la gestion des cendres de charbon a recommandé que le niveau de carbone non brûlés soit ramené des 15-20 % actuels au niveau requis de 5-7 % pour permettre le mélange des cendres de charbon avec le ciment.

Une installation communément appelée le *Carbon Burn-Out facility* a été mise en place par *Omnican Thermal Energy Operations (La Baraque)*. L'entreprise a soumis une demande d'Etude d'EIA le 20 mai 2013 pour la construction et l'exploitation d'une installation de combustion de carbone sur un terrain de 8700 m² dans le périmètre du site *d'Omnican* à La Baraque. La licence EIA a été délivrée le 28 mai 2014 et l'usine a achevé sa mise en service en février 2018. La capacité installée de l'usine du *Carbon Burn-Out facility* est d'environ 78 000 tonnes par an. En juin 2020, environ 65 000 tonnes de cendres de charbon ont été envoyées par *Terragen Ltd, Omnican Thermal Energy Operations (St Aubin) Ltd, Omnican Thermal Energy Operations (La Baraque) Ltd* à l'usine du *Carbon Burn-Out facility* et quelques 44 000 tonnes de cendres de charbon traitées ont été envoyées à deux cimentiers, à savoir *Lafarge (Mtius) Cement Ltd et Kolos Cement Ltd*.

M. le président, je suis informé par la *Mauritius Standards Bureau* que -

- (a) les normes mauriciennes applicables au ciment utilisant comme additif de la cendre de charbon traitée sont les suivantes -

- (i) MS EN 197-1: en ce qui concerne la composition, spécifications et critères de conformité pour les ciments courants, et
- (ii) MS 36-3;2007-Cement Part 3- Composition, spécifications et critères de conformité pour les ciments pour les régions tropicales ;

Ce sont des spécifications en ce qui concerne les ciments produit par *Kolos Cement Ltd* et *Lafarge (Mtius) Cement Ltd*.

En ce qui concerne les normes du *Mauritius Standards Bureau*, c'est dit aussi que -

- (b) les cendres volantes utilisées dans la production de ciment doivent être conformes aux exigences de la norme MS EN 450-1 : Cendres volantes pour béton, définition, spécifications et critères de conformité. Donc, cela a un critère à être respecté par le *Carbon Burnout Facility*.

M. le président, Je suis également informé par le *Mauritius Standards Bureau* que tous les échantillons soumis par les deux sociétés ont été testés au *Chemical Technology Laboratory* et sont conformes aux normes mauriciennes.

M. le président, avec la valorisation des cendres de charbon traitées comme additif dans la production de ciment, la quantité de cendres de charbon éliminées dans les champs de canne a été réduite par une moyenne de 24% annuellement. Dès que le *Carbon Burnout Facility* sera complètement opérationnel, ou environ 78,000 tonnes de cendres de charbon pourront être utilisées comme additif dans la production de ciment, cela réduira de façon significative les cendres de charbon disposées dans les champs de canne par environ 50 %.

M. le président, je suis aussi informé que, conformément à la condition No. 11 de l'*EIA licence* délivrée à *Omnican Thermal Energy Operations (La Baraque) Ltd* pour la construction et l'exploitation proposées d'une installation de brûlage du carbone le 28 mai 2014, cette dernière a établi un protocole d'accord entre les importateurs de ciment.

M. le président, en ce qui concerne tout accord pouvant exister entre les deux parties, cela relève des obligations contractuelles privées et qui ne sont pas connues de mon ministère.

Mr David: Merci, M. le président. L'utilisation des centres de charbon dans la fabrication du ciment est une valorisation matière indéniable en comparaison à l'épandage et à l'enfouissement dans les champs agricoles. Toutefois, cette technique soulève la question d'un potentiel risque sanitaire lié à l'utilisation des matériaux à base de cendres toxiques dans

la construction des maisons ou autres bâtiments et on a tous en tête la prise de confiance tardive sur le danger lié à l'amiante. Aussi puis-je demander à l'honorable ministre s'il y a eu une évaluation et s'il y a un monitoring de ce risque sanitaire ?

Mr Ramano: M. le président, en ce qui concerne *la Mauritius Standards Bureau*, je peux dire que la *Mauritius Standards Bureau* est satisfait en ce qui concerne le respect des différentes conditions. Les conditions que ce soit pour les ciments en ce qui concerne Kolos et Lafarge et aussi les conditions en ce qui concerne le *Carbon Burnout Facility*.

Donc, il y a aussi le *EIA* licence qui a été délivré aux différents *IPPs* et délivré aussi au *Carbon Burnout Facility* et aussi aux différentes cimenteries, *Lafarge Cement Ltd* et *Kolos Cement Ltd*. Il y a des contrôles a posteriori aussi qui sont faits et jusqu'à présent toutes les autorités sont satisfaites.

Mr David: Merci, M. le président. Puisque le ministre parle des *IPPs*, est-ce que le ministère est au courant que dans le *Power Purchase Agreement* signé entre le *CEB* et les *sugar producers*, il fait mention que des protocoles bien stricts et commerciaux concernant *the disposal of the coal ash*. Est-ce que le ministère de l'Environnement est partie prenante dans ces *PPAs* pour *the disposal* et de la vente *of coal ash* ?

Mr Ramano: M. le président, il y a eu des questions qui ont été posées avant, il y a quelques semaines de cela en ce qui concerne le *disposal of coal ash*. Je pense avoir donné des renseignements nécessaires mais la question d'aujourd'hui est spécifiquement en ce qui concerne la valorisation dans la production de ciment.

Mr Speaker: Next question!

REPUBLIC OF MAURITIUS - MAJOR OIL SPILL

(No. B/476) **Mr J. B. Léopold (Second Member for Rodrigues)** asked the Minister of Environment, Solid Waste Management and Climate Change whether, in the event of a major oil spill in any part of the lagoon in the Republic of Mauritius, he will state the preparedness of his Ministry to deal therewith.

Mr Ramano: M. le président, je souhaite informer la Chambre que la Partie V de l'*Environment Protection Act 2002* qui traite des cas de *Spill and Environmental Emergency* établit le mécanisme pour gérer l'urgence d'un déversement d'huile dans nos eaux selon les termes ci-dessous. Le mécanisme est comme suit, M. le président -

(a) Il y a un avis de déversement qui est émis;

- (b) l'intervention du Directeur de l'Environnement dans l'intérêt public afin d'empêcher, d'éliminer ou de réduire les effets néfastes sur l'environnement;
- (c) les opérations de nettoyage dans le cas d'un déversement;
- (d) les responsabilités pour le déversement et recouvrement des frais encourus;
- (e) la proclamation d'urgence environnementale quand un danger majeur à l'environnement se pose dû au déversement ou le cas échéant, et
- (f) la mise en place d'un Comité technique afin d'informer et de conseiller le ministre sur les aspects scientifiques et techniques de la protection et la gestion de l'environnement.

Afin de gérer un déversement majeur qui se passerait dans la République de Maurice, un *National Oil Spill Contingency Plan*, dirigé par mon Ministère, a été développé en 2003. En ligne avec l'*Environment Protection Act 2002*, ce plan prévoit un cadre de travail incluant le gouvernement et l'industrie pour un plan d'action efficace et rapide au déversement, à Maurice, à Rodrigues et les îles éparses, afin de protéger l'environnement.

Le *National Oil Spill Contingency Plan* prévoit les rôles et responsabilités des autorités avant, pendant et après un déversement. Il prévoit aussi une réaction par Tiers afin de gérer les différents échelons de déversement dans différents endroits, à savoir -

- (a) Tier 1 pour un déversement jusqu'à 10 tonnes métriques qui peut être géré par des ressources localement disponibles ;
- (b) Tier 2 pour un déversement jusqu'à 100 tonnes métriques qui sera géré par le *National Oil Spill Response Team*, possiblement avec le soutien de ressources régionales, et
- (c) Tier 3 pour tout déversement de plus de 100 tonnes métriques qui impliquerait l'aide internationale à travers le ministère des Affaires étrangères, de l'Intégration régionale et du Commerce international.

Le plan prévoit également la mise en place d'un *National Oil Spill Contingency Plan Coordination Committee*, présidé par le Directeur de l'environnement de mon ministère. Le Comité est composé de différentes parties prenantes et doit se réunir régulièrement afin de -

- (a) suivre les développements et assurer une bonne coordination avec toutes les parties prenantes en ce qu'il s'agit des mesures correctives et de confinement;

- (b) faire des recommandations sur les questions relatives aux aspects scientifiques et techniques ayant trait à la protection et à la gestion de l'environnement ;
- (c) prendre des mesures afin de prévenir, éliminer ou réduire les effets néfastes d'une menace sur l'environnement;
- (d) recommander une opération de nettoyage ou d'enlèvement, et
- (e) recommander les mesures à prendre afin d'éliminer ou traiter le polluant.

M. le président, ce plan exclut toutefois la zone portuaire qui a son propre *Port Louis Harbour Oil Spill Response Contingency Plan* pour intervenir en cas de déversement dans le port. Je suis informé que ce plan est mis en œuvre au niveau de la *Mauritius Ports Authority* qui est habilitée en vertu de la *Ports Act 1998* et de l'*Environment Protection Act 2002*, à prendre des mesures pour les ports sous sa juridiction, à savoir Port Louis et Port Mathurin.

Le *Port Louis Harbour Oil Spill Response Contingency Plan* définit le rôle et les responsabilités des parties impliquées en cas de déversement et utilise une approche par Tiers afin de gérer les déversements dans les deux ports, notamment, comme je l'ai mentionné, M. le président -

- a) Tier 1 - pour les déversements de moins de 10 tonnes métriques, c'est la *Mauritius Ports Authority* qui est le principal organisme chargé de nettoyer ces déversements, et
- b) Tier 2 - au-dessus de 10 tonnes métriques et Tier 3 - au-dessus de 100 tonnes métriques, mon ministère prend le devant avec une participation étendue des intervenants d'urgence de tous les *bodies* concernés, y compris le *National Coast Guard*, la *Special Mobile Force*, les compagnies pétrolières et l'assistance internationale, si nécessaire. La *MPA* dispose d'une équipe d'intervenants opérant dans le cadre de son service d'urgence portuaire afin de faire face à de telles situations avec le soutien des embarcations maritimes du département de la Marine.

M. le président, en outre, la section 17 (1) du *National Disaster Risk Reduction and Management Act* de 2016, prévoit qu'en cas de catastrophe, le *National Emergency Operations Command (NEOC)* sera activé afin de coordonner, de gérer toutes les activités. Ainsi, en cas de déversement, les facilités du *NEOC* peuvent être utilisées afin de gérer les

interventions sous la supervision de mon ministère et en ligne avec les provisions du *National Oil Spill Contingency Plan*.

De plus,

- a) un inventaire des équipements de ‘oil spill combat’ du *National Coast Guard*, de la *Special Mobile Force*, du *Mauritius Ports Authority*, des compagnies privées a été effectué par mon ministère et mis à jour régulièrement, et si le besoin se fait sentir, ces équipements seront déployés sur les sites affectés, et
- b) en 2012, il est bon de souligner aussi, qu’un atlas des régions côtières sensibles a été mis à jour par le *Global Environment Facility (GEF)* financé par le *Western Indian Ocean Marine Highway Development and Coastal and Marine Contamination Prevention Project*, pour identifier les régions sensibles, les ressources vivantes en danger et les types de rivages sur la côte de Maurice qui nécessiteraient une protection en cas de déversement.

M. le président, je tiens à préciser à la Chambre que mon ministère est en train de mettre à jour l’actuel *National Oil Spill Contingency Plan* en collaboration avec toutes les parties concernées et bien sûr, en tirant des leçons des expériences passées.

Mr Speaker: Hon Léopold!

Mr Léopold: Thank you, Mr Speaker, Sir. Would the hon. Minister consider of providing all outer islands of the Republic of Mauritius with booms so as to increase the effectiveness and readiness should any spill happen in our outer sea territorial and to give National Coast Guards scholarship so as to make them ready to deal with any oil spilling in our territory?

Mr Ramano: M. le président, j’ai pris bonne note de la remarque de l’honorable membre, mais je dois quand même rassurer l’honorable membre que le *National Oil Spill Contingency Plan*, en ligne avec l’*Environment Protection Act*, est en train de prendre toutes les dispositions en ce qui concerne l’Ile Maurice, Rodrigues et aussi les îles Eparses. Mais, en ce qui concerne la disposition des *booms*, c’est une très bonne proposition. Je sais qu’il y a quelques éléments qui sont disponibles et bien sûr, à la lumière des expériences passées, nous prendrons toutes les dispositions nécessaires.

Mr Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you. One of the possible causes of oil spill could be the wreck of a ship. Can I ask the hon. Minister between the time the ship wrecks and the salvage team comes, which department is in charge of the ship to maintain it in position? Because, last Friday, myself, hon. Ramful and hon. David, we went for a site visit at the site of MV Wakashio and we were told by the fishermen there, that the ship from the day it wrecked, that means on Saturday 25 July and the day we went there, 31 July, the ship has moved position several times over the reef. And the hon. Minister, himself, has confirmed just now, in his reply to B/468, that internal cracks have started appearing in the ship which could have been avoided. Which department is responsible for immobilising the ship so as to prevent further damage to the ship?

Mr Ramano: M. le président, comme je l'ai dit dans mes réponses précédentes, le ministère de l'Environnement est responsable, surtout en ce qui concerne le *Oil Spilling Plan*. En ce qui concerne tout l'aspect *salvage process*, en ce qui concerne la sécurité des lieux, il y va du ministère de mon collègue du *Mauritius Shipping*. Je dois dire aussi qu'il y a aussi l'apport du *National Coast Guard* et aussi de la *Special Mobile Force* là-dessus.

Mr Speaker: Next question!

MAURITIUS FOOTBALL ASSOCIATION - FOREIGN FOOTBALL PLAYERS - LICENCES

(No. B/477) **Mr E. Juman (Fourth Member for 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.

Mr Toussaint: Mr Speaker, Sir, I am informed by the Mauritius Football Association (MFA) that for the Football Season 2019-2020, 101 licences have been issued in favour of foreign players.

Mr Speaker, Sir, I am further informed by the MFA, that *Cercle de Joachim* has been imposed a fine of CHF 10,000 by the FIFA Disciplinary Committee with respect to the transfer of five Malagasy players.

Mr Juman: *Merci, M. le ministre.* I hope the Minister understands the seriousness of the issue since the FIFA imposed a sanction on one of our Premier League team. *Déjà, notre*

football est à la traine. Can the hon. Minister inform the House, out of the number of ITC (International Transfer Certificate) issued, how many of them were issued through FTMS (FIFA Transfer Monitoring System), and if there are any other channels to issue ITC? Because, as per Circular No. 2, season 2018-19, Section 6 by the MFA, club wishing to recruit foreign players should proceed through the FTMS mandatory. So, can I know from the Minister if there is another channel to issue the ITC?

Mr Toussaint: M. le président, comme je l'ai expliqué dans la question précédente, donc, tous les transferts doivent se faire à travers le système mis en place par la FIFA. Et à l'heure qu'on se parle, donc, c'est pour les cinq joueurs malgaches, pour le club Cercle de Joachim qui, donc, d'après la FIFA, le système n'a pas été respecté et c'est pour cela que le club a écopé d'une amende.

Mr Speaker: Hon. Quirin!

Mr Quirin: Merci, M. le président. L'honorable ministre vient de nous dire que la MFA a accordé sans une licence à des joueurs étrangers et pour ensuite voir cette même MFA annuler le championnat de façon arbitraire. L'honorable ministre peut-il nous dire, s'il trouve cela normale, cette façon d'annuler le championnat, après avoir comme-ci permis à des équipes d'investir sur des joueurs étrangers de grosses sommes et pour, finalement, annuler le championnat, alors que les autres championnats étrangers étaient stoppés, à un certain moment, dû à la Covid-19, mais qui ont repris par la suite, alors qu'à Maurice, le championnat est annulé?

Mr Toussaint: M. le président, la question est basée sur les licences et sur la sanction imposée de la FIFA. Et puis, de toutes les façons, M. le président, ce n'est pas à moi de trouver normale ou anormale qu'une ligue ait été arrêtée. Toutefois, si n'importe quelle équipe, n'importe quel joueur, n'importe quel athlète se sent lésé, il a toujours recours à l'*Ombudsman for Sports*. Eventuellement, si aucun accord n'est trouvé, l'affaire est référée au *Sports Tribunal*. Voilà les procédures! Ce n'est pas n'importe quoi, hon. Quirin! C'est ça la procédure!

Mr Speaker: Last supplementary!

Mr Juman: I have a copy of two templates of ITC from which you can clearly see that the FIFA template has been tampered by the MFA. I have a copy; I will table a copy of both. One genuine for the FTMS and a fake one, without serial number, used by the MFA. Now that the FIFA has sanctioned the club, and I do not know if the Minister is aware that

the MFA also will be heard by the Ethics Committee of FIFA, and since five players and the club found guilty, will this have any incidence as regards to promotion and relegation of the seasons 2018 and 2019?

Mr Toussaint: M. le président, donc, il y a un document qui sera déposé par l'honorable membre et dont je n'ai pas vu, encore une fois. Et il a dit dans sa question que la *MFA will be heard*. Jusqu'à ce que la *MFA* soit entendue par la FIFA, je ne peux absolument donner un avis, et dire quelque chose par rapport à la saison. Donc, nous allons suivre cette affaire de près.

Mr Speaker: Next question!

STC - MEDICINES & MEDICAL EQUIPMENT - PROCUREMENT

(No. B/478) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the medicines and medical equipment procured by the State Trading Corporation on behalf of his Ministry through Emergency Procurement amid the COVID-19 Pandemic, he will, for the benefit of the House, obtain and table the list thereof, indicating the -

- (a) date on which the orders were placed and supplied, respectively, and
- (b) date of payment.

Dr. Jagutpal: Mr Speaker Sir, I am informed that from 23 March to 30 May 2020, the STC purchased the following items from different companies -

1. Facemask;
2. PPEs;
3. Covid-19 PCR test;
4. Azithromycin & Chloroquine tablets;
5. Covid-19 Antigen test;
6. Magmax-96 Viral kit;
7. Magnetic Syand-96 1 Stand;
8. Microporous Coverall;
9. Disposable Gloves;
10. Lab reagents;
11. Thermo scientific Kingfisher flex;
12. Virus Sampling Tube, among others.

Mr Speaker Sir, I am further informed that all the items ordered have already been supplied. No other items have been procured after 30 May 2020. Mr Speaker Sir, I wish to point out that I have already laid on the Table of the National Assembly information on the items procured by STC. I am tabling the dates on which the orders were placed and supplied.

Mr Speaker: Supplementary!

Mr Juman: Thank you, hon. Minister. Can the hon. Minister confirm to us what was the mode of payment used to pay, whether the payment was done to the same company with regard to *Boîte Digital* and the mode of payment?

Dr. Jagutpal: Mr Speaker Sir, I don't have those information, but it would be not proper to disclose any further information at this stage as the matter is subjected to an investigation by the Independent Commission Against Corruption which may cause prejudice to the enquiry.

Mr Speaker: Hon. Uteem!

Mr Uteem: With respect to this enquiry by ICAC which has just been mentioned by the hon. Minister, does it relate to the supplier of these medical equipment, who is related to the Director General of the State Trading Corporation and if this is what he is referring to, doesn't the hon. Minister agree that this gentleman from the STC ought to step down pending the outcome of the enquiry?

Dr. Jagutpal: Mr Speaker Sir, I don't have such information, but in any case, all these investigations are being carried out by ICAC and I don't have any possibility to enquire about those questions that you have raised.

Mr Speaker: No supplementary Dr. Aumeer?

Dr. Aumeer: No.

Mr Juman: With regard to Pack & Blister, the question was clear, the date of purchase, date of payment and date of delivery. I want to know details about date of purchase, date of order from Pack & Blister, date of different deliveries and date of all payments.

Dr. Jagutpal: Mr Speaker Sir, all the information that I have received from STC are being tabled.

Mr Speaker: Next question, hon. Juman!

RICHE TERRE – INDUSTRIAL PARK

(No. B/479) **Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the State land at Jin Fei, he will, for the benefit of the House, obtain from Landscape (Mauritius) Ltd., information as to the number of proposals obtained for development thereat, indicating the number thereof acceded to and the number thereof wherein developments have started.

Dr. Padayachy: M. le président, le gouvernement a confié à *Landscape (Mauritius) Ltd* la responsabilité de développer un parc industriel sur 325 arpents de terre d'État à Riche Terre.

Je suis informé qu'à ce jour, un total de 110 demandes de sous-location de terrains dans le parc industriel de Riche Terre ont été reçues. Sur quelques 91 candidatures approuvées, 42 demandeurs ont décidé de signer un accord de sous-location. Actuellement, 38 contrats de sous-location pour 40 parcelles de terrain ont été signés et 4 contrats sont en attente de signature.

En ce qui concerne, le nombre de développements qui ont commencé, j'ai été informé que 12 opérateurs économiques ont entamé les projets suivants -

- (a) deux opérateurs économiques ont achevé la construction de leur installation et sont actuellement opérationnels;
- (b) des travaux de construction sont en cours pour trois d'entre eux ;
- (c) quatre opérateurs économiques ont déjà obtenu leur permis de construire et d'utilisation des terres et commenceront bientôt la construction, et
- (d) trois opérateurs économiques ont récemment déposé leur demande de permis de construire et d'utilisation du sol pour approbation.

Merci.

Mr Juman: Merci, M. le ministre. Si je comprends bien, sur 42, il n'y a que 7 qui sont en voie de développement et peut le ministre nous dire si tous sont en règle avec la caisse du gouvernement, ils sont en train de payer leur location, les 42?

Dr. Padayachy: M. le président, je n'ai pas les informations. Je vais déposer à la Chambre les informations requises là-dessus. Je n'ai pas les informations.

Mr Juman: Can the hon. Minister state whether the plots of land which have not been developed within the time frame stipulated in the lease agreement, will the land be taken back and reallocated?

Dr. Padayachy: Encore une fois, cela demande une question spécifique de la part de l'honorable membre parce qu'il m'a demandé une question par rapport au développement pour le *State Land* à Jin Fei. J'ai donné les informations dessus. Je n'ai pas d'autres informations concernant la suite. Je demanderai les informations et je déposerai à la Chambre.

Mr Speaker: Hon. Members, the Table has been informed that PQs B/485 and B/486 have been withdrawn.

MODERN JURASSIC BUILDING & CONSTRUCTION LTD - CONTRACTS

(No. B/480) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of National Infrastructure and Community Development whether, in regard to the setting up or renovation of flu clinics since the COVID-19 Pandemic outbreak, he will state the number of contracts awarded to Modern Jurassic Building & Construction Ltd., since January 2020 to date, indicating the contractual values thereof.

(Withdrawn)

Mr Speaker: Next question. Hon. Nagalingum!

DR A. G. JEETOO HOSPITAL - MEDICAL EQUIPMENT

(No. B/481) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Health and Wellness whether, in regard to medical equipment available at the Radiology Department of the Dr A.G. Jeetoo Hospital, namely X-Rays, CT Scans, MRI, Image Intensifiers, Radiology and Cardiac Angio/Echography, he will give the list thereof, indicating the -

- (a) number thereof which are in operation;
- (b) yearly maintenance costs thereof, and
- (c) aftersales service ensured.

Dr. Jagutpal: Mr Speaker Sir, I am informed that there are 9 X-Ray machines, 1 CT Scanner, 1 MRI, 3 Image Intensifiers (C-ARM), 1 cardiac angiography machine, 1 portable ultra sound machine and 3 echocardiography machines fully functional at Jeetoo Hospital as at 03 August 2020.

The ultrasound machine in Radiology Department broke down on 11 February 2020. Given the age of the machine, it was decided not to proceed with repair and to replace same on a fast track basis. Presently, the tender documents are being finalised for launching. I am tabling the information requested by the hon. Member.

Mr Nagalingum: Mr Speaker, Sir, the information that I have is that the angio/echography and the X-Ray were not working during the lockdown. Nevertheless, pending repairs to these medical equipment, can I know from the hon. Minister what are those institutions which provide these services?

Dr. Jagutpal: Mr Speaker Sir, the angio machine was broken down but it has already been repaired. Patients who needed those services have to attend different hospitals, that is, SSRN Hospital and Victoria Hospital.

Now, about the X-Ray machine, 1 has been broken but there are 9 X-Ray machines still operational at Jeetoo Hospital.

Mr Nagalingum: Can I ask the hon. Minister, during the last financial year how much Government has disbursed to these institutions, if we can have a detailed list island wise, in all hospitals?

Dr. Jagutpal: Mr Speaker Sir, I don't have this information, I'll invite the hon. Member to come up with a proper question, and I'll give all the information.

Mr Speaker: Last supplementary!

Mr Osman Mahomed: Thank you, Mr Speaker, Sir. With regard to the broken down cardiac angio/echography apparatus which has now been repaired notwithstanding the fact that they were deployed to other hospitals, the patients, but I do understand that there is a long waiting list, not so much for emergency interventions but for planned interventions. Can I ask the hon. Minister what arrangement has been made in order to expedite people awaiting their testing on this equipment?

Dr. Jagutpal: Mr Speaker Sir, all the lists that have to do those tests – angiography tests or other tests related where the machines are being used, so, all those are being catered at the other centres. Now, you have a regular list that is being taken at regular working hours, but in case the list starts growing longer, you have additional sessions that are being performed after working hours.

Mr Speaker: Next question!

CEB - HIGH ELECTRICITY BILLS - COMPLAINTS

(No. B/482) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Energy and Public Utilities whether, in regard to the domestic customers, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the number of complaints received therefrom, if any, for inordinately high electricity bills, indicating the number thereof which have been adjusted downwards, if any.

Mr Lesjongard: Mr Speaker Sir, I am informed by the Central Electricity Board that the latter had stopped its meter reading activities on 19 March 2020 on account of lockdown, due to COVID-19 pandemic. The electricity bills relate to those distributed after the 15 May 2020 when the meter reading activities resumed.

I am further informed by the Central Electricity Board that from the 15 of May to the 31 of July 2020; 27,451 complaints have been received in respect of high bills through different channels, inter alia, telephone calls, emails, call in by customers, and at Customer Service Centres.

The House may further wish to note that 192,702 domestic bills have been adjusted downwards amounting to a total of Rs8,954,055.

Thank you, Mr Speaker, Sir.

Mr Nagalingum: Yes, can I ask the Minister if his attention has been drawn that many customers have received grossly exaggerated bills that some of them are Rs50,000, Rs92,000? Is any adjustment being contemplated? Is there any consideration given to especially the SMEs and self-employed?

Mr Lesjongard: I thank the hon. Member for the questions but there are so many questions. Let me start with regard to the customers he has mentioned. I have stated in my main reply that 192,702 domestic bills have been adjusted downwards. So, considerations have already been given to that.

Secondly, with regard to decrease in tariff during the lockdown period, there were some 65,000 domestic customers that benefited for a decrease in tariff, that is, tariff 110A and there were also, I understand, some 20,000 small businesses under tariff 215A which have also benefited from a decrease in tariff during the lockdown period.

As additional information, the hon. Member should understand that when we talk of domestic tariff, we are talking of a progressive tariff, that is, for every increase in kWh and,

in this case, it is 25 kWh, the tariff changes. But, during the lockdown period, in order to alleviate the customers, there has been a credit adjustment on the tariff, that is, at a lower rate and not at a higher rate. So, there have been customers who have benefited a decrease in tariff but, in cases where there has been an increase in tariff, due consideration is being given by the Central Electricity Board. Thank you.

Mr Speaker: Time over!

MOTION

SUSPENSION OF S.O. 10(2)

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

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

STATEMENTS BY MINISTERS

Mr Speaker: Hon. Ganoo!

(4.12 p.m.)

PRICEWATERHOUSECOOPERS – REPORT – QUERY BY HON. AMEER MEEA

The Minister of Land Transport and Light Rail (Mr A. Ganoo): Mr Speaker, Sir, at the Parliamentary Sitting of the 28 July 2020, pursuant to my reply to Parliamentary Question B/414, in relation to the free travel scheme, hon. Ameer Meea queried about the Report of the PricewaterhouseCoopers which stated my predecessor undertook to lay on the Table of the National Assembly.

I wish to inform the House that on the 24 October 2017, following a Private Notice Question put the then Leader of the Opposition to hon. Bodha, then Minister of Public Infrastructure and Land Transport in relation to the Metro Express project, the latter tabled a copy of the executive summary of the Report from the PricewaterhouseCoopers Private India Limited on the reengineering of the public transport industry in Mauritius.

It will appear that hon. Ameer Meea may not be aware that the said document is available at the Library of the National Assembly since 24 October 2017. I will, therefore, invite the hon. Member to consult the document at the Library.

Thank you.

Mr Speaker: Hon. Toussaint!

(4.14 p.m.)

TOKYO OLYMPIC GAMES 2020-2021 - INVITATIONS

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint):

Mr Speaker, Sir, with your permission, I wish to make the following statement. In reply to a supplementary question from the hon. Third Member for Beau Bassin & Petite Rivière, following my answer to PQ B/316 on 21 July 2020, I informed the House that, at that stage, only Mr Richarno Colin had been selected to participate in the Tokyo Olympic Games 2020-2021.

I also inform the House that we had also received invitations for participation in athletics, judo, swimming and table tennis.

Mr Speaker, Sir, after consultation with the Mauritius Olympic Committee, it is now confirmed that invitations have been received in respect of the following disciplines only, namely –

- Swimming;
- Table tennis;
- Judo, and
- Boxing.

Thank you, Mr Speaker, Sir.

(4.15 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. Ganoo!

The Minister of Land Transport and Light Rail (Mr A. Ganoo): Mr Speaker, Sir, the Finance (Miscellaneous Provisions) Bill comes hot on the heels of the 2020-2021 Budget Speech which was presented by this Government in June 2020 at a time of unprecedented global crisis and rightly entitled 'Our New Normal, The Economy of Life'.

The 2020-2021 Budget, Sir, has introduced a number of innovative measures, policies and fundamental reforms which positively affect most sectors of our economy and society. These courageous measures and policies are necessary to protect the lives and the livelihoods of people and families in Mauritius in these difficult times.

The hon. Minister of Finance has unveiled a revolutionary vision and strategy to lift our country from this crisis but we all know that vision and strategy are not enough. The long term key to success is execution, each day, every day and this is exactly what this Government is doing through this Finance Bill. The Bill provides for the execution and swift implementation of measures announced in the Budget Speech 2020-2021 and for matters connected consequential or incidental thereto.

Right from the start, Mr Speaker, Sir, I must say that Government has consulted different stakeholders of the economy and has subsequently taken into account the comments made by the industry and other stakeholders and also reviewed its position on certain measures to make these more effective and fair where appropriate.

In that regard, I recall that some hon. Members on the other side of the House commented, Sir, that Government has changed some of its proposals made during the Budget Speech and argued that this is unprecedented. But this is firstly untrue, Mr Speaker, Sir. There have been several cases in the past where different Governments have, *en cours de route*, as a result of the debates and exchange of opinions after the Budget Speech, modified the original proposals announced in the speech. This is precisely what democracy is all about. This is what a true expression of the democratic spirit entails, Mr Speaker, Sir.

So, that some changes have been brought to the Budget, on the contrary, we must congratulate the Minister for his open mind to have taken on board proposals that have been made inside or outside the House.

Mr Speaker, Sir, it is with great honour, in fact, that I will add a few comments to the debates concerning the Finance Bill 2020 to 2021. I would like to reiterate by congratulation to my colleague, the hon. Minister of Finance. This Finance Bill, following the Budget, unravels an exercise which has been structured with a mastery of sound policies in this

complex economic situation. We have been indeed navigating in the most unknown waters with the COVID-19. Right from the outset, I wish to apologise. Should I recall and repeat the obvious, but I firmly believe that in these dire circumstances, we need to get the basic right, we need to swiftly implement the most rational decisions for the best of many without fear or challenge or contradiction by those pouncing on minor details to vent out their demagoguery and create political and social turmoil for mere political games.

Yes, Mr Speaker, Sir, this Government has a sense *du devoir accompli* as despite the strong tailwind created by the coronavirus crisis, fundamentally, Mauritius is globally recognised to have kept the economy afloat as long as possible while prudently and pioneeringly engaging in monitoring protocols, taking bold and swift decisions as soon as the first cases of the virus were registered locally, as we remember, devising protocols to control and crush the virus curb while maintaining the delicate social fabric and supporting the most vulnerable and, finally, engaging swiftly in a new economic paradigm relevant to the new economic architecture.

Mr Speaker, Sir, the above is what Government has achieved and is doing to its best capacity and with all good will and good faith and this is why I can congratulate the leadership of our Government. This recognition that I have is not only my words but the echo of several international articles and for those blinded with political demagoguery and bent on creating social turmoil, let me just quote a few of these headlines –

- (i) Africaarguments.org –
“How Mauritius unique political culture help to beat COVID-19?”
- (ii) Trade economics –
“Mauritius Coronavirus recovered”
- (iii) The Economist –
“A country on its way up”
- (iv) We remember the BBC, the headlines were –
“Successfully combatting COVID-19 outbreak”

And the list goes on, Mr Speaker, Sir. I don't have to go through all the comments which have been made positively of our country's struggle against the virus and also trying to restore our economic fundamentals.

Mr Speaker, Sir, this is the truth; the rest is pure demagoguery, capitalising on a moment of unprecedented crisis and fragility of the population to wake up social unrest. We have all listened to the different speeches on this Bill with much delight and with much dissatisfaction, Mr Speaker, Sir. Why dissatisfaction? As I just said a few minutes ago, we navigated to our level best to take the population to the safest shores while safeguarding the social and economic fabric. This Budget has been made in the most uncertain and difficult situation created by the crisis. Worst, without any support, without any constructive inputs, some have spoken of *budget sans vie au gouvernement apprenti*. And it has been the same even before the Budget when experts, as I just quoted, praised the response of Mauritius, some on the other side, have been calling us *apprenti* among other words. Well, let us put it straight, Mr Speaker, Sir, we have been *apparent*. The whole world has been *apprenti* in this situation, be in on the sanitary level or the economic level and today despite the tantrum created by the Opposition, the attempts to create tension in this testing time, the finality has proven us right, Mr Speaker. We are COVID safe. The population can move freely. Internal economy is fully functional and support has been mustered to keep companies afloat, protect jobs and define a new economic model, *une économie de la vie*, more resilient to global crisis and more inclined towards fundamental needs like food security, availability of pharmaceutical products and an economy driven by innovation and environmental imperative.

Mr Speaker, Sir, at all levels bold measures have been taken at the proper moment. The time was for action and is still for action and for results and we succeeded together, Mr Speaker, Sir. This is why we, in the meantime, remember also what some have been saying to instil confusion, fear and promote social crisis in this difficult situation. We remember a few weeks ago, some were saying *on aurait jamais dû fermer les supermarchés*, others were saying, Mr Speaker, Sir, *une crise sociale à l'horizon* and some were predicting *un millier de cas de mauriciens qui seraient atteints par le virus* and they have all proved to be wrong.

Mr Speaker, Sir, within this crisis period, while working on the protocol, it became urgent and essential to come forward swiftly with budgetary measures and we needed a budget tailor-made to the actual reality and my colleague, the hon. Minister of Finance, with his team and Government as a whole, worked in delivering a forward looking Budget structured so as to keep the nation afloat in these dire times. This Budget and this Finance Bill has been drafted with the same rational as the sanitary crisis was managed, putting people first and driving forward the economy in the coming periods of uncertainty, turmoil,

economic conservatism and protectionism and the deglobalisation and my words, Mr Speaker, Sir, are not based on pure rhetoric, indeed we must welcome this exercise when we know how so many countries, including the advanced one have failed to control both the health impact and the economic ravages caused by rollercoaster indicators.

Let us have a glimpse of the impact of the crisis on a small Island Developing States like Mauritius which are highly dependent on the tourism economy, Mr Speaker, Sir. According to recent air traffic data, an 80% drop has been observed since January of this year. According to the United Nations Conference on Trade and Development, they expected deep and prolonged slowdown in travel and tourism as there is serious concern for SIDS about their finances. I was reading an article yesterday, Mr Speaker, in South Africa, 37,000 restaurants have already closed down and we can just measure the gravity of the situation over the globe, Mr Speaker, Sir. And still, according to UNCTAD, access to global capital market is increasingly restricted and countries will be able to weather these economic storms only by relying on additional debts or by using available foreign exchange reserves when those are available, Sir.

Secondly, when we have a more holistic view of the impact of the crisis, the World Bank Report, dated June 2020 said that the pandemic is expected to plunge most countries into recession in 2020 per capital income contracting in the largest fraction of countries in the world since 1870. Last week, CNN forecasted a near 33% drop in the US GDP and this is the reality today that we are facing whatever our political strike, whatever our ideology, Mr Speaker, Sir. So, this is why, in his Budget and as expounded in the Finance Bill, Mr Speaker, Sir, the Minister of Finance and Government have redistributed wealth more equitably, harness the goodwill of the richest to save the poorest, ensure Government intervention to provide wage support, ensure the sustainability of the pension system, maintain basic food and subsidise basic commodities. This is why, Mr Speaker, this Finance Bill has provided a set of open incentives to allow and encourage investment. Although complex in detail, the budget philosophy is simple, and as expounded in the Finance Bill, in the multiple clauses of the Budget, Mr Speaker, it has set the tone to shift the country towards an innovation-based economy. As the country ventures in the global innovation race, we must reckon that we are competing with countries around the world for the most talented people, the newest technologies and the fastest growing companies.

In fact, one of the major structural difficulties of our society in the years to come is our demographic, Sir. The population level in our country is expected to decrease by 2023

and yet in 2019, the fertility rate has already dropped to a never attained level of below 1.4 children per woman since independence. At this rate, we will end up becoming a country with a population of less than 900,000 by 2050.

The number of elderly persons is also rising rapidly such that the dependency ratio has been falling to reach 408.3 in 2018. Currently, given our active population, there are five people working for every retiree. The current trend in terms of fertility rate leads us to expect that this figure, Mr Speaker, Sir, will fall to 2.5 to 1 by 2031 and 1.7 to 1 by 2051 and this is simply unsustainable for our economy and will result in severe implications on our economy, prime of which is a heavy burden on Government finances and the pension system. This unprecedented pandemic has been a major wake-up call for all of us as well and has laid bare the inability to rely completely on our existing population size to sustain economic activity.

Today, there are no better examples than our hotels, restaurants, tour operators, craftsman, tourist shops, hotel taxis which have all been hit with the absence of tourists and they are operating in a desert, Mr Speaker, Sir. This situation, therefore, compels us to build a solid domestic base and a captive market for our economic operators. This is why our aim should be to welcome with open arms, at least, 200,000 foreigners living on our island in the years to come. In addition, we are faced with a dearth of local talents which is impeding the expansion and improvement in productivity of existing sectors of activities, such as manufacturing, agro-industry, financial services and tourism while constraining the emergence of new niche, such as Fintech, Big Data and so on, Mr Speaker, Sir. The talent gap is particularly acute for firms contributing to an investing in technology-based innovation and digital automation and transformation. Certainties, a major magnet to attract those kinds of talents and skills in Mauritius. Non-citizen investors, professionals and retirees need visibility before acting for a place where they will be spending a significant part of their lives.

They need certainty for their families. Similarly, employers need certainty before engaging foreign professionals and there is no alternative today than further opening our shores for non-citizens to invest, to work, to live and to retire in our country, Mr Speaker, Sir. They need to supplement our slowing natural population growth with an enhanced openness policy is not unique to Mauritius. Many other advanced economies are facing similar pressures and are tapping into global talent pools to sustain growth. The measures announced in terms of improving the conditions of the occupation permit allow to address several of these existing and emerging issues at one go.

By virtue of the different clauses in the Finance Bill, the extension of the occupation permit from 3 to 10 years and that of the Permanent Residence Permit from 10 to 20 years will significantly increase the number of high calibre professionals and investors in our country, creating jobs and transferring skills in local youth to bring significant multiplied benefits in terms of consumption which will have positive bearings on the economy, both in the short and long-term.

Mr Speaker, Sir, it will also provide high growth and innovative companies, the managerial capacity and skills they need to scale and become globally competitive. We need to have those pragmatic openness policies to help Mauritius to reach its full potential as an innovation nation, create more high valued jobs and generate wealth within our borders. The further opening to non-citizens, Mr Speaker, Sir, means that we need a critical mass of people in our country to enhance economic activities with the heavy investment in infrastructure that we need to have the support of the non-citizens to be able to reduce the pay pack of these investments. It is, therefore, Mr Speaker, Sir, a very courageous decision on the part of Government, Mr Speaker, Sir, to have devised that policy.

Mr Speaker, Sir, before I comment on some other clauses in the Bill, Mr Speaker, Sir, I will also insist that when Government announced the decision to bring the minimum investment in immovable property for foreigners from USD500,000 to USD350,000, this will not only make the projects more attractive to foreigners, but will also encourage small developers to come up with Real Estate Projects, obviously, respecting all the parameters set for such category of development. Furthermore, we all know how the smart cities are struggling to sell their projects today, Mr Speaker, Sir. The measure announced in the Budget allowing permit holders to acquire service land will further develop the construction industry as these permit holders will be allowed to build within a period of five years and we all know, the negative effects of the crisis and we should welcome this strategy to encourage non-citizens to invest in our country.

Why should we fear of having non-citizens in this country? In many developed countries, foreign investment has played an important role in the GDB contribution and Mauritius should not be different from that. Let us take the example of the number of jobs that foreign investors have created in our country since we came up with the first IRS project in the year 2000, Mr Speaker, Sir.

Mr Speaker, Sir, the Finance Bill has also, as we have seen when we go through the pages of the Finance Bill, Mr Speaker, Sir, regarding paid a lot of attention in terms of sectorial development. The Budget has reviewed the business facilitation environment by milestone a new era for the construction and real estate sector which will be the driving force of the economy, and much effort has also been put in re-boosting traditional sector essential for the new economic landscape, especially, as we know, Mr Speaker, Sir, that the deep and long lasting global economic recession will have negative effects on our traditional sectors.

Mr Speaker, Sir, when we look, for example, at our agricultural sector, we are providing a comprehensive and overarching scheme engaged towards providing for land in a transparent way. Price stabilisation and marketing facilities and this is what was lacking. Today, there is a clear strategy to the sector, a clear and modern land bank will be made available and a transparent and an open allocation process to further incentivise the value of land, a price stabilisation mechanism is being devised by Government and the private sector, and Government will also support in product marketing. With the different objectives like providing for food sufficiency and supporting the import substitution strategy.

Revaloriser la terre, reviving the agricultural sector and a new breed of agripreneur, incentivise the growth of a new sector of value creation. And similarly, Mr Speaker, Sir, when we look at the emergence of the blue economy, we must know that Government may invest in the fisheries and aquaculture sector. It is time that we unveil the full potential of these sectors in these periods of economic crisis, and let us get the facts right, Mr Speaker, Sir. Seafood and fishing provide jobs to some 15,000 people. 800 to 1,000 vessels called to the Port and the economic impact is enormous and according to experts, we can easily ramp up within our lagoons where there are no limited or tourist activities to 23,000 of tons of fish production.

Through this sector, promoters have provided fish free protein in terms of tons to the population during the crisis. This very sector, Mr Speaker, Sir, that some have been trying to kill for so long is, in fact, *un secteur d'avenir*. And the Government will take bold decisions, as announced in the Budget Speech, and irrespective of the hurdles and misinformation vehiculated, this Budget will pave the way to a new blue venture.

Mr Speaker, Sir, I would like just to mention a few measures and proposals that clearly demonstrate the commitment of our Government to improve the lives of our fellow

citizens and the need to consolidate business and livelihoods in these difficult times. Some of these measures which I am going quickly through, Mr Speaker, Sir, may seem superficial or may seem unimportant, but the profound effect that they will have on the lives of our population is not to be underestimated, Mr Speaker, Sir. I will not go through all the different clauses of the Bill, but I take a few examples, the Banking Act and the Bank of Mauritius Act. Mr Speaker, Sir, as more cases of COVID-19 appear across the world at large, physical banking will look less appealing for everyone, even to customers who previously preferred in-person banking. The customers are increasingly weary of spending time in crowded public spaces and need a way to conduct banking with fewer physical interactions. By implementing digitalised and remote customer transactions, banks now can ensure that every day processes will be carried out with limited disruption to business in Mauritius. Coronavirus is fuelling the movement towards the digital banking and other online solutions, and our Government is anticipating this shift towards digital banking and taking relevant measures to ensure and facilitate this transaction.

The Finance Bill caters for amendments to the Banking Act and the Bank of Mauritius Act mainly to promote digital banking, developed credit scoring services and strengthen the supervisory and regulatory powers of the Bank of Mauritius. Similarly, Mr Speaker, Sir, the Mauritius Revenue Act is continuing its journey to embrace digitalisation and this has proved to be very useful during the lockdown period.

The legal obligation now to submit tax returns electronically has now been extended to Trust/*Société* and an estate of a deceased person, as well as tax return under the current payment system. A fully digitalised MRA is testimony of the e-government strategy and a commitment to enhance ease of doing business. Mr Speaker, Sir, similarly, Customs Act, Customs Tariff Act, Excise Act and VAT Act, the Income Tax Act. In the education sector, for example, during the recent lockdown caused by the COVID Pandemic, it became clear that online education is the way forward in a world where social distancing is the new norm. Government has been encouraging distance learning and education through VAT exemption for IT and IT related materials and equipment for the purpose of online education for a tertiary education ranked among the top 500 institutions worldwide.

Similarly, the Income Tax Act, the Human Resource Development Act are all pointers in the same direction, but I will come to one sector, Mr Speaker, Sir, to the sector of land and property, to again argue that it has been the vision of this Government, not only to offer decent housing with adequate facilities in a sustainable living environment to every

Mauritian, but also, Mr Speaker, Sir, this Budget has rightly identified the construction industry as an important pillar to rebuild our economy, and is a laudable effort to encourage investment in the real estate. In this respect, the different measures that have been proposed, the Construction Housing State Scheme, for example, has been reinstated and will operate for two additional years until June 2022.

No registration duty and land transfer tax will be payable on the transfer of freehold bare land for the construction of a housing estate project, provided the land is transferred by 31 December 2020 and the construction is completed before 2021. No land transfer is payable on the sale of a residential unit under the scheme provided it is made to Mauritian before 30 June 2022 and the price does not exceed Rs6 m. A person who is a first-time buyer, Mr Speaker, Sir, will benefit from registration duty exemption even if he or his spouse was owner or co-owner of an immovable property received by inheritance. A person acquiring a social housing unit under the National Empowerment Foundation will be exempted of registration duty, Mr Speaker, Sir.

Let us come to the ease of doing business. The online submission of deeds of transfer of property is now mandatory and will reduce the time taken to get title deeds. We should not forget that time constraints very often leads to loss of business. The investment in a Land Use and Valuation Information Management System (LAVIMS), based on Blockchain Technology will further professionalise the real property sector and is subject to a new Bill. This will reduce the number of reassessment cases at the level of the Registrar and be more transparent with regard to property prices, Mr Speaker, Sir.

Mr Speaker, Sir, I have highlighted but a few of these enactments which the Bill will be amending. This is to demonstrate, Mr Speaker, Sir, that this Government, under the leadership of the hon. Prime Minister, has a plan for this country, has a plan for our people and it is now time, Mr Speaker, Sir, to execute the plan and this Finance Bill is, in fact, the plan that this country needs. Our country has known many tough times in its history. But never have we known a more uncertain and challenging episode than the one we are currently facing. I am deeply humbled and honoured, Mr Speaker, Sir, to be part of a Government that has the courage, the competence, the empathy and the leadership to tackle these challenges head on.

The prophets of gloom and doom are as active as ever, Mr Speaker, Sir. Those whose avowed aim or those whose occult aim is to instil fear, confusion and division in our country,

but this is a time for courageous action, a time for cooperation and collaboration beyond party politics. Our country has escaped a major sanitary catastrophe and today Mauritians can go about their daily lives, Mr Speaker, Sir, thanks to the bold and timely measures implemented by this Government under the leadership of the hon. Prime Minister. It is now time to consolidate these measures and enact new ones through this Finance Bill to further protect our country from the sanitary and economic uncertainties that are looming ahead.

I am done, thank you, Mr Speaker, Sir.

(4.46 p.m.)

The Prime Minister: Mr Speaker, Sir, the sheer number of legislations that are being amended in the Finance Bill bears out how fundamental, deep and far-reaching are the changes and the reforms in our economy and society.

It bears testimony to the Government's commitment to smoothly implement the provisions of the Budget in order to protect livelihood while at the same time preparing for economic recovery. Why I say economic recovery, I do not want to repeat, first of all, myself, and the arguments that have been put forward by so many of us on this side of the House, and lastly, I just listened to my colleague, hon. Alan Ganoo, where we do not have to explain and we do not have to comment so much to say that never in our history we have had to face such a unique, daunting and challenging situation.

Our country, Mr Speaker, Sir, is going through a fundamental reconfiguration of its development strategy and this must be supported by continuous adaptation of our legal and regulatory framework and by strong institutions, amongst others, and it is indeed why the Finance (Miscellaneous Provisions) Bill 2020 makes provisions for amendments to some 70 legislations. And it is indeed why the Finance (Miscellaneous Provisions) Bill 2020 makes provisions for amendments to some 70 legislations.

The Budget is in line with Government's strategy to ensure an inclusive and sustainable post-COVID economic development.

Mr Speaker, Sir, the Finance Bill 2020 with its numerous amendments to the legal framework demonstrates clearly that this Government will not allow the current coronavirus to stifle our determination to realise our country's vision. And again, I say so, very well aware that COVID-19 has, and will continue to impact negatively on our economy, in fact, affecting all sectors of our economy.

In the same vein, I personally chaired a High-Level Committee to fast-track the various private investment projects in the country. The Committee has approved 53 projects which were in the pipeline, representing some 66 billion rupees of investment. Of course, these projects are expected to be implemented over the upcoming five years.

The projects which obtained the green light of the Committee range from pharmaceutical, manufacturing, education, logistics, tourism, and property development sectors, amongst others.

And let me reassure the House that the implementation of these projects will be closely monitored by Government.

Mr Speaker, Sir, complementary to the Budget 2020-2021 and the High-Level Committee, the Finance (Miscellaneous Provisions) Bill 2020 provides for various measures to further improve the Doing Business Environment in Mauritius, and strengthen the regulatory framework on good governance.

Do I need to remind the House that over the last four years, under my Government, we have managed to leapfrog from the 45th to the 13th position worldwide in the World Bank Doing Business Ranking? This is world recognition.

This business facilitation agenda which I spearheaded is being sustained by the Minister of Finance.

Let me briefly highlight some of the main Doing Business reforms being made through this Finance Bill.

Mr Speaker, Sir, today's amendments to the Companies Act bring higher levels of governance in companies, and further consolidate our Doing Business Environment.

When I heard the hon. Leader of the Opposition casting doubts on who is an independent director and even going as far as saying that its definition contains, I quote, "germs of abuse", I asked myself whether he does not understand or he is being demagogical.

Let me say, in case he genuinely does not understand, he should be enlightened.

We are not reinventing the wheel. The definition of an independent director has been in the Code of Corporate Governance since 2016 and this is indeed the basis of our legislation. This definition is also in line with the World Bank recommendations.

Mr Speaker, Sir, there are a number of other amendments in this Finance Bill to improve the Doing Business Environment and digitalise our services.

This Bill shall enable -

- the establishment of a Credit Scoring Services Agency at the Bank of Mauritius;
- the Corporate and Business Registration Department to become a central repository for all business licenses and permits, and
- the setting up of a Business Obstacles Alert Mechanism, amongst others.

We are also reducing the cost of doing business by eliminating the application fee payable to local authorities when applying for a building and land use permit.

Mr Speaker, Sir, I will also briefly speak on a few amendments which have been brought through this Bill and which are under the purview of my Office.

Amendments are being brought to the Non-Citizens (Property Restriction) Act 1975 to enable the Prime Minister to provide his covering approval to non-citizens who have acquired property without his prior authorisation, through oversight or omission.

Last year, you remember, Mr Speaker, Sir, an amendment had been brought to provide for such approvals in the case of shares. However, it has been observed that there are cases of non-citizen companies which had been transferring shares and obtaining immovable properties without the required approval of the Prime Minister.

Of course, only genuine cases would be considered under this amendment. As usual, a due diligence exercise would be conducted by my Office to ascertain the genuineness of those applications.

And in the eventuality there is evidence that the application is not genuine, the applicant would be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding one year.

Mr Speaker, Sir, there are also amendments brought to the Civil Status Act. The purpose of these amendments is to bring checks and balances with a view to minimising the risk of fake marriages and to prevent the existing discrimination and infringement of the right of citizen to get married in a place of his/her choice.

Moreover, Government is further consolidating the Muslim Family Council through the appointment of a new Vice-Chairperson, and the Registrar of the Civil Status Division to the Council.

Mr Speaker, Sir, I have also heard comments from the other side of the House on amendments being brought to the Immigration Act and other legislations with regard to Occupation Permit, Permanent Residence Permit, Residence Permit and Work Permit to Non-citizens.

Some Members on the other side of the House have criticised our reforms to open up to foreign talents, saying that we are relaxing the criteria for a foreigner to come to Mauritius.

Hon. Duval even went on to say that foreigners will set up hairdressing saloons and compete against the small local hairdresser.

(Interruptions)

I don't know whether I should ask somebody to declare his interest, but this demonstrates how they are short of arguments, Mr Speaker, Sir.

Nonetheless, Mr Speaker, Sir, there is a reality that we have to face. Our economy is undergoing a structural challenge. The hon. Minister of Finance rightly pointed out that last year, for the first time in over 50 years, our population declined. In fact, hon. Ganoo has just spoken about it, giving figures. The trend is expected to be maintained over the next decades.

Such a situation requires bold policies to enable us to rise to this challenge. We have no choice but to attract investors and foreign talents to the country.

Opening up our economy is not a policy choice - it is a policy imperative.

Our openness strategy is not simply about how much is being invested. It is primarily about value addition to the economy with more job creation. That is why I say, we want foreigners to come to Mauritius to create more jobs for our local citizens.

We are just providing more flexibility for people to come and invest, work and live in our country, and most importantly, to share their knowledge, skills and know-how. In a Covid and post Covid era, we will have to adapt ourselves as the global economic landscape we are used to, has changed drastically.

Governments across the world are deploying tremendous efforts to make their respective nations attractive and competitive. We need to ensure that our openness policy is aligned to this global trend.

Mr Speaker, Sir, hon. Duval also mentioned the Constitution and voting rights with respect to Commonwealth Citizens, after two years in the country. Let me inform the House – well, for those who don't know - that section 42 of the Constitution, as it is today, allows a Commonwealth Citizen who has resided in the country for not less than 2 years immediately before such date as may be prescribed by Parliament, to be registered as an elector. Let me remind hon. Duval that an Occupation Permit is currently issued for a period of 3 years, and this has been the case since 2006. The Minister of Finance at that time was no one but his good friend Rama Sithanen. And I don't recall, and neither is it in Hansard, that hon. Duval had criticised the openness reforms in 2006. So, what was good at that time when he was in Government is subject to his criticisms today.

Mr Speaker, Sir, let me be clear! Extending the 3-year time period to 10 years has no incidence on the rights of Commonwealth citizens. The argument that this amendment of extending the validity period of Occupation Permit and Permanent Residence Permit will impact on Commonwealth Citizens registering as electors, is nothing but baseless.

Mr Speaker, Sir, I have also heard criticisms by hon. Armance – he is not here today - as to the Sports Economic Commission which was announced in the last year's Budget. Let me clarify for his benefit that the Commission has already been set up and 4 out of 6 members have already been appointed. The Commission is financed under EDB's recurrent budget. The Commission is already working towards its objectives, i.e., the development and implementation of a clear roadmap for the integration of sports business as a new economic pillar in Mauritius. Amongst the priorities of the Commission is, of course, the development of Côte D'Or Sport complex as an integrated and competitive Sports City that will attract hopefully and host major international sports event in Mauritius.

Adjacent to this strategy, the Commission also aims at setting up Sports Tech incubators, attracting investment in high tech sports infrastructures under PPP, development of a new and competitive business model for football and development of new projects that will encourage sports tourism. These are the objectives. These are, in fact, the vision that we have for this country and, of course, we have to work and work very hard towards attaining those objectives.

Mr Speaker, Sir, let me now respond to the comments also made by some other hon. Members. Hon. Quirin – unfortunately he is not here – he has made allegations, insinuations and imputed motives with regard to amendments brought to the Gambling Regulatory Act. Clearly his averments hide his own motivation and show to what extent vested interests dictate the moves of the MMM.

It is good, Mr Speaker, Sir, to go down memory lane to understand the real motives of hon. Quirin and the MMM. The House and the population would surely wish to know that on 27 June 2002, when the Leader of the MMM was Minister of Finance, applications for bookmaker licences from Bet on Line, then owned by one Mr Paul Foo Kune, were processed and approved on a fast track basis. Why was it so? What were the connections?

(Interruptions)

Well, I don't know. This was the common factor, maybe. Are these connections still on? I hope hon. Quirin has answers to these questions.

Now, let me come to the issue of football licences. He tries to impute motives, but the statistics and facts from the files at the GRA prove that licences to conduct betting on football matches played outside Mauritius, were mostly issued in 2008 under the Labour Government. And the notorious gambling magnate I mentioned earlier, his relatives and friends and the cronies of the Labour Party were the only people to be issued licences in the period 2008-2014. I believe many Members of Parliament in the Opposition, including hon. Quirin, were Members – I hope, if I can recall - at that time. Why didn't they criticise and ask questions on the gambling empire put in place by the Labour Party? Why did they remain silent? Why is it that they continue to spare the people in the gambling empire? Has this Government prevented those people from operating? In fact, they have the biggest chunk of the gambling market. That's the real situation and it is far from what hon. Quirin wants us to believe.

Concerning the Limited Payout Machines, Mr Speaker, Sir, previously, we had an operator, and it is good to say things as they were – Hing Tse Investment Co Ltd - who was operating illegally with non-compliant machines and whose ill-doings were condoned and tolerated by the Labour-PMSD Government for how long, Mr Speaker, Sir, do you know? From 2008 to 2014! Nobody on the other side who are still in the Opposition dared to criticise or to say anything wrong. They closed their eyes and ears for reasons better known to them. And you know the man behind the Hing Tse Investment Co Ltd? One Mr Andrew Hau, a Singaporean national, who was always given red carpet treatment at Government

House in those times. Now that we have an operator who is operating legally, the Opposition criticises and imputes motives. *C'est le monde à l'envers, M. le président.*

Aujourd'hui, les '*Limited Payout Machines*' disponibles sur le marché sont dotées de multiples fonctions. C'est donc en raison d'avancées technologiques et de nouvelles réalités dans ce segment des '*soft games*' que des amendements sont apportés au *Gambling Regulatory Act*. Il n'y a rien de sinistre dans cette démarche. Il faut bien souligner que si la limite de paiement est augmentée à R 10,000, en contrepartie – ça on ne parle pas - la licence par machine passe de R 5,000 à R 10,000 et la taxe minimale mensuelle passe de R 500,000 à R 1 million ou encore 12% du chiffre d'affaires au lieu de 10% dépendant, bien sûr, du niveau de chiffre d'affaires enregistré.

Je dois aussi souligner, M. le président, qu'une '*Limited Payout Machine*' n'est pas comparable à une '*gaming machine*' comme certains veulent faire accroire. C'est la raison pour laquelle elle est traitée différemment dans la loi. Il s'agit bien là de '*soft games*' qui n'a rien à faire avec du '*gambling*' pur et dur comme c'est pratiqué dans les casinos et les '*gaming houses*'. De ce fait, le montant de la licence pour une '*Limited Payout Machine*' est moins onéreux comparée à celle d'une '*gaming machine*'. Et cela explique aussi pourquoi la loi est amendée pour exempter les espaces abritant les '*Limited Payout Machines*' de l'autorisation policière. Mais l'inspection de ces locaux avant leur mise en opération reste un impératif et cette responsabilité incombera désormais à l'inspecteurat de la GRA qui dispose aujourd'hui des ressources nécessaires pour effectuer ces inspections.

M. le président, l'honorable Membre fait aussi une insinuation à l'effet que le *Mauritius Standards Bureau* aurait été volontairement écarté au profit de la *GRA* qui va prescrire les normes concernant les machines à paiement limité, je dois dire qu'il fait complètement fausse route. L'amendement proposé découle du fait que le *MSB* n'a pas l'expertise nécessaire dans le domaine spécialisé des machines de jeux.

De ce fait, de longues années se sont écoulées sans que le *MSB* ait pu prescrire les normes requises et cette situation ne pouvait plus durer, et il incombera désormais au régulateur des jeux de combler cette lacune et elle en a les moyens et les compétences. Je ne vois donc aucun acte sinistre dans cette démarche.

Voilà pour ce qui est des amendements au *Gambling Regulatory Act*.

M. le président, je reviens maintenant sur les propos tenus par l'honorable Ramful. Je suis content qu'il soit là. Il est rentré à temps. Il a osé alléguer que des contrats sous

l'emergency procurement sont donnés à gauche et à droite à des petits copains proches du pouvoir.

J'ai déjà répondu lors d'une *PNQ* qu'il n'y pas eu de triage ou de copinage dans l'allocation des contrats pour l'acquisition de matériels médicaux dans le contexte de la pandémie de la COVID-19. Tout a été fait selon la procédure d'approvisionnement d'urgence conformément à la Section 21 du *Public Procurement Act* et je maintiens ce que j'ai dit et je confirme que des sociétés dont les promoteurs sont très proches du parti Travailliste ont, elles aussi, obtenu des contrats. C'est la preuve que les sociétés ont été sélectionnées sur la base du mérite, de l'expertise, des compétences et ceux qui pouvaient fournir ces items, ces médicaments, ces équipements.

Cela étant dit, M. le président, je pense que l'honorable Ramful souffre d'amnésie ou se trompe d'époque. Qui ne sait pas comment le copinage avait gangrené notre société quand le Parti travailliste régnait abusivement ? Qui ne se rappelle pas de Nandanee Soornack, et tout le monde le sait, la maîtresse de l'ancien Premier ministre qui avait décroché des contrats mirobolants à l'aéroport sur les instructions de son prince charmant? On ne jurait alors que par *Airway Coffee* de la copine devenue reine des lieux.

M. le président, qui ne se souvient pas du contrat taillé sur mesure pour favoriser Betamax, la compagnie du beau-frère de l'ancien ministre travailliste Rajesh Jeetah. Un contrat de 10 milliards de roupies au détriment du pays! Et vous osez nous pointer du doigt honorable Ramful! Vous parlez de copinage. Qui ne se rappelle pas du contrat de 3 milliards de roupies accordé par le gouvernement travailliste à la compagnie Sarako de la famille Seetaram...

(Interruptions)

Mais comment ? En guise de récompense après que le transfuge Jim Seetaram ait rejoint les rangs du Parti Travailliste, tant décrié à cette époque par le MMM, maintenant qui est en partenariat. Je ne sais pas comment ils vont *condoning*. Enfin ils doivent expliquer. Aujourd'hui encore, M. le président, concernant Sarako, la population paie le prix de cette générosité sans vergogne envers le nouveau copain du maître.

Qui ne se souvient pas des révélations de l'ancien PPS Khamajeet sur le *modus operandi* du Parti travailliste concernant les faveurs accordés au clan travailliste pour obtenir des emplois. Il expliquait détails comment un influent agent travailliste connu sous le sobriquet de 'requin', à ne pas confondre avec l'autre Requin, s'arrangeait pour que même des

partisans travaillistes qui n'avaient pas postulé à un emploi, soient inclus sur la liste des postulants en vue de leur éventuel recrutement. On se souvient même, c'était un samedi ou un dimanche s'il vous plaît, ils allaient ouvrir le bureau de la PSC. Ce 'requin' opérait avec la bénédiction des caïds travaillistes. Ecoutez ça M. le président. Il était, je crois, PPS à l'époque. PPS Khamajeet soulignait que le Premier ministre d'alors avait amendé la loi à travers le budget et je cite : « *pou tire pouvoir avec PSC pou nou gagne droit prend dimounes dans gouvernement par chaque ministère* ». Fin de citation. Il ajoutait, je cite : « *Nou faire ène la liste ki réflète Parti travailliste* » s'il vous plaît.

(Interruptions)

Même l'honorable Dr. Boolell a oublié ça. Je le fais se rappeler.

Voilà comment le copinage s'est institutionnalisé. Et pendant que les copains et les copines travaillistes s'en donnaient à cœur joie et s'enrichissaient impunément, la population, de l'autre côté, s'appauvriissait à tel point que la pauvreté absolue se développait dans le pays.

Je peux, M. le président, citer des dizaines et des vingtaines d'autres exemples de copinage et de favoritisme.

(Interruptions)

Non. Pour aujourd'hui, je ne vais pas prendre plus le temps de la Chambre parce qu'il y aura d'autres plateformes en d'autres temps et lieux où je vais donner d'autres exemples. Je veux tout simplement dire à l'honorable Ramful que la population n'est pas dupe. Le masque du parti Travailliste est tombé depuis longtemps.

Ils peuvent parler, ils peuvent critiquer autant qu'ils veulent ou essayer de se présenter comme des anges mais leur passé sévèrement sanctionné par l'électorat, leur culture de jouisseurs patentés, les rattraperont toujours.

Le peuple saura les rejeter ainsi que les acolytes d'aujourd'hui et de demain, le moment venu on verra.

Mr Speaker, Sir, let me conclude and I wish to reiterate that the implementation of the Budget measures announced, and the amendments to the Finance Bill shall be an utmost priority of my Government.

Despite the effects of COVID-19, Government has been able to come up with such a substantive legislation to further pursue our goal of a more inclusive and sustainable economy and society.

Just a few weeks ago, the World Bank has recognised the hard work and commitment of our Government in the past few years and has upgraded Mauritius, for the first time ever, as a high-income economy.

The ascension of Mauritius to the status of high-income country is a reminder of our resolve as a nation. It is a powerful source of inspiration that encourages us to look at the future with the confidence that no challenge can overwhelm our efforts and determination.

Mr Speaker, Sir, the COVID-19 pandemic worldwide is worsening day by day in many countries. So far, Mauritius has been able to successfully manage the crisis and we are one of the few countries to be Covid safe.

The fallouts of the COVID-19 crisis on our economy are likely to be deep and long-lasting, especially with the closure of borders.

I should nonetheless reiterate that I am confident that the measures being implemented through this Finance Bill will help the economy to sustain the shock of the COVID-19.

I shall myself be presiding a High-Level Committee on the implementation of the Budget measures to ensure the timely and smooth realisation of projects and incentives announced in the Budget.

Mr Speaker, Sir, our aim has always been one – a high-income, innovative, inclusive and sustainable economy for the benefit of each and every one.

I have done.

Mr Speaker: Hon. Members, I will suspend the sitting for 30 minutes.

At 5.19 p.m., the sitting was suspended.

On resuming at 6.06 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Hon. Minister of Finance!

Dr. Padayachy: M. le président, de prime abord, permettez-moi de remercier mes collègues ministres et parlementaires qui ont contribué aux débats sur le *Finance (Miscellaneous Provisions Bill) (No. VII of 2020)*.

Je salue tout particulièrement l'engagement des membres de la majorité à faire front commun.

Chacun de leurs propos a amené une pierre supplémentaire à l'édifice de notre reconstruction nationale.

Aux côtés de la population, nous sommes rassemblés derrière un même objectif, celui de la relance économique, de la justice sociale et du développement durable. Car ce Gouvernement n'est pas omnipotent, mais bienveillant.

C'est une différence de taille qui semble échapper à ceux qui siègent de l'autre côté de la Chambre. Ceux-là même qui passent leur temps à critiquer, à vociférer au lieu de venir se présenter devant cette Assemblée avec des propositions concrètes.

Un manichéisme de bas étage de la part de l'opposition, qui offre, séance parlementaire après séance parlementaire, *walkout* après *walkout*, conférence de presse après conférence de presse, un pathétique spectacle à la population.

Je ne m'aventure pas à parler des mises en scène les plus ubuesques, allant des vidéos diffusées sur Tik Tok aux pancartes brandies dans l'hémicycle au mépris le plus total des règlements de cette auguste Assemblée. Pourtant, ce sont eux qui tentent actuellement de nous faire la leçon.

M. le président, je le redis, nous n'avons aucune leçon à recevoir de ceux qui ont été rejetés par le vote de la population.

Aujourd'hui, pour survivre, ils se regroupent en meute dans une alliance de bras cassés. Et que dire du leader de l'opposition, qui n'est pas à sa place ? Si ce n'est ce qui se chuchote dans son dos et au sein de son propre parti au sujet de ses piètres performances dans l'Assemblée ?

D'ailleurs, sa dernière intervention sur le projet de loi qui est en train d'être débattu était douloureuse. Essayant de se retrouver tant bien que mal dans la définition d'un directeur indépendant, il n'était que l'ombre de lui-même. Le calvaire a duré près de 20 minutes. Je dois l'avouer, c'était pénible. Tant pour lui que pour nous. Ce n'est pas pour déplaire à ses compères, des Iznogouds en puissance qui n'attendent que le moment opportun pour devenir calife à la place du calife.

Alors vraiment, quand je vois l'opposition vilipender le travail abattu sur tous les fronts par ce gouvernement et notamment l'honorable Assirvaden, peut-être qu'il va faire son entrée, faire de graves amalgames sur les raisons ayant conduit l'Union européenne à ajouter Maurice sur sa liste, je m'interroge.

Ne croyez-vous pas que les centaines de millions de roupies qui ont dégoulinées du coffre-fort d'un ancien Premier ministre n'y sont pas pour quelque chose ?

Je ne suis pas certain que les Commissaires européens et que le Groupe d'Action Financière soient impressionnés par de telles prouesses. J'invite l'honorable Assirvaden à méditer sur la question.

Bien heureusement, les mauriciennes et les mauriciens ne sont pas dupes. Ils ont déjà démasqué les membres de l'opposition pour leurs basses manœuvres. C'est d'ailleurs pour cette raison qu'ils sont de l'autre côté de la Chambre.

M. le président, j'aime souvent à penser que si l'État ne peut pas toujours tout, il peut, dans les moments de grandes difficultés, beaucoup. La façon dont le gouvernement a pris en main la situation sanitaire et économique en est la preuve manifeste.

Je crois qu'à cet égard, le leadership de notre Premier ministre doit être reconnu et salué. Grace à sa vision et son soutien, nous avons pu bâtir un budget non-seulement à l'équilibre, mais qui répond aux enjeux socio-économique d'aujourd'hui et de demain.

D'après les récentes estimations faites au niveau local, et au moment où je m'adresse à vous, l'implémentation du Budget 2020-2021 nous permettra d'atteindre une croissance positive d'au moins 7% en 2021. Cette performance, nous pourrons y parvenir à plusieurs conditions. La première, *sine qua non*, est le vote par cette Assemblée du Finance Bill 2020. Il va nous remettre le pied à l'étrier de la reprise économique. C'est d'ailleurs son premier objectif.

Ce projet de loi, comme je l'ai détaillé précédemment, apporte des modifications à quelque 70 législations afin d'implémenter les mesures énoncées dans le discours du Budget 2020-2021.

C'est à la fois conséquent et plus que jamais nécessaire au regard de la profondeur de la crise mais aussi en vertu du projet de société que nous portons.

En votant le Finance Bill 2020, nous préservons les emplois et les moyens de subsistance des plus démunis. Nous accélérons la transition sociale et environnementale de Maurice tout en faisant repartir la machinerie économique. En bref, nous créons les conditions d'une relance économique qui sera souveraine, inclusive, durable et digitale.

L'Économie de la Vie, celle qui est notre Nouvelle Normalité, pourra alors s'exprimer.

En contraste, je me rappelle de ce que l'honorable Duval, en alliance avec le Parti travailliste, a fait, ou plutôt n'a pas fait, en 2009 alors que la crise battait son plein. Avait-t-il soutenu les salaires et les employés ? Avait-t-il fourni une aide aux travailleurs indépendants ? Non, pas une seule roupie n'avait été versée à ceux qui en avaient réellement besoin. A la place, le gouvernement d'alors n'a aidé que ses petits copains et les grands coquins, par le biais du fameux *stimulus package*.

Il n'est pas surprenant que même son bon ami et l'ex-gouverneur Bheenick l'aient qualifié de pire ministre des Finances que le pays ait connu.

Navin Ramgoolam a affirmé que pendant les dix années durant lesquelles Xavier-Luc Duval était ministre, celui-ci n'a pas fait grand-chose au sein des ministères dont il avait la charge, à savoir ceux du Tourisme, de l'Intégration sociale et des Finances.

(Interruptions)

Mr Speaker: Hon. Xavier Duval, don't interrupt the Minister!

Dr. Padayachy: Alors qu'ils sont aujourd'hui entrelacés, Xavier-Luc Duval a peut-être oublié qu'en août 2014, il a lui-même accusé son nouvel ami-amour, le leader du MMM, d'avoir été le pire ministre des Finances de l'histoire. Et pour couronner le tout, il a également dit, pas plus tard que l'année dernière, que l'honorable Bérenger avait été le pire Premier ministre de Maurice.

Une véritable bouillabaisse pour reprendre les propos qu'affectionne tant l'honorable Duval. Voilà un point sur lequel nous pourrions tomber d'accord.

Il est également important que je rappelle à l'Assemblée la performance de l'honorable Duval, lorsqu'il était ministre des Finances, de 2011 à 2014. C'était une période où l'économie mondiale était en pleine croissance, à plus de 3,7% en moyenne. Pourtant, grâce à l'honorable Duval, la croissance du PIB de Maurice était l'une des plus faibles. L'investissement s'était contracté pendant trois années de suite et le chômage avait atteint 8%, et la productivité du capital avait dégringolé. Au regard de ce bilan apocalyptique, nous sommes en droit de nous demander qui sont réellement les apprentis sorciers en économie ?

Suivez mon regard, M. le président. De notre côté, nous proposons un Budget au service de la population, de la croissance et de l'intégration.

M. le président, c'est aussi le cheminement vers une société plus solidaire, tant entre les classes sociales qu'entre les générations, qui a guidé les changements législatifs que nous introduisons avec le *Finance Bill 2020*.

Le second grand objectif de ce projet de loi est de prévoir le cadre de mise en œuvre des politiques fiscales du gouvernement telles qu'annoncées dans le discours du Budget 2020-2021. Ce faisant, notre fiscalité n'en sera que plus juste et plus efficiente.

Certains députés de l'autre côté de la Chambre, semblant s'autoproclamer Prix Nobel d'économie, affirment pourtant que ces réformes sonneront le glas de la compétitivité et de l'attractivité de Maurice.

Comme ils ont tort, M. le président. Leur mauvaise foi est à peine voilée. Parce que les chiffres parlent d'eux-mêmes, permettez-moi de faire quelques comparaisons pour le bénéfice de l'Assemblée.

A ce jour, les recettes fiscales issues de l'impôt sur le revenu à Maurice représentent moins de 2% de notre PIB, 1,98% pour être précis.

Certains membres de l'opposition vont sans doute crier au loup, mais c'est en effet l'un des taux les plus faibles du monde. A titre d'exemple, sachez -

- qu'à Singapour, ce chiffre est de 2,35%,
- au Kenya de 3,94%,
- en Estonie de 5,42 %, aux Seychelles de 5,78%,
- en Irlande de 6,99%,
- au Royaume-Uni de 9,04%,

Et je pourrais continuer.

Cette démonstration est je le pense on ne peut plus claire. Je vais m'en tenir là pour ce qui est de l'impôt sur le revenu.

J'ai bon espoir que ces chiffres soient assez éloquents pour remettre l'honorable Duval dans le droit chemin, une fois pour toutes. Il parlait la semaine dernière de Maurice comme un pays à forte taxation. Venant d'un expert-comptable, qui devrait pourtant savoir manier et comparer les chiffres, son analyse me laisse perplexe. Être si constant dans la médiocrité nous donne froid dans le dos. A moins que ce fût une énième plaisanterie de l'honorable Duval, dont lui seul a le secret.

M. le président, en ce qui concerne cette fois-ci l'impôt sur les sociétés, le constat est sans appel. Une fois encore, le ratio de l'imposition sur les sociétés ramené à notre PIB est l'un des plus bas du monde. Il représente moins de 2,57% du PIB. La comparaison avec de nombreux autres pays est un exercice tout à fait pertinent sur lequel l'opposition, si elle avait bien travaillé ses dossiers, aurait dû se pencher.

Alors que chez nous, à Maurice, les entreprises, via l'impôt sur les sociétés, ne contribuent qu'à hauteur 2,57% du PIB, elles y contribuent à hauteur -

- de 2,86% au Royaume-Uni,
- de 3,21% en Irlande,
- de 3,26% au Kenya,
- de 4,24% au Qatar, et
- de 5,02% en Afrique du Sud.

Au total, l'imposition à laquelle sont soumis les particuliers et les entreprises représente moins de 5% du PIB à Maurice, 4,83% pour être précis. Comment cela peut-il être durable pour notre pays alors que les dépenses publiques de santé et d'éducation rien qu'à elles deux sont déjà supérieures à 5% du PIB.

Les dépenses récurrentes du Gouvernement, incluant notamment la protection sociale, le service public, la protection de l'environnement et le logement, représentent près de 30% de notre PIB. Nous ne pouvons pas allouer des fonds que nous n'avons pas. Nous devons faire des choix.

Parmi ces choix, la facilité aurait voulu que nous revoyions la taxation sur la consommation. Nous aurions ainsi pu augmenter le taux de la TVA. Aussi injuste qu'inefficace pour relancer l'économie, cela aurait affecté de façon disproportionnée ceux qui se trouvent au bas de l'échelle.

Fidèle à ses habitudes, l'opposition n'hésite pas à sauter sur n'importe quelle occasion pour induire la population en erreur.

M. le président, j'en reviens au financement des dépenses publiques. Tout aussi contre-productif, nous aurions également pu revoir les contours de l'État-providence. Pour être clair, cela aurait voulu dire mettre une croix sur -

- Le *Basic Retirement Pension (BRP)* à partir de 60 ans pour nos aînés;
- Le salaire minimum et le *Negative Income Tax* pour les personnes à faibles revenus;

- La gratuité des soins, de l'éducation et des transports publics pour un grand nombre de Mauriciens; mais aussi
- La subvention sur la farine et le riz qui profite à tant de familles mauriciennes.

Nous ne l'avons pas fait non plus. Car n'en déplaise à l'opposition, le combat pour l'équité est aussi un combat pour la croissance. En ces temps de crise, il nous faut être plus solidaire. C'est une preuve de patriotisme.

M. le président, le troisième et dernier grand objectif du *Finance Bill 2020* voté en ce jour à l'Assemblée est de créer les conditions nécessaires au maintien des acquis sociaux obtenus par les Mauriciens au travers des années. A cet égard, l'introduction de la Contribution Sociale Généralisée (CSG) est une étape majeure pour assurer la durabilité de notre système social. Je m'étais déjà exprimé à ce sujet, je vais cependant réitérer mes propos.

Nous introduisons un nouveau mécanisme, celui de la CSG, pour répondre aux limites à moyen et long termes du *NPF*. Ce fonds, le *NPF*, est depuis des années, déficitaire. Que ce soit dans le rapport de 2005, de 2010 ou de 2013, le même constat a été dressé : celui d'un déficit actuariel.

A chaque fois, c'est avec des mesures correctives de court terme que nous avons pensé solutionner le problème en réajustant notre stratégie d'investissement. Mais inéluctablement, cette stratégie palliative a conduit à l'insoutenabilité à long terme du *NPF*. Aussi simple que cela, en continuant avec le *NPF*, nous aurions été droit dans le mur.

M. le président, il y a un autre point sur lequel je me dois de réagir. Certains, de l'autre côté de la Chambre, se gaussent à parler de la CSG comme d'un Ponzi. Est-ce que je dois vraiment expliquer à l'honorable Duval ce qu'est un Ponzi? Car dans ce registre, j'ai bien l'impression que c'est lui l'expert absolu. A se demander si ce n'est pas lui qui l'ait inventé tant il y a eu de scandales de Ponzi alors qu'il était aux fonctions.

Parce que je sais que l'honorable Duval affectionne particulièrement les chiffres, saviez-vous qu'une trentaine de Ponzi ont été suspectés ou détectés alors qu'il était ministre des Finances ? Est-ce un hasard que les Ponzi aient champignonné sous l'ère Duval? Je ne crois pas! Whitedot ou encore Sunkai sont quelques-uns des trophées bien accrochés au palmarès de l'honorable.

M. le président, par paresse intellectuelle ou plutôt par malhonnêteté, ils prétendent qu'il n'y a pas de clarté quant à l'application de la CSG. Je crois plutôt qu'il s'agit d'une

parade pour éviter à l'opposition de devoir se plonger dans un sujet aussi crucial que technique qui à l'évidence n'est pas maîtrisée par les membres de l'opposition.

Bien entendu, diverses dispositions à l'égard de la CSG sont contenues dans le *Finance Bill 2020*. Il va de soi que nous allons, en sus, élaborer un règlement spécifique pour définir l'application du régime. Toutefois, car la pédagogie est l'art de la répétition, je vais prendre le temps de réitérer les principes de base qui entourent la CSG. Le régime de la CSG s'appliquera à tous les employés et employeurs, et la contribution commencera à partir du 1er septembre 2020.

Pour tous les employés qui perçoivent moins de R 50,000 par mois, la contribution sera de 1,5% pour les employés et de 3% pour leurs employeurs.

Et pour ceux qui gagnent plus de R 50,000 roupies par mois, la cotisation sera de 3% pour les employés et de 6% pour leurs employeurs.

Pour tous les employés qui gagnent moins de R 36,000 roupies par mois et pour leurs employeurs, la cotisation sera inférieure à ce qu'elle n'était sous le système du *NPF*.

Cela représente la très grande majorité des employés à Maurice, 91% d'entre eux pour être exact!

Pour répondre aux attaques de la nouvelle alliance du trio de papys flingueurs qui s'en est donnée à cœur joie sans rien vouloir comprendre à la réforme, je souhaite confirmer que pour les employés du secteur public, ce sera l'employeur, c'est-à-dire l'Etat, qui prendra en charge cette cotisation. L'honorable Mohamed peut donc lui aussi redormir sur ses deux oreilles.

Le secteur privé ne sera pas discriminé et ne cotisera donc pas pour le public. Puisque j'en suis à parler du système de pension pour le privé, sachiez-vous que les fonds de pension privés s'adonnent à des pratiques plus que questionnables en déduisant l'apport du *NPF* des bénéfices octroyés à ceux qui cotisent. En théorie, si un salarié perçoit R 18,000 comme dernier salaire de base avant la retraite, le fonds de pension doit lui verser deux tiers de ce montant, s'il a contribué à un fonds de pension sur les *Defined Benefits*, soit R 12,000.

En pratique, le système est souvent détourné par certains qui déduisent le bénéfice du *NPF*, environ R 1,000 par mois, de ce montant dû. Ainsi, ce ne sont que R 11,000 qui sont

véritablement versées par le fonds de pension privé à cet ancien salarié. Trouvez-vous cela normal? Nous non!

Avec l'introduction de la CSG, nous clarifions cette situation. M. le président, permettez-moi également d'aborder les questionnements que j'ai pu voir poindre au regard du financement de la CSG. Je l'avais déjà énoncé dans l'hémicycle au cours des dernières semaines, peut-être est-il utile de le rappeler une nouvelle fois. La CSG est une charge qui nous permettra de récolter une partie des fonds nécessaires pour financer l'allocation accordée aux retraités ayant atteint l'âge de la retraite. Le montant restant sera financé par les recettes fiscales.

M. le président, pour conclure et avant de procéder au vote en lui-même, je me saisis de cette opportunité pour réaffirmer l'engagement de ce gouvernement envers la population mauricienne. Avec la pandémie de la COVID-19, nous sommes arrivés à la croisée de plusieurs chemins.

Conformément à la vision portée par notre Premier ministre, nous nous engageons dans la voie d'un modèle vertueux, inclusif, durable et innovant. Cette crise nous a rappelé que nous n'avons pas de temps à perdre. L'action est ce qui commande ce projet de loi.

Hic et Nunc. Ici et maintenant, écrivons ensemble la page de l'après-covid. Si rien ne sera plus comme avant, c'est car nous prenons notre destin en main. Ce n'est d'ailleurs pas un hasard si Moody's, l'une des agences de notation les plus réputées au monde, a tout récemment maintenu la note positive de Maurice. Cette décision traduit la capacité de l'économie mauricienne à absorber les chocs économiques. Elle inscrit la qualité et l'efficacité de nos institutions, de notre cadre de bonne gouvernance et de notre politique macroéconomique comme autant de facteurs qui ont permis de conforter la performance de Maurice.

En guise de mot de la fin, je souhaite saluer le travail fourni par l'ensemble des équipes de mon ministère qui ont été mobilisés pour la rédaction du *Finance Bill* 2020 au cours de ces dernières semaines ainsi que l'appui inestimable de notre Premier ministre, de l'*Attorney General* et du *State Law Office*. Grâce à ce projet de loi, nous portons ensemble devant la Chambre les bases d'un nouveau champ des possibles. M. le président, je suis convaincu que ce projet de loi de finance accompagné des amendements aux articles 2, 10, 27, 42, 54, 67, 71 et 74 que je propose de faire circuler au *Committee Stage* nous permettront

de mettre en œuvre efficacement les mesures annoncées dans le discours du budget 2020-2021.

Merci.

Question put and agreed to.

Bills read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE FINANCE (MISCELLANEOUS PROVISIONS) BILL

(NO. VII OF 2020)

Clause 1 ordered to stand part of the Bill.

Clause 2 (Banking Act amended)

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendments in clause 2 -

“In clause 2(a), by deleting subparagraph (iv) and replacing it by the following subparagraph –

(iv) in the definition of “related party” –

(A) in paragraph (a), by inserting, after the words “significant interest in”, the words “, or controls,”;

(B) in paragraph (b), by deleting the words “financial institution;” and replacing them by the words “financial institution or of a body corporate which the financial institution controls;”;

Amendments agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clauses 3 to 9 ordered to stand part of the Bill.

Clause 10 (Companies Act amended).

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendment in clause 10 -

“In clause 10(a)(ii), in the proposed definition of “independent director”, by deleting the word “or” at the end of paragraph (f) and replacing it by the word “and”;

Amendment agreed to.

Clause 10, as amended, ordered to stand part of the Bill.

Clauses 11 to 26 ordered to stand part of the Bill.

Clause 27 (Immigration Act amended).

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendments in clause 27 -

“In clause 27 –

- (i) in paragraph (c)(ii), in the proposed new subsection (9), by deleting the word “expiry” and replacing it by the word “issue”;
- (ii) in paragraph (e), in the proposed new section 9H –
 - (A) by numbering the existing provision as subsection (1);
 - (B) by adding the following new subsection –
 - (2) Notwithstanding subsection (1), a holder of an occupation permit as professional may hold shares in a business where he is employed provided that he is not a majority shareholder.”

Amendments agreed to.

Clause 27, as amended, ordered to stand part of the Bill.

Clauses 28 to 41 ordered to stand part of the Bill.

Clause 42 (National Pensions Act amended)

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendment in clause 42 –

“By inserting after paragraph (e), the following new paragraph –

- (ea) in section 24(2)(b)(i)(A), by deleting the words, “as a passenger”;

Amendment agreed to.

Clause 42, as amended, ordered to stand part of the Bill.

Clauses 43 to 53 ordered to stand part of the Bill.

Clause 54 (Public-Private Partnership Act amended)

Motion made and question proposed: “that the clause stands part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendment –

“in clause 54(a), in the proposed new section 3D, in subsection (3), by deleting the word “BOT” wherever it appears”

Amendment agreed to.

Clause 54, as amended, ordered to stand part of the Bill.

Clauses 55 to 66 ordered to stand part of the Bill.

Clause 67 (Sugar Insurance Fund Act amended)

Motion made and question proposed: “that the clause stands part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendment –

“in clause 67(b), in the proposed new section 57A –

- (i) in subsection (1), by deleting the words “, subject to section 3(4),”;
- (ii) in subsection (2), by inserting, after the words “the Board shall,”, the words “subject to section 57(4),”;

Amendment agreed to.

Clause 67, as amended, ordered to stand part of the Bill.

Clauses 68 to 70 ordered to stand part of the Bill.

Clause 71(Workers’ Rights Act 2019 amended)

Motion made and question proposed: “that the clause stands part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendment –

“in clause 71(1), by deleting subparagraph (ii) and replacing it by the following subparagraph –

(ii) by inserting, after subsection (1), the following new subsection –

(1A) (a) Subject to paragraph (b), an employer shall, during such period as may be prescribed, not reduce the number of workers in his employment either temporarily or permanently or terminate the employment of any of his workers.

(b) Paragraph (a) shall not apply to –

- (i) an employer specified in section 72A; or
- (ii) an employer who has applied for any of the financial assistance schemes set up by the institutions listed in the Tenth Schedule for the purpose of providing financial support to an enterprise adversely affected by the consequences of the Covid-19 virus and his application has not been approved.

(c) In this subsection –

“Covid-19 virus” means the novel coronavirus (2019-nCov).”

Amendment agreed to.

Clause 71, as amended, ordered to stand part of the Bill.

Clauses 72 and 73 ordered to stand part of the Bill.

Clause 74 (Commencement)

Motion made and question proposed: “that the clause stands part of the Bill.”

Dr. Padayachy: Mr Chairperson, I move for the following amendment –

“in clause 74 –

- (i) in subclause (2), by inserting, after the words “39, 53”, the words “, 70(e)”;

- (ii) in subclause (9), by deleting the words “1 August 2020” and replacing them by the words “31 August 2020”;
- (iii) in subclause (18), by deleting the word “Section” and replacing it by the words “Sections 42(ea) and”.

The Schedules ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed to.

On the Assembly resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

The Finance (Miscellaneous Provisions) Bill (No. VII of 2020) was read a third time and passed.

Second Reading

THE REAL ESTATE AGENT AUTHORITY BILL

(No. XI of 2020)

Order for Second Reading read.

(6.44 p.m.)

The Deputy Prime Minister: Mr Speaker, Sir, with your permission, I move that the Real Estate Agent Authority Bill (No. XI of 2020) be read a second time.

Mr Speaker, Sir, this Bill is part of a series of reforms of the legislative system aimed to combat money laundering and the financing of terrorism in the real estate sector.

You may be aware, Mr Speaker, the real estate sector is an important pillar of the Mauritian economy and, according to latest figures, published by Statistics Mauritius, during the first quarter of this year, the real estate sector contributed some Rs6,576 million to the Gross Domestic Product of our country.

As per data provided by the Economic Development Board in 2019, Gross Fixed Capital formation in real estate activities totalled some Rs34 billion and Foreign Direct Investment in the real estate sector amounted to Rs16.1 billion. In actual fact, the real estate sector contributes up to 5.9% of our GDP.

Mr Speaker, Sir, although the financial scope of the activities in the real estate sector is far-reaching, these activities are, to a large extent, not regulated in Mauritius or were not regulated until recently. In fact, in February 2016, the Law Reform Commission in a paper entitled 'Legislative Framework for the regulation of the activities of real estate agents' highlighted the need for our country to regulate the activities of real estate agents.

A framework for combating money laundering terrorism and proliferation financing has been established by the recommendations of the Financial Action Task Force and its methodology for assessing a country's compliance with the standards. The Financial Action Task Force recommendations form the basis of the regulatory frameworks of banks and financial institutions. In these sectors, several obligations such as Customer Due Diligence or Know Your Customer have now become well established thereby acting as safe guards against money launderers and other criminals.

With these new obstacles to overcome, white-collar crime has had to turn to other sectors with less regulation and oversight to launder proceeds of its criminal activities. The real estate sector has been identified as a sector which is highly vulnerable to such abuse. That is why it has been designated by the Financial Action Task Force as one of the professions, as one of the so-called designated non-financial business and profession which must be subject to anti-money laundering and combating the financing of terrorism supervision.

In Mauritius, because of the price of real estate, the sector is mostly exposed to individuals who participate in illegal activities, generating high levels of proceeds of crime. Proceeds resulting from drug trafficking and fraud tend to flow into the sector domestically while, from an international perspective, the predicated offenses are generally connected to white collar crimes.

Mr Speaker, Sir, the findings of the first national Money Laundering and Terrorism Financing risk assessment of Mauritius, which was completed in August of last year, according to the findings of that exercise, the Money Laundering risk associated with the Real Estate sector in Mauritius was qualified as Medium-High and the risk of Money Laundering rated Medium. And the following factors make the sector inherently vulnerable to money laundering –

- the client-base profile of the sector, which includes politically exposed persons, high-net worth individuals, non-resident clients, clients with criminal records or past administrative and/or supervisory actions against them and legal entities;
- the use of cash, as we know, in Mauritius cash transactions below Rs500,000 were allowed, also transaction *hors la vue du notaire* are also committed;
- the third element is the anonymous use of the product – purchase of immovable properties through *prête noms*, and
- fourthly, the relative difficulty of tracing transaction records due to an absence of Customer Due Diligence Measures.

As the House is aware, Mauritius is currently on the so-called grey list of the Financial Action Task Force, its list of monitored jurisdictions. One of the weaknesses identified by the Financial Action Task Force when it decided to list Mauritius was precisely that Mauritius needed to strengthen its supervision of designated non-financial professions and occupations.

As I stated earlier, the real estate profession has been identified as a designated non-financial profession and occupation in that category. The Financial Action Task Force has therefore recommended that knowledge of Money Laundering and Terrorism Financing be enhanced across the real estate sector, that inspections should be carried out and that sanctions be applied where and when appropriate.

The Financial Action Task Force does not limit its definition of the real estate profession to real estate agents only. It has acknowledged that the profession can be different in each jurisdiction and it has issued guidance to that effect. The Financial Action Task Force left it up to each country to decide which professions within the real estate sector should be regulated.

Government has therefore decided that the business activities in the real estate sector cannot be limited to real estate agents only but should be broadened to include the activities of land promoters and property developers to ensure that the profession is not degraded. And this has been captured in the Bill which is now before the House.

Mr Speaker, Sir, true it is that under the Financial Intelligence and Anti-Money Laundering Act (FIAMLA) which is the main piece of Anti-Money Laundering and Combatting Financing of Terrorism legislation, there are provisions concerning the real estate profession consisting of Agents in Land and/or Building or Estate Agency, and as regards, Land Promoter and Property Developer there are provisions under the Local Government

Act, to encourage compliance with Anti-Money Laundering/Combatting Financing of Terrorism requirements which are involved in transactions with respect to both the purchaser and the vendor of any real estate.

Now, as the House is aware, recently, my able colleague the Minister of Financial Services and Good Governance, introduced before this House the Anti-Money Laundering and Combatting the Financing of Terrorism (Miscellaneous Provisions) Bill 2020, in order to, *inter alia*, support the implementation of the Financial Action Task Force Action Plan. Nevertheless, the regulatory framework, as it currently stands, lacks one important component and I refer to market entry controls. In this context, it is important to refer to Recommendation 28 of the Financial Action Task Force which states, and I quote –

“The supervisor or Self-Regulatory Body should also (a) take the necessary measures to prevent criminals or their associates from being professionally accredited, or holding or being the beneficial owner of a significant or controlling interest or holding a management function, e.g. through evaluating persons on the basis of a “fit and proper” test; and (b) have effective, proportionate, and dissuasive sanctions in line with Recommendation 35 available to deal with failure to comply with AML/CFT requirements.”

Mr Speaker, though we are definitely on the right track, one gap that remains in our Anti-Money Laundering/Combatting Financing of Terrorism framework for Real Estate Agents is the fit and proper test at the time they go into business, at the time of registration.

Mr Speaker, it should be accepted that the real estate sector now plays an important part in our economy and that it contributes to the improvement of the quality of life for our citizens with substantial investment in infrastructural works. Development and construction of commercial and residential real estate buildings, and subsequently their daily operations, directly create thousands of jobs and add tremendous value to Mauritian GDP. With the continuous growth in the property market witnessed over recent years, there has been a proliferation of estate agents, land promoters and property developers.

With the increasing number of investors, both local and foreign, acquiring immovable property in Mauritius for either business or residential purposes, the growing number of untrained and sometimes unethical middlemen (known as *courtiers marrons*) is a cause for concern. This can impact negatively on the country’s image as a place to do business if the activities of a real estate agent are not set within a proper legal framework.

With the opening of the property market, the services...

Mr Speaker: Hon. Duval!

(Interruptions)

The Deputy Prime Minister: I don't understand in what way my speech here can hurt the Opposition. So, I am sure out of politeness, they would agree to listen.

Mr Speaker: Continue with your speech!

The Deputy Prime Minister: With the opening of the property market, the services of real estate agents are increasingly being used by foreign investors who look for professionally competent estate agents and who are licensed or registered.

The enactment of the Bill will offer us an effective regulation system to control real estate services to protect consumers and ensure that providers of estate agency services are professionally competent.

Mr Speaker, at the moment, real estate agents are only required to register their businesses at the Corporate and Business Department and upon registration, they are issued with a Business Registration Number (BRN). They pay a yearly licence at the Corporate and Business Department. And according to information provided by the Registrar of Companies, there are 5,151 Agents in Land and/or Building or Estate Agency and there are 2,177 land promoters/property developers operating in the real estate sector as at July 2020.

As regards the transactions carried out by real estate agents, they are regulated in the same manner as a contract of agency. The contracts of estate agents with their clients are dealt within the same manner as any contract of agency. This has given rise to unlicensed estate agents operating without meeting the basic standards to be expected of the professional estate agent.

Mr Speaker, there is, therefore, no doubt that we face an urgent need for innovation in this area of the law to cater for the demands of a flourishing property and real estate market.

Mr Speaker, Sir, I would like to indicate that prior to introducing this Bill before the House, it has gone through a number of phases, including consultations with the stakeholders concerned at different points. In fact, the first consultative meeting was held on 09 November 2018 with various Ministries, the Mauritius Revenue Authority, the Registrar General Department, the Valuation Department, the Economic Development Board, the Professional

Land Surveyors' Council, the Professional Architects' Council and the Real Estate Agents Association to ensure that all the stakeholders' views and apprehensions were addressed.

Preparation of the Real Estate Agent Authority Bill included a study of the corresponding legal frameworks of New Zealand and next to us, of Seychelles. Obviously, care has been taken to see to it that the provisions of this Bill should address the specifics of the local context.

There was one further step that had to be taken before the Bill was brought to the House, prior to its finalisation, there have been two consultative meetings which I have personally chaired with the promoters, property developers, the real estate agents and the Real Estate Agents Association on 14 and 16 July 2020, respectively. The salient features of the Bill were presented and discussed with them and a very healthy debate ensued.

Mr Speaker, Sir, allow me to introduce to the House the main provisions of the Real Estate Agent Authority Bill. The object of the Bill, as stated in the Explanatory Memorandum, is to provide for the establishment of the Real Estate Agent Authority in order to regulate and control business activities of real estate agents, land promoters and property developers.

The House will note that Clause 2 of the Bill provides the definition of a real estate agent and it goes further to include in that definition, land promoters, property developers and any other class of persons to be prescribed. And it is noteworthy that there are certain persons who are excluded from the definition of real estate agents although they do carry out real estate transactions. For instance –

- (i) a person who is the owner or part owner of the real estate in question or;
- (ii) a person, employed by the State or a statutory body, as may be prescribed, who, in the discharge of his official functions, carries out a real estate transactions or;
- (iii) a person acting on behalf of another under a power of attorney and who is, therefore, carrying out the transaction not for profit or consideration or;
- (iv) an administrator, a liquidator, a receiver manager, a receiver, auctioneer or trustee who, in the discharge of his functions, once again, carries out a real estate transaction, and

- (v) the definition also includes a person who, by virtue of a Court order, has to carry out a real estate transaction.

Mr Speaker, Sir, clauses 4 and 5 of the Bill spell out the specific functions of the Authority so as to meet its object effectively. The Authority which shall be a body corporate will regulate and control activities of real estate agents, including land promoters and property developers, I wish to stress on that. It will promote integrity, honesty, transparency and professionalism in the real estate industry. In addition, it seeks to protect and assist persons engaged in real estate transactions with real estate agents. It will also co-operate, it is bound by the law according to the Bill to co-operate with the Financial Intelligence Unit and other public agencies to assist in the detection and prevention of money laundering and the financing of terrorism within the real estate sector.

Another important objective of the Authority will be to establish a Code of Conduct and Practice for real estate agents and the Authority will monitor subsequent compliance with such a code. The Authority will, furthermore, provide consumer information on matters relating to real estate transactions and it will provide education and training in the field of real estate and property development which is not as adequate as one could hope for, right now.

At clause 6, the Bill provides for a regulatory control mechanism whereby the Authority may, for instance, renew, suspend, vary, cancel registration of real estate agents. It may investigate complaints made by the public against a real estate agent and it can set up a disciplinary committee for disciplinary measures to be taken as appropriate.

As for clauses 7 and 8 of the Bill, provision is made for the Authority to be administered and managed by a Board. The Chairperson of which shall be a law practitioner of not less than 10 years` experience. Provision is also being made for representation of members both from the public and private sectors, including a representative from the Estate Agents Association.

Mr Speaker, Sir, hon. Members may note that right now, land promoters and property developers do not yet have an Association of their own. The clauses 7 and 8 also provide that a member of the Board shall be appointed for 3 years and the mode of operation of the Board has been spelt out at clauses 9, 10 and 11, and clause 11 provides for disclosure of interest by Board members as may be appropriate.

Mr Speaker, Sir, provision is made at clause 12 for the appointment of a Director who will, *inter alia*, be responsible for the execution of the decisions of the Board, including day

to day management of the Authority. Clause 13 allows the Authority to sell or exchange property, borrow money in line with the Public Procurement Act to carry out its functions and as for clauses 14 and 15, they provide for the appointment of officers of the Authority and their conditions of service.

Mr Speaker, Sir, I now come to clause 16 of the Bill which relates to the Registration of the Real Estate Agents. I did mentioned earlier the definition of real estate agents now is framed in such a manner as to be broad enough to include land promoters and property developers. Now, in order for such real estate agent to undertake any activities, he or she will have to be registered with the Authority.

The conditions for registration have been spelt out in the Bill. In the case of an individual, the Authority will register only holders of a diploma in real estate or such other equivalent qualification since the diploma may not be offered at the present time. Such equivalent qualification as the Board may approve for a person who already has 5 years of relevant experience.

In the case of a company, a *société* or partnership, the Authority will register only bodies which are registered under the Companies Act or the Business Registration Act at least one director of which the director, member or partner is registered as a Real Estate Agent. The Authority may, however, impose other criteria to be prescribed in the light of experience.

It is to be noted that prior to granting registration and this is important, the Authority will ensure that the real estate agent –

- (i) has not been convicted of a financial crime offence or;
- (ii) is not on any United Nations Sanctions List;
- (iii) has not been convicted within 10 years of his application, of any offence related to dishonesty or fraud whether it be in Mauritius or in a foreign jurisdiction, and
- (iv) is not a declared bankrupt.

Mr Speaker, Sir, the Bill makes provision at clause 17 for the real estate agent to furnish a security the amount of which is to be prescribed. The security may either be cash deposited with the Accountant-General, or a bond of a bank or a policy of insurance or a mortgage on immovable property. The requirements of the security when registering with the

Authority will further protect buyers from fraudulent practices. It may be noted that in countries such as Belgium, France, Ireland, Italy, Poland and Sweden, real estate professionals are required to provide professional liability insurance, including a security deposit.

To go back to the Bill, Mr Speaker, Sir, clause 18 provides for the particulars to be specified in the Register of Real Estate Agents which register shall be made available for inspection by any person on payment of such a fee as may be prescribed. This is, of course, in the interest of transparency.

At clauses 19 to 21, the obligations, duties and fees of the Real Estate Agents have been listed. It is provided that the real estate agent should not cannot carry out a real estate transaction unless there is a written contract between him and his client. Moreover, the agent would be under an obligation to keep accounts of all receipts and expenditure with respect to any transaction effected. The Authority, Mr Speaker, Sir, will also prescribe the fees which the real estate agent, land promoter and property developer may charge for all transactions set out in the Act. This will be prescribed at a later stage.

Further obligations with respect to Anti-Money Laundering and Combatting the Financing of Terrorism and Proliferation measures are spelt out at Clauses 22 to 24. A real estate agent who becomes aware of a suspicious transaction shall be under a statutory duty to report same to the Financial Intelligence Unit not later than five working days after, or rather, within five working days of the suspicion arising.

Clauses 25 to 32 relate to professional misconduct and disciplinary proceedings to enquire into the charges of misconduct that may be levelled against a real estate agent and the Authority may investigate any complaint made against a real estate agent which relates to professional misconduct.

Mr Speaker, Sir, Clauses 33 to 37 address financial provisions on accounts of the Authority. The Authority, as you may have noticed, Mr Speaker, Sir, will set up the Real Estate Agent's Fund and it will be required to publish its Annual Report together with its audited accounts within six months of the close of every financial year.

Clauses 38 to 45 relate to ancillary measures, including an agent's recourse against any decision of the Authority. The Bill equally makes provision for regulations to be made in respect of charges, penalties and the formulation of the Code of Conduct and Practice for real estate agents.

I shall come to Clause 46 now, which provides that every person who is acting as a real estate agent shall, within six months of the coming into force of the Act, register with the Authority. Mr Speaker, Sir, I mentioned that there has been a very healthy debate on a range of issues addressed by the Bill with those concerned within the profession. This new law and the Authority will provide an official status for real estate agents and ensure quality of service for the public.

I am sure Members in this House will join me to support this Bill in the belief that regulation of the activities of the real estate agents will professionalise the property market and make of Mauritius an even more vibrant business and financial hub. Indeed, Mr Speaker, Sir, this Bill - and I will conclude on this note - will enhance the profession of real estate agents by registering qualified real estate agents, property developers and land promoters. The Bill will promote integrity, honesty, transparency and professionalism in the sector. It will protect the interest of the public at large and will ensure compliance with international best practice and norms, as defined by the Financial Action Task Force.

The Bill, Mr Speaker, Sir, is one step further to enable Mauritius to exit at the earliest, the Financial Action Task Force's list of monitored jurisdictions and the European Union's list of High-Risk Third Countries.

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

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

(7.12 p.m.)

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East): Mr Speaker, Sir, while the enactment of a legislation to regulate the real estate business is welcome and is necessary, the present Bill before this House fails to take into consideration the present ecosystem in which our real estate counterparties operate. While introducing a novel piece of legislation, Government should take cognisance of the current economic climate and challenges. Government needs to be fair and ensure that the interests of all parties are catered for and no injustice is created. The rationale behind the enactment of this Bill should be to create a legal framework in which real estate agents, property developers, land promoters operate in order to avoid abuse of buyers and sellers for Government to have an oversight of the conduct of real estate business, as well as ensuring that this sector is not used and exploited as a *tremplin* for money laundering activities.

Having said that, Mr Speaker, Sir, at the outset, this Bill is flawed in its definition of real estate agent, and I will explain. It treats a real estate agent, a land promoter and a property developer on the same footing. As I said, our present local ecosystem, a real estate agent is a *courtier*, and I will not use the word, '*courtier marron*', because for me it is not proper to say '*courtier marron*'. *Courtier* is usually an individual and this has been the case for decades. So, I will explain again that real estate agent in our local context is a *courtier*, a land promoter here; we are referring to the likes of ENL Properties, Novaterra, etc. These are examples. And a property developer, examples are Pam Golding, Evaco and so on.

We must clearly differentiate between a land promoter, a property developer and a real estate agent. In my opinion, treating them on the same footing is a fundamental error because they play different roles. If we do not differentiate among these counterparties, we will create an undue, unjust and unwanted burden on certain players. It is important to understand that a *courtier* does not handle any funds linked to the sale and purchase of a property, while a property developer and a land promoter would deal and receive funds either for the sale or the purchase of a land, a luxury villa, be it from a local, from a Mauritian or from a foreigner. It could be to the tune of Rs10 m., Rs50 m. or Rs100 m. We must compare like with like, Mr Speaker, Sir. There are, as I said, land promoter and property developer, they are the ones who should bear the higher level of responsibility and scrutiny compared to a mere real estate agent, in the Mauritian context, as I said, a *courtier*. For me, it is an injustice to treat these three categories *sur le même pied d'égalité*.

Hence, the requirement for registration as a real estate agent, in terms of qualifications, experience, security to be furnished, disciplinary actions, and even the duty to comply with AML/CFT measures should be commensurate with the role of the different actors. By this, I again refer to real estate agent, property developer and land promoter. There is a need to differentiate between the various types of players in the market. In jurisdictions like New Zealand and Malaysia, for example, the property market operates in a well regulated, yet extremely competitive environment, but the law in these countries differentiate between different players of the industry. *Courtiers* are usually known as negotiators rather than agents; they are regulated, albeit with a much lower threshold, and rightly so.

The hon. Minister acknowledges that there are various players, but with the present Bill, it is a blanket provision capturing all in the same way.

Mr Speaker, Sir, this Bill before the House regroups everyone under one umbrella. The point I want to make to the House today is that this must be reviewed, Mr Speaker, Sir. I will deal with Clauses 1 to 21, and the rest, that is, the AML/CFT Clauses will be dealt by my friend, hon. Reza Uteem, when he intervenes. In addition to the point that I just raised, I have several reservations regarding other provisions of the Bill.

First of all, Mr Speaker, Sir, let me refer to Paragraph 8 (1) (a) of the Bill which concerns the appointment of a Chairperson of the Board by the Minister. We are of the view that for such an important post, the Minister concerned cannot in his discretion appoint such a person and should in terms of best practice and good governance - as so often prone by Government - proceed by *appel de candidatures*. The Chairperson cannot be appointed by the Minister. As I said, 'best practices' mean *appel de candidatures*. This is crucial to ensure transparency regarding recruitment of the potential Chairperson. In the same breath, the best qualified candidates having the required experience and expertise will have the opportunity to apply for the post, and eventually, the chosen Chairperson will serve the Ministry and the Mauritian public. The Chairperson should operate in all independence and transparency to deliver in the best interest of the Ministry, and by extension, the public at large and it should not be at all cost a political nominee. That's why I put emphasis on *appel de candidatures*. Why I mentioned that it should not be a political nominee is because this piece of legislation aims at consolidating our AML/CFT framework.

Mr Speaker, Sir, regarding the appointment of the Board members, I would like to refer to Paragraph 8(1) (i) (j) and (k). I fail to understand why a representative of the Land Surveyors Council, according to the provisions of the Bill, will be chosen by the said Council to defend its interest, whilst a representative of the Real Estate Association and a representative of the *Chambre des Notaires* will be chosen by the Minister. What is the rationale behind this, Mr Speaker, Sir? How can a representative of Land Surveyor choose their own representative and the other one that I have just mentioned, be chosen by the Minister? This is totally unacceptable and we strongly object to this disparity. These bodies are independent bodies and, hence, should be free to choose their representatives. We fail to understand such incoherence regarding representation of professionals on a Board, unless the Minister wants to have a grip on the Board. We press for a more professional approach regarding the appointment of Board members who can take decisions in all impartiality and independence.

Mr Speaker, Sir, I now refer to paragraph 16(3) (a). The Bill proposes to establish a Real Estate Agent Authority. If this recommendation is approved in its present form, henceforth, it will be mandatory for all estate agents to be registered with the Authority. Furthermore, it is stipulated that it will be necessary for any real estate agent to hold a diploma in real estate or such other qualification as the Board may approve.

Mr Speaker, Sir, presently, the large majority of real estate agents are persons not holding any qualification. Here, I am referring to the courtier, and we should bear in mind that they rely on this income as a means of livelihood. Is the Minister aware that there are no such courses available in Mauritius? There are four public universities: University of Mauritius, University of Technology, Université des Mascareignes and Open University. We have also 45 private institutions. Mr Speaker, Sir, none of these that I have just mentioned offers this course. The Diploma in Land Management does not exist in Mauritius, and after passing this Bill, this will be mandatory. What does this mean, Mr Speaker, Sir? We all know that this will kill all the small players and will favour only the big guns. This is the reason. The course can only be done either online by distance mode or by going directly to the universities or institutions concerned, be it England, Canada, Malaysia or Australia, but such courses will be very costly. Therefore, if a Mauritian wants to study in one of the local institutions or universities, this is simply not possible. How can Government impose a mandatory requirement when such courses do not even exist in Mauritius, Mr Speaker, Sir? I think, before coming to the House with such a Bill, some homework should have been done in relation to this Clause. So, what will happen to Real Estate Agents who do not hold such a diploma?

Now, the Bill makes reference to such other qualification as the Board may approve. What is 'such other qualification'? Who will fall in this category? The Bill should clearly spell out what would satisfy this requirement. What is 'such other qualification'? It's a wide meaning! Moreover, Mr Speaker, Sir, many of our citizens are working as real estate agents for years, not to say for decades. They are already recognised as practitioners in the field and have their trade license. They are currently paying their dues to the MRA, be it VAT, be it income tax. So, we are currently being recognised by the system. I am tempted to say that the Bill, in its present form, tends to favour existing big guns. By this, I mean, international estate agents who are present in Mauritius, who currently have or have the ability to recruit and employ professional with such qualification from overseas. This tantamount to favouring big players to the difference of local and small and medium size real estate agents.

Moreover, according to the proposed Bill, for real estate agents to satisfy the requirement of the Board, he or she should have at least five years' experience in matters of real estate transactions. But, here again, Mr Speaker, Sir, no criteria is mentioned. How do we determine competencies and skills? Who will assess five years of experience? Nothing is defined in the Bill in relation to what I have just said.

Mr Speaker, Sir, I now come to Clause 17, subsections (1), (2) and (3). The Bill states that, I quote –

“17. Security to be furnished by real estate agent

(1) No person shall be registered as a real estate agent unless he furnishes a security in such amount as may be prescribed.”

The security is defined in subsection (2) as –

- (a) cash deposited (...);
- (b) a bond of a bank;
- (c) (...) a policy of insurance (...) or
- (d) (...) a mortgage on immovable property.”

However, the amount of security, be it cash deposit, insurance bond or insurance is not specified in the Bill. Again, Mr Speaker, Sir, we cannot leave it at the discretion of the Minister, because if such an amount turns out to be too excessive, again, only the big guns, the big players who can afford will be again favoured at the expense of the small ones and medium ones in the profession. No mention is being made to the amount of security, as I said, bond, cash or mortgage. In my opinion, the Bill should have provided for the quantum of security and this should be scalable and linked to the role played in a real estate transaction, for example, a land promoter, a property developer or an agent. And, here, I come back to my original point.

Mr Speaker, Sir, in view of the shortcomings and oversights I have just highlighted, we recommend more flexibility regarding the new set of requirements for registration. It is necessary to mention we are trying to get over the trauma of Covid-19 period. Companies are closing down, many workers have to bear the brunt of technical unemployment, the shadow of lay-offs hangs over other firms, our economy is suffering a period of recession affecting our GDP significantly. In these challenging times, notwithstanding that we should regulate this sector, we should also look at securing and preserving the livelihood of our

fellow citizens. Hence, the legislation should allow for more flexibility in its application, for example, giving more time for existing real estate agents to meet the requirements imposed by this Bill, such as meeting the requirement of qualification for admission. Or else, Mr Speaker, Sir, I fear that a significant amount of people operating in the real estate business may be adversely affected financially. And it goes without saying that the big players will have the lion share of the transaction.

Having said that, Mr Speaker, Sir, to conclude, I sincerely wish that the hon. Minister will pay heed to my comments and propose necessary amendments before this Bill is commended to the House.

Thank you, Mr Speaker, Sir.

(7.30 p.m.)

The Minister of Financial Services and Good Governance (Mr M. Seeruttun): Mr Speaker, Sir, in the first instance, I would like to thank the hon. Deputy Prime Minister, Minister of Housing and Land Use Planning and Minister of Tourism for introducing the Bill into the National Assembly.

Mr Speaker, Sir, as the House is aware, this Government is taking all appropriate actions and measures for the country to be removed from the Financial Action Task Force (FATF) list of jurisdiction under increased monitoring and the European Union List of High Risk Third Countries.

In this context, the AML/CFT Legislative Framework is being reviewed. Recently, this House has voted a number of legislative amendments brought through the Anti-Money Laundering and Combating the Financing of Terrorism (Miscellaneous Provisions) Act 2020. The Bill before the House today is yet another step in ensuring further compliance with recommended international best practices and norms for combating money laundering and the financing of terrorism and proliferation.

(Interruptions)

Mr Speaker: No conversation!

Mr Seeruttun: Mr Speaker, Sir, the Real Estate Agent Authority Bill 2020 will provide for the establishment of a Real Estate Agent Authority in order to regulate and control the business activities of real estate agents, including business activities of land promoters and property developers in Mauritius.

I was just listening to the previous orator. He agrees with the Bill globally, but he felt that having taken on board all the different stakeholders in that sector is something which is going to discriminate against those small State agents and he was saying that the small State agents, they don't deal with money. I don't think he is right in saying that. I mean we all know when he talked about *les courtiers*, but we all know *courtiers* also deal with money and what we are doing here is trying to regulate ...

(Interruptions)

They do.

Mr Speaker: Last warning! No conversation!

Mr Seeruttun: And we are trying to regulate this sector, Mr Speaker, Sir, because this is one sector where money do exchange hands and if we want to combat money laundering that is one area which has been highlighted as being high risk and we need to kind of adapt our regulations and laws to ensure that the risk is mitigated.

So, if we look at the objectives of the Authority as mentioned in the Bill, they have to promote transparency, accountability and integrity in the real estate profession and the conduct of their activities, protect and assist persons engaged in transactions with real estate agents and assist in the detection and prevention of money laundering and terrorist act financing and other related matters.

Mr Speaker, Sir, the FATF recommendations provide for a framework for countries to effectively combat money laundering and the financing of terrorism and proliferation and the 2013 FATF methodology provides the basis for undertaking the assessment of technical compliance of the country's AML/CFT legal framework with the revised FATF recommendations and reviewing the level of effectiveness of its AML/CFT system.

As we are all aware, the FATF recommendations form the basis for the regulatory framework of banks and financial institutions. In recent decades, banks and financial institutions have implemented legal obligations such as KYC, Know Your Customer, CDD, Customer Due Diligence, or ongoing monitoring to ensure that they mitigate the risk of money laundering and terrorism financing posed by criminals using the services they provide. Over the years, these AML/CFT principles have become standard practice in the financial sector in most countries. So, we have all become used to them.

However, Mr Speaker, Sir, as the Financial Sector started tightening its AML/CFT controls, new money laundering patterns started emerging. Criminals realised that using the banking sector for the laundering of proceeds of crime was becoming increasingly difficult and they started using other avenues for introducing criminal proceeds into the financial system.

In this context, the FATF, in its recommendations extended the existing AML/CFT obligations applicable to banks and financial institutions to Designated Non-Financial Businesses and Professions, which is commonly known as DNFBPs. Under Recommendation 22, DNFBPs have an obligation to carry out customer due diligence and keep records. Additionally, under Recommendation 23, DNFBPs must also implement specific measures depending on the industry they operate in. The specific categories of DNFBPs identified by the FATF are casinos, real estate agents, dealers in precious metals and precious stones, members of the legal professions and accountants and trusts and companies service providers. Furthermore, the regulatory and supervisory measures to be applied to the DNFBPs are described in the FATF Recommendation 28.

Mr Speaker, Sir, the activities of operators in the real estate sector agent in land and/or building, estate agency, land promoter and property developer are covered under the Twelfth Schedule of the Local Government Act. The supervision of these activities with regard to AML/CFT was assigned to the Financial Intelligence Unit, the FIU when the Financial Intelligence Anti-Money Laundering Act (FIAMLA) was amended in 2013.

Concurrently, the FIU was also assigned the responsibility to supervise the Jewellery sector. As for other categories of DNFBPs, the Gambling Regulatory Authority was designated as the AML/CFT regulatory body for the Gambling sector, the Attorney-General Office for Law Firms, the Mauritius Institute of Professional Accountants for Accountants and the Bar Council, the Law Society and *la Chambre des Notaires* for Barristers, Attorneys and Notaries respectively.

Mr Speaker, Sir, while these amendments to the FIAMLA reflected the fact that these DNFBPs were to become subject to AML/CFT obligations, that is, according to the FATF recommendations, they still lack the necessary provisions for an adequate risk-based supervisory framework. The 2013 amendments only gave the regulatory bodies' limited powers to request for information. As a result, none of the designated AML/CFT regulatory bodies (including the self-regulatory bodies such as the Bar Council, Law Society, *la*

Chambre des Notaires, MIPA) were able to properly supervise the various DNFBBs to ensure compliance with AML/CFT purposes.

Mr Speaker, Sir, in its assessment of the AML/CFT framework of Mauritius, the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG), in its Mutual Evaluation Report of July 2018, found that, in terms of ‘Technical Compliance’, that is, the adequacy of our legal framework, Mauritius was rated non-compliant with Recommendations 22, 23 and 28. In other words, the amendments of 2013 simply failed to create a proper supervisory framework, which in turn, contributed to Mauritius receiving a rating of ‘low’ when it comes to effectiveness as none of the DNFBB supervisors had proper powers to effectively implement a functioning AML/CFT supervision regime. For example, the assessors found (at paragraph 20 of the Mutual Evaluation Report that, I quote - “The legal and regulatory frameworks do not provide for a broad range of sanctions to deal with AML/CFT violations, particularly on the part of DNFBBs.”

In this context, Mr Speaker, Sir, the legal framework relating to DNFBBs was completely overhauled in 2018 and 2019. The FIAMLA was significantly amended to provide for several new obligations for all reporting persons, including DNFBBs. As such, it established the obligation for all reporting persons to conduct a risk assessment of their own businesses. Furthermore, it laid down the requirement to establish policies, controls and procedures to mitigate and manage money laundering and terrorism financing risks. Measures were also introduced in relation to record keeping, Customer Due Diligence (CDD) and high-risk countries.

The Financial Intelligence and Anti Money Laundering Regulations 2018 were promulgated, and contrary to the revoked 2003 regulations, these new regulations applied to all DNFBBs. It clearly laid down all the requirements which members of these professions now had to comply with. Since 2018, Mr Speaker, Sir, DNFBBs are expected to establish internal controls, policies and procedures to ensure that their business is not vulnerable to money laundering or terrorism financing. They must conduct CDD and must appoint key officers such as Money Laundering Reporting Officers (MLROs) and they must take extra care in relation to high-risk customers such as Politically Exposed Persons (PEPs).

A further round of amendments was made to the FIAMLA in May 2019 to provide for a broad range of powers for the designated AML/CFT supervisors of DNFBBs. Since 2019, these regulators are able to request for information, conduct onsite inspections and issue AML/CFT guidelines for their relevant sectors. Importantly, they can now impose a range of

administrative sanctions in addition to referring any matter to law enforcement agencies where deemed appropriate. AML/CFT supervisors also have the duty to conduct outreach with their relevant sectors to create or enhance awareness of AML/CFT obligation while also adopting a risk based approach to supervision. The 2018 and 2019 amendments have provided a robust legal framework for all these endeavours.

Mr Speaker, Sir, the House will recall that, as from October 2019, Mauritius is largely compliant with 35 out of 40 FATF recommendations. The United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act was also passed in 2019 and provides for specific obligations for DNFBPs in relation to targeted financial sanctions. In the light of these legislative amendments, a robust framework has been created for DNFBPs and their supervisors to fulfil the role intended by FATF in the fight against Money Laundering, Terrorism Financing and Proliferation Financing.

Mr Speaker, Sir, as I mentioned earlier, one of the Action Items of the FATF Action Plan relates to the DNFBPs, namely the need to implement effective risk-based supervision for the DNFBP sectors, including real estate agents.

The Real Estate sector is one of the categories of the DNFBPs identified by the FATF as being particularly vulnerable to money laundering. Additionally, as a result of the Non-Citizen (Property Restriction) Act and the various schemes for foreigners to purchase property in Mauritius, the sector should be looked at from both a domestic and international perspective, each representing a different set of money laundering risks. Due to the value of real estate in Mauritius, the sector is mostly exposed to criminals who participate in criminal activities which generate high levels of proceeds of crime. Domestically, the sector is exposed to proceeds from criminal offences such as drug trafficking and fraud, two high proceed generating crimes which occur in Mauritius. On the international front, the nature of the predicate offence is more diverse, but they tend to centre around white collar crimes.

Mr Speaker, Sir, in our national Money Laundering and Terrorism Financing risks assessment report published in August 2019, the assessment team noted that the money laundering risk to the Real Estate sector was 'Medium-High'. The main reason for such a rating was essentially due to the fact that the use of cash was permitted in transactions below Rs500,000; the availability of payments to be made '*hors de la vue du notaire*'. And the fact that the new supervisory framework had just been enacted and actual supervision had not yet started, meaning that the vulnerability of the sector to money laundering had not yet been effectively mitigated.

Mr Speaker, Sir, I am pleased to announce that the implementation of the revised framework is currently underway. All the DNFBP supervisors have set up an AML/CFT Unit responsible for the implementation of the revised supervisory framework. Regarding real estate agents, the FIU has set up a Compliance Department which is in the process of implementing the AML/CFT supervisory framework for real estate agents, dealers in jewellery, precious stones and metals and legal professionals. The FIU has already issued guidelines and a factsheet on AML/CFT obligations to real estate agents and it is in the process of completing its risk matrix for the purpose of carrying out effective risk-based supervision of the real estate sector.

Mr Speaker, Sir, additionally, the FIU is carrying out outreach to the various sectors under its responsibility to increase awareness of the AML/CFT obligations of DNFBPs under its mandate. In this context, it is worth noting that the FIU is collaborating with the Financial Services Institute and the Global Finance Mauritius for the development of a training course on AML/CFT obligations for DNFBPs and is also assisting the Financial Services Institute in delivering the course. This outreach process will be an ongoing process to ensure that all DNFBPs are made aware of their obligations and have been given proper guidance which, in a way, explain the qualms of my good friend, hon. Aadil Ameer Meea, when he was talking about no courses are being provided locally to address the issue of having a diploma in that particular sector. So, that would, in a way, overcome that particular issue. So, this is something which is being worked out.

Mr Speaker, Sir, it is also worth noting that the other issues mentioned in the National Risk Assessment, that is the use of cash for real estate transactions and payments *hors de la vue du notaire* are no longer allowed following the recent amendments made to the Notaries Act with the enactment of the Anti-Money Laundering and Combatting the Financing of Terrorism (Miscellaneous Provisions) Act 2020. By addressing these vulnerabilities identified in the National Risk Assessment, the money laundering risks faced by the real estate sector will be effectively mitigated.

Mr Speaker, Sir, to date, there are more than one thousand registered operators in the real estate sector. The contribution of this sector to the Mauritian economy is substantial, representing 6% of Gross Domestic Product. In 2019, Gross Domestic Capital in real estate activities totalled some Rs34 billion, of which Foreign Direct Investment in real estates was Rs16.1 billion.

So, Mr Speaker, Sir, coming to the present Bill, while we now have a strong framework for effective AML/CFT supervision for DNFBPs, there is still one important issue that remains to be addressed in relation to real estate agents. In fact, the profession of real estate agent has never been regulated in Mauritius. This situation leaves one gap which could potentially undermine the overall effectiveness of our supervision framework that of market entry controls.

Mr Speaker, Sir, Recommendation 28 of the FATF states, and I quote –

“The supervisor or SRB should also (a) take the necessary measures to prevent criminals or their associates from being professionally accredited, or holding or being the beneficial owner of a significant or controlling interest or holding a management function, e.g. through evaluating persons on the basis of a “fit and proper” test; and (b) have effective, proportionate, and dissuasive sanctions in line with Recommendation 35 available to deal with failure to comply with AML/CFT requirements.”

In the same context, the ESAAMLG Mutual Evaluation Report stated, at paragraph 17, that, and I quote -

“Regulatory authorities of some DNFBPs do not have powers and procedures to restrict market entry for AML/ CFT purposes. The procedures were rudimentary and focused more on market conduct.”

In other words, there is currently no legal power or requirement to impose a fit and proper test on real estate agents. For example, a convicted criminal or an undischarged bankrupt can simply pay the required trade fees at the local authority concerned and start operating as a real estate agent. As the FIU is so far only the AML/CFT supervisor and not a licensing authority, no authority currently has the power to stop that person from acting as a real estate agent on that basis alone. The lack of market entry control for real estate agents threatens the overall effectiveness of the supervisory framework as no action can be taken against such a person as required under Recommendation 28.

Mr Speaker, Sir, this is where the present Bill will have a positive impact. Firstly, it clearly defines the professions which are to be captured by both its provisions and those of the AML/CFT framework. Real estate agents shall also include land promoters and property developers. All these categories are now clearly defined under clause 2 of the Bill.

Secondly, the Real Estate Agent Authority being established will have the responsibility of regulating the business activities of real estate agents and of promoting transparency and integrity in this profession. The authority will register real estate agents and such registration shall only be possible where the agent meets the criteria established by the legislation. As such, section 16 of the Bill clearly lays down the conditions to be fulfilled by the applicant. In addition of having some key requirements such as holding specific qualifications and experience, the authority will ensure, *inter alia*, that the applicant has not been convicted of any financial crime offence, does not feature on any United Nations Sanctions Lists and he has not been convicted of any offence involving fraud or dishonesty within 10 years of his application. Such controls shall no doubt fully address the previous shortcomings for the sector and shall ensure that controls are exercised at the very beginning to safeguard the profession and the sector.

Mr Speaker, Sir, under clause 21 of the Bill real estate agents shall also be required to keep accounts in relation to transactions showing clearly and separately any amount received by clients on behalf of clients, and any amount paid to clients on their behalf. Such accounts will have to be kept for seven years following the completion of the transaction. Such a provision will, in addition, to ensuring that there is greater transparency in real estate transactions, greatly assist authorities, such as the FIU or even Law Enforcement Agencies in their own functions.

Mr Speaker, Sir, clause 5 of the Bill sets out the functions of the Real Estate Authority and provides for corporation between the Real Estate Authority and other institutions, in particular the FIU. The Authority will approve the Money Laundering Reporting Officers (the MLROs) and also the Deputy MLROs of Real Estate Agents. It is important that where there are two different institutions conducting different but closely related roles, there must be a clear channel of communication between the two. The Bill has made provisions for this and it is expected that the corporation between the licensing and the supervisory body shall deliver positive outcomes for the real estate sector.

Mr Speaker, Sir, I must also highlight that the Bill provides for an entire part concerning AML/CFT measures.

Part V of the Bill makes clear that all Real Estate Agents must comply with the existing AML/CFT regulatory framework. In addition to the provisions of this new Bill, the obligation to file suspicious transaction reports within five days after the suspicion arose and

which is established under the FIAMLA, is reiterated in clause 23 of this present Bill, thereby underlying the crucial nature of this obligation for Real Estate Agents.

Furthermore, clause 24 of the Bill makes provision for the applications of sanctions by the FIU in relation to AML/CFT breaches. Indeed, the latter shall exercise its powers under the FIAMLA, but will also be able to refer the matter to the Real Estate Agent Authority for any additional disciplinary measures against an offending agent.

Mr Speaker, Sir, to conclude, there is no doubt that this Bill shall address the remaining AML/CFT gaps for the real estate profession. Additionally, it will provide better structure and substance to the real estate profession itself by ensuring that only suitable persons are able to act as agents. In turn, it is expected that knowledge of AML/CFT shall be enhanced and that operators in the real estate sector shall be empowered to take all necessary measures to protect their businesses and the sector as a whole against money laundering and terrorism financing abuses.

With these words, Mr Speaker, Sir, I thank you for your attention.

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

At 8.02 p.m. the sitting was suspended.

On resuming at 9.53 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please, be seated!

Hon. Lobine, please!

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, let me from the start commend hon. Aadil Ameer Meea for his *prise de position* on this Bill, and I would concur with his line of reasoning, and would also invite my good friend, the hon. Deputy Prime Minister, not to use the term ‘*courtier marron*’, as the very essence of this Bill is to regulate a sector that has never been regulated before. This stands to reason that in the absence of any legislation, we cannot describe those fathers and mothers earning a living, be it a small estate agent or a big one as a ‘*courtier marron*’, because there was no regulation, in the first instance.

However, this real Estate Agent Authority Bill obviously comes in response of the EU putting our country on its blacklist as a money laundering destination. At the very outset, the Bill is seeking to regularise the opacity with which the real estate business has been operating for decades. It is keeping with recent legal amendments introduced in the wake of the EU

blacklisting that either creates new authorities all over the place or gets as many professions to answer to an institution as possible, such as accountants now having to report to the Financial Reporting Council, lawyers to the Financial Intelligence Unit, and in this case, Real Estate Agents, land promoters, property developers to this new Authority and the FIU also.

Indeed, the 2018 Report of the Eastern and Southern African Anti-Money Laundering Group, ESAAMLG, on the basis of whose findings, Mauritius was placed on the grey list of the Financial Action Task Force and then mentioned earlier on this infamous EU blacklist, noted with concern that when it comes to real estate, there are no specific measures in place to prevent criminals and their associates from entering the market. The ESAAMLG Report estimated that there were around 384 Real Estate Agents in Mauritius, but there is nobody and/or Authority where they are registered and monitored.

Another major issue facing our real estate sector is its intrinsic link with the drug cartel. As per the 2018 Report of Commission of Inquiry and drug *trafiquants*, former Judge Lam Shang Leen set the alarm bell ringing.

Mr Speaker, Sir, in his conclusion, the Commission has identified clear links between the drug businesses with shady property transactions where huge cash deals are kept off the books. Fictitious land transactions were tactically designed by drug dealers to attract banks into accepting deposit, etc. Taking into account the state of wilderness in which our real estate sector is operating today, this Bill is a becoming one. But, Mr Speaker, Sir, I have the following reservations. In the Explanatory Memorandum, the philosophy of this Bill is set to at paragraph (a) –

“promoting transparency, accountability and integrity in the business activities of real estate agents, including business activities of land promoters and property developers;”

.And it shall also register Real Estate Agents, maintain discipline in the business activities of Real Estate Agents, including business activities of land promoters and property developers.

But, Mr Deputy Speaker, Sir, if we look, however, at paragraph 8 of this Bill ‘Composition of the Board’, I fail to understand, if we want to promote transparency, integrity, why at paragraph 8(j) and (k) respectively and here, I join my hon. colleague from the MMM, Aadil Ameer Meea, whereby the Minister who will appoint a representative of the Estate Agents Association and it shall be also the Minister, who, again, shall appoint a representative of the *Chambre des Notaires de L’Ile Maurice*. Why should the Minister

decide who to appoint? How will the hon. Deputy Prime Minister pick and choose? And what criteria will he apply to appoint those representatives within those bodies?

As it is the case in this Bill for the appointment on the board of a representative of the Professional Land Surveyors Council, it shall be left to the State Agents Association and *La Chambre des Notaires de l'île Maurice* to choose their respective representatives to sit on this board. Mr Deputy Speaker, Sir, with regard to paragraph 12, with regard to the appointment of a Director, it should be clearly defined in the Bill as to the competence needed to assume the responsibility of Director of this Authority. Here, we should proceed by way of recruitment of a Director, by way of *appel à candidatures* to get the best competent people to apply for the job.

I will refer to paragraph 8, here, Mr Deputy Speaker, Sir, where to become the Chairman of the board; the Chairperson shall be a law practitioner of not less than 10 years standing. So, in the case of the Director, there should also be a specific mention as to the qualification and experience needed at the very outset in the Bill so as to avoid a repetition of what has recently happened at the Mauritius Standards Bureau where, by all ways and means, professionals are being ignored and instead political poodles are being appointed with no prior experience and expertise in the field.

I do hope that the hon. Deputy Prime Minister will take this suggestion into consideration and avoid falling into the trap of creating posts to fill same with political nominees with no credentials in the sector. Mr Deputy Speaker, Sir, having a board composed of 13 members, also to my point of view is too much. In this dire economic situation, I am of the humble view that this board could easily run with 6 to 7 members, thus reducing the cost. Section 81 of the Bill should be reviewed in that respect. There are too many people sitting on this board, 13 members with representatives of various Ministries. True it is that you are co-opting professionals on this board but too many public servants on this board and this will lead to red-tapism in the near future in this very sector.

Now, coming to paragraph 16, with regard to real estate agents, at paragraph 16, subsection (3), I am of the opinion that there is no need to look for highly qualified professionals to do the job of real estate agents in Mauritius. We have had many successful entrepreneurs that do not possess any diploma nor any degree, but they have business acumen and *savoir-faire* that made them successful. Same should be the case for real estate agents. The job of a real estate agent should be accessible to one and all. Many of our citizens can do

this work as a side business but within the parameters of the law of course. And Section 16, to that respect should also be revisited.

You cannot make it mandatory for someone to be registered as a real estate agent, to hold a diploma in Real Estate or such other equivalent qualification and why insist on 5 years' experience before being registered as estate agent when 2 years would have been sufficient. Take the UK, for example, Mr Deputy Speaker, Sir, currently estate agents in the UK are not required by law to be licensed or qualified. However, many individual estate agents are professionally qualified and do belong to professional bodies such as the Royal Institution of Chartered Surveyors which offers sector pathways to membership, including pathways for estate agents. The National Association of Estate Agent offers various routes to membership and also offers professional qualifications.

Here, in Mauritius, unfortunately, who will conduct those diplomas in real estate, who will set up the course as same is not available in Mauritius? What will eventually happen is that this Bill will open the floodgates for foreigners to come in because most of those foreigners coming, for example, from South Africa or from France, they do have qualification in Real Estate Management and they will have an advantage on our local people here. So, this will be detrimental to our local entrepreneurs and to our estate agents.

Mr Deputy Speaker, Sir with the amendments being brought to the Immigration Act, amongst others, as canvassed by the Prime Minister in his speech on the Finance Bill, this will accelerate this process of having foreigners taking over even small property dealings in Mauritius and this will be a crude reality for our citizens who through their ingenuity normally get some additional income. They do act as broker or as a mere agent to get a financial reward in all honesty and within the law. This will no longer be the case unfortunately and this is saddening, Mr Deputy Speaker, Sir.

However, the real concern at this point in time in creating such authority will entail in funding the infrastructure and staffing which may involve large sums of money when the regulatory function could easily have been handed over to a sub division of the Economic Development Board which is already overseeing loads of those applications with regard to property development in Mauritius.

Additionally, for a better supervision, it is better that the EDB issues all licences to estate agents instead of having municipal and local councils doing same. This is where the Economic Development Board could be used as the one stop shop instead and at this juncture

creating yet another authority. I would ask the Deputy Prime Minister is it necessary at this point in time? Will it meet its purpose at this point in time?

Mr Deputy Speaker, Sir, I have stated earlier, in the United Kingdom, estate agents are not required by law to be licensed or qualified. Over regulating the sector will go to favour only the big real estate agencies. This will lead to the demise of the small and medium estate agencies in Mauritius. In the present economic situation, I do not believe that we should go in this line of reasoning with regard to this Bill in this particular section.

Mr Deputy Speaker, Sir, I am proposing to the hon. Deputy Prime Minister to ponder on the following as an alternative to this Bill as couched. In the UK, for example, any aggrieved party can register any complaint with the Consumer Protection Unit or the Unfair Trade Practice Department. Why not simplify matters and adopt a similar approach.

Importantly, estate agents who engage in residential work, must belong to an approved redress scheme. There they have the Property Ombudsman Scheme and the Property Redress Scheme. If a consumer wishes to make a formal complaint, they must first contact the estate agent in question; if the complaint remains unresolved, the matter can then be directed to the appropriate redress scheme. Each scheme offers an escalated complaints procedure and has the authority to resolve the complaint.

The regulator for estate agency across the UK is the National Trading Standards Estate and Letting Agency Team. The remit of the team is to assess whether an individual or businessman is fit to carry out estate agency work within the terms of the Estate Agents Act. There, they have got the Estate Agents Act 1979 that was subsequently amended and, Mr Deputy Speaker, Sir, the point I am making is that every professional must be allowed to operate as an estate agent within the definition of estate agent but with conditions attached, of course.

The Bill as presently drafted makes it very cumbersome for somebody to operate as an estate agent. What I suggest is that the EDB can come up with a code of practice for estate agents and make it more conducive for their operation. The Bill should aim at making the sector more competitive instead of stifling the market and creating a mere cartel or monopolistic situation to the detriment of small estate agents.

However, Mr Deputy Speaker, Sir, the positive thing about the Bill is the imposition of the condition of reporting suspicious transactions to the FIU. The Bill should aim attracting money coming from foreign countries into the IRS and RIS market, the PDS

market and we should avoid, we should no longer have people like those infamous Álvaro Sobrinho coming and polluting our real estate market here in Mauritius and this is commendable and this is a good inclusion in this Bill.

Accountancy firms carrying out the audit of real estate agencies must also be vigilant and report any suspicious and shady transactions. How often have we seen big auditing firms turning a blind eye to the off the books cash deposits of big companies in return for some handsome rewards?

Mr Deputy Speaker, Sir, I must also add that through the Notaries Act and the way the profession of a notary is all about, in itself, a notary acts as a deterrent to doggy transaction in the real estate sector and the role of the notary in this sector is of paramount importance. I would go through the role of the notary for the sake of clarity. A notary is a legal practitioner whose intervention is required in property transactions. It is, therefore, a necessary step to buy a house, a land, an apartment or any property right. The notary is the only legal professional to hold a delegation of power from the State and is defined by law as a judicial officer. The State power allows him to confer the character of authenticity to his deeds. As a judicial officer, the notary has a duty of impartiality. This makes him an essential trusted third party to a sale.

So, we do have the necessary *garde-fou* in our own legislation through the Notaries Act or through the practice of a notary. Without the notary, the seller would refuse to sign closing documents until he gets paid and the buyer would refuse to pay until he obtains ownership of the property. The notary allows the parties to resolve the dilemma by guaranteeing the seller that the buyer has the necessary funds in his account and assuring the buyer that the funds will only be disbursed on actual transfer of the property.

And, Mr Deputy Speaker, Sir, so as it stands, the notary is an important player in the system and due consideration should be given to its function and roles in the sector and no mention is made in this Bill to that effect, save and except that a representative of *la Chambre des notaires de l'île Maurice* shall sit on the Board.

To conclude, Mr Deputy Speaker, Sir, I would encourage the hon. Deputy Prime Minister to revisit this Bill and take into account suggestions made as to how in the UK, they have regulated the sector and also to consider the floodgates that will be opened allowing foreigners to emerge and flood this section to the detriment of our local entrepreneur.

The Bill, as presently drafted, sadly seems to prevent this altogether. It is like a one-size-fits-all as real estate agents be big players, small players, land promoters and property developers, they are all being considered altogether and given the same status in this particular Bill.

Mr Deputy Speaker, Sir, no distinction is being made to distinguish and protect the common and small estate agents in this Bill and what the hon. Deputy Prime Minister describe as *courtiers marrons* but which I beg to differ. As I have said earlier on, those 5151 people that you have mentioned, they form part of this, what you call, so-called *courtiers marrons*. They try, in an honest manner, to earn a living and get an additional income or to many their sole income to feed their families and these people shall be the biggest casualties with the coming into force of this Bill.

So, I urge the hon. Deputy Prime Minister to kindly consider this reasoning of mine. I shall thus invite the hon. Deputy Prime Minister to kindly revisit this Bill, especially with regard to the small estate agents already operating and also those estate agents operating without any, if I may say, permits or operating in the wild. We put the necessary legal framework so that they get into the business of real estate. But, as it is now, this Bill will favour the big property developers, those coming from South Africa and France and, maybe under the correction of hon. Minister of Environment, hon. Ramano, these people will take the big chunk of the property business in Mauritius.

On these notes, I thank you all for your attention.

The Deputy Speaker: Thank you very much! Hon. Nuckcheddy, please!

(10.13 p.m.)

Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil): Thank you, Mr Deputy Speaker, Sir.

At the very outset, I would like to thank the hon. Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism for this Bill, that is, the Real Estate Agent Authority Bill.

It was high time to regulate and control the business activities of the real estate agents. This Bill, Mr Deputy Speaker, Sir, is a need of the hour as it brings in such a needed regulation and transparency to the people who are involved in this sector. This Bill seeks to create a set of rights and obligations for both the end buyers as well as developers.

In the very beginning, real estate agents operated as just middlemen and their role was to just introduce potential buyers to sellers and lessors to lessees. But now, the industry has changed. For most people on this earth, their only asset remains their home. For many of us, buying or selling a property is the biggest financial transaction of our life.

This is why, Mr Deputy Speaker, Sir, we can no more rely on mere middlemen. We need professionals who are recognised as such and this Bill is about protecting the buyers and also regulating the sector.

The Royal Institute of Chartered Surveyors, which is a globally recognised professional body and which promotes and enforces the highest professional standards in the development and management of land, real estate, etc, advocates the principles that shape the culture of fairness and transparency that underpin all activities undertaken by real estate agents within whichever country they practice.

This Bill seeks to establish a regulatory authority which will control the business activities of real estate agents, promote transparency, accountability and integrity in the business activities of real estate agents, and protect and assist persons engaged in real estate transactions.

The Government announced in the last Budget Speech that it relies on the construction industry to be the engine of economic recovery, and also with the objective for construction of 12,000 houses, it is imperative for our real estate sector to be under the ambit of a regulation.

The authority will register real estate agents which will not only include sole practitioners but also large multi-national agencies. The authority proposed will apply to all persons of the sector whatever the form of tenure. The main objective of the authority will be to exercise and maintain discipline in the business activities of real estate agents but, most importantly, Mr Deputy Speaker, Sir, the authority will cooperate with FIU and other relevant public sector agencies to assist in the detection and prevention of money laundering and the financing of terrorism and proliferation within the real estate sector; by providing exchange of information with FIU to assist FIU in the discharge of its functions; by establishing a Code of Conduct and Practice for real estate agents and monitor the compliance with such code; by providing education and training in the field of real estate; developing and providing consumer information on matters relating to real estate transactions; by investigating complaints against real estate agents; by cooperating with any other institution having objects

wholly or partly similar to its objects and other such cognate functions which will make the Authority a one-stop shop for our real estate sector.

In addition to advocating a fairness in real estate transactions, section 19 (2) (b) of the Bill also aims at ensuring timely execution of projects. Timely execution is a major issue, people do not respect time and subsequently there is a cost escalation and it is the buyer who is penalised most of the time. The Authority will also, with the consent of the parties, act as a mediator to settle disputes if any. Mr Deputy Speaker, Sir, the real estate sector is an important one in Mauritius, however so far, it has been operating with very little regulations. As things stand at the moment, anyone can pretend to be a real estate agent which means that the client may not be necessarily dealing with a professional of the sector and thus do not get the necessary advice and guidance which can only be provided by someone with professional qualifications in the sector or with the required experience.

This Bill will provide a framework within which our real estate agents will be called to operate, that is conduct business in a honest, fair, transparent and professional manner, carry out work with due skill, care and diligence and ensure that any staff employed have the necessary skills to carry out the task and ensure that clients are provided with terms of engagement which are fair and clear. These should meet all the legal requirements and relevant codes of practice including reference to complaints handling procedures and where it exists an appropriate redress scheme. Do the utmost, to avoid conflicts of interest and when they do arise, deal with them openly, fairly and promptly. Not discriminate unfairly in any dealings; in all dealings with clients ensure that all communications, both financial and non-financial subject matters are fair, clear, timely and transparent. Ensure that all advertising and marketing material is honest, decent and truthful. Ensure that all client money is held separately from other money in appropriately designated accounts.

Section 17 requires the real estate agents to provide a security. Paragraph 1 prohibits all registration without a security and paragraph 2 lists the four forms in which the security can be provided. Having adequate security is a key part of managing risk. The Bill also ensures that it is made clear to all parties who are privy to the dealing and the scope of each party's obligations and rights are well defined. Professionals of the sector actually operating in Mauritius reckon that our real estate industry has grown leaps and bounds in this millennium and despite its importance as a pillar of the economy it remains unchecked in terms of regulations. They also agree that in the real estate industry, transparency should be the norm, not the exception. Real estate professionals guide people for significant financial transactions

thus clarity fuelled by transparency is essential to build trust. They also firmly believe that the creation of a Real Estate Authority in Mauritius will be a boon for the real estate segment. The professionalism is also cherished as unprofessional business activities can lead to unsatisfied customers and loss of trust in the industry.

With the Real Estate Authority, the industry will be aligned to the international best practice standards delivering professional service in a transparent manner. Both buyers and sellers deserve an agent they can trust. In our ever changing environment, transparency, accountability and integrity are expected. The most important part of the Bill, Mr Deputy Speaker, Sir, remains the part 5 where powers are provided to the FIU -

“Notwithstanding this Act, FIU shall, for the purpose of anti-money laundering and combating the financing of terrorism and proliferation, be responsible, under the Financial Intelligence and Anti-Money Laundering Act and any other relevant Act, for the supervision of real estate agents.”

Notwithstanding that the professional agents are acquainted with the KYC requirements of the industry with the real estate agents called to work together with the FIU will add more transparency to the industry and will bring to our country investors looking for clean business as this Bill will force the operators to follow international best practices. The idea behind Part 5 of this Bill, Mr Deputy Speaker, Sir, is to enhance the ethical behaviours to avoid engaging in illegal practices. This Bill will be another control valve after the banks and EDB to make sure that our island remains a safe place for future investment. One of the reasons identified as money laundering through real estate is that it is relatively easy in some jurisdictions to conceal the identity of the ultimate owner of a property.

Mr Deputy Speaker, Sir, under section 23 (1), this regulation will mandate every real estate agents to, as soon as it becomes aware of a suspicious transaction, make a report to the FIU of such transaction not later than five working days after the suspicions arose. Real estates have been identified as an effective and covert way to launder money nationally and internationally. Ownership of properties is obscured through shell companies, fake documentations and variations on family names. It is the absence of legal mechanism to disclose the name of buyers, make money tracing difficult. This is exactly what section 23 of the Bill is addressing. The registered real estate agents will be required to be more strict in the KYC procedures and carefree attitudes will no more be allowed.

This Bill, Mr Deputy Speaker, Sir, will allow the proposed authority to cooperate with the FIU to combat money laundering. Having regulations is good, Mr Deputy Speaker, Sir, but it is even more important that there is an enforcement of these regulations. Part 6 of this Bill provides for all disciplinary measures to be applied in case of non-respect of the disciplines.

To sum up, Mr Deputy Speaker, Sir, I will say that this Bill provides the opportunity to regulate the real estate sector, enhance its best practice and ensure that buyers receive objective advice, delivered in a professional manner and also to set a framework for best practice. I listened very attentively to hon. Aadil Ameer Meea and I will request him to read the section 16 (3) (a) (ii), the whole sentence completely, as it states a person who is going to be registered as a real estate agent must hold a diploma in real estate and then the same sentence continues to say –

“(…) or such other equivalent qualification as the Board may approve.”

That is someone who wants to be registered as a real estate agent, Mr Deputy Speaker, Sir, does not necessarily need to have a diploma in real estate, he can have other degrees or diplomas that will be recognised by the Board and maybe he is also not aware that very soon our private universities, institutions are going to launch and start a BSc program in real estate.

Secondly, concerning the representative of the Professional Land Surveyors Council who will have the privilege to appoint and select their own members whereas for the representative of the Estate Agent Association has to be appointed by the Minister. Mr Deputy Speaker, Sir, we have to bear in mind that the Professional Land Surveyors' Council is governed by the Profession Land Surveyors' Council Act. They are governed by the Act, they fall under a Ministry. They elect their own members, that is, the members of the Council are elected members as compared to the Association. So, they must make a distinction between the Council and an Association. A Council is a regulated body with more powers than an Association. The message that is being sent is that the real estate sector is not just a 'speculate to accumulate' sector. The real estate industry is much more complex than that. One has to bear in mind that the state of the market, the area of the market, the financing, the time factor, etc, it is only with the right legislation and regulations that the real estate sector can perform or else it can be a disaster.

Mr Deputy Speaker, Sir, I will urge upon this august House to, please, understand and appreciate the intent and also the objective of this important Bill and extend full support. This is what I want to appeal to this House.

Thank you.

(Applause)

The Deputy Speaker: Thank you very much. Hon. Dhaliah, please!

Mr Dhaliah: Thank you, Mr Deputy Speaker, Sir. I move for the adjournment of the debate.

The Deputy Prime Minister rose and seconded

Question put and agreed to.

Debate adjourned accordingly.

(10.29 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: Thank you very much. We shall resume with the debate of ‘This Assembly has no confidence in Mr Speaker’. I shall again invite all Members to stay guided by the parameters as set out on the previous occasion.

I call upon Minister Ramano!

(10.30 p.m.)

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): Merci, M. le président. Donc, je vous remercie de me donner la possibilité d’intervenir dans cette auguste Assemblée où une motion présentée par le Leader de l’opposition sur une personne, qu’il faut le dire, occupe, depuis le mois de novembre seulement de l’année dernière, un poste garanti par la Constitution, préside à la destinée de

cette Chambre suivant une motion et un vote où tous les membres ont eu l'occasion de participer.

M. le président, ce Parlement qui est le berceau de la démocratie est un élément essentiel de cette cryptique de la séparation des pouvoirs que sont le législatif, l'exécutif et le judiciaire. Ce Parlement, M. le président, existe et continuera d'exister au-delà des hommes, au-delà des considérations politiciennes, au-delà des rapports de force. Le Parlement fait partie du principe de la permanence de l'État. Il est de notre devoir, en tant que membres de ce Parlement et quel que soit notre appartenance politique, d'assurer cette permanence institutionnelle.

M. le président, les provisions de la Constitution, tout comme les dispositions des *Standing Orders*, garantissent le bon déroulement des débats d'une part, et d'autre part, l'exercice de leurs fonctions des membres du Parlement.

M. le président, une règle de base de l'exercice d'un droit ce qu'il engendre nécessairement des responsabilités. Le droit à la parole est garanti à tous les membres de cette Assemblée et les *Standing Orders* sont là pour s'assurer de l'ordre et bien sûr, de s'assurer que les discours respectent les provisions des *Standing Orders*.

M. le président, il est évident, aujourd'hui, que systématiquement, certains membres abusent des dispositions de la section 41 des *Standing Orders* relatifs au *point of order*. Cet aspect contraignant de la section 41 donne la possibilité au *Speaker to decide upon the point*, mais il peut toujours *reserve such decision until a later stage of the proceedings or at another sitting*.

M. le président, chaque *Speaker* a cette liberté de décision, mais le présent *Speaker* a toujours fait preuve de célérité sur la question en tranchant immédiatement. Il est malheureux, aujourd'hui, que certains membres de l'opposition abusent grossièrement des dispositions de la section 41 pour interrompre systématiquement les membres de cette Assemblée. Avec raison, les membres ont qualifié ce comportement de véritable *bullying*. On n'a même pas le temps de terminer une phrase qu'un *point of order* est soulevé.

M. le président, avant le début des débats, quant à la motion *of no confidence*, vous avez, avec raison, cité un de vos prédécesseurs, notamment, en citant –

« *A motion must be supported by evidence. If you want to show improper motives, bias, bad faith, malice on the part of the Speaker when he has given a ruling then come with the evidence* ».

M. le président, il faut bien le rappeler que cette motion est arrivée à peine sept mois depuis que le Parlement a siégé pour la première fois; sept mois seulement que le président est en exercice; sept mois seulement depuis les élections générales. Doit-on être surpris que cette motion *is supported with no evidence*, M. le président?

Il est clair, M. le président, que depuis le début de cette présente mandature, nous avons à faire face à des personnes, à des Leaders, à des partis politiques, à des parties de l'opposition qui ont perdu gros lors des dernières élections générales. Un parti qui a vu son Leader mordre la poussière pour deux élections générales consécutives. La deuxième fois, il s'est même permis de changer de circonscription sur les conseils d'un prêtre. Un autre parti où le Leader n'arrive toujours pas à digérer que le *King Cock* n'arrive pas à passer la couronne à sa progéniture plus intéressée à jouer le rôle de *zoli mamzel* que d'avoir le plébiscite et le respect de son propre électorat.

Un autre Leader qui est à sa énième défaite pour qui ce ne sera jamais *business as usual*. Ce qui est *usual* c'est de célébrer encore une année historique. 51 ans d'existence, la seule constance, M. le président, la légitimation du Leader après chaque défaite.

M. le président, cette motion n'est pas une surprise pour les partis de l'opposition qui sont toujours dans la logique de 40 + 40 *fair* 80. Excusez-moi, M. le président, 40 + 40 + 5 sous, ça fait 80 roupies 5 sous. C'est leur façon à eux de se contenter de cette illusion. Ils se donnent des raisons pour célébrer leur défaite, M. le président.

M. le président, le Speaker paie aujourd'hui les frais de cette négation de la vérité. Ils n'arrivent toujours pas à reconnaître ce rejet de la population. Ils n'arrivent toujours pas à digérer la cinglante défaite de 2019. Cette motion de blâme, M. le président, fait partie d'une succession d'actions de négation, pétition électorale, boycott du discours du Président de la République, boycott du Parlement, *walkout*; il fallait absolument garder le tempo du boycott. Il est évident alors qu'on n'a aucune raison d'être surpris que the motion is supported by no evidence. Que n'a-t-on pas entendu comme argument ? Qu'on nous prive de la parole parce qu'on est des femmes. Au train où vont les choses, M. le président, ne soyez pas surpris d'autres arguments, comme on nous prive de la parole parce qu'on est de telle religion, ou parce que le *Speaker* n'aime pas notre habit, ou parce qu'on est chauve. A quel niveau sommes-nous tombés, M. le président?

Oui, nous avons, nous aussi, droit d'être déçus du comportement de l'opposition. M. le président, il est évident, aujourd'hui, que cette opposition est entrée dans une logique de

refus de la volonté du peuple, du refus des résultats de novembre 2019. Ce qui importe le plus pour eux, c'est de garder ce momentum de la contestation coûte que coûte. Cette succession d'événements qui se sont produits dans cette auguste Assemblée le 28 février, quand l'honorable Shakeel Mohamed a été *ordered out*, l'honorable Leader de l'opposition suspendu, ou encore le 5 mai quand l'honorable Bérenger traita le Speaker de mal élevé, ou encore quand l'honorable Bhagwan traita le ministre des finances de '*voler*'. Il est clair, M. le président, que cela fait partie d'une stratégie sciemment mise en œuvre pour légitimer les pétitions électorales, ou encore tuer dans l'œuf toute contestation, je dis bien, M. le président, tuer dans l'œuf toute contestation, à l'intérieur même de leur propre parti, ou encore faire l'impasse sur les scandales qui éclaboussent aujourd'hui l'opposition.

M. le président, ce qui est encore plus regrettable c'est quand une certaine presse, sous le couvert d'une presse indépendante, se prête à ce jeu d'*opinion building*, à ce jeu de la contestation, à ce jeu du refus des résultats de novembre 2019. Il nous suffit à cela, M. le président, de lire les titres de certaines presses, ou encore les photos des premières pages, pour donner l'impression que rien ne va plus au Parlement, que le Speaker a encore une fois sévi, que l'opposition a été privée de la parole, que les éternelles victimes sont toujours les membres de l'opposition. Ajouter à cela, M. le président, n'oublions pas les interviews de complaisance d'une certaine radio qui a subitement découvert les vertus de certains leaders de l'opposition, alors que dans un passé récent, ils se sont regardés en chien de faïence, alors qu'aujourd'hui la logique est simple et toute trouvée pour ces personnes, M. le président, ils ont un ennemi commun, il ne faut pas qu'ils se trompent d'ennemi. Qui se ressemble s'assemble aujourd'hui, M. le président.

Pendant ce temps-là, M. le président, il faut vraiment être animé par la mauvaise foi pour ne pas reconnaître le respect des institutions, le respect des postes constitutionnelles, notamment qu'ont fait preuve la majorité, et le Speaker, et le *Leader of the House*. Le Leader de l'opposition ose contester la décision du Speaker de renvoyer pour quelques semaines les séances parlementaires et on ose parler de collusion entre le Speaker et la majorité.

M. le président, pendant la crise du COVID-19, alors que certains pays suspendaient les séances parlementaires, ou encore tenaient des séances parlementaires avec un nombre réduit de membres, il nous suffit de voir les images sur les bancs de l'Assemblée nationale française, ou encore les bancs du *House of Commons* en Angleterre. M. le président, la majorité a collaboré et nous en sommes fiers, avec l'initiative du *Speaker* pour procéder à un réaménagement de l'Assemblée nationale pour qu'on puisse respecter les gestes barrières de

social distancing qu'impose le protocole dans la lutte contre le COVID-19. Une visite guidée fut même organisée pour les membres de l'opposition. Certains leaders de l'opposition se sont même permis de choisir leur place avec la bénédiction du *Speaker*.

M. le président, pendant toute la période du COVID-19, le Premier ministre, qui est aussi le *Leader of the House*, a, tout le long de la gestion de la crise, invité le leader de l'opposition au Bâtiment Du Trésor pour lui expliquer les mesures exceptionnelles que requièrent la gestion du COVID-19. Après avoir eu la permission de son *guru*, de son Leader de parti, le Leader de l'opposition s'est prêté à ce jeu hautement symbolique de la démocratie.

Aujourd'hui, M. le président, on a l'impression que c'est l'instinct primaire de l'homme politique qui a pris le dessus. On se croirait dans une campagne électorale permanente. On se croirait dans cet éternel *mood* : '*élection derrière la porte*', '*li p prepare so la list 60 candidats*'.

Après le débâcle de novembre 2019, M. le président, il faut absolument trouver le moyen de garder mobilisées ces troupes ! Je connais trop bien ce principe-là, M. le président. M. le président, la population en a assez. Dans toute démocratie qui se respecte, M. le président, après chaque élection générale, le pays retrouve sa sérénité. Après chaque élection générale, le jeu démocratique requiert que les perdants, par respect des institutions, appellent au respect du verdict, appellent au ralliement de la population derrière les enjeux du pays.

M. le président, la population ne demande qu'on la laisse en paix, qu'on s'attelle à la tâche, qu'on prenne la mesure des enjeux qui nous guettent. De surcroît, la population demande à être rassurée avec la crise du COVID-19, alors que des superpuissances économiques du monde ont déjà annoncé une chute drastique de leur PIB avec la crise du COVID-19. M. le président, pas plus tard qu'hier, la Banque mondiale vient annoncer la plus grande récession depuis la Seconde Guerre mondiale, avec une contraction de plus de 5,6 % de la production mondiale.

M. le président, cette même opposition qui souhaitait avoir plus de séances parlementaires, nous fait aujourd'hui débattre pendant des heures sur une motion qui n'a pas lieu d'être. Ce temps, nous aurions pu le passer à débattre des sujets qui intéressent le peuple, qui inquiètent le peuple, M. le président. Mais voilà que dans une période de post-confinement où nos frontières sont fermées, où certains de nos compatriotes ont perdu leur travail malheureusement, où le COVID-19 continue à faire des victimes chaque jour ailleurs,

nous devons discuter d'une motion vide de sens, puisque, accuser le président d'injustice, de favoriser un groupe plutôt qu'un autre, relève pour moi d'un jeu infantile. Qui dit jeu infantile, dit mauvaise foi et manque de maturité. Je laisse aujourd'hui cette Assemblée tirer ses propres conclusions. N'oublions pas que même si nous avons l'impression que nous parlons entre quatre murs, il y a une population qui nous regarde, qui a des attentes, et encore plus en cette période difficile, M. le président.

M. le président, l'opposition persiste dans ce jeu infantile et cela fait honte au pays. Il est de tradition bien reconnue aujourd'hui, que la fonction du Speaker fait partie d'une institution qu'est l'Assemblée nationale. Le législatif, je l'ai dit et non seulement garantie par la constitution, elle est une condition *sine qua non* pour le respect de la démocratie, du respect de la permanence de l'État. Les membres de l'opposition, dictés par un leader non élu, persistent à rester assis lors de l'entrée du Speaker dans le Parlement. Ce geste est répété sur plusieurs jours. Les *seasoned politicians* de l'autre côté de la Chambre savent pertinemment bien que le symbolisme de ce geste n'est pas seulement à l'encontre du Speaker, mais un manque de respect flagrant contre le Parlement, M le président. Nous avons aujourd'hui, les débats qui sont en cours pour la motion de blâme du leader de l'opposition. Au train où vont les débats, M. le président, il est clair que cette motion sera rejetée par la majorité des membres de cette Assemblée, et cela, les membres de l'opposition le savent déjà. Même si on connaît le sort de cette motion, le jeu démocratique veut que cette motion soit débattue, votée et sera, bien sûr, rejetée par la majorité. Une fois la motion rejetée contre le Speaker, le peuple attend avec impatience la réaction des membres de l'opposition. Jusqu'où ira la bêtise de l'opposition, M. le président ? Accepteront-ils le verdict ? Accepteront-ils que la motion a échoué ? Accepteront-ils qu'ils ont eu tort de s'en prendre au Speaker ? Le bon sens, le respect des institutions veut qu'ils changent leur façon de faire, qu'ils se montrent plus respectueux envers le Speaker et le Parlement. Le temps nous le dira, M. le président.

M. le président, ceci dit, je garde quand même espoir, je refuse de mettre tous les membres de l'opposition dans le même panier.

(Interruptions)

The Deputy Speaker: Hon. Member, keep private conversation, keep it on the other side, please.

Mr Ramano: M. le président, ceci dit, Je garde quand même espoir, je refuse de mettre tous les membres de l'opposition dans le même panier. Il y a des interventions qui nous donnent quand même de l'espoir pour la jeunesse et pour l'harmonie sociale du pays.

Permettez-moi de citer l'honorable membre, Aadil Ameer Meea, lors de son intervention sur le budget le 12 juin 2020 –

« Dix ans en politique, je dois vous dire, M. le président, c'était mon élection la plus difficile. Je n'ai pas dû mener une campagne communale, infecte pour me faire élire. L'électorat de la circonscription No. 3, qui est composé de toutes les communautés, peut être rassurées que jamais, au grand jamais, je ne vais me servir du communalisme, de la religion et de *fake news* pour assurer mon élection. »

Il n'a pas dit Tik Tok, il a dit, *fake news*.

« J'aime trop l'harmonie sacrée en toutes les communautés. Franchement, je préfère mordre la poussière que de mener une communauté dans les ghettos sectaires. C'est très dangereux d'empoisonner l'esprit d'une communauté avec le sectarisme et d'utiliser ce langage pour vaincre ses adversaires. Un Parlementaire ne peut pas être un pyromane. Certains doivent se rendre à l'évidence que nous ne sommes plus dans les années 60 et 70. Nous sommes en 2020 et il n'y a plus de place pour des politiciens qui se croient pouvoir s'octroyer du titre de leader d'une communauté. »

M. le président, l'honorable Ameer Meea faisait mention de cette campagne infecte, communale des dernières élections lorsque certains, en mal d'argument, osaient même dire que, nous, de ce côté de la Chambre, nous étions contre la célébration de la fête Eid Ul Adha. C'est une honte, M. le président ! Donc, M. le président, c'est très mal parti pour les deux prochains colistiers dans la circonscription No. 3. Je vois l'honorable membre, Abbas Mamode, se frottait déjà les mains, je suis sûr qu'il sera d'accord avec moi.

(Interruptions)

M. le président...

The Deputy Speaker: Hon. Minister, just one second! I constantly keep on hearing the word '*katori*' or whatever. Please, let the hon. Minister continue with the debate.

(Interruptions)

Here, we go! Somebody else manages to talk now while I am talking! Hon. Members! Everyone...

(Interruptions)

Hon. Patrick Assirvaden!

Mr Ramano: M. le président...

The Deputy Speaker: Hon. Minister, just one second! Please! On my own volition, I said I keep on hearing that word. You have to understand, there are so many people in this House, I am trying my best to gather from where things are coming, but if each and every one of you decides to have their own say, I am not going to be able to hear where it comes from.

We are all gentlemen in this House, honourable Members, so we will allow the honourable Minister to continue with his speech. Thank you very much.

Mr Ramano: Merci, M. le président. M. le président, autre source d'espoir, quand la vérité vient des rangs de l'opposition ! Le Leader de l'opposition qui n'est pas le leader d'un parti, mais de toute l'opposition, vient avec une motion. On croirait que tous les membres allaient faire bloc derrière lui. De l'espoir, M. le président, de l'espoir des rangs de l'opposition ! La vérité, rien que la vérité ! L'honorable Reza Uteem, dans une interview dans le journal *L'Express* en date du 15 mars 2020, M. le président, permettez-moi de citer -

« Le Parti travailliste de Ramgoolam après avoir martelé qu'il irait seul aux élections, s'est allié au PMSD ; le *zoli mamzel* qui aura au final mal choisi son prétendant. »

Autre question, M. le président : Comment trouvez-vous Arvin Boolell comme Leader de l'opposition ? (*Il grimace en haussant le ton*) : Décevant.

Pour M. Reza Uteem, le Dr. Boolell est 'décevant'. Ce serait un joli titre pour cette interview, vous ne trouvez pas ? Même le journaliste était surpris par cette réponse, M. le président. Le journaliste de *L'Express*, s'il vous plaît !

M. le président, après avoir écouté ces deux honorables membres de l'opposition, moi, je pense que nous avons tout lieu d'avoir de l'espoir ; tout n'est pas perdu. M. le président, 'la main propre, la tête haute', les membres de l'opposition semblent soutenir la motion de blâme contre le Speaker. Fondamentalement, M. le président, un regroupement des partis de l'opposition suppose une concordance de programme et d'idée. La question qu'on est en droit de se poser, M. le président, est-ce que le MMM épouse aujourd'hui l'idée d'un recensement communal, comme soutenu par le PMSD ? Quelle est la proposition commune du PMSD, du MMM et du Parti travailliste sur la réforme électorale et du *Best Loser System* ?

M. le président, 220 millions de roupies dans le coffre-fort de Riverwalk ! Est-ce que les autres partis de l'opposition ont trouvé le moyen de blanchir cet argent ?

(Interruptions)

M. le président...

The Deputy Speaker: Hon. Minister! Hon. Member! Hon. Patrick Assirvaden, I am specifically telling you amidst the Members, look, this is a difficult task, if I am not able to hear what the Minister is saying, if he goes outside the parameters, how am I going to stop him? I think this is the point you are trying to make.

(Interruptions)

This is the point you are trying to make. Please, let me listen to him, every single word matters, one word could take the debate from one side to another side. So, cooperate!

Hon. Minister, please continue!

Mr Ramano: C'est vrai, M. le président, c'est un *difficult task* pour l'opposition d'entendre la vérité.

M. le président, nous constatons actuellement la naissance d'une alliance historique. Historique toujours, M. le président ! PTR/MMM/PMSD, les trois composants historiques et perpétuels de l'opposition, à la base de la motion de blâme contre le Speaker. On attend toujours le programme 'historique' promis par cette alliance 'historique', M. le président.

En mettant en doute le fondement même de la démocratie, le Parlement, de par leurs actions dans cette auguste Assemblée, les partis historiques de l'opposition se sont livrés à une séance photo historique autour d'un verre dans un hôtel cossu, le même hôtel qui avait abrité une autre séance photo historique en 2014 pour la défunte historique alliance Parti travaillste/MMM. *Film pa enkor développé, mariaz historik-là ti kasé*, M. le président !

(Interruptions)

Nous assistons aujourd'hui, M. le président, à un semblant de cohésion pour cette motion de blâme contre le Speaker.

(Interruptions)

The Deputy Speaker: Order! Order! Order!

Mr Ramano: Oui, M. le président, pour la séance photo historique, pas de place pour les femmes, c'était une affaire d'hommes pour certains partis politiques, mais le leader historique du MMM a posé ses conditions, pas question de...

(Interruptions)

The Deputy Speaker: Hon. Minister! Yes?

Mr Ramful: The hon. Minister is going very well outside the motion. It is not a *motion de blâme* contre l'alliance Parti travailliste/PMSD/MMM. It's a *motion de blâme* against the Speaker. So, maybe, the Minister should be called upon to focus on the motion which is being debated.

The Deputy Speaker: Hon. Member, thank you very much. I take your point of order. I, again...

(Interruptions)

Hon. Shakeel Mohamed!

(Interruptions)

Order! Hon. Shakeel Mohamed, it is not proper. Your friend who is from the same side of you has taken a point of order, I am listening to it. I hear you saying 'overrule'. You want me to overrule it? Is this what you are suggesting?

(Interruptions)

I don't need your suggestion, okay! Thank you very much. May I give a ruling? Hon. Minister, as far as you are going towards demonstrating a strategy towards why the motion of no confidence has been brought, I shall allow it, but going just completely outside is not going to be allowed.

Mr Ramano: Nous allons nous concentrer, bien sûr, sur la motion de blâme, M. le président. Donc, c'est une question de quorum politique, ici, à l'intérieur de cette auguste Assemblée, M. le président, mais je dois quand même dire, que j'ai été surpris quand même dans cette cohésion au niveau de l'opposition, qui donne l'impression de soutenir activement, massivement la motion du leader de l'opposition. Dans la séance photo historique, on ne voit pas l'honorable membre, Eshan Juman, on ne voit pas l'honorable membre, Richard Duval. Mais est-ce que le leader de l'opposition a posé ses conditions, M. le président ? Je me pose la question.

M. le président, revenons si vous le voulez bien à la motion de blâme contre le Speaker. Nous nous attendions tous à ce que le leader de l'opposition *particularise* explicitement ce qui est reproché au *Speaker*. Nous nous posions tous la question : qui est ce maître d'ouvrage derrière une telle bourde, M. le président, de venir de l'avant avec une motion de censure, une motion de blâme, mais sans vraiment donner des *particulars* en ce qui concerne la motion ?

Mais il est clair, M. le président, que les ficelles sont tirées par le champion de la démocratie parlementaire, celui qui, sous prétexte d'une réforme électorale, avait prorogé le Parlement pendant plusieurs mois en 2014, celui qui dans son langage imagé avait expliqué comment pêcher à battre le requin moustache, celui qui pendant les élections partielles de Belle Rose/Quatre Bornes avait posé la question '*couma ou capav fer confiance ene dimounn ki fer bonhomme Jugnauth manz gato, après vinn fer l'alliance avec moi ?*' Qui suis-je, M. le président ? Qui suis-je ? Laissez-moi vous dévoiler le nom, M. le président. Je suis le Leader du ralliement de l'opposition Travailleuse/PMSD/MMM. Je suis le Premier ministre fantôme en 2004 de l'Alliance Travailleuse/PMSD/MMM. Je suis le Leader du Leader historique du MMM. Je suis celui qu'en 2014...

(Interruptions)

The Deputy Speaker: Hon. Minister...

Dr. Boolell: Mr Deputy Speaker, Sir,...

The Deputy Speaker: I'll listen to you. This is why I am stopping him. Please, Leader of the Opposition!

Dr. Boolell: You gave a ruling earlier that the hon. Minister has to be within the ambit of the motion and he is well outside the ambit of the motion. Can you bring him within?

The Deputy Speaker: I stand by my ruling. Hon. Minister!

Mr Ramano: M. le président, je termine en quelques mots pour dire que ...

The Deputy Speaker: Let me please for clarify and for sake of the smooth running of the House, again state that if you are talking about circumstances that brought the motion of no confidence, I am allowing it, but don't go outside. Happy! Thank you very much.

Mr Ramano: I bow to your ruling, Mr Deputy Speaker, Sir.

The Deputy Speaker: But you are talking. Let me listen!

(Interruptions)

You will have your chance later on. I'm sure.

Mr Ramano: M. le président, donc, de ce côté de la Chambre, je tiens à le souligner, les membres de cette alliance font bloc derrière le *Leader of the House*. Les membres de cette alliance font bloc derrière le *Speaker* qui a été voté majoritairement par ce Parlement et nous sommes fiers du travail qu'on est en train de faire. M. le président, c'est avec beaucoup de conviction que nous voterons contre cette motion.

Je vous remercie, M. le président.

The Deputy Speaker: Thank you very much. Hon. Yeung Sik Yuen!

(11.00 p.m.)

Mr M. Yeung Sik Yuen (Second Member for Curepipe & Midlands): Merci, M. le président. M. le président, je tiens à contribuer aux débats sur la motion de blâme contre le président de l'Assemblée nationale. Je cite ce qui est dit sur l'Internet concernant le rôle du président de l'Assemblée nationale de Maurice.

One of the most important qualities of a Speaker is impartiality. He must be above party politics. Once elected to the Chair, he owes his loyalty to the dignity of Parliament.

En d'autres mots, le président de l'Assemblée nationale est comme un arbitre et certainement pas un joueur du gouvernement comme il est aujourd'hui. On a été élu pour représenter le peuple mauricien. Nous sommes les députés de plusieurs circonscriptions et on est tous là pour défendre les intérêts de notre circonscription et aussi de tous les mauriciens. L'opposition est là pour faire entendre la voix des mauriciens dans cette auguste Assemblée. On est là pour poser des questions et faire des critiques et suggestions constructives afin de trouver les solutions pour améliorer la vie des mauriciens. On fait tout simplement notre travail d'opposition, c'est-à-dire éclaircir la population sur les zones d'ombre.

M. le président, ce n'est pas le cas actuellement. Le président de l'Assemblée nationale n'est pas impartial. De par son action, il nous empêche de faire notre travail correctement. Il vient toujours à la rescousse des membres du gouvernement à chaque fois quand ces derniers sont en difficulté. Il ne voit pas de ce côté de cette Chambre. Il se déclare aveugle et sourd quand il veut. C'est une politique de deux poids deux mesures sans précédent.

M. le président, on a été témoins de beaucoup d'excès de zèle de la part du président de l'Assemblée Nationale. Le 9 juin 2020, le président de l'Assemblée nationale a rejeté une PNQ de l'honorable leader de l'opposition sans donner aucune raison valable. Il expulse les membres de l'opposition souvent pour laisser la voie libre au gouvernement tels que le leader de l'opposition, l'honorable Dr. Boolell, l'honorable Bérenger, l'honorable Mohamed, l'honorable Assirvaden, et tout dernièrement l'honorable Bhagwan.

Il ne faut pas oublier aussi l'expulsion de tous les membres de l'opposition le 16 juin 2020. Jamais dans l'histoire de Maurice un président de l'Assemblée Nationale n'a expulsé toute l'opposition. Ce jour-là l'opposition a fait un *walkout*, qui était un signe de protestation concernant le scandale de St. Louis. Ce jour-là, le président de l'Assemblée nationale a opté pour la voie de la dictature, c'est-à-dire expulser tous les membres de l'opposition afin que le gouvernement puisse esquiver les questions que l'opposition avait pour le *Committee of Supply*. Le *Committee of Supply* n'a duré que 17 minutes au lieu de 3 à 4 jours. L'opposition avait beaucoup de questions pour le *Committee of Supply* que nous voulions poser aux ministres de chaque ministère pour éclairer la population.

M. le président, mardi le 7 juillet 2020, j'ai vu mes deux collègues, l'honorable Mlle Anquetil et l'honorable Madame Navarre-Marie qui ont demandé la parole pour poser des questions supplémentaires sur la question parlementaire B/225, mais en vain. Mardi le 14 juillet 2020, il a ignoré l'honorable Lobine qui devrait faire son discours sur *the Supplementary Appropriation (2017-2018) (No. 2) Bill*.

M. le président, la semaine dernière, l'honorable Assirvaden a demandé la parole sur une question parlementaire toujours en vain. Il a protesté mais le président préfère de l'expulser car il ne voulait pas donner la parole à l'honorable Assirvaden qui voulait dévoiler certaines zones d'ombres au *CEB*. Le président a tout simplement fait semblant de ne pas les voir dans les trois cas.

M. le président, le Parlement mauricien n'a jamais atteint à un niveau aussi bas et c'est en grande partie grâce au président lui-même car il ne fait pas preuve de *fair play*. Nous reprochons au président pour son parti-pris, son rôle de *goalkeeper* du gouvernement. Le droit d'expression des élus d'opposition est bafoué. Il agit comme un *bouncer* quand il quitte sa chaise et fonce sur les membres de l'opposition en menaçant et hurlant. On a peur pour sa santé. Ce n'est pas sain de crier comme un *loud speaker*. Il ne faut pas oublier que nous sommes en direct à la télévision et aussi sur l'Internet. Le peuple mauricien et le monde

entier sont témoins de tout ce qui se passe ici à l'Assemblée Nationale. C'est devenu tout simplement comme une dictature.

M. le président, c'est pourquoi il faut absolument que le président de l'Assemblée nationale se ressaisisse car il y a un dégoût au niveau de la population. Aller mesurer l'opinion publique, vous allez entendre les gens dire '*quand sa Speaker là pou aller ?*'

M. le président, vous présidez mieux que lui et peut-être vous pouvez lui conseiller...

(Interruptions)

The Deputy Speaker: Hon....

Mr Yeung Sik Yuen: ... comment mieux gérer cette Assemblée nationale.

The Deputy Speaker: Hon. Yeung Sik Yuen, I am very flattered, but don't compare Speakers.

Mr Yeung Sik Yuen: This is my opinion.

The Deputy Speaker: I am very flattered, but don't compare Speakers. It is not proper. Thank you very much, but don't compare. It is not proper.

(Interruptions)

Thank you very much. Please continue! You were doing very well.

Mr Yeung Sik Yuen: M. le président, je continue. Je soutiens la motion de blâme et j'espère que le président revienne à des meilleurs sentiments et qu'il soit à la hauteur de ses responsabilités, surtout qu'il fait honneur à ce poste de président de l'Assemblée nationale de notre pays.

M. le président, j'ai connu deux autres présidents de l'Assemblée nationale lors de mon précédent mandat, en l'occurrence Kailash Purryag et Razack Peeroo.

A cette époque, il y avait une impartialité totale. Les deux présidents n'hésitaient pas de rappeler à l'ordre les membres du gouvernement ainsi que les députés de l'Opposition.

M. le président, je suis déçu par le discours de l'honorable Ramano. Lui qui est là depuis 2010, il a aussi eu la chance d'avoir plusieurs présidents depuis Kailash Purryag, Razack Peeroo et de 2014 à 2019 Maya Hanoomanjee. Je suis sûr qu'il est d'accord mais il ne pourra pas avouer que, depuis novembre 2019, c'est vraiment différent. Les membres de l'Opposition n'ont pas vraiment droit à la parole.

M. le président, nous avons été mandatés par le peuple pour faire notre travail d'opposition c'est notre devoir de continuer à poser des questions parlementaires. C'est notre devoir de chercher des éclaircissements ici au parlement et on va continuer à faire notre travail d'opposition qu'ils soient d'accord ou pas. Au moment voulu, le peuple jugera.

Merci, M. le président.

The Deputy Speaker: Thank you very much. Hon. Lesjongard, please.

(11.10 p.m.)

The Minister of Energy and Public Utilities (Mr G. Lesjongard): M. le président, la motion du Leader de l'opposition devant la Chambre est libellé comme suit : «*This Assembly has no confidence in Mr Speaker.*»

En d'autres mots, c'est une motion de blâme contre le président de notre auguste Assemblée. M. le président, motion déposée le 22 juin et débats qui ont débuté le 14 juillet, presque trois semaines après et c'est une preuve d'une démocratie bien vivante qui existe au sein du parlement et dans le pays.

M. le président, cette motion me donne l'occasion de m'exprimer et de partager en toute humilité, simplicité mon expérience, moi aussi en tant qu'ancien *Deputy Speaker* de la Chambre mais aussi en tant que député ayant passé une vingtaine dans ce parlement.

Comme vous, M. le président, j'ai eu le privilège, j'ai été appelé à remplacer le *Speaker* pendant certaines séances et présider les travaux de ce parlement.

M. le président, si vous me permettez je peux vous dire que j'ai eu plus de chances si je peux m'exprimer ainsi de présider des débats moins houleux et plus respectueux. J'ai été à votre place et je peux comprendre votre état d'esprit en présidant les séances qui malheureusement, ces derniers temps, sont souvent houleuses mais Maurice n'est pas une exception.

A travers le monde, les séances parlementaires sont houleuses. Ici, on a droit à des expressions heureusement menaçantes, comme '*taler to koner*' ou '*tombe dehors*' mais cela s'arrête fort heureusement là. Dans certains pays, certains en viennent aux mains. Traditionnellement, M. le président, il y a toujours des piques qui sont lancées des deux côtés de la Chambre mais chose importante c'est le respect de la fonction que ce soit - et là, c'est important - pour le *Speaker*, que ce soit pour le Leader de l'opposition, que ce soit pour les membres de la majorité ou pour les membres de l'opposition. Et je pense que l'orateur avant

moi l'a dit, chacun parmi nous a un rôle de représentant du peuple et de nos mandants. Ce rôle on doit l'assumer dans le respect et dans les paramètres des *Standing Orders* qui nous gouvernent. Soyons francs, M. le président, c'est difficile de faire une démarcation entre ce qui est partial ou impartial sauf dans des cas flagrants de prise de partie.

M. le président, permettez-moi de me référer à un article publié en décembre 2017 dans l'*African Journal of Public Affairs* sur le rôle de *Speaker* de l'Assemblée nationale en Afrique du Sud. Pour mieux comprendre le rôle du *Speaker*, je vais faire référence à un point de vue d'un monsieur qui s'appelle monsieur Michel Bissonnet ancien président de l'Assemblée nationale canadienne de 2003 à 2008. Dans ce document sur '*How to be an Effective Speaker*', Michel Bissonnet considère certains aspects comme étant primordial pour être un président de l'Assemblée nationale. Je vais énumérer :

“neutrality, impartiality, respect, tact, understanding, being a good listener, balance, a sense of what makes people tick, sensitivity and sometimes humour, but also firmness, order, authority and determination.”

And, in a sentence, he summarises the characteristics of a very good Speaker, and I quote -

“In other words, an iron hand in a velvet glove.”

Pour traduire, une main de fer dans un gant de velours.

M. le président, posons-nous la question. Quelles sont les situations les plus difficiles dans le déroulement des travaux parlementaires ? C'est essayer de gérer les réactions humaines. Selon Michel Bissonnet, il dit :

“It is undeniable that human relationships in a parliament are coloured by the context of political confrontation. In other words, when faced with a difficult situation, the Speaker must simply act as a good father or mother would and rely on “good old common sense.”

Mais ce “*good old common sense*” est couplé avec les *Standing Orders* de notre Parlement.

M. le président, nous avons tous l'obligation d'opérer dans les paramètres des *Standing Orders* et personne à l'intérieur de cette Chambre n'est au-dessus des *Standing Orders* que ce soit le *Leader of the House*, que ce soit le *Leader* de l'opposition ou un *backbencher*. La maîtrise de nos *Standing Orders*, que ce soit par le président de la Chambre ou par nous parlementaires, est primordiale pour la bonne marche des travaux de ce Parlement.

M. le président, je vais me référer à certaines observations sur les *Standing Orders* et je vais vous donner des exemples flagrants où peut-être on a le devoir de faire l'effort de comprendre afin de maîtriser les *Standing Orders*. Vous-même, M. le président, avez eu des cas où vous avez dû intervenir pour expliquer certaines choses.

Permettez-moi de prendre des références simples pour comprendre et pas plus tard que quelques minutes vous avez dû, vous-même, intervenir. C'est quoi ce qu'on appelle un *Standing Orders* et quand est-ce que quelqu'un peut prendre *un point of order* ? Je prends deux cas où on a eu des membres qui ont fait savoir qu'ils vont prendre un *point of order* et ceux qui avaient la parole – et ça peut être vérifié dans le *Hansard* - ici, j'ai le cas de l'honorable Armance et aussi, pas plus tard que la semaine dernière, moi-même j'ai fait la requête *to make a point of order* quand l'honorable Juman prenait la parole. Et qu'est-ce qui se passe quand quelqu'un demande à prendre la parole *on a point of order* ? Celui qui a la parole dit : "*I am not giving way.*" *There is no question of giving way when somebody is raising a point of order. If somebody has the floor, he is speaking and somebody else wants to take a point of order, he has to stop his speech until that point of order is taken.*

On a eu deux cas où - effectivement, je mentionne deux cas - à plusieurs reprises, dans le premier cas, c'était l'honorable Armance et c'était le député, l'honorable Dhunoo qui demandait à prendre un *point of order* et à deux reprises, le parlementaire dont j'ai mentionné, dit : « *I am not giving way to his point of order. I am not giving way to his point of order.* » C'est-à-dire qu'il y a une méconnaissance des *Standing Orders*. Et ça c'est extrêmement important pour que celui qui préside arrive à gérer les travaux du Parlement.

Maintenant, M. le président, depuis le début de cette session parlementaire, il y a eu régulièrement des cas de contestation du *ruling du Speaker*. Et ce qui est contraire au *Standing Orders*. Le *ruling du Speaker* est incontestable. *From our Standing Orders, his ruling is final and cannot be subjected to any debate and shall not be bound to give any reason of any of his/her decisions.* On a eu des cas, là aussi, quand le président de cette Chambre a donné son *ruling*, la discussion a continué, il y a eu provocation. On a voulu le forcer à changer ses décisions.

M. le président, je vais m'attarder sur un aspect important qui est en train de faire beaucoup de tort à l'image de notre auguste Assemblée ces derniers temps. A travers la motion présentée par le Leader de l'opposition, les membres de l'autre côté de la Chambre,

qu'est-ce qu'ils réclament ? Ils réclament plus de respect. M. le président, nous savons tous que le respect se mérite. Les agissements de certains membres de l'autre côté de la Chambre nous font tous réfléchir sur leur agenda, leur remarque désobligeante à l'égard du *Speaker*. Certains osent même pointer du doigt le président de la Chambre. Je n'ose pas mentionner de noms, mais si vous suivez mon regard, vous savez à qui je fais référence. Quelqu'un qui pense avoir la science infuse.

M. le président, c'est un acte inacceptable. Tout cela nous interpelle sur le niveau de certains membres de notre Assemblée. Comme je le dis plus haut, j'ai eu le privilège, dans un passé récent, d'occuper le poste de *Deputy Speaker* et j'ai présidé plusieurs séances. A maintes reprises, il y a eu des actes de provocation à mon encontre, mais des provocations dans le cadre stricte de nos *Standing Orders*. Mais malheureusement, depuis un certain temps, nous constatons que certains membres de l'opposition opèrent en dehors de ce cadre, ils veulent pousser le Président à un affrontement afin de pouvoir le déshonorer dans le public. La stratégie qui est utilisé par certains membres de l'opposition, cela leur donne une publicité gratuite lors de la retransmission en directe de nos travaux.

M. le président, *when the Speaker is on his feet, whether he is behind where you are or a few centimeters or one meter from where you are, does not that change something ? No, Mr Deputy Speaker, Sir.* C'est pourquoi je vais vous dire, le peuple est fatigué des gesticulations ou des interruptions inutiles lors des travaux et le peuple constate que ces actes de provocation se multiplient semaine après semaine. Il y a eu '*laké sattu*' dans un passé lointain. Quelques semaines de cela, on a eu '*coupe to laké cevé*' et régulièrement on a notre dose de '*batchiara, capon, voler, zako*' à l'intérieur de cette Chambre.

M. le président, permettez-moi d'argumenter sur l'aspect injuste de cette motion. Oui, M. le président, c'est une motion injuste à l'égard du président de la Chambre et je vais m'expliquer. Ce que je trouve injuste, c'est que l'opposition puisse attaquer le *Speaker* après moins de huit mois de travaux parlementaire. Je ne pense pas que quelqu'un de l'opposition aurait mieux fait que l'actuel *Speaker* parce qu'il faut comprendre les procédures, comprendre le décorum, comprendre les agissements de certains membres de l'Assemblée et c'est guère chose facile. C'est pour cela que je trouve injuste le fait de venir avec une motion de blâme huit mois seulement après l'installation du nouveau *Speaker*.

M. le président, Maurice n'est pas le seul pays où le *Speaker* est contesté. La motion du Leader de l'opposition me fait penser à la motion de censure contre l'ancienne présidente

de l'Assemblée nationale sud-africaine, Madame Baleka Mbete. Elle a été *Speaker* du Parlement Sud-Africain, une première fois de 2004 à 2008 et après de 2014 à 2019 sous l'ère du Président Jacob Zuma. En Afrique du Sud, M. le président, depuis la fin de l'apartheid et l'entrée au Parlement de l'ANC, il y a eu des frictions régulières entre le gouvernement et l'opposition sur les agissements de la *Speaker*.

Mr Deputy Speaker, Sir, the election of the Speaker of the South African National Assembly, Mrs Baleka Mbete was very controversial. Why? The reason being that she was the Chairperson of the ANC at the time she was elected to serve as Speaker. The Opposition came forward with a motion of no confidence which was rejected and the Opposition made a walk-out before the vote. I see some very similar in this country also. The Opposition political parties went to Court also. In the present case, they went to the Western Cape High Court and at the time they went to the Court, there were allegations of corruption against the President of the Republic of South Africa and the case was dismissed. I have a copy of the judgment, Mr Deputy Speaker, Sir, and I will quote only a paragraph of that judgment which is very interesting. I quote -

“Understandably, the Speaker’s ability to make decisions based on procedural merits would at times be challenged and not all Members will always be satisfied with the ruling made by the Speaker. However, rules which govern debating procedure, including the expected courtesies and decorum must be observed and the authority of the Speaker must be respected by all Members.”

Mr Deputy Speaker, Sir, this situation is related in an article in the African Journal of Public Affairs which appeared in December 2017. That article is about: “The role of the Speakers of Parliament in ensuring and sustaining executive accountability - the South African experience.”

The author of the article one Professor Steve Mpedi Madue expressed his opinion on the concept of Parliamentary Accountability and Democracy. I quote –

“The conduct of the Speaker can either promote good governance by allowing all political parties represented in the National Assembly to freely exercise oversight over the executive or derail good governance by suppressing the rights of the Opposition Members to speak truth to power during the House sittings.

This implies that the Speaker is expected to play a pivotal role in promoting accountability by impartially allowing MPs to hold the executive accountable, thereby contributing towards reducing corruption.

However, it should be noted that it takes political will for the Speaker to be impartial in promoting accountability and good governance.”

Ayant dit ce que j’ai dit, nous devons nous poser la question suivante. Et j’ai entendu ça dans les interventions des membres de l’opposition. Quelle est la question? Est-ce que pendant le déroulement des travaux parlementaires le *Speaker* de l’Assemblée nationale a empêché l’opposition à exprimer son opinion ou à poser des questions, ayant surtout trait à la bonne gouvernance, ou à la corruption?’

Non, M. le président! J’ai été là aux sessions parlementaires. Tous ceux qui ont voulu poser des questions, excepté qu’on a un nombre défini de questions supplémentaires. Mais celui qui est venu avec une question adressée à un ministre, il a eu tout le loisir de poser les questions nécessaires.

M. le président, ça aussi j’ai entendu. On peut reprocher au *Speaker* d’avoir une grosse voix qui choque certains et qui fait peut-être peur aux autres. Mais on ne peut le reprocher de faire le jeu du gouvernement.

Est-ce que le *Speaker* a été un obstacle pour que le peuple ne puisse être informé des affaires du pays? La réponse est non, M. le président.

Ceci étant, M. le président, l’histoire retiendra que durant l’actuel mandat et le précédent mandat, les deux motions successives de blâme contre les *Speakers*, c’est-à-dire l’actuel et l’ancienne, ont été présentées par le Parti travailliste. Un parti qui se proclame grand défenseur de la démocratie, mais qui a toujours comme leader un candidat battu en deux occasions.

Oui, ne l’oublions pas aussi le Parti travailliste avait ‘suspendu’ le Parlement pendant plusieurs mois en 2014 pour des raisons purement et basement électoralistes.

M. le président, maintenir le sérieux et l’ordre dans cette auguste Assemblée n’est pas chose facile. Imaginons avoir en face 70 parlementaires, chacun avec un état d’esprit et avec un ego différent. Avoir à faire face à des actions politiques de l’opposition des fois inacceptables, comme cela a été récemment le cas avec la pancarte brandie au Parlement par l’opposition. Que voulez-vous, le président doit agir. Il ne peut tolérer un tel comportement.

M. le président, nous avons tous un rôle exemplaire à démontrer envers nos mandants et envers la prochaine génération de politiciens.

Votre rôle de président de la Chambre est aussi important, sinon plus important que le nôtre. Votre impartialité et votre sens du devoir bien accompli est primordial tout au long de ce débat.

Mr Deputy Speaker, Sir, je dois saluer votre présidence pendant ces débats sur la motion de blâme contre le *Speaker*. Vous avez démontré une bonne maîtrise de nos *Standing Orders* et grâce à cela, vous avez pu recadrer les membres de notre Chambre alors qu'ils soulevaient des arguments hors du cadre de cette motion.

M. le président, c'est dommage de le dire, mais soyons honnêtes et faisons notre *mea culpa*. Le peuple a droit au respect. Certains agissements ou commentaires ne passent vraiment pas parmi la population et cela fait du tort à toute la classe politique dont nous faisons partie.

Souvent, le parlementaire met de l'avant ses émotions ou son ego de vouloir avoir raison. Nous sommes emportés par notre appartenance politique ou par notre agenda de régler des comptes personnels avec d'autres élus. Et cela se voit dans notre réaction chaque semaine.

Cette motion de blâme, M. le président, permet de faire le point, non seulement sur le rôle indépendant du président de la Chambre, mais sur notre rôle à nous, en tant que parlementaires.

Par cette motion de blâme, l'opposition veut démontrer à la population que le *Speaker is not the right man in the right place*. Mais qu'en est-il de la responsabilité des membres de l'opposition, surtout les plus vociférant et qui régulièrement font fi, ou méprisent et ne respectent pas nos *Standing Orders*?

Je pense, M. le président, que les débats sur la motion du Leader de l'opposition est aussi une occasion de démontrer à notre population l'agenda de l'opposition actuelle.

Depuis le début des travaux parlementaires sous ce gouvernement, il y a eu une provocation permanente de certains membres de l'opposition. Une provocation préméditée pour déstabiliser les travaux parlementaires et donner une image que le *Speaker 'pe faner'*. Je dénonce avec force et vigueur cet état d'esprit de faire du désordre au sein de l'hémicycle, M. le président.

Si l'opposition peut remettre en question l'agissement du *Speaker*, on est en droit de remettre en question l'agissement de certains membres de l'opposition envers le *Speaker*. Certains trouvent un malin plaisir à interrompre les débats à chaque intervention et ils se reconnaîtront, M. le président.

Je pense que certains arguments mis de l'avant par l'opposition sont banales dans une motion de blâme contre le président de notre Assemblée. M. le président...

The Deputy Speaker: Excuse me! Hon. Ganoo, please, wear your mask! Please, continue! I am sorry to interrupt! I am very sorry! Please, continue!

Mr Lesjongard: Okay! Thank you, Mr Deputy Speaker, Sir.

Venir affirmer, M. le président, parmi les arguments pour soutenir la motion que le *Speaker* est partial concernant le port du masque par tel ou tel membre est exagéré. Nous sommes tous des élus responsables. Et notre comportement à l'intérieur ou à l'extérieur de cette Chambre est important.

S'il y a eu des cas où tel élu n'a pas porté de masque, je pense que c'est plus par inadvertance que par mauvaise volonté et venir pointer du doigt le *Speaker* à ce sujet est plutôt banal comme argument, M. le président. Sans remettre en question la diffusion des débats à la télé et sur les plateformes médiatiques, c'est devenu, allons l'accepter, un outil de communication utilisé à outrance par l'opposition pour faire le show.

Mr Deputy Speaker, Sir, some Members of this House over the years *à force d'occuper les bancs de l'opposition*, have mastered the art of "walkout". However, I will refrain from citing their names, but they could be easily identified just by looking at their behaviour. Some have walked out four or five times during this present mandate, but have not even asked a single question concerning their constituency. Why would one come to Parliament in the first place when they know that they will walk out? It is outrageous and indecent that those masters of walk-out are the ones casting stones at the Speaker today. On the contrary, they should make an honest evaluation of their contributions to this august Assembly and to the country.

Mr Deputy Speaker, Sir, many on the other side of the House do not understand the real importance of their duties. They oppose just for the sake of opposing, without taking into account whether the actions of Government are good or bad. One of the leaders of some of those Members is even pulling the strings from outside this Assembly.

M. le président, ils se sont aussi autoproclamés défenseurs de la démocratie. Toutefois, comment peuvent-ils prétendre à un tel titre alors que la démocratie est inexistante au sein de leur formation politique.

The Deputy Speaker: I am sorry to interrupt once again, just be mindful of the time, but continue, please.

Mr Lesjongard: Yes, I will be concluding, Mr Deputy Speaker, Sir. Thank you.

Mr Deputy Speaker, Sir, today, the Opposition is trying to draw away the attention of the population on important matters with their motion of no confidence against the Speaker. Why are they are they adopting such a coward-driven strategy? Mr Deputy Speaker, Sir, it is a fact that the hon. Paul Bérenger has openly stated that all the Opposition parties will make an alliance to undermine the achievements and the credibility of this Government. Hon. Bérenger, hon. Xavier Duval and Navin Ramgoolam are simply trying to sell and justify their unholy alliance in the eyes of their followers.

Ces stratégies désespérées de l'opposition est synonyme de panique et d'un manque de vision. Laissez-moi dire ! Le MMM nage en eaux troubles, et espère être sauvé par le PMSD et le PTR qui agissent comme bouée de sauvetage. Mais il ne faut pas se voiler la face. Le PTR et le PMSD sont aussi mal en point que le MMM et c'est cette faiblesse qui fédère l'opposition aujourd'hui. M. le président, c'est le désespoir qui motive l'honorable Bérenger à trahir encore une fois tous les idéaux de son parti pour contracter une alliance avec le PTR et le PMSD.

La question est : est-ce qu'il peut être à ce point désespéré. Ils se sont cracher dessus et ils veulent faire encore une fois la population avaler cette alliance. Qui ne se souvient pas des paroles de Bérenger contre Ramgoolam? Le pire, M. le président, comment le leader du MMM peut venir dire à ces partisans qu'il va collaborer avec le PMSD. Il a traité Xavier Duval de pourriture politique et de bambin politique. Le Leader du MMM persiste et signe dans sa quête de désespoir à déshonorer la base militante.

Je vais terminer. Aujourd'hui, l'honorable Bérenger en tant que politicien, est méconnaissable. Il a sali la réputation des militants et il n'y a plus d'espoir qu'il se ressaisisse.

(Interruptions)

The Deputy Speaker: Honourable...

Mr Lesjongard: Pour moi, M. le président, je vais qualifier la photo entre les trois Leaders des partis de l'opposition...

(Interruptions)

The Deputy Speaker: Order! Order! Order!

(Interruptions)

Mr Lesjongard: Can I? I am completing in two to three sentences. Let me finish!

The Deputy Speaker: Yes, sure.

Mr Lesjongard: Let the truth come out!

(Interruptions)

The Deputy Speaker: Order! Order! Order!

Mr Lesjongard: Let the truth come out!

(Interruptions)

The Deputy Speaker: Order! Order! Order!

An hon. Member: *Dulthumun pe rode twa!*

Mr Lesjongard: Pour moi, je vais qualifier la photo entre les trois leaders des partis de l'opposition comme la photo de la honte. La base mauve ne lui pardonnera jamais d'avoir contracté cette alliance. M. le président, l'opposition se ridiculise et s'enlise dans leurs mensonges. Cette motion de blâme, comme je l'ai mentionné plus haut, est une stratégie de communication pour faire vendre un produit que le peuple a rejeté à deux reprises. Je vais conclure, M. le président, en disant que les partis d'opposition sont des reliques du passé, M. le président.

Merci.

The Deputy Speaker: Thank you very much.

I think we need a break. Let's break. I suspend for 15 minutes.

At 11.45 p.m., the sitting was suspended.

On resuming at 00.32 a.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please be seated!

I called upon hon. Bodha for his speech!

The Minister of Foreign Affairs, Regional Integration and International Trade

(Mr N. Bodha): Thank you. Mr Deputy Speaker, Sir, at this late hour, I am going to lend my voice to the debates on the motion which reads –

“This Assembly has no confidence in Mr Speaker.”

A motion of the Leader of the Opposition.

Mr Deputy Speaker, Sir, when we walk in the corridor of the National Assembly, we see a number of photographs with the great leaders who have graced this National Assembly, Prime Ministers, Royalty and they have always been invited by the Speaker to take the floor just like you have given me the floor today, gracefully. It shows the importance, the status, the role of the Speaker of the House in a Parliamentary Westminster system of democracy. It shows that the Speaker of the House is the representative of the House itself, in its powers, in its proceedings and above all in its dignity.

The Speaker presides over the debates of the House and enforces the observance of all the rules for preserving order in its proceedings and what are our proceedings? We are the law makers to make our country better. We are law makers, we have *ce qu'on appelle un projet to société* to make it happen and today we have a motion of no confidence in the Speaker only 8 months and I think we had two months of confinement.

I remember in the mandate of 1983 to 1987, there was a motion of no confidence in the Speaker who was then hon. Ajay Daby and I also remember that he had requested that a camera be put in the Assembly. He was given a TV set and he wanted to sit down in his office which was here to - hon. Dr. Boolell will recall - to be able to see, to watch the debates. I think it must have been a very humbling and terrible exercise. I don't know maybe the hon. Speaker is doing so, today.

Mr Deputy Speaker, Sir, in a Parliamentary democracy like ours, the Speaker must enjoy the place, the pre-eminence and the precedence that he deems fit but today, we are in front of a motion of no confidence and his authority, the way he has proceeded as regards to chairing the debates, the proceedings is being challenged by the Opposition.

I will address three issues. First of all, what I would call the MSM principle. Second, I will call it the Opposition syndrome and the last bit, I will say what I believe should be the role and the status of the hon. Speaker but, as my colleague rightly said, what are the role and the responsibility of each one of us in the majority and on the other side of the House.

Mr Deputy Speaker, Sir, we have had motions of no confidence in the Speaker. I think we have had a number of them since 1995, even in 1976. But never put by an MSM Leader of the Opposition. We have been in the Opposition. The MSM has never put a motion of no confidence on a Speaker, why? Because we respect the Speaker. We respect the institution, we don't challenge.

(Interruptions)

We respect the institution, we don't challenge, we go with the rules and we don't say that the referee is not good because we are losing the match.

(Interruptions)

We have always respected the institution of the Speakership and never a Leader of Opposition from the MSM has ever challenged the authority of the Speaker. This shows a lot of things. It says what are the principles of MSM as regards to the tenants of democracy and of Westminster democracy. I have been the Leader of the Opposition; hon. Pravind Jugnauth has been a Leader of the Opposition.

(Interruptions)

Hon. Ganoo has been a Leader of the Opposition, yes he was standing there. We have had many issues with the Clerk of the Assembly, with the Speaker as regards to the writing, how to draft the PNQ or the PQ. I was really sad that the Leader of the Opposition said that there was one PNQ, he couldn't put because he had an issue with the Speaker of the House. But a PNQ, Mr Deputy Speaker, Sir, you know how important this is for the life of democracy? You know how tense - he knows it, we know it - it is when you stand up here at 11:30 either to put the questions or to answer the questions. All the Ministers know about it. This is a formidable task to put a PNQ and it's a formidable task to answer a PNQ. We can't lose time. We can't lose the time of the House. The country was waiting for the Leader of the Opposition to challenge the Minister. Then he says he had an issue with the Speaker and the PNQ could not be put. But I don't see why such an issue, because I have, myself, spoken to the Speaker of the time, I think hon. Ganoo also have done so. The drafting that we have of a PNQ, we draft it in our own way.

It is then the Speaker and the Clerk who guides us as to the final drafting of the PNQ. Now, if that PNQ was not done, was it the fault of the Leader of the Opposition or was it the fault of the Speaker? I think that we cannot lose the time of the House, the time of the country when it comes to the proceedings of the House.

Mr Deputy Speaker, Sir, there was also another issue which said that on the day the motion is debated, the Speaker cannot preside on the proceedings of the House of the other matters, but this has always been the case. You are presiding on the issue as regards the motion but when it comes to debates, the Bills, the PNQ, the Question Time, on the same day, it has always been chaired by the Speaker and you come in, hon. Deputy Speaker, at the time when the motion is debated.

What I would like also to say is that he has been said to be a loud Speaker and my colleague explained why he has been said to be a loud Speaker. But, Mr Deputy Speaker, Sir, he is certainly not his master's voice. He has no master. He is not the voice of this side of the House. He has to play his role. We have seen as he has done it because he is the custodian of the solemnity of the National Assembly, Mr Deputy Speaker, Sir. I have gone through Erskine May about the role of the Speaker, the powers of the Speaker and how he should proceed when it comes to debates, to Bills. My colleague gave a very good rendering. *Il a été très didactique au départ, il a été très pédagogique pour dire comment un président doit présider aux travaux de la Chambre.*

Mr Deputy Speaker, Sir, I have explained what I call the MSM principle of playing by the rules and when it comes to Parliament, respecting the Standing Orders and the Proceedings of the House.

Let me now take the second part of my speech which I call the Opposition syndrome. *Dans son dernier ouvrage, le président sortant de la France, Sarkozy a dit quelque chose –*

« Aucune institution ne peut fonctionner sans autorité. »

Moi je vais ajouter, aucune institution démocratique ne peut fonctionner sans autorité respectée and many of my colleagues mentioned this word 'respect'. The hon. Members sit down when the Speaker moves in and they struggle to stand up as soon as they hear motherland. This is the strict minimum that we can expect from an Opposition at least to respect the entry of the hon. Speaker who is custodian of the solemnity of the House.

Mr Deputy Speaker, Sir, when the Speaker is on his feet, even somebody who has the floor has to resume his seat and we cannot argue, my friend *a été très didactique, il a expliqué comment doit fonctionner parce que finalement le président est dans une situation extrêmement difficile parce qu'il y a une tension dans la Chambre, il y a une volonté politique, il y a un antagonisme, il y a beaucoup de polémiques et il doit gérer cette situation. Donc, il faut qu'on respecte son autorité sinon il ne pourra pas le faire.* So, what we have

seen, no respect for the Chair and I have been here for the other mandates as well when Mrs Hanoomanjee was in the Chair and we know now what is being said is ‘*plito Maya*’ ...

(Interruptions)

‘*Mille fois Maya*’! But when she was here, do you know what sort of humiliation she has been to? They did the same, they were not standing up for some time and then it started again and the proceedings were, I would say less tense. So, there has been no respect for the Chair.

There is one thing and this is what I would like to say: est-ce que l’opposition est à bout de souffle après huit mois? C’est ça ma question. Est-ce que l’opposition est à bout de souffle après huit mois parce qu’elle a fait deux choses : elle a fait une alliance, de force assez disparate, loin d’être naturel en tout cas et elle veut faire un coup d’éclat une motion de blâme mais ce que l’opposition démontre aujourd’hui de manière flagrante dans un moment où le pays fait face à un enjeu crucial devant l’histoire, cette opposition a démontré un flagrant déficit, c’est-à-dire l’absence d’un projet de société. L’opposition n’a pas de projet de société, n’a pas de programme. L’opposition est à bout de souffle après huit mois c’est pour ça qu’ils font de la politique politicienne et une stratégie purement politique.

Now, when you come to the debates, you come to ask questions, the PNQs, you expect to obtain political mileage with each PQ and with each PNQ. It is your right to set the PQs and the PNQs and it is also your ambition to see to it that you obtain a political mileage with each PQ and with each PNQ, *acculer le gouvernement, acculer le ministre*. But this cannot be. Why? Because on this side of the House, we come prepared, we are not joking. When a Minister stands up, he has his file, he comes prepared. We also have political flare and we want to prove our own values and principles. We come with conviction and resolve and we are doing our duty towards our constituents and our nation and our Ministry. So, when you come in this fight, you expect to win political marks and mileage every day on every PQ and every PNQ, this cannot happen because here, we are a majority, we are prepared, we are convinced of what we are doing. *Nous avons un projet de société, c’est la grande différence, M. le président. Nous avons un projet de société et le ministre des Finances a présenté un projet de société extrêmement ambitieux et très complexe pour répondre aux exigences du moment. Je ne vais pas parler du COVID parce qu’on en a tellement parlé.*

Today, when you see the world, today you understand where Mauritius is and what are the challenges that we are facing. So, when you come and you think that you can have a political mileage out of everything, *c’est la politique pour la politique, il faut absolument*

scorer au Parlement mais ce n'est pas possible et là on dit que le Speaker pe bare goal. Non, c'est nous qui arrivons à répondre comme il faut, à répondre aux questions supplémentaires, à répondre à la PNQ, à la PQ et relever le défi, parce que c'est un défi démocratique du jeu démocratique au sein du Parlement et chaque ministre travaille son dossier pour pouvoir justement lui aussi marquer des points politiques.

So what we have seen? We have seen a lot of parliamentary bullying, what I call parliamentary bullying. We have seen allegations, names; names that are very demeaning and, of course, unparliamentary, abusive language addressing primates, imputations of falsehoods, motives and I must say that in more than 20 years that I have been around, for the first time I saw posters being shown in the Assembly. And when the Speaker said this is gross misconduct and decides to take an action then you have a walkout. We also have done walkouts, but we have not done walkouts systematically, politically, just to go there outside to make a Press Conference, and the more so that today everything is broadcast, people are watching us, people are listening to us, whether we come prepared as a Minister to give answer to the PQ or the PNQ or the Bills or whether we are here with frivolous answers and not doing our job.

Mr Deputy Speaker, Sir, I would like to say that about this issue of abusive language, walk in, walkouts and going to say out there. At one point, in time we had this argument. I am not saying it here anymore; I am saying it out there. So I walk out and I go and say it out there, but this is not parliamentary democracy, Mr Deputy Speaker, Sir. As I said, no democratic institution can function without respect and this is what is needed in this House, respect for the Speaker, respect for the Standing Orders, respect of the majority, we have a country to govern. I always say so, we have a country to govern, *nous avons un projet de société*. You are in the Opposition, so there should be respect and there should be what I would say the rules of the game should be accepted. You cannot change the rules of the game. You cannot challenge the Speaker. We know who is the champion of points of order, often out of order. We know who from a sitting position would come with fiery offensive remarks to fuel a provocation. We know this. We know, but today we had a calm session. Why? Why did we have a session today where there was serenity and calm?

An hon. Member: *Coiffeur pas la!*

Mr Bodha: But the Speaker was the same.

An hon. Member: He was tamed.

Mr Bodha: He was tamed.

(Interruptions)

The Deputy Speaker: No crosstalking!

Mr Bodha: We know. Now, if you come in the House because you have live broadcast and you come here to make a show. *Mais ça devient chaud à l'intérieur de la Chambre.* You cannot come and then just, *on ne peut pas lancer des insultes, des noms, il faut respecter l'honorable. Si on ne considère pas les autres comme étant honorables, comment veut-t-on que nous-mêmes on nous donne le titre de 'honorable'?*

I think, Mr Deputy Speaker, Sir, that there is something which has to happen. The Opposition has a very important role to play at this crucial moment in time of our history where the challenges are enormous, where we are going to have serious problems in the days to come, where we have to rise up to those challenges. We have to open the country. Is it going to be too soon, too fast? And the role of the Opposition is to be here to represent the interest of the nation, the interest of their electorate, but we have to govern.

Mr Deputy Speaker, Sir, I will make a plea. This motion is not going to be voted, of course. I will make a plea for the Opposition to come with a better parliamentary behaviour, with respect. Play according to the rules of our Standing Orders and I sincerely hope that once this Motion of no confidence has been voted out, they will stand when the hon. Speaker walks in and they will resume their seat when the hon. Speaker is on his feet.

I would like to end up, Mr Deputy Speaker, Sir, by two sentences –

“We live in a world where ego gets attention but modesty and sincerity get results. We live in a world where arrogance makes headlines but humility and sincerity of purpose make the difference”.

Mr Deputy Speaker, Sir, motions may come, motions may go, we will continue on this side of the House with our conviction and our sense of duty to the country.

Thank you, Mr Deputy Speaker, Sir.

(Applause)

The Deputy Speaker: Thank you very much. Hon. Mohamed, please!

(00.54 a.m.)

Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):

Thank you, Mr Deputy Speaker, Sir.

I would like from the outset to comment in the following manner before I am to embark on what I have to contribute to this debate. It is not sufficient to simply take note of the motion of a learned Leader of the Opposition and to put it on the agenda of the National Assembly. It is not sufficient to simply do that and expect recognition that this is a sign of democracy. The very act of putting it on the agenda, on the Order Paper is not sufficient. It is the right of the Leader of the Opposition to come up with a motion of no confidence, and it is the duty of the Leader of the House to place it on the Order Paper.

The Leader of the House does not, therefore, need to be congratulated for doing his duty; neither does the Leader of the Opposition have to be chastised for doing his. I do not believe that the Leader of the House or Government merits to have a medal, because they do what the Standing Orders say they must do, because they seem to forget another element, which is how this debate on this motion has been dragging on. And the very reason why this debate has been dragging on, Mr Deputy Speaker, Sir, is because Government has seen to it that it drags on.

Placing the motion of no confidence on the agenda to start at late hours or early hours of the morning *n'est pas anodin*. I have read Erskine May; I have read *beaucoup d'ouvrages* on what is democracy and what is parliamentary democracy. It is certainly not what the Speaker of this House believes it is. It is certainly not the practice of this Government not to put it on the agenda as a matter of priority and to give priority in the way it is dealt with on the agenda of the National Assembly.

They placed it on the Order Paper after many other Bills. This is, if I am not mistaken, the third week or fourth; I have lost count. You see, this whole debate, Mr Deputy Speaker, Sir, *a été dénaturé*. We have all lost our sense of purpose, I have the impression. When I read a very interesting book entitled 'Mr Speaker: the Office and the Individuals since 1945' by Matthew Laban, and I refer to the first few pages of this book, and it is at page VIII, and that page reads as follows, and I quote -

“In 1642, it was Speaker William Lenthall who established the fact that he was the servant of the Commons, and not the King.”

So, my question here, when reading this part, is: whose servant is the Speaker of this House? The Prime Minister's or not? That is the question.

“In 1642,” I read, “it was Speaker William Lenthall who established the fact that he was the servant of the Commons, and not the King.”

When King Charles I (the First) entered the House of Commons Chamber and tried to arrest five Members of Parliament, he asked Lenthall where they were. Lenthall dropped to his knees before the King and replied, ‘May it please Your Majesty, I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am here, and I humbly beg Your Majesty’s pardon, I cannot give any other answer than this to what Your Majesty is pleased to demand of me.’”

This was the first time in history that the Speaker of the House of Commons did something. This Speaker, to demarcate that he was not at the beck and call of the King, but of the House of Commons. I read on, on this very same book, in order to establish the basis of my contention.

At page IX, this book goes on to explain -

“The Speaker Arthur Onslow, who was Speaker between 1728 and 1761, to break the Office links with the Executive. Before Onslow, who was the longest serving Speaker in history, it was common for Speakers to hold other political appointments which associated them with the Ministry of the day. In 1742, Onslow decided to resign from the lucrative post of Treasurer of the Navy in order to safeguard his independence and impartiality.”

Independence and impartiality!

Baroness Boothroyd, at one point, Speaker of the House of Commons, said the following –

“You have to gage the mood of the House, you have to gage the mood of the country because you are not a political person as a Speaker, but, nevertheless, you are there. That is what your job is to do; to gage the mood of everything. The Clerks will advise you on the procedures, but when they are done, that the buck stops with you.”

So, here, the buck also stops with the Speaker of this House. The Clerks are here to advise him, no more, but the buck stops with him.

“Total impartiality,” page III of the same book!

“The Speaker has no political party. On becoming the Speaker, he gives up party politics for life.”

I always make the point in saying that there is absolutely nothing wrong with party politics because that gives us choice, but, as far as the Speaker is concerned, he must always be totally impartial, and that continues for the rest of his time. Impartiality not only in his rulings; impartiality in his conduct; impartiality in his manner, in his speech, in his thoughts, in his judgement, in his dining partners, in his drinking partners, although I would advise against drinking. But still, he has to be impartial even there. It is a difficult life to live the life of a Speaker. If he is to socialise, he has to socialise with all in order to show the impartiality.

Allow me to draw your attention, Mr Deputy Speaker, Sir, to a common feature whenever we meet in Parliament; the Lunch Room of the National Assembly. Have you ever seen the Speaker of this House dine or have lunch with any Members of the Opposition? Have you ever asked him, have you ever found him to ask a Member of the Opposition to join him on the table, the high table of the National Assembly? It is not as if we are dying to sit with him and have lunch or dinner with him, but it would show his impartiality! I recall that even Speakers in the past invited others to join; I recall Leaders of the Opposition of the old days, allowing them to join, but this Speaker, never has he even thought of it.

(Interruptions)

Mr Mohamed: Yes? *To pa ti là lere là ; to pas la tou letemp ; rapel sa bout la ! To pa ti la!*

An hon. Member: *Mo pou organiz enn déjeuner pou twa!*

(Interruptions)

The Deputy Speaker: Hon. Mohamed!

(Interruptions)

Order! Order!

Mr Mohamed: Mr Deputy Speaker, Sir...

The Deputy Speaker: I listen to you.

Mr Mohamed: Thank you, how nice of you! I thank you. Can I go on?

The Deputy Speaker: Continue with the debate and...

Mr Mohamed: Yes, I am!

The Deputy Speaker: ...with regard to...

Mr Mohamed: Impartiality?

The Deputy Speaker: No, with regard to the dinner as well. Continue!

Mr Mohamed: Oh, thank you, thank you!

The Deputy Speaker: But just make the point, bring in some evidence that you were not invited some moments.

Mr Mohamed: I just gave you evidence. Evidence No.1 of what happens in Lunch Room, because it happens to be within the precincts of the National Assembly, his conduct here. Evidence, evidence!

Earlier on, I heard hon. Kavy Ramano speak out about us sitting down because we want to show our objection to the way we are treated by the Speaker, and he condemned what we did. Does he suffer from short-term memory simply because he is sitting on the other side of the aisle? Has he forgotten that he sat down when hon. Mrs Hanoomanjee came in, in solidarity with the Opposition?

(Interruptions)

Has he forgotten that he sat down and did not stand up when hon. Mrs Hanoomanjee was Speaker? Has he forgotten or does he choose to bring it quiet, let's keep quiet about that because that will embarrass him with his new friends? I remember the time; today, he speaks about the coffers! When I hear hon. Ramano, and hon. Osman Mahomed said something to me when hon. Ramano said what he was saying about the Opposition, and I have to rebut to what he said, because he was allowed to say it. Hon. Osman Mahomed said: "It surprises me that those words come from someone like hon. Ramano."

And why does he say that? Because we hold him in high esteem; because he has made us used to a type of behaviour, even though he was a young Parliamentarian, the mandate *précédent*, that we always held him in high esteem. And that, today, we see him forget that he, himself, sat down there and did not stand up when hon. Mrs Hanoomanjee walked in as Speaker, in solidarity with other Members, then, it was fine. But all of a sudden, you see how political hypocrisy steps in. He was sitting on the other side, and now the masters of the day have told him, "you have to criticise and you have to slam on them. Slam them down, even though you did it in the past, but pretend you did not."

I remember hon. Ramano - and that's what really hurts, because I have esteem for him. It hurts when I see how he sat down in the Congress of the Labour Party, after having begged for an invitation, and sat down there listening to Ramgoolam talk. Then, that was good! That was good, soliciting...

Dr. Boolell: Ticket and Ministerial...

Mr Mohamed: He was soliciting...

(Interruptions)

The Deputy Speaker: Hon. Member from this side! The hon. Member is speaking...

(Interruptions)

Mr Assirvaden: On me demande de confirmer.

Mr Mohamed: He confirmed. That's the evidence No. 2 of deceit!

Mr Assirvaden: Je confirme ! Je confirme !

The Deputy Speaker: Hon. Patrick Assirvaden!

(Interruptions)

Mr Mohamed: But then, again - allow me! Allow me, allow me, please! Thank you, Sir.

The Deputy Speaker: Alright!

Mr Mohamed: I am helping.

The Deputy Speaker: Minimum! He is doing very well, setting the scene; let him!

(Interruptions)

Let him! Let him set the scene. Continue! Continue!

(Interruptions)

Continue!

Mr Mohamed: Let me just go at one point. I am reading here a document, which really shocked me actually, talking about evidence, ADSU evidence. Debate No. 24 of 07 July 2020! There we go! 07 July! And this was sent to me on 14 July 2020 by the Clerk, Hansard Unit, National Assembly. I read that document. On that day, the hon. Prime

Minister was here for a PNQ. The question was from the Leader of the Opposition, and I raised a point of order.

J'ai visualisé la vidéo, M. le président de séance. J'ai visualisé l'enregistrement pour pouvoir savoir exactement, pour me rappeler ce qui s'était passé ce jour-là. Et ce que j'ai vu et entendu, et cela est dans la version officielle sur le site de l'Assemblée nationale, c'est quand j'ai dit à M. le président que je voulais *raise a point of order*, et je lui ai dit qu'un membre ne peut faire référence à un document, *unless he tables the document which he is quoting from. This is Standing Orders.*

The video shows the Speaker telling the hon. Prime Minister, when I raised the point of order, to get ready to table the document - after I raised my point of order. My friends would remember; the video vouches for it. But when you look at Hansard - I tried to find out where is it that the Speaker, as in the video, it's written that he tells the hon. Prime Minister get ready to table. So, I tried to find out from this document where it is. In the video, it says, and I hear, we see the Speaker telling the hon. Prime Minister, after I raised a point of order, he says to the Prime Minister get ready to table the document.

And let the people know that the practice in this House is that as soon as we have an unverified version of the Hansard, it is sent to all parties, even to the Speaker, and he has to suggest corrections, not corrections of versions, not correction of the truth, not correction of what was said; only grammatical mistakes! That's all! He cannot obliterate what was said. Why is it that I do not find it in this version? Why is it that I cannot find the Speaker having said to the Prime Minister get ready to table it, Mr Prime Minister! Why is it not here?

(Interruptions)

Why is it not here? How come this document tells me one thing, but the video says something else? How many versions of the truth are we going to be fed with? How many versions? *Combien de déclinaisons de la vérité est-ce que ce gouvernement a? Et la raison pour laquelle je dis 'ce gouvernement', parce que M. le président de séance, on l'a vu, on l'a entendu, que 'ce gouvernement' a pris fait et cause à défendre le président de la Chambre comme si c'était un membre du gouvernement!* The motion of no confidence is a substantive motion in order for us to bring to the attention of the House, and that is the ambit of our motion and there is a purpose of our motion: to bring to the attention of the House what we are of the view is behaviour that is unfair towards the Opposition or wrong on the part of the Speaker. That's the only way we can do it, that's what Standing Order says. That is not me

making a show; that is just me putting into practice what Standing Order says. That is all! Am I entitled to do that? Yes, I am! Because Standing Order says so! Do I merit criticism in order for bringing the motion, just like the hon. Leader of the Opposition was criticised simply for bringing the motion? No! Because that is not the way to criticise a Leader of the Opposition. It is not a way, and it is not a *carte blanche* to criticise Members of this Assembly, on this side of the House, because it is not by way of substantive motion!

There is only one way to criticise a Speaker or to talk about his conduct. It is by way of a substantive motion. Standing Order 40, paragraph 5 of the Standing Orders! One way; no other way! There is only one way to criticise the conduct of a Member of the House, any Member of the House, Government or otherwise. It is to go by a substantive motion – Standing Order 40, paragraph 5. To mention it, *en passant*, in a debate is out of order! To mention conduct about a Member, *en passant*, in a debate is out of order, shall be out of order. That's what the Standing Orders say. The only way I can criticise a Member on the other side is to do so by a substantive motion. What I found the hon. Members on the other side do, those who have intervened on this motion, and those who have shown us that they have the ability as drumbeaters - at least they have some musical talent, if nothing else - and those people have been appreciative of the ability of those Members on the other side to totally disregard Standing Order 40, paragraph 5. Fair enough!

Let me come to what was said in this House. Hon. Lesjongard tried to be more diplomatic in his use of the word – no, actually, it was hon. Bodha who talked about primates, I believe. Bodha! He did not mention who said it, but he tries to tell us that to use the word '*zako*', that's what he meant, is something that is totally unparliamentary and should be condemned. Is that what he is saying? Isn't it what hon. Collendavelloo also tried to tell us? Isn't it what the hon. Members of the other side, hon. Nuckcheddy tried to tell us? Hon. Toussaint tried to say so? And what they tried to say is that *c'est condamnable de dire cela. N'est-ce pas?*

(Interruptions)

I can't hear! Hon. Balgobin came up and showed us the *Code Noir* to try to hit below the belt about someone saying *le mot* '*zako*'. He said it here; he was not overruled and he was allowed to say so! Fair enough!

I am not challenging your ruling on this, but let us see and let us put to the test the hypocrisy of some. Let us put it to the test. Let us see that. Let's see for a minute, Second Session, Tuesday 19 June 2012. Hansard No. 10 of 2012! Mr Jugnauth!

An hon. Member: Which one?

Mr Mohamed: Oh, no, no, no, Mr Pravind Kumar Jugnauth. Mr P. K. Jugnauth; Mr Pravind Kumar Jugnauth...

The Deputy Speaker: Honourable!

Mr Mohamed: Honourable. But I am reading Hansard. It doesn't say honourable.

The Deputy Speaker: Okay.

Mr Mohamed: I am only quoting, Sir.

The Deputy Speaker: Thank you. Fair enough!

Mr Mohamed: I am only quoting.

The Deputy Speaker: Continue! Very good! Keep on quoting!

Mr Mohamed: Good! I will quote. I thank you for encouraging me to quote the following –

“Mr Jugnauth: *Taper couma ban zako, taper! Zot pu koner après! Nek taper...*”

Hon. Members: *Hein!*

(Interruptions)

Mr Assirvaden: Say it again! Say it again!

(Interruptions)

Mr Mohamed: In those days, in 2012, let me give him his respect, Pravind Jugnauth, honourable, then said in this House –

“Taper couma ban zako, taper!”

The Deputy Speaker: Hon. Mohamed!

Mr Mohamed: Yes?

The Deputy Speaker: One second!

Mr Mohamed: Yes.

The Deputy Speaker: Hon. Uteem!

Mr Uteem: I am shocked!

(Interruptions)

The Deputy Speaker: Hon. Uteem!

(Interruptions)

Hon. Uteem! Hon. Uteem!

Mr Mohamed: I find something quite bizarre. Why is it that live broadcast is interrupted?

The Deputy Speaker: Pardon?

Mr Mohamed: Why has live broadcast been interrupted?

The Deputy Speaker: One second!

Mr Mohamed: Could we find out?

The Deputy Speaker: One second! One at a time!

Mr Mohamed: Thank you.

(Interruptions)

The Deputy Speaker: Order! Hon. Mohamed, please, one at a time. I'll deal with one issue at a time. First of all...

(Interruptions)

Order, please! First of all, hon. Uteem, it was improper to be talking ...

Mr Uteem: I am shocked...

(Interruptions)

The Deputy Speaker: Hon. Uteem!

(Interruptions)

Hon. Uteem!

(Interruptions)

Hon. Uteem, whether you are shocked or not shocked or whatever you feel, you do not have the floor. Hon. Mohamed is talking. I want to listen to him. Please, apologise for your

conduct! And don't do that! Please! I am very politely asking you, please, apologise for that conduct of yours while an hon. Member is talking.

Mr Uteem: I apologise for interrupting my hon. Hon. colleague when he is talking.

The Deputy Speaker: Apologise to the Chair.

Mr Uteem: Yes, I am apologising.

The Deputy Speaker: Thank you very much. Now, hon. Meea...

Mr Ameer Meea: Ameer Meea! There is a big difference.

The Deputy Speaker: Hon. Ameer Meea, very good! If it makes a very big difference, you know the very big difference of talking while not having the floor as well. Apologise! Be respectful!

Mr Ameer Meea: Apologise to whom?

The Deputy Speaker: To me! Because you are talking when I did not give you the floor.

(Interruptions)

Mr Ameer Meea: I was not talking to you!

(Interruptions)

Mr Deputy Speaker, Sir, what's wrong with you?

(Interruptions)

I was not talking to you! How do you want me to apologise? I was talking to my friend!

The Deputy Speaker: Hon. Aadil Ameer Meea, first of all, you apologise for whatever you were talking to your friend because you are not allowed to do that. Secondly, you apologise for asking me what's wrong with me. Please, twice! Twice! I am being very fair.

(Interruptions)

Mr Ameer Meea: To be fair, please let me make my point! It was...

(Interruptions)

No, but to be fair! You can't just impose this on me!

The Deputy Speaker: Two times! Your last chance, hon. Aadil Ameer Meea!

Mr Ameer Meea: Okay, to please you, I apologise.

The Deputy Speaker: No, it's not for me, it's for the House.

Mr Ameer Meea: No, you said for you.

The Deputy Speaker: It's for the House, because I represent the Chair in this House.

Mr Ameer Meea: So, I have to apologise to the House.

The Deputy Speaker: You have a point of order now?

Mr Ameer Meea: Yes, I have a point of order.

The Deputy Speaker: I'll listen to it.

Mr Ameer Meea: The point I wanted to make is that it was a private conversation between me and my friend, hon. Quirin, which you happened to overhear. So, how can I apologise when I was not addressing you or the House, when I was addressing my friend? Come on! Let's be serious!

The Deputy Speaker: I'm being serious. So, you are being very courteous and polite, accepting before the whole House that you were talking while an hon. Member was talking. Very good! Well done! Keep on doing it! Continue!

Mr Mohamed: So, as I was saying earlier on, it is something which I think is important for me to say again. I am not saying, 'repeat it, repeat it', anyway, but I'll just say it again, it is that I was really taken aback when I read that in Hansard, whatever the Speaker said to the Prime Minister is not in the written version. I hope there is a correction that is made and I hope it reflects what exactly was said in the video of the National Assembly. And there is only an explanation; there are many possibilities as to why it is not there. One, I hope it is not it, because even though I have here to contribute to the motion of no confidence, I am not saying and I do not want to believe that the Speaker deleted it. I don't want to believe that, because if we are at a point where the Speaker may have deleted it, then not any motion of confidence would be able to save this country. Since we call it a temple of democracy, if the high priest is someone who is falsifying what happens here, then we are messed up. And I cannot think they will have a future. So, I hope it is not the case. So, now, I hope I have managed to defrost the frozen video of the National Assembly, the live stream that I said frozen, while I said exactly that.

So, now, as I said, we wanted to test political hypocrisy. The political hypocrisy I wanted to test was what would be the reaction of the hon. Members who are so good at giving lessons if they find out that the hon. Prime Minister himself had said 'zako' to all those sitting in front of him in Parliament, treating us as 'zako'. But I did not feel offended in those days! I did not feel offended.

(Interruptions)

I was here!

Mr Dhunoo: You were not in the House when the Member said that.

(Interruptions)

Hon. Members: Apologise! Apologise!

Mr Mohamed: I forgive him.

The Deputy Speaker: You forgive him. One second! First of all, I am saying it again to hon. Reza Uteem and hon. Aadil Ameer Meea. I am trying to the best of my abilities to do the job that is at hand. Please, allow me to do it! I want to listen to hon. Mohamed because he has prepared his debate and he wants to get it out. Coming back to hon. Dhunoo, please, we'll be respectful, we'll hear the content of the debate. Each and every hon. Member will keep an orderly conduct and it will be for the benefit of the House and of the country. We have gentlemen in this House. If they are not ...

(Interruptions)

You are! So, please!

(Interruptions)

You are as well! Hon. Mohamed, please!

Mr Mohamed: As I said, I mean, I understand totally my hon. friend, hon. Dhunoo who has maybe been put before facts that he was not aware of and he now discovers that what he had been fighting against and criticising, even though in the case of hon. Ms Joanna Bérenger is not here in Hansard. Let's make the difference! The difference being, in the case of hon. Pravind Jugnauth, it happens to be No.10 of 2012, 19 June, it's in Hansard.

The Deputy Speaker: Point of order, hon. Dhunoo? We listen.

Mr Dhunoo: On a point of order. The motion is on the Speaker, not on the hon. Prime Minister. He is imputing motives. He himself said that. He himself said it.

(Interruptions)

What to *kasiete*? This is what you do in the House?

(Interruptions)

The Deputy Speaker: So, if I rightly got your point of order, you want me to rule that the hon. Member is outside the debate. Continue! Stick to the debate! Continue!

Mr Mohamed: Actually, I will maybe surprise the hon. Member. I totally agree with him. But I am only trying to emulate the good example set by the other side. I am just learning from them and I am following suit.

On apprend à tout âge ; le bon exemple donné par les membres du gouvernement, avec les donneurs de leçon, et je suis un bon étudiant. J'apprends vite. Permettez-moi alors de revenir sur les mots de cet honorable membre qui avait traité les membres de l'Assemblée nationale en 2012 de '*zako*', mais je comprends que l'honorable Dhunoo soit choqué, même confus. Et de ce fait,...

The Deputy Speaker: Hon. Member!

Mrs Diolle: Mr Deputy Speaker, on a point of order...

The Deputy Speaker: Is it a point of order, first of all?

(Interruptions)

Point of order?

Mrs Diolle: Mr Deputy Speaker, on a point of order.

The Deputy Speaker: Thank you very much. We will hear.

Mrs Diolle: I think the hon. Member is misleading the House as he is...

(Interruptions)

The Deputy Speaker: Let's listen! She is a new Member. We will listen. I am here to listen to as much as I can. We will hear! Come on hon. Mrs Tania Diolle.

Mrs Diolle: ...as he is quoting the hon. Prime Minister as saying '*taper couma bann zako*', which is a type of *taper*...

(Interruptions)

while...

(Interruptions)

The Deputy Speaker: Order! Let me hear! Order! Let's hear.

Mrs Diolle: ...while Members of this side, during the debate, have expressed grievance for being insulted and called 'zako'. In France, a politician called Christine Taubira went to Court and the person, Anne-Sophie Clair, who insulted her and called her 'zako' was actually found guilty of insult for using the word 'zako' but *singe* in French, as an insult, and had to pay 3000 Euros as sanction. So, I think the comparison is not accurate in the use because Members of this House during the debate did not...

Mr Mohamed: It is a speech she is making!

(Interruptions)

The Deputy Speaker: Order!

Mrs Diolle: Members of this side did not condemn the use of the word, but the use of the word as an insult towards us here. That was my point of order.

The Deputy Speaker: Thank you.

(Interruptions)

Hon. Quirin!

Hon. Mrs Diolle, with all due respect, you are a young Member, I don't think the point of order is rightly taken at this time. So, thank you very much. Please!

Mr Mohamed: I say...

(Interruptions)

The Deputy Speaker: Let him continue now!

Mr Mohamed: So, let's come back to Mauritius. We will leave France for a minute and I will come back to Mauritius, and we will deal with rupees and leave the euros to the hon. Member.

Now, coming back to the monkey business...

(Interruptions)

The Deputy Speaker: May I, before you go to the monkey business.

Mr Mohamed: Yes, please.

The Deputy Speaker: May I, please. I have noted - I don't want to put any specific time. I don't want any kind of pressure. You started somewhere around five minutes to one and I have given about four minutes for interruptions and I am allowing you. Just be mindful that you are able to complete it. I am not stopping you.

Mr Mohamed: I tend to disagree with you because hon. Members of the Opposition have removed their names and they have allotted their time to me.

(Interruptions)

Oh, yes!

(Interruptions)

Oh, yes! And that is clearly tradition and that was also communicated to the Whip. You know that. Hon. Bhagwan, specifically; hon. Berenger, specifically...

(Interruptions)

The Deputy Speaker: Order!

Mr Mohamed: So, please!

(Interruptions)

The Deputy Speaker: Order! Order, please!

(Interruptions)

Order! Hon. Shakeel Mohamed, I did not tell you to end the debate. I just asked you just as I have been doing for each and every Member...

(Interruptions)

Gentleman, I spoke to you personally, I remember. You would remember the content of our speech as well. I don't want to go into detail. You have spoken, given the interruptions that we have, for about 32 minutes. Hon. Leader of the Opposition spoke for 28 minutes. So, at least, I need minimum courtesy, respect towards the Leader of the Opposition who spoke 28 minutes himself. But I am allowing you to continue.

Mr Mohamed: Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Please!

Mr Mohamed: Even though I don't follow your logic, but I thank you and I will continue. Now, I'll come across something else. Not long ago, Debate No. 27 of 28 July. Oh, before I forget, I have to come back to the monkey business here! What I fail to understand but, however, what I do understand is that there is a stratagem. They have talked about the strategy of the Opposition to come up with this motion of no confidence, but I see a strategy on the part of Government and that strategy is sickening because there was all along a strategy on the part of the Government to try to make this whole issue about the Opposition a systematic ridiculous matter. That is what they try to do in fact. You see whenever you find me criticising hon. Jagutpal about Indian pharmacopeia, I am told that I or hon. Boolell, we are going for India bashing, but specifically with regard to certain other Members, excluding the hon. Leader of the Opposition, Indian pharmacopeia, as though when we are commenting constructively, we are told that we are going for India bashing. And that applies to hon. Juman and hon. Dr.Aumeer. And then, all of a sudden, after hon. Ms Joanna Bérenger, who is an hon. Member, alone in the House, sees that she has got insulting remarks thrown to her, about her having been pregnant recently, insulting remarks to her on her way about her supposedly being just like her father, and other remarks. She is there, a daughter, alone. Whatever she may have said is nothing compared to what hon. Pravind Jugnauth has said in 2012; nothing. That is my opinion. And I'll tell you what, that they tried to turn it into a communal issue is sickening.

(Interruptions)

Sickening! It is cheap to try to do so, and that is what they try to do.

(Interruptions)

The Deputy Speaker: Hon. Nuckcheddy, please! For whatever...

(Interruptions)

For whatever it is worth, I am not perfect, but I have tried as much as possible not to allow this House to go down into racial instigation or for whatever it is. I have tried to the best...

Mr Mohamed: I recognise that you tried your best, but sometimes it is difficult to control people who are in the monkey business.

The Deputy Speaker: Please, just continue with the debate.

Mr Mohamed: Thank you. You see I am someone...

(Interruptions)

I mean, can I continue, Sir? I have heard you. Can I continue?

The Deputy Speaker: Let me just tell you; we are on about 35 minutes; I will give you a few more minutes, please.

Mr Mohamed: I am sorry, Sir. I should be allowed to speak. I do not agree that I have been interrupted and that I am given a time limit. No! I am within my time, Sir. I do not agree, respectfully so, this is unfair. I have spoken to the hon. Whip of the Government and she is aware...

(Interruptions)

soon to be in the Opposition...

(Interruptions)

She is aware, and that is practice. I have taken away the time of hon. Bhagwan. That is fact!

(Interruptions)

The Deputy Speaker: Order!

Mr Mohamed: I am sorry!

(Interruptions)

The Deputy Speaker: Order!

An hon. Member: *Ki arriver, dictature ici?*

(Interruptions)

The Deputy Speaker: Order!

Ms Ramyad: On a point of explanation, Mr Deputy Speaker, Sir.

The Deputy Speaker: One second. I'll go down there. Is it with regard to the time issue?

Ms Ramyad: Yes, it is.

The Deputy Speaker: Would you give her way for explanation? Please.

Ms Ramyad: Hon. Bhagwan was ordered out. So, his time allocation...

Mr Mohamed: And hon. Ms Joanna Bérenger!

Ms Ramyad: His time allocation is not counted whereas for hon. Ms Joanna Bérenger, we did talk about it, but it is not up to me to give any Ruling.

The Deputy Speaker: Thank you very much.

Mr Mohamed: Then I go for tradition.

(Interruptions)

The Deputy Speaker: No, you go according to the Chair. Hon. Mohamed, again, rather than going into lengthy debate, I have not stopped you. I'll be clear again. I want you to continue. I want to listen to all your points for as long as it is legitimately possible for the Chair. So, please continue. Go to the debate. Go to the point, please!

Mr Mohamed: So, hon. Deputy Speaker, let me talk about 28 July. Mr Speaker states, I quote –

“Hon. Leader of the Opposition, let me give my ruling on this question. Law officers’ opinions cannot be tabled in Parliament. Proceed!”

The hon. Leader of the Opposition says -

“Can you give a ruling on this? Can you tell us from where did you...”

The Speaker’s response –

“I am not in a box of accused”

Dr. Boolell says -

“Sorry?”

The Speaker says -

“I am not in an accused box. The ruling is the ruling. It cannot...”, etc., etc.

Basically, in order to try to understand what was going on, the hon. Leader of the Opposition was asking that the advice that was allegedly obtained from the State Law Office be tabled, and the Prime Minister did not refuse to table it. It was the Speaker who intervened before the Prime Minister could pronounce on this issue and said –

“Hon. Leader of the Opposition, let me give my ruling on this question. Law officers’ opinions cannot be tabled (...)”

So, then I tried to find out what does Erskine May say about that, and I refer to paragraph 21.27 of Erskine May, law officers’ opinions, and it says here –

“By longstanding convention, observed by successive Governments, the fact of, and substance of advice from, law officers of the Crown is not disclosed outside government. This convention is referred to in paragraph 2.13 of the Ministerial Code. - In Mauritius we have the same issue - The purpose of this convention is to enable Government to obtain frank and full legal advice in confidence. Therefore, the opinions of the law officers of the Crown, being confidential, are not usually laid before Parliament (...)”

But there is a sentence that goes on in Erskine May and it seems as though the Speaker forgot to read the last sentence. I say ‘forgot’, out of respect to him. And it says here –

“(...) and their production has been frequently refused; (...)”

In our case, it has not been refused by the Prime Minister initially; it is refused and blocked by the Speaker. And I read on –

“(...) but if a Minister deems it expedient that such opinions should be made known for the information of the House, the Speaker has ruled that the rules of the House are in no way involved.”

In other words, if the hon. Prime Minister believes that in the name of transparency, it was expedient that such opinions should be made available, he can make it available. There is nothing in the Standing Orders that stops legal opinions being tabled. There is nothing. There is only the principle as to whether it is expedient for the House, whether one is going to be transparent, whether one is going to be accountable, whether one is going to have freedom of information or not.

In the United Kingdom, the hon. Attorney General, Jeffrey Cox, only recently last year, after a judgment of the Supreme Court, was questioned on the advice of the Attorney General on Brexit, and he tabled the advice. It was tabled. It was made subject of a debate in the House of Commons. And here, the Speaker goes on and on and says that it is wrong.

(Interruptions)

Mr Ganoo: The Prime Minister did not deem it expedient.

Mr Mohamed: Yes. But then again, I mean it was not the hon. Prime Minister who said so, it is the Speaker who said it for Government.

Mr Ganoo: Well, on a point of order.

The Deputy Speaker: One second!

Mr Ganoo: I am reading the same textbook as the hon. Member is quoting from. I think it should be very fair because what Erskine May says, and I quote -

“Their production has frequently been refused; (...)”

As hon. Shakeel Mohamed said, and then it goes on to say –

“(...) but if a Minister deems it expedient that such opinion should be known for the information of the House (...)”

Therefore, in that case, the hon. Prime Minister, at that time, did not deem it expedient for the information of the House. If he had deemed it expedient for the information of the House, he would have produced the law officers’ opinion which Erskine May says, as rightly quoted by the hon. Member. The convention is that advice from law officers is not disclosed because it is secret information.

The Deputy Speaker: May I?

Mr Mohamed: May I say something on this issue?

The Deputy Speaker: Yes, if it is on this issue.

Mr Mohamed: I totally agree with the reading of my learned hon. friend, who was also Speaker at one point, whom I have respect for his knowledge. However, the only thing I would like to add here is that, in our case - I totally agree that the Prime Minister is entitled to believe and decide and he has the discretion as to whether it is expedient or not. I totally agree. However, in our particular case, the Speaker said it was not allowed before the Prime Minister had even said it was not expedient. That’s what my point is. So, we do not differ on principle, but the facts will say that I am right.

Mr Ganoo: If you will allow me. Nothing prevented the Prime Minister to tell the Speaker of the House that he deemed it expedient ...

Mr Mohamed: But he did not.

Mr Ganoo: ... and allow the advice to go public.

Mr Mohamed: Yes, but he did not. He did not do. He said nothing.

The Deputy Speaker: Order now!

Mr Mohamed: Sorry.

The Deputy Speaker: I can understand the opinion of each party. Hon. Mohamed, you have an opinion; very well, I am listening to it. But, at this time, I really want to press upon you, hon. Shakeel Mohamed, I gave you the floor some time, at 12.55 a.m., and it is 50 minutes. You had the floor more than any other Member in the House.

(Interruptions)

Don't worry. You can rely on me for fairness. You had the floor for more than any other Member in this House. I have given you leeway for all the interruptions you had.

(Interruptions)

Mr Mohamed: I have been interrupted ...

The Deputy Speaker: Trust me, I am counting each and every minute. Despite that, you well ...

(Interruptions)

Mr Mohamed: I have two issues.

The Deputy Speaker: Please go to the issue, it will be very fine, we will listen to it.

Mr Mohamed: Two issues I would like to raise and I will finish with it.

The Deputy Speaker: Thank you.

Mr Mohamed: On 21 July 2020, the hon. Leader of the Opposition and myself together decided to come and visit the Deputy Speaker, because you were in the Chair during the motion. That is the first issue, I would like to raise, and then I will have a last one and I will finish and leave it with you. And when we decided, there was some ruckus in the House here, tension and then, when you suspended the session in order to let things calm down, rightly so, we decided to follow you to the Chamber of the Speaker; this is where you were going. And when we got there, we asked a Police Officer who was outside to allow us to meet with you, Sir, in order to converse with you to find ways and means of calming things down. That was on 21 July. The Officer in question said: please wait and he will ask whether we could meet with you. And when you opened the door, the Speaker was present in the anti-Chamber and he was very angry about our presence. I will not use the words he used about our presence there. I was present together with the Leader of the Opposition, and we were so shocked the fact that we literally had the door slammed in our face and not allowed

to meet with you in his Chamber, but we are thankful to you that we managed to meet with you in your office.

The Deputy Speaker: May I just clarify one thing.

Mr Mohamed: Yes.

The Deputy Speaker: You are not saying that the Speaker slammed the door on you.

Mr Mohamed: No. He got someone to do it for him. He did not slam it.

The Deputy Speaker: It was not him.

Mr Mohamed: No. I was there.

The Deputy Speaker: Let us be very clear about that.

Mr Mohamed: And the words that were used. In other words ...

The Deputy Speaker: Come to the motion!

Mr Mohamed: No, no, but that is the motion. The way he treated the Leader of the Opposition and myself.

And the last point I would like to make, and here, I address this point to all Members of the House. Recently, we were all very saddened, even though we may have conflicts and arguments and positions and we are on different sides of the House, we do not wish ill on anyone and we wish everyone well. We may have difference of views, and this applies to the Speaker as well. We may have difference of views, difference of approaches. I would like to say that we have brought this motion here, because we would like to tell him, please, let us try to take note of what we say. We are not telling you that everything we say necessarily is right, but maybe a few things of what we say, at least, take note. And let us try to have a civilised relationship for the next four years.

But the last point that I'll try to make is following. When hon. Hurreeram fell ill, I wished him well publicly and I wish him well again today, because it is very heart-wrenching to find that someone of this House is unwell, and it is even more stressful for members of his family. Family is important. Sometimes, we forget that we are all family men, family women, we have got children, and this comes to my mind and that is what touched me when I heard what was happening. And I wish his family and him courage.

When he stood up in Parliament, and that is the last point I would try to make and I address to all Members of the House. I heard all of you. I heard hon. Bodha who is seasoned Member. The first time I went to TV...

The Deputy Speaker: Stick to the debate!

Mr Mohamed: That was the first point. I heard him. First time I went to TV, I was together with him. I remember that; 1995.

An hon. Member: Il était jeune.

Mr Mohamed: I was 26. And that was 26 years ago.

And by the way, No. 22 of 2020 debate, 23 June 2020. You see, when hon. Hurreeram stood up and came, just behind where the Government Whip is sitting, and said that...

(Interruptions)

I am sorry. This is what I have to say now. Fact! I am not criticising hon. Hurreeram because I have forgiven him. I have forgiven him for that.

The Deputy Speaker: Hon. Mohamed!

Mr Mohamed: But here...

The Deputy Speaker: Stick to the debate!

Mr Mohamed: I am coming to the point. It is about the Speaker.

The Deputy Speaker: Yes!

Mr Mohamed: This is about the Speaker. He said insulting words, not only to me; forget me! I am an honourable Member; I am here in the House. He said insulting words à l'adresse de ma mère, my mother, à l'adresse de my father. When you tell someone, 'Si to piti tor pa', in other words, you are putting in doubt, even...

An hon. Member: Non!

Mr Mohamed: That's what it meant.

(Interruptions)

That's what it meant. That was insulting. And he threatened me, standing just there. The Speaker decided. When I asked him, 'Did you not hear?' He said, 'I did not hear.' But what surprises me, when I asked him, 'Did you not see?' He keeps quiet. He does not say he did not see.

And what was really bad about that? You have to allow me to comment on this part. What was really bad about that? My mother and my father were not in the Assembly at the time and are not Members of the House. The duty of a Speaker is to protect those who are not here to defend themselves. You are not allowed, as an honourable Member, to criticise people who are not here, because they are not here to defend themselves and they deserve to be protected by the Speaker. Did the Speaker protect the strangers who are my parents against what hon. Hurreeram said? Did he? The answer is no! He did not! Because he simply did not believe that this was a conduct that was *répréhensible* and deserved him to be expelled. He did not. My mother...

(Interruptions)

Could you mind not stopping me every time? Can I finish what I am saying?

The Deputy Speaker: Hon. Mohamed!

Mr Mohamed: Why do you stop me every time? Can I go on?

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

Mr Mohamed: Can I go on?

The Deputy Speaker: Just make the point! Go direct to the point! One hour since you started!

Mr Mohamed: How much interruptions have there been?

The Deputy Speaker: I have been counting! You had the floor for over 50 minutes! That's why I am saying you can go direct to the point!

Mr Mohamed: I am going to the point!

The Deputy Speaker: Do it! Do it!

Mr Mohamed: So, my point is exactly that. When I heard every single Member speak - I heard hon. Lesjongard; hon. Bodha; I heard all Members; hon. Ramano; I heard the hon. Minister, Mrs Koonjoo-Shah. I heard all of you speak; the young Members on the other side. Was it? But I heard no one, at least, state for a fact that speaking in such terms, as hon. Hurreeram did, was wrong. Did anyone say it was wrong? No one! Did anyone say that it was *répréhensible*? No! No one said that! But what I am wondering, therefore, is the following: does it mean that the Speaker was right not to ask him, to name him on that day?

(Interruptions)

Mr Ganoo: On a point of order!

The Deputy Speaker: Thank you very much, hon. Mohamed! I have a point of order. I will listen to the point of order. And whatever you have to say, please, summarise it in two lines. That's all I am going to allow you after the point of order! It's one hour!

Mr Lesjongard: Mr Deputy Speaker, Sir, can I take a point of order also?

The Deputy Speaker: I will listen to hon. Ganoo.

Mr Ganoo: I do not want to waste the time of the House. I think hon. Shakeel Mohamed has already said so much about the conduct of hon. Hurreeram. But he, himself, has said so many times in this House, all throughout this motion that Section 40 (5) protects the Members of this House, and his conduct cannot be raised save by way of a substantive motion. So, how can you? I mean, the Deputy Speaker has allowed you to criticise the conduct of hon. Hurreeram and you should have done it by way of a substantive motion. You, yourself, have said that.

Mr Mohamed: Mr Deputy Speaker, Sir, you have ruled on this and you are now...

The Deputy Speaker: No! no!

Mr Lesjongard: Mr Deputy Speaker, Sir...

Mr Mohamed: Mr Deputy Speaker, Sir, it is interesting to know hon. Ganoo should take the side where he is sitting.

The Deputy Speaker: No, this is...

(Interruptions)

The Deputy Speaker: Yes, sure! Hon. Ganoo! Is it along the same line that you have a point of order?

Mr Lesjongard: No.

The Deputy Speaker: One second! So, let me! Hon. Ganoo, I have already given a ruling on that. We are not going on a debate at 2 o'clock with regard to Section 40 (5) or whatever it is.

Hon. Lesjongard, you have a point of order?

Mr Lesjongard: Yes. Thank you, Mr Deputy Speaker, Sir, for giving me the floor to take a point of order.

On several occasions, you have told hon. Mohamed that he should end his speech. We have intervened and we have taken the time allocated to us. Why is it that hon. Mohamed has to take more time than the time each one of us has taken?

(Interruptions)

We are all Members of this House. You have given your ruling; your ruling is final. If he has to end his speech, he has to end it now.

(Interruptions)

The Deputy Speaker: Order! Order! Order!

(Interruptions)

Order! Order! Order! Order!

Hon. Mohamed, I think I am very fair. I have given you another two lines. I am sure you can brilliantly sum up your point. Please, you still have those two, three lines to sum up your point.

(Interruptions)

Hon. Members: Two lines!

The Deputy Speaker: Please, order! I am the one who gives ruling in this Chamber.

Mr Mohamed: I will finish as I started. Parliamentary democracy is not being, in my view, understood and respected in the House, because I tried to simply ask hon. Members, and that is my last line, to, at least, when they decide to vote this motion, concentrate on one point. Was the Speaker right and was the Speaker fair in his treatment of hon. Hurreeram at the time when hon. Hurreeram was insulting towards my mother? Was he right? And if they think he was right...

(Interruptions)

The Deputy Speaker: Not anymore!

Mr Mohamed: ...I will remember that.

(Interruptions)

The Deputy Speaker: Not anymore! Hon. Mohamed, I think...

(Interruptions)

Order! Order! Order! Order!

(Interruptions)

Order! Order! Order!

(Interruptions)

Mr Lesjongard: There was a point of order and the point of order was taken.

The Deputy Speaker: One second! One second!

(Interruptions)

Order!

(Interruptions)

Mr Quirin: *Vey to zafer!*

The Deputy Speaker: Order! Who feels like going home early?

(Interruptions)

Alright! Thank you very much, hon. Mohamed. I appreciate that you made it in two lines.

So, I'll now call upon hon. Maneesh Gobin for his speech.

(1.58 a.m.)

The Attorney General, Minister of Agro-Industry and Food Security (Mr M. Gobin): Thank you, Mr Deputy Speaker, Sir. I listened attentively to the previous orator and I think the last sentence he said was that parliamentary democracy is not being understood or words to that effect. I totally agree, parliamentary democracy is not being understood by the Opposition. How does parliamentary democracy function? I think we need to remind the Members of the Opposition and I think we also need to remind the people out there who ask themselves this question: what is going on in this House? Is it the priority for the people of Mauritius at this hour to hear such kinds of arguments? Is it the priority of this country in the face of the unprecedented world situation both in terms of economic realities and human realities to debate about such a motion? Is it the priority? It seems that in the eyes and in the understanding of the Opposition, yes, it is the priority of the people of Mauritius, as if they will bring any change in the lives of people with a motion against the Speaker, especially at this time of the year 2020. This is the priority of the Opposition.

The motion is one which says this House has no confidence in the Speaker and I heard the previous orator saying it was the duty of the Leader of the House to put this motion on the order of business. I respectfully disagree. We could have done whatever we wanted with this motion. It is not a motion of no confidence against Government.

Mr Mohamed: Mr Deputy Speaker, Sir,...

Mr Gobin: No, I will not give way because when it hurts...

(Interruptions)

No!

(Interruptions)

Mr Deputy Speaker, Sir...

(Interruptions)

Mr Deputy Speaker, Sir, this happens all the...

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Order! I cannot listen to 10 voices at the same time.

(Interruptions)

Mr Lesjongard: It is for the Deputy Speaker to decide.

(Interruptions)

The Deputy Speaker: Order! Hon. Salim Abbas Mamode, next time I'll say it again. Be mindful.

So, hon. Shakeel Mohamed, you have a point of order?

Mr Mohamed: You see, I mean...

The Deputy Speaker: Point of order or no? Simple!

(Interruptions)

Yes or no! Then you explain, I'll let you.

Mr Mohamed: Because of your attitude, yourself right now, I have no point of order.

Thank you.

The Deputy Speaker: Thank you very much and let me just say that, with regard to my attitude, you cannot comment on that, not at this time. I am trying to be as fair as I can. It's 2.00 o'clock in the morning; I am listening to each and every one and...

Mr Lesjongard: Il doit le respect...

The Deputy Speaker: I think it's very gracious from your behalf to say whatever you said. Hon. Maneesh Gobin, please continue.

Mr Gobin: This happens all the time, Mr Deputy Speaker, Sir. It is called an abuse of point of order, when they can't listen. I have been here long enough to see *dans leur stratagème*, points of order just to stop the orator from speaking but I will start again, never mind. So, let me start again!

What's wrong with this Opposition? I put the question. I will say and I will give the answer. This Opposition has always been and will continue to hopefully complain all the time, '*narien pa bon*'. This is called in psychology the obsessive complaining disorder and my good friend, hon. Jagutpal being a psychiatrist, someday hopefully will receive some Members in his...

(Interruptions)

C'est toujours à Grand Bois la consultation, M. le ministre, chez vous, pour pouvoir prodiguer les conseils?

You see, Mr Deputy Speaker, Sir, when we hear this obsessive complaining all the time, we ask the question: how do you recognise, what are the symptoms of the obsessive complaining? And that's it in daily observation and we observe here every Tuesday and sometimes every Friday. It's about excessive negativity; it's about feelings of always

despair, doubt, disappointment; it's about always criticisms and grievances and it's also about being totally unaware of what the people of Mauritius have as priorities and we are, unfortunately, going to have to live with this Opposition in this House. This country deserves better in terms of Opposition. A House of Parliament is composed of Government and Opposition. Unfortunately, this is the level of Opposition we have. So, I am going to say again, this motion of no confidence against the Speaker is not a motion of no confidence in Government. It is only a motion of no confidence in Government which has to be put on the Order Paper as soon as possible and at most within a month. This motion is not a motion of no confidence in Government.

So, when the leader of the House has decided to put this motion on the Order Paper so quickly, yes, you should say thank you because we could have put it much later in the day. It is out of courtesy to the Leader of the Opposition that we have done so. You should recognise it and have at least the decency to recognise that we have put it on the Order Paper. And don't come here to say that it is the duty of the Leader of the House to do so. No, it is not! He has the courtesy to do it to be fair *au* Leader *de l'opposition*. *Et il faut le reconnaître, il faut le dire*, we have to put it on record in this House.

Secondly, I want to say on this motion, even assuming in the wildest of dreams or I could say nightmares that this motion is passed, assuming, for the sake of argument, what happens? Even if this House votes the motion, what does it mean? The Speaker has to leave the Chair? The post becomes vacant? Not at all, even if the motion is passed! Because to remove the Speaker here, you need a motion by the Prime Minister, voted by two-thirds, which you will not get in any event! So, what is this motion all about? I am going to say it bluntly. It is a waste of time. Motions in this House are - either if you have a motion of no confidence against Government, then you come forward, or you have a motion of disallowance against some regulations, or you have a motion of privilege, motions against Speakers are becoming, unfortunately, the new norm and it should not be. And we should be bold enough to say it should not do. There is this tradition in the Westminster democracies that when a Speaker is elected, the Speaker is dragged to the Chair. Why is that so? *Parce que c'est un travail ingrat*. Nobody wants to be a Speaker. This is why the tradition of dragging the Speaker to the Chair and literally thrust on the Chair and say: live with it now. This is the reality of being a Speaker. Of course, you are going to be criticised because *ce n'est pas possible, c'est comme une cour de récréation quelquefois cette Chambre*. How do

you control 70 Members, especially with the characteristics which the Opposition has displayed?

How do you control such a House? Of course, you are going to be unfair at times, fair at others. It's impossible to be fair all the time to everybody. But they choose to single out one or two occasions and then say there is no confidence in Mr Speaker. I heard hon. Mohamed just mentioned what happened with the incident concerning hon. Hurreeram but he deliberately omitted to say that, on that very same day, on the same sitting, hon. Hurreeram tendered apologies upon the intervention of the Speaker. He omits to say so.

Will there be any meaningful outcome therefore for such a motion to be in the House? Wasting the time not only of the House; wasting the time of so many officers of this House; wasting paper to print Hansard; wasting energy when we could have devoted our time and energy for the welfare of the people of this country. *C'est une stratégie délibérée de dérailler le travail du gouvernement.* But they will not succeed. We can go to sleep and we have done it in the past. Even when hon. Mrs Hanoomanjee was in the Chair, we went to sleep at 5 in the morning but at 9 and a few hours later, we are back in our offices and we will continue to do so. Because as hon. Bodha said: '*nous avons un projet de société*' and we will make it happen.

What are the critics they have levelled against the Speaker? The conduct of hon. Hurreeram? He tendered apologies on the same day. What is the other point? That the House was adjourned allegedly, *sine die*, during COVID lockdown. I don't know from where they get that. I really don't understand from where they get that. It was adjourned for such time as there will be a confinement. For how long were we confined? It was a daily evolution of the spread of the virus. Nobody knew. What do the Standing Orders say: 'if the House is adjourned, then it has to sit on the Tuesday following'. And when will the Tuesday following come? We had to simply wait when we would no longer be in a state of confinement and the House will recall the first sitting of the House after confinement was on a Tuesday. So, there was nothing wrong and there was no violation of the Standing Order but they deliberately chose to distort facts, distort the interpretation to suit their political agenda.

I, therefore, want to say to this House and especially I want to say to the people of Mauritius that this motion is not only a total waste of time of the House, a waste of time of the people of Mauritius but is also based on twisted facts, not truth; based on twisted interpretation, not the correct ones. This motion will obviously, therefore, fail and the sooner

it fails, the better for the people of Mauritius and I started by saying some Members in the Opposition and perhaps many people outside don't understand how Parliamentary democracy functions and, in one word, I will summarise how Parliamentary democracy functions, especially in this House. We call this House the temple of democracy but the paradox is that the temple of democracy contains provisions which tend to show areas of unreasonableness.

Let me put a few questions to illustrate the paradox of the functioning of the House. To illustrate the paradox, I want to show that there are provisions which can be arbitrary and this is the beauty of Parliamentary democracy. We have to go back *par la force des choses* because of the lack of communication between the Whips. We have to go back to the principle of catching the eye of the Speaker. How do you catch the eye of a Speaker, Mr Deputy Speaker? How do you do that? And how do you ensure that everybody who wants to catch...

An hon. Member: Catch me if you can.

Mr Gobin: ...achieves, what he or she wants to do? Is it not arbitrary? Of course, it is. But how do you maintain order? So, this is the paradox. With the arbitrary thus contained in some Standing Orders, you have to make it work; you have to make it function.

Some Members on the other side said they had the experience of serving this House and the other Speakers. Are you suggesting that hon. Kailash Purryag did not order Members out? We all know he did so and he was doing it. He even said: "you need fresh air, go out and come back in an hour."

An hon. Member: *Li ti met minis tout dehors.*

(Interruptions)

The Deputy Speaker: Let him talk!

Mr Gobin: Yes, he was even doing it for Ministers probably but which means that all Speakers do that because they have to maintain the decorum of the House with the scanty tools which they have as Speakers. Some will be unhappy, some will complain of unfairness, but these are the Rules of this House and you cannot blame. Now coming to what hon. Bodha said earlier, that's very true - 'you cannot blame the referee when you are losing the game'.

There is something about the Opposition which they do not understand and I have to say it clearly. You will always be numerically inferior in this House if you are sitting in the Opposition. That's the way things are. You maybe intellectually superior but numerically,

you will be inferior. This is why you are called the Opposition, you will have your say but you will not have your way.

An hon. Member: Well said.

Mr Gobin: Government will always have more time to speak. Why? Because we are numerically superior. Government will always vote; the ayes will have it because we are numerically superior. I don't have to go back to the basis, but this is the fundamental of this House.

There is another sickening proposal time and again coming forward in that *l'Opposition a été muselée?* We read that in the so-called independent press and we hear that when there is the Estimate of Supplementary Expenditure (ESE). Whenever there is an ESE before the House, there are no questions, there are no PQs and there is no PNQ and this is interpreted as being *l'Opposition a été muselée*. But then when you watch the videos of those sittings where they are supposedly *muselés*, you hear them more vociferous than any other sitting.

When we come to adjournment time, I see so many hands up in the air. They do not look like people who have been *muselés* at all. So, this hypocrisy has to stop. *Personne n'a été muselée dans cette Chambre.*

Insofar as time allocation is concerned, I just heard hon. Mohamed complaining that he had the time of hon. Bhagwan or he had the time of some other colleague. I never heard of this and he was claiming allegedly, this is the tradition of this House. This is not the tradition of this House.

Mr Lesjongard: This is not the tradition.

Mr Gobin: This is not the tradition of this House and the Speaker has the right, as he has been doing so in this session, of limiting time. This reminds me of two principles. First is what applies and what obtains before the courts of law. You can prepare your case as much as you want. You say you are going to submit for two hours about this point and that point and when you stand up, the Judge says: "Okay, you have ten minutes, address me on point number two only." What do you do? You complain you did not have a fair trial or you do a walkout or you start being a rowdy member of the Bar there? You don't do that over there. Do you? Why? Because you have to play by the rules. So, the same applies here. When you are given a time allocation, you have to respect it. When you go before the Supreme Court of the United States, in the Supreme Court of the United States, it is written black on white, you

have not more than one hour to make your oral submissions. Not more than one hour irrespective of how complicated and intertwined the issues are. You have to respect the time that is allocated to you. And we see that even before the Judicial Committee of the Privy Council and now we have the benefit of live broadcast for the Judicial Committee as well. You can go and verify; anyone who wants to check. So, why not apply the same principles here? If you are given 30 minutes, you stick to your 30 minutes. If you cannot craft your arguments in your mind to suit the 30 minutes, then you better not speak.

There is something else I want to say about the time allocation. Can I claim that I can take the 30 minutes of hon. Obeegadoo? I have never heard of this proposition that the freedom of speech of hon. Obeegadoo is transferable. I have never heard of this proposal that my freedom of speech is transferable as if I could sign a contract with hon. Sawmynaden to my left and say: “Let us make a contract, I transfer my fundamental right to speak and I give it to you.” This is what is sickening. When I heard hon. Mohamed talk about the sickening proposition, this is what is sickening. Now what makes matters worse is that hon. Bhagwan was suspended. So, on account of being suspended from the service of this House, you say I am going to transfer my fundamental right to speak to another colleague. He had the temerity to say that on the floor of this House. How can that be? Our country deserves better, especially in the wake of what we have gone through and what we are going through. This motion is indeed a waste of time. The earlier we dispose of it and we go back to our *projet de société*, the better. This motion will fail, Mr Deputy Speaker.

Thank you for having given me some time to add my voice.

The Deputy Speaker: Hon. Deputy Prime Minister!

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I move for the adjournment of the debate.

Mr Ganoo 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 11 August 2020 at 11.30 a.m.

Mr Seeruttun rose and seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned.

(2.22 a.m.)

MATTERS RAISED

CDU – DISTRESSED CHILDREN - HOSPITALS

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Thank you, Mr Deputy Speaker, Sir. I have a very serious issue to raise and it is addressed to the Minister of Gender Equality and Family Welfare. Some extremely disturbing matters have been reported to me and it relates to children. Children who are taken away from their parents, children who are taken away by officers of the Child Development Unit, children who are supposed to be taken away for their own welfare. I was always under the impression that these children will be placed in shelters but I have now been informed that the CDU have decided to place children in hospitals. Yes, in hospitals. I am told that there are three boys and three girls in ward one to four in SSR Hospital. There are four girls and one boy in Victoria Hospital. There are 14 children in Ward IV of Jawaharlal Nehru Hospital in Rose Belle and these children have been there for one month. This is simply shocking and I really hope that the Minister is not aware of this state of affair and will urgently look into the matter and take away these children from hospitals because distressed children are not meant to be placed in hospitals.

The Deputy Speaker: Thank you very much. Hon. Minister, please!

The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah): Mr Deputy Speaker, Sir, I thank the hon. Member of the Opposition for the question. I am looking into it and I am acting accordingly. Thank you.

The Deputy Speaker: Thank you very much. Hon. Mohamed!

(2.24 a.m.)

Mr Mohamed: I have not got my mask, apologies.

The Deputy Speaker: No worries, we will take it later. Let hon. Joanne Tour have it.

(2.24 a.m.)

MOHABEER FOGOOA GOVERNMENT SCHOOL – MAINTENANCE

Mrs J. Tour (Third Member for Port Louis North & Montagne Longue): My query is addressed to the Minister of Education, Tertiary Education, Science and Technology, hon. Mrs Leela Devi Dookun-Luchoomun. It has been brought to my attention that Mohabeer Foogooa Government School in Montagne Longue, which is a star school, is facing several problems, namely their toilet blocks, ICT room, library, leakage in the ceiling amongst other issues. I would kindly press on the Minister to look into the matter for the security of the students within the school premises and ensure that they are able to study in a safe, comfortable and best learning environment. Thank you.

The Deputy Speaker: Hon. Minister!

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, let me first of all thank the hon. Member for having raised this matter and for having given me advance notice of same. I have thus obtained some information from my officers at the level of the Ministry and I have been informed that two visits were carried out by the officers of the Infrastructural Management Unit of the Ministry on 07 July and 16 July. And following that visit, they noted that certain works needed to be done with regard to discharge pipes for wash basins, replacement of panel locks in classrooms, new fencing at the back of the school, repair of the fencing near the office and the lopping of trees and branches.

So, Mr Deputy Speaker, Sir, I have been told that on 31 July, there was another visit in the presence of the PPS, hon. Ramkaun and two hon. Members from the Constituency, hon. Mrs Tour and hon. Mrs Luchmun Roy and a number of additional works were requested to be done. I have been informed that removal of furniture stacked in the backyard of the school has already been done. Concrete spooling repair works in the corridors have been effected, tiling, painting and wiring works have been started and it is expected that by 08 August, the repair works would be done.

Furthermore, during the last visit, a number of requests have been made with respect to the demolition of block of classroom and the purchase of new water tanks. These have been processed through the e-procurement system.

That will be all, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Nagalingum, please!

(2.27 a.m.)

SOLFERINO ROAD, ROSE HILL - SEWERAGE SYSTEM

Mr D. Nagalingum (Second Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, my request is addressed to both the hon. Minister of Public Utilities and the hon. Minister of Land Transport. I was approached by some families, Mr Rashid Beebeejaun, Mr Sudesh Unuth, Mr Moorongapillay, Mr Tangavelloo residing at Solferino Road, Rose Hill near the Rose-Hill Market. In fact, what I have been told is that due to blockage in the sewerage system, the system get overflowed and the waste get accumulated all along Solferino Road. In fact, requests have been made to the officers of the Wastewater, visits were carried out and this problem prevailed since three to four years now and nothing has been done since.

Secondly, the same Solférino Road was a *cul-de-sac*. Now that it has been open with Metro Express, it represents a real danger because it is not clearly observed as a one-way traffic.

Mr Deputy Speaker, Sir, may I ask the Ministers to look into those two problems and see to it that appropriate measures are taken for the welfare of the residents.

The Deputy Speaker: Thank you for the issue. Hon. Minister!

Who will take up the matter?

The Minister of Energy and Public Utilities (Mr G. Lesjongard): Yes. Thank you, Mr Deputy Speaker, Sir. I thank the hon. Member for raising this matter at Adjournment Time. I understand from what he has stated that this is an urgent matter because it concerns wastewater. I will definitely request the Wastewater Management Authority to look into it, submit a report, do the necessary action, I mean, on the field, and then I will report back to the hon. Member.

The Minister of Land Transport and Light Rail (Mr A. Ganoo): I will also look into the matter, Mr Deputy Speaker, Sir.

The Deputy Speaker: It would be grateful.

Mr Ganoo: From the perspective of MEL.

The Deputy Speaker: Thank you very much. Hon. Dhunoo!

(2.29 a.m.)

SCHOOLS – GYMNASIUMS - PUBLIC ACCESS

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Deputy Speaker, Sir. My request is addressed to the hon. Vice Prime Minister, Minister of Education, hon. Mrs Dookun-Luchoomun. The gymnasiums in all schools which were accessible to all inhabitants around the island were not accessible because of the COVID pandemic. I would request the Minister if she could look into the matter; for indoor games and for badminton, if the inhabitants could get access to the gym.

The Deputy Speaker: Hon. Minister!

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L .D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, I have been informed by the Ministry that this particular issue has already been tackled and the gymnasiums are now open to people who have already registered with the zone directorate.

The Deputy Speaker: Thank you very much. Hon Fabrice David!

(2.30 a.m.)

RICHELIEU BRANCH ROAD – METRO EXPRESS – WORKS

Mr F. David (First Member for GRNW & Port Louis West): Merci. M. le président. Ma question s'adresse au ministre des Transports terrestres et du Light Rail, l'honorable Ganoo et concerne la Richelieu Branch Road qui est fermé depuis le 20 juillet 2018, soit depuis plus de deux ans, en raison des travaux du *Metro Express*. Les conséquences sont depuis désastreuses pour les habitants de Richelieu. Accident mortel en raison de la déviation, est devenu obligatoire par la Montée S, perte d'emplois à cause du trajet en autobus plus long et plus coûteux et rallonge du parcours pour les pompiers.

Puis-je demander au ministre qui j'ai appris a fait un *site visit* le 20 juillet 2020, la solution que son ministère compte apporter à cette situation? Merci.

The Minister of Land Transport and Light Rail (Mr A. Ganoo): Indeed, Mr Deputy Speaker, Sir, when my attention was drawn to this matter, I made a site visit in the company of the PPS of the area, Ms Dr. Chukowry, and were also present at that visit the different stakeholders, including officers of my Ministry. In fact, I have also answered a PQ on that issue, if my memory serves me right, but we are working on the possible solution to this problem.

I can assure the hon. Member that my Ministry has already met and discussed what are the solutions to this problem.

The Deputy Speaker: Thank you very much, Minister. Hon. Ms Foo Kune!

(2.31 a.m.)

ALBION, SPLENDID VIEW - FLOOD PRONE AREAS

Ms K. Foo Kune (Second Member for Beau Bassin & Petite Rivière): Merci, M. le président. En l'absence du ministre de l'Infrastructure nationale, à qui, bien sûr, je souhaite un bon rétablissement, je m'adresse à l'honorable ministre de l'Environnement et à celui ou celle qui assure la suppléance du ministre Hurreeram.

Concernant la gestion des inondations et la nouvelle liste prioritaire des '*high-risk and flood prone areas*' de la *Land Drainage Authority*, cette liste prioritaire incluait initialement, et avec raison, la région de *Splendid View*, Albion, et à mon grand étonnement et l'étonnement des habitants de cette région, *Splendid View* ne figure plus sur cette liste.

Ces habitants avaient une vraie lueur d'espoir car ils ont déjà beaucoup souffert de dangereuses inondations de grande envergure des années durant. D'ailleurs, la *PPS* de l'endroit, l'honorable Dr. Chukowry est au courant de la situation et a pu, elle-même, faire le constat de visu et entendre les nombreuses doléances et le désarroi de ces habitants. Je fais un appel au nom de ces habitants de bien vouloir inclure la région de *Splendid View*, Albion, sur la liste prioritaire de la *Land Drainage Authority*. Merci.

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): M. le président, je fais la suppléance au niveau du ministère de Infrastructure publique. Donc, je prendrai, bien sûr, la question avec les officiers concernés et, bien sûr, je le rapporterai à la Chambre.

The Deputy Speaker: Thank you very much, Minister. Hon. Nuckcheddy, please!

(2.33 a.m.)

QUEEN VICTORIA VILLAGE - MOBILE CLINIC

Mr V. Nuckcheddy (Third Member for Flacq & Bon Accueil): Thank you, Mr Deputy Speaker, Sir. My request this early morning is addressed to Dr. the hon. Minister of Health and Wellness and it concerns the village of Queen Victoria in my Constituency. The village is located in a remote zone and the inhabitants face lots of problems to have health service. This is causing severe inconvenience to, especially, the senior citizens. It is, therefore, the request of the inhabitants to have a mobile clinic, at least, during the weekdays. I, thus, request the hon. Minister to kindly consider this request. Thank you.

The Deputy Speaker: Hon. Minister!

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Deputy Speaker, Sir, my Ministry has received a request from the inhabitants of that village and we are working on a report. Once a report is available, we can take the appropriate actions.

The Deputy Speaker: Thank you very much, Minister! Hon. Osman Mahomed!

(2.34 a.m.)

BEAUGEARD GOVERNMENT SCHOOL – DUMPING

Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central): Thank you, Mr Deputy Speaker, Sir. I have an issue that I would like to address to the hon. Minister of Arts and Culture, but I see he is not here. I would like to request the hon. Minister of Education to kindly convey to him; it is regarding the ex-Onesipho Beauguard Government School which has been vested from the Ministry of Education to the Ministry of Arts and Culture. It is regarding the terrible state that the school is in right now. It is being used as a dumping ground and, more importantly, it poses a security issue to the people living in the locality, because drug addicts do their *va-et-vient* there. The more so, the new Supreme Court is just a stone's throw away distance from that place now.

Can I ask the hon. Minister of Education to kindly convey to his colleague to look into this state of affairs at the earliest possible convenience? Thank you.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L.D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, I will certainly refer the matter to my colleague.

The Deputy Speaker: Thank you very much. Hon. Shakeel Mohamed, you still have your point?

(2.35 a.m.)

HIGHWAYS – RUBBISH ACCUMULATION

Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East): Yes. Thank you, Mr Deputy Speaker, Sir. The question has been originally addressed to the hon. Minister of Public Infrastructure, but then I will ask, may be, the Minister of Environment or the Minister of Tourism to...

The Deputy Speaker: The Ministry of Environment is going...

Mr Mohamed: ...yes, to look into that. I have noticed that in recent past and until now, there are lots of rubbish that are accumulating all along on the sides of highways; on both sides of highways coming from the North on Terre Rouge/Verdun and also going towards the south of the island. It seems as though that those highways are just having grass mowed every time, but rubbish in terms of paper, textile, in terms of plastic bottles, all thrown on the sides of the road. This could lead to some flooding later on if ever we have high rains. I would just, therefore, pray that the relevant Ministries could look into the matter and try to clean up, which is not only bad for the environment, but it is also an eyesore.

The Deputy Speaker: Hon. Minister!

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): M. le président, donc, la maintenance, en ce qui concerne l'autoroute, est présentement effectuée par les officiers du ministère de l'Environnement et aussi les officiers de l'Infrastructure publique. Bien sûr je prendrais la question avec les deux groupes d'officiers qui sont concernés.

The Deputy Speaker: Well directed then the question! Hon. Ms Anquetil!

(2.37 a.m.)

DOMESTIC VIOLENCE – INCREASE

Ms S. Anquetil (Fourth Member for Vacoas & Floreal): Je vous remercie, M. le président. Ma requête s'adresse au Premier ministre. Je constate qu'il n'est pas dans la Chambre.

M. le Premier ministre, je suis inquiète de la montée en puissance de la violence domestique dans notre pays. En tant que présidente du *High-Level Committee Against Domestic Violence*, je sollicite votre intervention personnelle pour faire bouger les choses sur le comité, afin de resserrer la sécurité autour des victimes de violence domestique de notre pays. En parallèle, s'il pourrait intervenir auprès du *State Law Office* pour accélérer les amendements à la *Protection from Domestic Violence Act*, tout comme ce fut le cas pour le projet de loi sur le COVID-19. Il y a la mort au bout, il faut faire vite.

Je vous remercie, M. le président.

The Deputy Speaker: Hon. Minister, will you take?

The Deputy Prime Minister: Yes, Mr Deputy Speaker, Sir, I shall certainly convey the hon. lady's concerns to the hon. Prime Minister.

The Deputy Speaker: Hon. Dr. Gungapersad, I see there is a lady before you, we will allow her, and then I will take yours. Hon. Mrs Sandra Mayotte!

RESIDENCE KENNEDY- WASTEWATER PROBLEM

Mrs S. Mayotte (Second Member for Savanne & Black River): Merci, M. le président. Ma requête s'adresse au ministre des Utilités Publiques et également au ministre de l'Environnement et cela concerne les habitants de Résidence Kennedy qui souffrent depuis quelque temps d'un problème des eaux usées. Cela se passe dans plusieurs cours et les habitants de la région souffrent énormément de cela et demandent à ce que le problème soit traité en urgence car cela gêne énormément le quotidien des habitants de Résidence Kennedy.

Merci.

The Minister of Energy and Public Utilities (Mr G. Lesjongard) :Mr Deputy Speaker, Sir, I thank the hon. Member for raising this matter at Adjournment Time. I understand that the concern is about wastewater in the region of Cité Kennedy. I shall definitely refer the matter to the Wastewater Management Authority for taking necessary action.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you, hon. Minister. Hon. Dr. Gungapersad, I know you are a gentleman, that's why I allow the lady first.

POUDRE D'OR VILLAGE HOSPITAL SURROUNDINGS - HEALTH & SECURITY HAZARDS

Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or): With pleasure! Anytime! Thank you, Mr Deputy Speaker, Sir. My issue is addressed to the hon. Vice-Prime Minister, Minister of Local Government and Disaster Risk Management.

I wish to draw the attention of the hon. Minister about the abject conditions of the area around the Poudre d'Or village hospital. Upon the request of the inhabitants, as well as the personnel of the hospital, I visited the area and I can confirm the deplorable situation, *inter alia*, I will request him to do the needful regarding –

- (i) Resurfacing of the road found near the hospital which has numerous potholes;
- (ii) Renovation of the bus top which is in a pitiful state, and
- (iii) To ensure that waste collection is carried out on a regular way, given the proximity with the hospital.

All these combined factors have created a serious health and security hazard in the immediate surroundings of the hospital. I hope he will do the needful.

Thank you.

The Deputy Speaker: Hon. Minister, please!

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, I will refer the matter to my colleague.

The Deputy Speaker: Thank you very much. Hon. Kushal Lobine!

HOLLYROOD - CEMETERY- WATER SUPPLY & LIGHTING

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Deputy Speaker, Sir. My request was to be addressed to the hon. Vice-Prime Minister, Minister of Local Government and Disaster Risk Management, hon. Dr. Husnoo, but he is not here. May I just convey same to hon. Minister Lesjongard. It concerns the cemetery at Hollyrood. There is no water for several months, no water supplies and no light. So, this is causing serious inconveniences to people using this cemetery. If you could use your good office to find out why this is so, and if you could address the matter urgently, please.

Thank you.

The Deputy Speaker: Hon. Minister!

The Minister of Energy and Public Utilities (Mr G. Lesjongard): Thank you, Mr Deputy Speaker, Sir. I have taken note of the matter raised by the hon. Member. I will definitely request the concerned organisations to look into the issue and then I will report back to the hon. Member who has raised this matter at Adjournment Time. Thank you.

The Deputy Speaker: I don't see anybody catching my eyes. I wish everybody a good morning. Thank you.

At 2.42 a.m. the Assembly was, on its rising adjourned to Tuesday 11 August 2020 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

PRISONS - CCTV CAMERAS

(No. B/455) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) 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 prisons, he will, for the benefit of the House, obtain from the Commissioner of Prisons, in each case, information as to the number of Close Circuit Television Surveillance System cameras installed inside same and along the outer perimeter thereof, respectively, indicating the –

- (a) number thereof which are defective, and
- (b) number and ranking of the officers operating same.

Reply: The Commissioner of Prisons has informed that, out of the 12 penal institutions, including Rodrigues Prison, eight are equipped with a total of 1,234 Closed-Circuit Television (CCTV) cameras. Out of these, 478 are not operational in the following Prisons -

(i)	Eastern High Security Prison	339
(ii)	Central Prison	63
(iii)	Women Prison	57
(iv)	Petit Verger Prison	15
(v)	New Wing Prison	04

The main reasons why the cameras at the Eastern High Security Prison are not operational are as follows -

- (i) damage caused to fibre optic cables by rodents;
- (ii) frequent power loss and faulty Uninterruptible Power Supply (UPS), and
- (iii) adverse weather conditions leading to tripping of circuit breakers.

With a view to addressing these problems, a contract for rodent control was allocated to a private contractor in May 2017 for a period of one year. Rodent control is now being done in-house. Furthermore, three new heavy-duty UPS have already been installed whilst the circuit breakers would be installed shortly by the Energy Services Division.

As regards Central Prison Beau Bassin, 63 cameras were damaged by the detainees during the mutiny of 19 March 2020.

Insofar as the Women Prison is concerned, the CCTV system which was installed as far back as 2013 is outdated and the maintenance contractor is unable to repair same. Procurement exercise is ongoing for the installation of a new system on a rental basis.

At the Petit Verger Prison, nine cameras are not operational due to accidental damage to cables and they are being repaired. Another six cameras are being replaced as they have a technical problem.

The four defective cameras at the New Wing Prison are due to damage caused by detainees during the mutiny of 19 March 2020.

Annexed is the requested information in regard to the number of CCTV cameras installed prison-wise as well as those which are not operational.

For security reasons, it is not proper to disclose the location of these cameras.

The Commissioner of Prisons has further informed that the eight Penal Institutions are monitored through seven Control Rooms, each manned by a team of 10 dedicated officers in the grade of Prison Officer and Lead Prison Officer. These officers work round the clock on a roster basis of at least two officers at a time.

CCTV cameras are not the only form of surveillance. The Commissioner of Prisons has deployed additional Prison Officers across the different prisons to reinforce security. Moreover, round the clock foot patrol, vehicular and dog patrols are carried out both inside and outside these institutions. Additionally, intelligence gathering is another means to enhance security.

The Mauritius Prison Service is benefitting from Safe City Cameras installed on the main road along Eastern High Security Prison and in the proximity of the New Wing Prison.

DRIVING TEST CENTRE - INCREASE

(No. B/456) 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, in regard to the Driving Licence, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will be given for the –

- (a) setting up of an additional Driving Test Centre, preferably in the South, and, if so, when and, if not, why not, and
- (b) posting of additional Police Officers to fix appointments and carry out the tests in relation thereto.

Reply: The Commissioner of Police has informed that, to cope with the increasing number of requests for driving tests and to improve the quality of service through decentralisation, two additional Driving Test Centres have been set up at Les Casernes, Curepipe, and Argy, Flacq which are operational since 23 February 2015 and 08 January 2020, respectively, besides the Driving Test Centre at Line Barracks.

Les Casernes and Argy Driving Test Centres were set up to enable more candidates per day to undergo driving tests. Les Casernes Driving Test Centre was set up to serve candidates from the Central and Southern regions of the island. Hence, the need for a Driving Test Centres in the south does not arise.

Presently, an average of 300 driving tests are being carried out daily at the three Driving Test Centres compared to 175, before the setting up of the two additional Test Centres.

As regards part (b) of the question, the three Driving Test Centres have each an Appointment Section where oral and practical tests are scheduled. Candidates can call at any one of the Centres and fix an appointment for driving tests thereat. The Appointment Sections are adequately staffed to attend to the number of candidates calling thereat.

In regard to Driving Test Examiners, the number of Police Officers posted at these Centres is adequate to meet the demand for driving tests. An increase in the number of Examiners is, therefore, not contemplated for the time being.

MRS F.N.S.R. - FACEBOOK POSTS - ARREST

(No. B/457) Mr K. Lobine (First Member for La Caverne & Phoenix) 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 arrest of one Mrs F. R. on Thursday 23 July 2020, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) provisional charge preferred against the latter, and
- (b) number of police officers mobilized to effect same.

Reply: The Commissioner of Police has informed that, following complaints received on 01 July 2020 regarding the posting of several insulting, degrading and humiliating posts on Facebook, one Mrs F.N.S.R was formally identified by the Police IT Unit as being responsible for these postings.

Subsequently, given her refusal to collaborate with the CCID, and by virtue of a search warrant issued by the Magistrate of the District Court of Rose Hill, she was arrested on Thursday 23 July 2020 by two Woman Constables from a team of Police Officers of the Police Cybercrime Unit. She was provisionally charged under section 46 (h)(ii) of the Information Communication and Technology Act with the offence of “Using a telecommunication and communication service to send a message of obscene and humiliating character”.

On the same day, she appeared before the District Court of Rose Hill and was released on bail after furnishing a surety of Rs7,000 and a recognizance of Rs50,000. The bail has been extended to 21 January 2021.

As regards part (b) of the question, the Commissioner of Police has also informed that eight Police Officers posted to the Police Cybercrime Unit proceeded to the place of Mrs F.N.S.R for her arrest. Out of the eight Police Officers, six of them, including two Woman Police Officers, entered into her house to execute the search warrant.

DRIVING LICENCES (FAKE) - SEIZURE

(No. B/458) Mr K. Lobine (First Member for La Caverne & Phoenix) 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 allegedly fake driving licences seized, on or about 15 August 2019, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto, indicating if the Independent Commission against Corruption is equally inquiring thereinto.

Reply: The Commissioner of Police has informed that on Wednesday 14 August 2019, following reliable information that some persons are involved in the production of fake driving licences, officers of the Anti-Drug and Smuggling Unit (ADSU) proceeded to Roche Bois where they came across three persons in a private lorry parked on a bare land thereat. Police searched the said vehicle in their presence and secured the following incriminating articles in a laptop bag -

- (i) A4 paper sheets on which driving licences were printed, and
- (ii) white envelopes with names and dates written, each containing a driving licence suspected to be fake.

Consequently, the three persons, namely Messrs M.A.SK.H, S.A. and M.F.H. were arrested. On the same day, the case was referred to the Central Criminal Investigation Department (CCID) for further investigation.

On Thursday 15 August 2019, provisional complaints were lodged against the three accused for 'Forgery' before the District Court of Port Louis. Messrs M.A.SK.H. and S.A. were bailed out on 29 August 2019 and Mr M.F.H. was bailed out on 23 September 2019.

In the course of the investigation, two other persons, namely Messrs N.H. and L.S.P. were arrested in connection with this case, on Tuesday 20 August 2019. Subsequently, a search was carried out at their respective residence where fake driving licences and suspected items were secured.

On 21 August 2019, a Provisional Complaint of 'Forgery' was lodged against both of them before the District Court of Rose Hill and they were remanded to Police Cell. Mr L.S.P. was bailed out on 23 September 2019 whereas Mr N.H. was remanded to Beau Bassin, Prisons.

To date, statements have been recorded from 24 persons in connection with the case. Enquiry is ongoing.

The Director of ICAC has informed that the Commission is investigating into a probable case of corruption and money laundering associated with fake driving licences.

DRIVING LICENCES - DIGITISATION

(No. B/459) Mr R. Doolub (Third 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 Driving Licences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the proposed digitizing of the database thereof, indicating the expected date of issue of smart Driving Licence cards.

Reply: Pursuant to section 40 of the Road Traffic Regulations 1954, the Traffic Branch of the Mauritius Police Force is responsible for the issue and control of driving licences in Mauritius and Rodrigues.

The Commissioner of Police has informed that the digitisation process of the driving licence records at the Traffic Branch has already been completed. The database is being upgraded by including the electronic format of the existing driving licence cards which contains, *inter alia*, the photographs and other particulars of licensees. The process comprises of the scanning, indexing, and converting of some 900,000 driving licence cards into electronic format. The whole project would have been completed by 31 August 2020. However, due to confinement pertaining to the COVID-19 pandemic, the completion date has been extended to 31 December 2020.

As regards the Smart Driving Licence Card, the production process forms part of the E-Business Plan for the Traffic Branch and consists of hardware and software designed specifically for that purpose. The system requires the acquisition of digital cameras and signature pads for the capture of applicant's details electronically which are printed on a plastic/polycarbonate card. This process will start once the digitisation of the database is completed.

In addition, necessary amendments to relevant legislations will be required for its implementation and, in this respect, consultations between the Mauritius Police Force and the Ministry of Land Transport and Light Rail are ongoing.

HIGH-LEVEL COMMITTEE ON THE ELIMINATION OF GENDER BASED VIOLENCE – SETTING-UP

(No. B/460) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to domestic violence, he will state if the High-Level Committee set up in relation thereto is considering the advisability of implementing an immediate domestic violence crisis service to tackle same.

Reply: Government is conscious that there is a need to tackle the root causes of gender-based violence in our society. This is precisely why Government agreed, in November 2019, to the setting up of a High-Level Committee (HLC) on the Elimination of Gender Based Violence with the following mandate -

- (a) to assess the current state of affairs with regard to the elimination of gender based violence in terms of legislative framework and its enforcement, policies, procedures and awareness/sensitization campaign undertaken, and
- (b) to identify problem areas and formulate a new strategy to eliminate gender-based violence.

I am, as Prime Minister, personally committed to ensure that, before the end of this year, the High-Level Committee comes up with a Strategic Framework and a National Action Plan to fight the scourge of gender-based violence in Mauritius, which would, *de facto*, also include domestic violence.

However, notwithstanding the work of the HLC, Government is relentlessly pursuing its efforts, through the Ministry of Gender Equality and Family Welfare, the Police and other

relevant stakeholders, to deal with issues relating to gender-based and domestic violence in our society.

The House can rest assured that all cases of domestic and gender-based violence reported to the authorities concerned are addressed promptly. In fact, over the islands of Mauritius and Rodrigues, there are eleven Police Family Protection Units and six Family Support Bureaus under the Ministry of Gender Equality and Family Welfare with dedicated and trained officers who work round the clock to provide necessary assistance and protection to victims of domestic violence.

The Commissioner of Police has informed that, at the level of Police, all cases of domestic violence reported are attended to within the least possible delay. In this regard, the following actions, amongst others, are taken -

- a) victims are briefed about their rights to protection against domestic violence and the possible courses of action available to them;
- b) victims are given immediate assistance for medical treatment, on a fast track basis in hospitals and conveyed to a place of safety;
- c) a Domestic Violence File, PF 74A is opened for record, appropriate actions and follow-up;
- d) depending on the nature of the case, Police arrange for mediation between the victim and the perpetrator or/and, where necessary, assist the victim to apply for Protection Orders, Occupation Orders or Tenancy Orders, and
- e) the Police also follow up on cases, through telephone calls, home visits, hospital visits and at shelters.

The Ministry of Gender Equality and Family Welfare has informed that the six Family Support Bureaus provide, amongst others, the following support to victims who report at their office -

- a) counselling to both victims and perpetrators;
- b) arrangements for legal advice and representation at Court for victims of domestic violence;
- c) sustained psycho-social support to victims of domestic violence, and
- d) assistance for application for a Protection Order, Occupation Order and Tenancy Order; and for accommodation in shelters.

Both the Ministry of Gender Equality and Family Welfare and the Police are jointly implementing quite a number of measures and are offering a variety of services to prevent

domestic violence and to deal with the cases reported. These include, amongst others, the operation of an Integrated Support Centre to ensure prompt intervention in cases of domestic violence, the management of a Domestic Violence Information System (DOVIS) to register and track cases of domestic violence, provision of Emergency/Transitional Accommodation to Victims of Domestic Violence and regular awareness campaigns.

At the level of the Prime Minister's Office as well, several cases of domestic violence have been reported on the Citizen Support Portal. Given its sensitivity and the need to address the problems expediently, the Citizen Support Unit has collaborated with the Ministry of Gender and Family Welfare in forging the skills of the 35 Citizen Advice Bureau Organisers across the island to handle such grievances. In addition, through video clips broadcasted on television, citizens are made aware of the facts about domestic violence and victims are encouraged to come forward and denounce the perpetrators.

Over the years, the Police and the Ministry of Gender Equality and Family Welfare have been at the forefront in responding to the scourge of domestic violence in Mauritius. However, also needed are the collaboration and commitment of all other stakeholders, whose engagement and sustained support are critical to provide a strong foundation for responding to domestic violence matters. This is why I have as Prime Minister personally committed myself to lead this fight against domestic violence, in a coordinated and holistic manner.

The HLC is proceeding in a systematic manner in charting its way forward. Accordingly, an assessment of the current situation since early this year is already being made by a Consultant whose services have been made available by the UNDP. The Consultant is, in fact, having wide consultations with all relevant stakeholders. Thereafter, the HLC will consider the various proposals and suggestions made and come up with a strategy and Action Plan.

The proposal to implement an immediate domestic violence crisis service would be premature, as tackling such a complex issue in a haphazard manner could lead to valuable information and opportunities being overlooked. This is precisely what the High-Level Committee wants to prevent. I can confidently state that we are in the right direction.

**QUARANTINE CENTRES - CONTRACTORS - AIRPORT TRANSFERS &
CATERING SERVICES**

(No. B/483) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Health and Wellness whether, in regard to the Quarantine Centres, he will state, in each case, the names of the contractors for –

- (a) airport transfers, and
- (b) catering services.

Reply: I am informed that my Ministry did not have recourse to contractors for airport transfers being given that transport facilities were available at the level of my own Ministry and additional vehicles were also put at our disposal by the Ministry of Social Integration, Social Security and National Solidarity and the Police Department.

As regards catering services, at the beginning, the Regional hospitals were providing food to the passengers.

The hotels that are providing their own catering are -

- (i) Manisa Hotel;
- (ii) Gold Crest Hotel;
- (iii) Ambre Hotel;
- (iv) Gold Beach Hotel, and
- (v) Veranda Grand Bay Hotel.

I am informed that following consultation between the Ministry of Finance, Economic Planning and Development and the Mauritius Tourism Promotion Authority (MTPA), it was decided that the MTPA would launch an informal expression of interest under Directive 44 of the PPO among caterers who were available. The four caterers who came forward are -

- i. Great Delights;
- ii. Restaurant Nagiah;
- iii. Beachcomber Catering Services, and
- iv. Tartuffe Ltée/La Clef des Champs.

I am informed that an amount of Rs48,565,343,00 m. has been disbursed in connection with catering services as at 03 August 2020.

MEDICINES – PRICE

(No. B/484) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Health and Wellness whether, in regard to medicines/drugs, he will state if his Ministry proposes to come up with a policy for the stabilisation of the prices thereof on the Mauritian market.

Reply: The price paid for a medicine comprises a number of price components and one of them is the manufacturer selling price (MSP). As from then, when the medicines move along the supply chain, that is, from the manufacturer to the patient, additional costs are added up to this Manufacturer Selling Price.

These additional components adding to the Manufacturer Selling Price come from a variety of sources. They include, amongst others, freight costs, insurance, local charges, wholesale mark-up and retail mark-up. The terminology used with respect to price components is as follows –

- Foreign Exchange.
- Free on Board (FOB), which consists of the MSP excluding any freight and insurance charges.
- The Cost Insurance and Freight (CIF), which we obtain by adding the cost of imported price of pharmaceutical products, the freight charges to transport the medicines from the manufacturer's factory to the country of the end user and the insurance charges to insure the products.
- There is also the Landed Cost, which includes the CIF, the inspection charges, port fees such as storage, handling and insurance at port level, custom clearing charges and local transport to the warehouse.
- And, finally, there is the margin, which is a certain percentage added to the landed cost so as to cover the operating expenses. This margin also consists of an element of profit to the wholesalers and retailers.

In Mauritius, there are two margins which are applicable to wholesalers and retailers respectively. Both of these margins are defined and controlled by the Ministry of Commerce.

The wholesale margin represents 11% of the landed cost. The sum of the landed cost and the wholesale margin is termed as the wholesale price.

As for the retail margin, it is at 21.8% of the wholesale price, a percentage which represents the profit made by the retail pharmacy. The House will note that Value Added Tax (VAT) is not applicable for pharmaceutical items.

The prices of medicines are, however, also influenced by various other factors upon which we have but little control.

The Foreign Exchange Rate has a definite impact on manufacturer's selling price and on the freight charges.

We should also take into consideration the principle of demand and supply, and recently with the COVID-19 situation, we witnessed how prices soared.

This increase in prices were the direct repercussions of high demands, as already mentioned, poor production because of lockdown regimes in manufacturing countries and scarcity of raw materials for medical production.

We should also bear in mind that some 80 countries, according to data provided by the World Economic Forum, imposed import bans on medical and pharmaceutical products. This had the effect of exacerbating the principle of demand and supply.

To further ensure the rights of consumers, it is to be noted that Pharmaceutical Products fall under the Maximum Mark-up regime as per section 35 of the Consumer Protection (Price and Supplies Control) Act 1998 and as per paragraph 9 of the Maximum Mark-up Regulations –

- (1) Every importer shall, prior to making a sale or supply of a medicine, affix a label to every pack, packet or container of the medicine, indicating legibly his name and the maximum retail price at which the medicine is to be dispensed, exposed, offered for sale or sold to consumers.
- (2) No retailer or wholesaler shall take delivery of a medicine which he has purchased unless the price label mentioned in paragraph (1) has been affixed to the medicine.
- (3) No person shall sell any free sample of a pharmaceutical product.

- (4) No person shall, without the approval of the Minister, alter, erase, obliterate, remove, or in any way tamper with the price label to be affixed under paragraph (1).

Consumers are, indeed, invited to report all shortcomings to the above mentioned regulations to the Consumer Affairs Unit of the Ministry of Commerce and Consumer Protection on Hotline 185. Complaints can also be made through the Citizen Support Unit Portal.

CASINOS – EMPLOYEES & FINANCIAL SITUATION

(No. B/485) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to the casinos, he will, for the benefit of the House, obtain from the State Investment Corporation Management Services, information as to the –

- (a) number of employees thereof, and
- (b) financial situation thereof, indicating if decision has been taken for the sale thereof.

(Withdrawn)

NATIONAL INSURANCE CO. LTD - POLICY HOLDERS

(No. B/486) 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 National Insurance Co. Ltd, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the number of insurance policy holders thereof;
- (b) the financial situation thereof, and
- (c) if the accounts thereof have been audited and, if not, why not.

(Withdrawn)

MONT ROCHES SOCIAL WELFARE CENTRE - RENOVATION

(No. B/488) Ms K. Foo Kune (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the sports facilities at the Mont Roches Social Welfare Centre, he will state if consideration will be given for the renovation and re-opening thereof.

(Withdrawn)

CLEAN PETROLEUM PRODUCTS - OPEN INTERNATIONAL BIDDING

(No. B/489) 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)

STC - IMPORTS - FOREIGN CURRENCY

(No. B/490) 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)

PACK & BLISTER - MEDICAL EQUIPMENT - PAYMENT

(No. B/491) 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)

HOUSING UNITS – ASBESTOS

(No. B/492) 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 the housing units containing asbestos, he will state the number and respective location thereof, indicating when same will be completely phased out and replaced.

(Withdrawn)

PRIMARY & SECONDARY SCHOOLS - ONLINE EDUCATION - WI-FI

(No. B/493) 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 online education, she will state the amount of funds

invested in equipping primary and secondary schools with Wi-Fi, indicating the number thereof which are providing such services to staff members and pupils.

(Withdrawn)

UNIVERSITY OF MAURITIUS & LOCAL UNIVERSITIES – RESEARCHES

(No. B/494) 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 number of researches carried out and research papers published by the Academia over the past five years.

(Withdrawn)

CAMBRIDGE SCHOOL CERTIFICATE & HIGHER SCHOOL CERTIFICATE EXAMINATIONS 2020 - POSTPONEMENT

(No. B/495) 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 postponement of the Cambridge School Certificate and Higher School Certificate Examinations 2020 to May/June 2021 and the Cambridge School Certificate and Higher School Certificate Examinations 2021 to 2022, respectively, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the –

- (a) impact thereof, if any, on the syllabuses content thereof, and
- (b) cost implication thereof and table the correspondences exchanged in relation thereto.

Reply: As already announced, following the adjustment in the 2020 school calendar, in the wake of COVID-19 and the loss of instructional time during the period of school closure, the Mauritius Examinations Syndicate (MES) has held discussions with Cambridge International for the rescheduling of the October/November 2020 Cambridge School Certificate and Higher School Certificate examinations to April/May/June 2021.

With regard to the syllabuses that would be assessed at the May/June 2021 SC and HSC examinations, MES has issued a Circular dated 20 July 2020 to inform schools that

candidates sitting for the said exams will be assessed on the syllabuses as prescribed for the October/November 2020 series. However, there would be minor changes to three “A” level Papers, namely Paper 1 of “A” Level Music; and Paper 4 of “A” Level German and Spanish.

I am informed that the *Conservatoire de Musique*, which is the institution running the “A” Level Music Course, has given the assurance that the change should not pose any problem for the students.

I am also informed that the German and Spanish “A” level syllabuses are taught in two schools. As for the German syllabus, the school concerned has informed the MES that the change in the set texts will not adversely impact their students as the text that has been replaced was not prescribed by the school. Additionally, the MES has been informed that the change in the set text for the Spanish syllabus will not pose any difficulty to its candidates concerned.

As for the “O” Level examinations, Cambridge International has informed that four subjects would not be offered at “O” Level in June series. These are Statistics 4040, Music 6110, German 5025 and Spanish 5030. Candidates may, however, opt to sit for these subjects at the October/November 2021 series and, in this regard, MES has issued a Circular to schools.

I wish to inform the House that the Ministry has also acceded to the requests from the colleges concerned, for their candidates to sit for the Cambridge IGCSE German and Spanish papers in June 2021.

Cambridge International has informed that with the rescheduling of the SC/HSC examinations to May/June 2021, it would have to review its operational and IT systems and deploy more resources to cater for increased exam-related activities for the May/June 2021 examinations. This would entail an additional cost of £539,377, which will be borne by Government.

As for the tabling of the correspondence between Cambridge International and MES, it is considered not to be ethically sound to do so.

With regard to the cohort of students who would be sitting for the SC/HSC/GCE May/June 2022 exams, the MES has, in a Circular dated 21 July 2020 (Circular No. 30)

already informed schools that these students will be assessed on the syllabuses prescribed for June 2022.

The Mauritius Examinations Syndicate (MES) has held discussions with Cambridge International to come up with solutions, and the best interest of students has, at all times, remained the primary concern and has been upheld throughout the discussions.

PUBLIC ENTERPRISES DEBT – LOAN AMOUNTS & ACCRUED INTERESTS

(No. B/496) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, in regard to Public Enterprises Debt, he will give details of the loan amounts and accrued interests as at June 2020 in respect of each and every public enterprise.

(Withdrawn)

MARE D’ALBERT VILLAGE COUNCIL - COUNCILLOR

(No. B/497) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the last vacancy that occurred in the position of village councillor at the Mare d’Albert Village Council, he will, for the benefit of the House, obtain from the said village Council, information as to if same has been filled and, if so, give the name of the incumbent.

(Withdrawn)

QUARANTINE CENTERS - CATERING SERVICES

(No. B/498) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to the Quarantine Centers, he will state the names of the suppliers of catering services therefor, indicating the –

- (a) contract values thereof, and
- (b) procurement methods used.

(Withdrawn)

MAURITIUS INVESTMENT CORPORATION LTD - COMPANIES - ASSISTANCE

(No. B/499) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Mauritius Investment Corporation Ltd, he will, for the benefit of the House, obtain information as to the names of the companies that have applied and/or obtained assistance under the 2 billion USD fund earmarked thereunder, indicating in each case, the amount of funds granted.

(Withdrawn)

CEB – FORMER CHAIRPERSON – CAR

(No. B/500) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Energy and Public Utilities whether, in regard to the car purchased and put at the disposal of the former Chairperson of the Central Electricity Board, Mr M. N., he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) make and model thereof;
- (b) date of purchase, and
- (c) cost thereof.

Reply: With regard to part (a) of the question, I am informed by the Central Electricity Board that the make and model of the car purchased for the former Chairperson of the Central Electricity Board, Mr M. N. is a Mercedes Benz E300E (AMG Plug in Hybrid).

With regard to parts (b) and (c) of the question, I am further informed that the car was purchased on 13 February 2020 at the cost of Rs3,007,569.57, exclusive of VAT.

MEDICAL & HEALTH OFFICERS – POSTGRADUATE STUDIES

(No. B/501) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the proposed postgraduate studies to be made available to Medical and Health Officers, he will state –

- (a) where matters stand as to the discussions initiated between his Ministry and the French Embassy therefor, and

- (b) if discussions have been initiated with other countries therefor and, if so, indicate the outcome thereof.

Reply: I am informed that presently the Mauritius Institute of Health is finalising the postgraduate training in Nephrology with the collaboration of the University of Aix-Marseilles, France. The Ministry received a proposal in September 2017 from Aix-Marseille University for collaboration through a "*Convention de Coopération*" regarding training in the field of Nephrology for a 3-year postgraduate course. Cabinet approval has been obtained on 16 September 2019 for the signing of the Convention. The Convention has already been signed by the Mauritian side and my Ministry is awaiting the signature of the French party.

All the procedures from the French Authorities were coordinated by Dr. R. Purgus, Nephrologist at the *Aix-Marseille Université*, who, unfortunately, passed away in June 2020. Professor Philippe Brunet is now following to have the Convention signed by the French party. Thereafter, My Ministry will launch an "Expression of Interest" for potential candidates for the training.

In addition, the MIH is having discussion in respect of the development of the specialisation programme in Obstetrics and Gynaecology in collaboration with the Universities of Reunion and Bordeaux for which developments have been temporarily forestalled because of the COVID-19 pandemic.

Moreover, the Ministry had already signed a few Memoranda of Understanding (MoUs) with foreign Universities, namely with University of Bordeaux and *Centre Hospitalier Universitaire (CHU) de La Réunion* for Specialisation in Emergency Medicine. A first batch of 14 SAMU Physicians started training in year 2016 and completed their training last year. A second batch of 25 MHOs/SMHOs has started in year 2017 and is due to be completed in November 2020.

As regards possibilities of postgraduate studies with other countries, my Ministry has a long history of collaboration with *Hôpitaux Universitaires de Genève (HUG)* dating back to 2003, when the first MoU was signed. This agreement particularly covers collaboration in the field of Transplant Surgery. Over time, six more MoUs were signed with *HUG* for broader collaboration in diverse medical fields ranging from training of doctors in the fields of Cardiology, Plastic and Reconstructive Surgery. Assistance to patients inoperable in

Mauritius and visits of Experts to Mauritius from *HUG* to undertake complicated surgical interventions are also included in the MoU.

Both parties have agreed for the necessity of an integrated and comprehensive MoU. Government approval was obtained on 20 May 2018 for the signing of a consolidated MoU with *HUG*. My Ministry is awaiting a reply from the Swiss side for signature of the MoU.

DR. A.G. JEETOO HOSPITAL – PARKING SLOTS

(No. B/502) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the Dr. Jeetoo Hospital, he will state if consideration will be given for the –

- (a) basement and other parking slots reserved for the staff members to be put at the disposal of members of the public during visiting hours on Saturdays, Sundays and public holidays;
- (b) provision of additional public parking slots thereat, and
- (c) restoration of paid parking facilities.

Reply: I am informed that there are 272 parking slots available as parking facilities at Dr. A.G. Jeetoo Hospital and these are distributed as follows –

- **Underground parking:** 138 slots reserved for CICs, Specialists and Senior MHOs and all Head of Units;
- **Main Entrance:** 31 reserved for Nursing and other staff, including 4 slots for public;
- **Parking adjacent to kitchen:** 21 slots for staff and 3 for public and 1 Disabled. 5 slots reserved for Visitors;
- **Block H:** 23 slots for MHOs;
- **Near Gate (Mortuary):** 25 for MHOs, 5 slots for RM vehicles and 3 for public, and
- **Beaugeard Parking** (The land belongs to our Ministry and is outside the hospital premises): 20 slots for staff and others.

I am further informed that the underground parking is controlled by a boom gate and eligible staff can use the parking by a personal access tag. The underground parking cannot

be made available to the general public for security reasons and for control purposes, being given that staffs still use the parking irrespective of Sundays or public holidays.

As regards part (b) of the question, eight public parking slots are available in the hospital premises. No provision for additional parking slots can be made because of shortage of space.

As regards part (c) of the question, restoration of paid parking facilities is not envisaged as it is not economically viable.

FLACQ - NEW TEACHING HOSPITAL - CONSTRUCTION

(No. B/503) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil) asked the Minister of Health and Wellness whether, in regard to the proposed construction of a new Teaching Hospital at Flacq, he will state where matters stand as to the tendering process in relation thereto.

Reply: I am informed that 25 acres of land at Constance has been vested into my Ministry for the construction of a new hospital at Flacq.

Tender for the construction of the hospital was launched in October 2019 with closing date at 12 December 2019. Technical evaluation has already been completed by HSCC (India Ltd) in January 2020. The technical evaluation report was submitted to three funding agencies, namely, the Arab Bank for Economic Development for Africa, the Saudi Fund for Development and the Kuwait Fund for Arab Economic Development for their endorsement on 04 February 2020.

Their no-objection has been received in May 2020 and on 17 June 2020. Our Consultant then proceeded with the financial evaluation of the proposals.

The Financial Evaluation Report was received on 05 July 2020 and same has been endorsed by the three funding agencies.

The Letter of Award for the construction of the New Teaching Hospital at Flacq will be issued to the most responsive Bidder, Larsen & Toubro Limited this month. Works are expected to start in October 2020 and scheduled to be completed by August 2022.

MAURITIUS - INTENDED NATIONALLY DETERMINED CONTRIBUTIONS

(No. B/505) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the last Intended Nationally Determined Contributions submitted by Mauritius, he will table the progress on climate change mitigation and adaptation components parts thereof.

(Withdrawn)

MV BENITA VESSEL - WRECK - COMPENSATION

(No. B/506) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the wreck of vessel MV Benita in 2016, he will state the compensation received from the insurer thereof, giving a breakdown thereof.

(Withdrawn)

MRA - REGISTRATION DUTY & LAND TRANSFER TAX - 2015-2019

(No. B/507) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to Registration Duty and Land Transfer Tax, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the total amount of revenue collected in terms thereof, for each of the years 2015 to 2019 and since January 2020 to date.

(Withdrawn)

WASTE WATER PIPING SYSTEM - PORT LOUIS - LEAKAGES

(No. B/508) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Energy and Public Utilities whether, in regard to frequent and severe leakages from the old underground water and waste water piping system of Port Louis, he will, for the benefit of the House, obtain information as to the measures taken or being taken to redress the situation.

(Withdrawn)

MAURITIUS INVESTMENT CORPORATION LTD – FUNDS & REQUESTS RECEIVED

(No. B/509) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Mauritius Investment Corporation Ltd., he will, for the benefit of the House obtain information as to the –

- (a) amount of funds available thereat, giving a breakdown of funds received, and
- (b) number of requests received, processed and approved or rejected, as the case may be, and table the list of successful applications, indicating the amount disbursed or amount earmarked for disbursement.

Reply: La *Mauritius Investment Corporation Ltd* est une société privée à responsabilité limitée par actions.

Elle est gérée par un conseil d'administration composé de personnalités de grande qualité et qui sont responsables de la gestion de la société.

Par conséquent, il ne serait pas approprié pour moi de commenter les opérations de ladite société.

COVID-19 SOLIDARITY FUND - BANKS - AVAILABLE FUNDS

(No. B/510) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Finance, Economic Planning and Development whether, in regard to the COVID-19 Solidarity Fund, he will, for the benefit of the House, obtain information as to the amount of funds available in the five bank accounts in the name thereof, namely the Mauritius Commercial Bank, the State Bank of Mauritius, Absa Bank (Mauritius) Ltd., Maubank Ltd. and Bank One, indicating the amounts of funds disbursed therefrom over the period March to July 2020.

Reply: Je dépose les informations demandées par l'honorable membre.

MEDICAL EQUIPMENT & MASKS - DONATIONS

(No. B/512) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Health and Wellness whether, in regard to donations received in terms of medical equipment and masks from friendly countries and international organizations, he will state the number thereof, indicating the –

- (a) country of origin, and

- (b) beneficiaries thereof, indicating if local Non-Governmental Organisations have been involved in the distribution process.

Reply: I am informed that donations were received from China and the USA as well as international organisation, including the World Health Organisation. The Jack Ma Foundation and Ali Baba Foundation have also donated medical items. These donations have contributed to strengthen the capacity of Mauritius to contain the spread of the COVID-19.

I am further informed that with regard to medical equipment, 866 thermometers, one infrared thermal imager camera, four ventilators were received. A total of 221,190 masks were received, of which 172,800 are surgical masks (disposable masks) and 48,390 are specialised masks (including N95 masks). This excludes the 2.9 tonnes donation from the United Arab Emirates which was received on 24 July 2020.

As regards the country of origin, most of them have been sourced from China by the donating countries/organisations.

With regard to part (b) of the question, beneficiaries included medical staff, and I am told that part of the consignment from the Chinese Government was destined to the University of Mauritius, Economic Development Board and Municipalities.

I wish to inform the House that at the outbreak of the pandemic, my Ministry had received requests from different Ministries/Departments and Local Government. As such, masks were provided to officers of the Police Force, Prison Service and Fire and Rescue Service as well as to the Local Government during the confinement period.

However, masks are now being issued to the healthcare personnel only.

LA COLOMBE SHELTER – CAREGIVER - ALLEGED MISCONDUCT

(No. B/513) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the alleged misconduct of a caregiver of La Colombe Shelter thereat in May 2020, she will state if an investigation has been carried out thereinto and, if so, indicate the outcome thereof.

(Withdrawn)

HENRIETTA - CAMP LA SAVANNE - BRIDGE

(No. B/514) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of National Infrastructure and Community Development whether, in regard to the construction of a bridge at Camp la Savanne, in Henrietta, he will state where matters stand.

(Withdrawn)

ADULTS & CHILDREN WITH DISABILITIES - NUMBER

(No. B/515) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the adults and children with disabilities in Mauritius, she will state the number thereof per type of disability.

(Withdrawn)

WASTEWATER MANAGEMENT AUTHORITY - MR A. B. - APPOINTMENT

(No. B/516) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to one Mr A. B., he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to the reasons why the award delivered, on or about 08 February 2019, by the Equal Opportunities Commission recommending the reintegration thereof as General Worker thereat, has not been executed as at to date.

Reply: I am informed by the WMA that Mr A. B. was offered appointment as General Worker on 13 November 2015 with a probation period of 12 months. He joined WMA on 18 November 2015. However, the employment of Mr A. B. was terminated with effect from 29 January 2016 and be paid one month salary in lieu of notice.

Consequently, on 04 February 2016, Mr A. B. filed a complaint at the Equal Opportunities Commission (EOC) wherein he averred that he had been discriminated on the basis of his political opinion, leading to the termination of his employment as General Worker. In a letter dated 08 September 2016, the EOC requested a brief on the Complainant's termination of employment.

On 07 October 2016, the WMA informed EOC that the employment of Mr A. B. was terminated by the WMA Board in accordance with the provisions of his contract of employment which stipulates that -

“Your appointment may also be terminated by: (i) either party and at any time by giving one month notice”.

On 08 February 2019, the EOC recommended that Mr A. B. be reinstated as General Worker at the WMA.

However, following legal advice obtained, the WMA was informed that the recommendation of the EOC is not binding. Consequently, the WMA decided to abide by the legal advice and, in a letter dated 27 March 2019, the WMA informed the EOC accordingly.

I am further informed that the case of Mr A. B. has been referred to the Equal Opportunities Tribunal and is coming *pro forma* on 14 September 2020.

MEDICATION - STOCK

(No. B/518) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Minister of Health and Wellness whether, in regard to medication, he will state the procedures followed by his Ministry for the –

- (a) monitoring of the stock and expiry dates thereof, and
- (b) disposal of expired ones.

(Withdrawn)

FLORÉAL YOUTH CENTER - ACTIVITIES

(No. B/519) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Youth Center of Floréal, he will state the activities organised thereat during the year 2019 and since January to June 2020.

(Withdrawn)