



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 11 AUGUST 2020

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THE CABINET

(Formed by Hon. Pravind Kumar Jugnauth)

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

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

PRINCIPAL OFFICERS AND OFFICIALS

Mr Speaker	Hon. Sooroojdev Phokeer, GOSK
Deputy Speaker	Hon. Mohammud Zahid Nazurally
Deputy Chairperson of Committees	Hon. Sanjit Kumar Nuckcheddy
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
Deputy Clerk	Ramchurn, Ms Urmeelah Devi
Clerk Assistant	Gopall, Mr Navin
Clerk Assistant	Seetul, Ms Darshinee
Hansard Editor	Jankee, Mrs Chitra
Serjeant-at-Arms	Pannoo, Mr Vinod

MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 29 of 2020

Sitting of Tuesday 11 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)

ANNOUNCEMENTS

DEBATE NO. 28 OF 04 AUGUST 2020 - LIVE BROADCASTING - ALLEGED INTERRUPTIONS

Mr Speaker: Hon. Members, I have an announcement to make in regard to alleged interruptions of the Live Broadcasting of the Proceedings of the Assembly in the course of Debate No. 28 of 04 August 2020, while hon. S. Mohamed was intervening on the motion of no confidence against my good self.

You will recall that the issue was raised by hon. S. Mohamed during his intervention.

Moreover, kindly be informed that hon. Mohamed equally requested for an explanation by way of a letter addressed to the Clerk of the Assembly.

I have thus caused an inquiry to be conducted to ascertain same, and the PICT/Broadcast Manager of the National Assembly has informed as follows –

- No downtime was reported on the Digital Infrastructure of the National Assembly.
- However, at the Sitting of 04 August 2020, at 1.16 a.m. on 05 August 2020, a downtime on Mauritius Telecom MYT regarding the live broadcasting of the proceedings of the House was reported.
- The Mauritius Telecom MYT Network Operations Centre was contacted and the Assembly was informed that there was a planned upgrade on the core router in Rose Hill as from 1.00 a.m. and that same had an impact on live MYT MBC channels (including MYT Parliament TV Channel) for all around Mauritius.
- The said maintenance had been planned as from 15 July 2020 by way of an internal memo and that Mauritius Telecom has informed the public by way of a public communiqué.
- Moreover, the Network Administrator on standby at the Government Online Centre (GOC) –
 - confirmed the Mauritius Telecom downtime, and
 - reassured that the redundancy system of the GOC had been activated, and that no video signal was lost on the Parliament Web TV Portal.

Thank you.

**SITTING OF TUESDAY 04 AUGUST 2020 - HON. SHAKEEL MOHAMED -
EXTRACT OF DEBATE NO. 24 OF 07 JULY 2020 – POINT OF ORDER**

Mr Speaker: Hon. Members, I have a second announcement to make.

During his intervention in the course of the debate on the motion of no confidence in Mr Speaker at the Sitting of Tuesday 04 August 2020, the hon. First Member for Port Louis Maritime and Port Louis East (hon. Shakeel Mohamed) stated that he had with him a document purporting to be an extract of Debate No. 24 of 07 July 2020 of the Private Notice Question, in the course of which he raised a point of order.

Incidentally, the hon. Mohamed wrongly referred to the slot reserved for PNQ when, in fact, the facts which form the basis of his point of order arose during the intervention of hon. Prime Minister in the course of the debate on Anti-Money Laundering and Combatting the Financing of Terrorism (Miscellaneous Provisions) Bill (No. 5 of 2020).

The point of order was to the effect that an hon. Member could not refer to a document unless he tables the document which he was quoting from. He went on to state that the video footage of the proceedings, after he had raised the point of order, shows Mr Speaker addressing the hon. Prime Minister in the following terms “get ready to table the document”.

However, the hon. Member alleges that when one consults the Hansard, referring to the document he had in his hand, nowhere he could find the above words.

In so doing, hon. Mohamed set out to adduce evidence on an instance of impropriety of the conduct of the Speaker in support of the motion of no confidence in Mr Speaker.

I have caused an internal inquiry to be conducted to ascertain the veracity of the evidence adduced by hon. Mohamed to that effect.

The inquiry from the Hansard Editor in regard to the above has revealed the following

—

- (i) Once the unrevised version of the Hansard is uploaded on the website of the National Assembly, the relevant extracts of the debate, that is, the instances where Mr Speaker and hon. Members have intervened are selected, printed, sent to them for minor corrections, if any.

- (ii) She has confirmed that she has sent the relevant extracts from the unrevised version of the Hansard to the hon. Member for necessary action and he has not returned same to the Hansard Unit.
- (iii) The extracts of my interventions were also sent to me on 09 July 2020 for necessary action. The Hansard Editor has also confirmed that I returned the file back to her and that no corrections/alterations have been effected by me.
- (iv) She further confirmed that the words which hon. Mohamed alleges to be missing in the Hansard, which, in fact, reads as follows, I quote, “Hon. Prime Minister, be ready to table any document you are quoting from.”, were at all material times, and are still, in the Hansard on the website of the National Assembly.

As far as the uploading of the Hansard is concerned, the PICT Manager has confirmed the following –

- (i) Debate No. 24 of 07 July 2020 was uploaded on the website on 08 July at 10.42 p.m.
- (ii) According to the audit trail, the said debate was the subject of further updates on 10 July at 4.24 p.m., on 13 July at 2.44 p.m., on 17 July at 5.18 p.m. and on 22 July at 5.37 p.m.
- (iii) That the words which hon. Mohamed has allegedly stated to be missing in the Hansard, which, in fact, reads as follows, I quote, “Hon. Prime Minister, be ready to table any document you are quoting from.”, were at all times, and are still, present in the Hansard on the website of the National Assembly.

It is clear from the above that the evidence adduced by hon. Mohamed in support of an impropriety in the conduct of Mr Speaker is unfounded.

It is obvious that the hon. Member has insinuated that the Hansard has been tampered with. In so doing, the hon. Member has instilled the doubt in the minds of hon. Members and the nation at large as to the accuracy and authenticity of the Official Report which is published under the authority of the Assembly.

In the light of the internal enquiry reports mentioned earlier, the findings are abundantly clear that the hon. Member has misled the House.

I consider that such a vile, gratuitous and baseless accusation against the Chair strikes at the very root and dignity inherent in the highest institution, whose primary mission is above all the passing of laws to shape the future of our country.

The hon. Mohamed ought to have realised that casting aspersion on the authority of the Chair could only undermine the people's confidence essential to the good running of Parliament.

In the circumstances, I take the view that a mere apology from the hon. Member would not be adequate and would not cure the wrong caused by an act of such a magnitude.

Hon. Members may wish to note that Standing Order 49 (8) gives the Assembly the necessary powers to deal with such particular circumstances, I quote –

“Nothing in this Order shall be deemed to prevent the Assembly from proceeding against any Member for any breach of order not specified herein or from proceeding in any other way it thinks fit in dealing with the breaches of order herein mentioned.”

Having said so, I leave the matter in the hands of the House for whatever action it may deem appropriate to take.

Thank you.

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 Annual Reports 2013 and 2014 of the Information and Communication Technologies Authority.

B. Ministry of Housing and Land Use Planning
Ministry of Tourism

The Annual Report 2017/2018 of the Mauritius Tourism Promotion Authority. (In Original)

C. Ministry of Education, Tertiary Education, Science and Technology

The Annual Report of the Private Secondary Education Authority for the financial year 2017-2018.

D. Ministry of Land Transport and Light Rail

The Grand Baie Reservoir Road (End of Public Use) Regulations 2020. (Government Notice No. 177 of 2020)

E. Ministry of Industrial Development, SMEs and Cooperatives

The Annual Report and Audited Statements of Accounts for the financial year 2018/2019 of the Saint Antoine Planters Co-operative Trust.

F. Attorney General
Ministry of Agro-Industry and Food Security

The Sugar Industry Fund (Reduced General Insurance Premium) Regulations 2020. (Government Notice No. 178 of 2020)

G. Ministry of Commerce and Consumer Protection

(a) The Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 3) Regulations 2020. (Government Notice No. 172 of 2020)

(b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 19) Regulations 2020. (Government Notice No. 173 of 2020)

- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 20) Regulations 2020. (Government Notice No. 174 of 2020)

H. Ministry of Labour, Human Resource Development and Training

- (a) The Occupational Safety and Health (Extension of Time During COVID-19 Period) Regulations 2020. (Government Notice No. 175 of 2020)
- (b) The Occupational Safety and Health (Employees' Lodging Accommodation) (Amendment) Regulations 2020. (Government Notice No. 176 of 2020)

ORAL ANSWERS TO QUESTIONS

MV WAKASHIO - GROUNDING & OIL SPILL - DUE DILIGENCE REPORT

The Leader of the Opposition (Dr. A. Boolell) (*by Private Notice*) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to vessel MV Wakashio, the subsequent grounding thereof and the oil spill in the region of Pointe d'Esny, he will state if –

- (a) a due diligence exercise was carried out regarding the state of the vessel within the first week of the grounding and, if so, indicate -
 - (i) when, and
 - (ii) will copy of the Due Diligence Report, if any, be tabled, and
- (b) a Court of Investigation has been or will be appointed to inquire thereinto and, if so,
 - (i) when, and
 - (ii) will the terms of reference and composition thereof be tabled.

Mr Maudhoo: Mr Speaker, Sir, as the House is aware, the bulk carrier MV Wakashio, registered in Panama, 299.9 metres long and 50 metres wide, on ballast (no cargo onboard), went aground about 1 nautical mile off Pointe d'Esny on 25 July 2020 at 19 31 hours.

The registered owner of the vessel is Okiyo Maritime Corporation and the insurers are the Japan Ship Owners' Mutual Protection and Indemnity Association (Japan P&I Club).

On the same day, at 22 00 hours, an Emergency Committee met under the chairpersonship of the Commissioner of Police at the National Coast Guard, Operations Room, in relation to MV Wakashio aground off Pointe d'Esny and directed relevant policing deployment.

The National Oil Spill Contingency Plan (NOSCP) was concurrently activated by the Ministry of Environment, Solid Waste Management and Climate Change.

On the same day, that is, on Saturday 25 July 2020, at 20 18 hours, the Director of Shipping of my Ministry requested the following information from the Master of MV Wakashio through the Mauritius Radio Services (MRS) -

1. full particulars of the vessel;
2. distribution of fuel oil, diesel and lubricating oil in tanks on A4 format;

3. general arrangement, plan of vessel indicating where fuel, diesel, lubricating oil are found;
4. extent and update on damage to vessel on A4 format;
5. whether ingress of water was under control;
6. situation with respect to stability of vessel, and
7. update on whether vessel is pounding on the reefs.

In line with section 150 of the Merchant Shipping Act, the Director of Shipping immediately convened a coordination meeting, which was held on Sunday 26 July 2020 at 08 00 hours in the morning, comprising, *inter alia*, representatives from the Prime Minister's Office, Ministry of Environment, Solid Waste Management and Climate Change, National Coast Guard, Special Mobile Force, National Disaster Risk Reduction Management Centre, Mauritius Ports Authority, the Mauritius Telecom, and Fisheries Division of my Ministry to take stock of the situation and initiate appropriate action thereon.

On the same day, that is, on Sunday 26 July 2020, the Director of Shipping requested the following additional information from the Master of MV Wakashio, through the then vessel's local agent, Capt. Vivian Olivier of Rogers Shipping Ltd. So, again, the complete set, that is -

- (a) the complete A4 copy general arrangement plan;
- (b) A4 copy of ballast plan;
- (c) statement of facts/report of incident;
- (d) exact position of vessel at the time of incident;
- (e) updated soundings of all compartments onboard vessel and status of vessel after grounding;
- (f) soundings of depths around the ship;
- (g) status of voids and cofferdams;
- (h) status of ingress of water in engine room;
- (i) specifications of fuel and diesel oils;
- (j) specifications of lubricating oils;
- (k) crew list;
- (l) ships statutory certificates;
- (m) actual voyage plan;
- (n) extract from Bridge Movement Book, official Log Book and GPS Book;
- (o) display of pertinent section of navigation chart;

- (p) status of machinery and all auxiliaries onboard;
- (q) were all facilities, such as lighting, running water, toilets, still operational onboard.

On the same day, the Director of Shipping established contact with the ship owner and instructed that the Lloyd's Standard Form of Salvage Agreement (LOF) be signed as soon as possible. The LOF is the standard agreement form signed between the owner of the ship and salvors to undertake salvage operations.

The LOF was signed on 26 July 2020 in Singapore between the General Manager of Okiyo Maritime Corporation and SMIT Salvage Pte Ltd and a copy was received by the Director of Shipping on the same day. In all salvage operations, the salvors are selected and appointed by the ship owner.

On the same day, the NCG, the SMF and the Police set up an Incident Command Post at Blue Bay. My Ministry also put at the disposal of relevant stakeholders, the Blue Bay Marine Park Centre and the necessary logistic facilities for coordination purposes.

On the same day, that is, 26 July 2020, the NCG had already deployed 332m of booms at the boundary of the Blue Bay Marine Park as a preventive measure in case of oil spill. Officers of the Fisheries Division of my Ministry provided assistance during the deployment of booms at sea to prevent any damage to the marine ecosystems. There were also daily aerial reconnaissance by the Police Helicopter Squadron and the Dornier aircraft.

Since 27 July 2020, the Albion Fisheries Research Centre has been conducting regular monitoring of seawater at Pointe d'Esny, Blue Bay Marine Park and at Mahebourg waterfront for physico-chemical parameters and hydrocarbons. No sign of pollution from the casualty was detected at these sites.

On 28 July 2020, a site visit was conducted by officers of the Albion Fisheries Research Centre (AFRC) along the shoreline from Blue Bay to Pointe Jérôme, following reported black hairline debris from MV Wakashio along the shoreline. Again, no oil spill/oil sheen or dead fish was observed.

On 29 July 2020, it was reported that there was water ingress of about 2 metres in the engine room of the vessel, due to broken internal pipes. Same was repaired on the same day and no trace of oil spill was observed. The Mauritius Oceanography Institute (MOI) carried out off-reef bathymetry survey in order to have proper information on depth of sea prior to connecting the tug at stern of the casualty vessel.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that in cases of maritime casualties, daily progress reports also called situation reports are submitted by the Salvage Master to the Director of Shipping.

On 30 July 2020, it was reported by the Master of the vessel that the ship was stable, no cracks were detected, and the tank tops were not damaged. No sign of spillage was observed around the vessel.

On 31 July 2020, it was reported by the Master of the vessel that the vessel was lively due to rough seas and had changed heading, that is, angle with respect to the reef. However, no deterioration of vessel and oil spill was observed. Neither the tank tops nor the deck was damaged and there was no sign of cracks. The Platform Supply Vessel (PSV), the Stanford Hawk which was in the vicinity of Madagascar was re-routed by SMIT Salvage to the casualty site.

On 01 August 2020, salvors continued to monitor the status of the vessel ...

Dr. Boolell: On a point of order, Mr Speaker, Sir. I have asked two specific questions and the questions are very focused. Can I ask the hon. Minister to be precise and give focused replies in relation to the questions that I have put to him?

Mr Maudhoo: But I have to explain. It is good for everybody to know.

Dr. Boolell: Be precise!

Mr Maudhoo: On 01 August 2020, salvors continued to monitor the status of the vessel and their assessment of damage sustained by the vessel and provided their daily progress report to the Director of Shipping. I am informed by the Director of Shipping that, on 02 August 2020, the Salvage Master has reported the following -

- (i) the forepeak water tank, 6 water ballast tanks and the engine room were breached, pipe duct were breached and tidal;
- (ii) the Special Casualty Representative (SCR) and the Salvage Master informed that the risks for an oil spill at that stage was deemed low;
- (iii) the Special Casualty Representative affirmed that due to harsh weather conditions and the very high risk of pipe breakage during pumping, transfer of fuel oil from the vessel was not recommended, and
- (iv) oil from bottom tank of ship was being transferred by salvors to tanks located at the upper location in ship in order to minimise any risk of oil spill.

On 03 August 2020, the Special Casualty Representative reported that the weather conditions were not favourable and the sea was too rough, with waves of maximum heights of 5 metres, for a tug to connect to the casualty vessel MV Wakashio. Due to bad weather conditions, the vessel had moved forward 70 metres and salvors had dropped the starboard anchor to prevent such movement.

On 04 August 2020, the Special Casualty Representative informed that weather conditions had worsened and that the sea was too rough, with peak waves of over 5 metres high, for any tug to connect to the casualty vessel MV Wakashio. In order to prevent the vessel from moving from its grounded position, the Naval Architects from SMIT Salvage recommended that cargo No. 6 be filled with sea water to 80% of its capacity, and Salvage Master followed their instructions.

On 05 August 2020, the Special Casualty Representative reported that no oil spill was observed around the vessel except for some minor oil sheen that the salvage presumed was coming from the lubricating oil of the propeller shaft. He also informed that the risk of oil spill from the vessel was still low. One of the nine cargo holds was intentionally filled in by salvors to stabilise the vessel, resulting in the tilting of the vessel at the rear. However, before refloating the vessel, pumping/transfer of oil was envisaged on barge through pipe.

Mr Speaker, Sir, I have to add that from 26 July ...

Dr. Boolell: Mr Speaker, Sir, again, with all due respect, this is not statement time. I expect the hon. Minister to be focused in respect of the two specific questions I have put to him. You cannot have so much latitude. I think it is not fair. I will refer you to page 305 of Erskine May. Nothing stops you from making a statement later on.

Mr Maudhoo: On 06 August 2020, at 08 50 hours, the Special Casualty Representative informed the Director of Shipping that the structure of the vessel had weakened due to continuous stresses and strains caused by the high waves and that the risk of an oil spill was imminent. At 11 05 hours, the Special Casualty Representative informed that the vessel had suffered structural failure in way of fuel tank No. 1 Starboard. This tank contained 1,183 cubic metres of Heavy Fuel Oil (HFO), which started to leak into the sea.

Mr Speaker, Sir, as from 06 August 2020, due to continuous leaking of the fuel tank, it resulted into a Tier 3 oil spill situation. A Tier 3 oil spill is when more than 100 metric tons of fuel oil is spilled into the sea. The National Oil Spill Contingency Plan (NOSCP) with respect to a Tier 3 response was triggered.

Under section 34(1) of the Environmental Protection Act (EPA), the hon. Prime Minister declared an Environmental Emergency on 07 August 2020 and directed the concerned public departments to take all appropriate actions to contain and mitigate the impacts of the oil spill.

Under section 16(2) of the National Disaster Risk Reduction and Management Act, the National Crisis Committee issued, after consultation with the hon. Prime Minister, an order for closure of specific places...

Dr. Boolell: Mr Speaker, Sir, I have asked for your ruling in respect of the specific question I have put and I have even said that you can refer to page 305 of Erskine May. I do grant you some latitude can be given.

Mr Maudhoo: I have nearly finished.

Dr. Boolell: But he cannot go astray.

Mr Maudhoo: I have nearly finished.

Dr. Boolell: And he cannot go adrift, please.

Mr Maudhoo: I have nearly finished. Assistance was also requested from international organisations, including the United Nations, European Union and foreign friendly countries, such as Australia, France, India, Japan and South Africa through the Ministry of Foreign Affairs, Regional Integration and International Trade.

All electronic equipment are also in the custody of the Mauritius Police Force. There were 20 crew members onboard the vessel. Out of these, four crew members have been interviewed thus far by the investigator.

In parallel, I am informed by the Commissioner of Police that the CCID boarded the vessel in company of the Second Officer of MV Wakashio on 09 August 2020.

Mr Speaker, Sir, a Court of Investigation is normally appointed under section 10(2) of the Merchant Shipping Act and is composed of a Chairperson who holds or who has held judicial office and two other persons with skills and knowledge in maritime matters.

I intend to take stock of the preliminary inquiry report to be submitted by Capt. A. Coopen, who is the Chairperson of the Preliminary Inquiry Committee - Commission if I can say - and thereafter appoint the aforesaid Court of Investigation in consultation with the Prime Minister.

Mr Speaker, Sir, the House will appreciate that to draft the terms of reference of the Court of Investigation, the report of the preliminary inquiry is needed. The report of the preliminary inquiry is expected very shortly.

Our country is facing an unprecedented environmental and ecological disaster. Government is confident that people of Mauritius will come together once again to live up to the challenges of this incident. I take this opportunity to heartily thank all volunteers and officers who are toiling day and night. I also place on record the gratitude and appreciation of foreign States and Government who have spontaneously extended their assistance to the people of Mauritius.

Dr. Boolell: Mr Speaker, Sir, before I put my supplementary questions, I would like to place on record our heartfelt thanks to the thousands of Mauritians and foreign citizens who volunteered to help save our environment.

Let me come to the first question! As Minister of Shipping, has he bothered to find out, within the first week of grounding, whether the Captain of the vessel has complied with all established procedures while sailing in the territorial waters of Mauritius?

Mr Maudhoo: This onus is on the Director of Shipping, and I understand that the preliminary inquiry and all the reports are coming. So, as the report will be ready, we will...

Dr. Boolell: You don't know. Alright.

Mr Maudhoo: Still...

Dr. Boolell: Okay. Has the Captain submitted his report?

Mr Maudhoo: The Director of Shipping was in contact with the Captain of the vessel.

Dr. Boolell: No, has he submitted a report? Because, by law, he is bound to submit a report. Has he submitted a report?

Mr Maudhoo: Not a report; he has submitted...

Dr. Boolell: Has he submitted, yes or no?

Mr Maudhoo: He has submitted statements of facts asked by the Director of Shipping.

Dr. Boolell: And, in the meantime, there is the worst oil disaster in this country. Has your Ministry bothered to find out from the Captain within the first week of the grounding what went wrong for his ship to get stranded on our reef?

Mr Maudhoo: The preliminary inquiry is on, Mr Speaker, Sir. This will determine.

Dr. Boolell: Mr Speaker, in the meantime, there is the worst oil disaster. Can I ask the hon. Minister, knowing that Mauritius is signatory to the Intervention Convention, why is it that right from the outset, we did not board the plane and took advantage of the facilities being extended to us by people from the private sector to pump the oil right since the beginning?

Mr Maudhoo: No. But there was no private sector who phoned, and especially the bad weather. You know, Mr Speaker, Sir, I wish to point out that once the salvors - that is the protocol of the law, the Merchant Shipping Act, which I have already given precision in my answer, that in line with the Merchant Shipping Act, we have followed what has been. It is the same case like Angel I - the facts which have been wrongly distorted. The same. The salvors take command of the boat and they start.

Dr. Boolell: Mr Speaker, we are talking of the worst oil spill disaster that this country has ever known. We are talking of livelihoods. We are talking of people eking out a living from the sea. We are talking of ecosystem which is collapsing. In a Press Conference by Government on Thursday the 6th, 2020, it was said that '*depi ki sa bato la finn echouer, bann autorites finn pran tou bann dispositions necessaires*'. Can I ask the hon. Minister what measures were taken by his Ministry with regard to the vessel in the first week of the grounding from 25 to 31 July and assess whether there was a risk of oil spill, and what measures were taken to prevent the oil spill?

Mr Maudhoo: Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order!

Mr Maudhoo: ...the due diligence has been made constantly by the relevant authorities and reported on a daily basis to the Director of Shipping. Daily reports have been communicated to the authorities. Daily reports have been received from the salvors.

Dr. Boolell: Have you finished, Minister?

Mr Maudhoo: Yes.

Dr. Boolell: Last Tuesday, in his parliamentary reply to Question B/476 from hon. Léopold, the hon. Minister of Environment was bragging about the preparedness of his Ministry. I quote -

“(...) in the event of a major oil spill in any part of the lagoon in the Republic of Mauritius (...)”

Yet, this Government did not assume its responsibility, with the consequences that there has been a collapse of the ecosystem in this country, and we hold this Government totally responsible and the two Ministers, the Minister of Environment and the Minister of Fisheries. They are both guilty of impropriety. They should resign!

(Interruptions)

They should resign! That’s what they are! Incompetent! Sheer incompetence!

(Interruptions)

Mr Maudhoo: Mr Speaker, Sir...

Mr Speaker: Hon. Assirvaden! Hon. Assirvaden, behave yourself!

Mr Maudhoo: Mr Speaker, Sir, we are not only talking of Mauritius but the whole world. Every ship is salvaged by salvors. This is it.

Dr. Boolell: Mr Speaker, until last Wednesday, that is, 05 August, the Minister of Environment and yourself led our nation and our country to believe that the situation was under control...

Mr Maudhoo: It was.

Dr. Boolell: ...when, in fact, an environmental disaster was looming in our country. Don’t you think that you should both either step down or revoke for your incompetence, your slowness to react and your short-sightedness?

Mr Maudhoo: Mr Speaker, Sir, you know, this is a very serious issue.

Dr. Boolell: It is a serious issue.

Mr Maudhoo: I don’t want to do politics...

(Interruptions)

Mr Speaker: Order!

Mr Maudhoo: You know, we are implementing. The Government, headed by the hon. Prime Minister...

(Interruptions)

Mr Speaker: Order!

Mr Maudhoo: We have already started. The Opposition is, on all rooftops, just shouting and making all sorts of cheap politics.

Mr Speaker: This is the last warning, hon. Assirvaden!

(Interruptions)

Are you putting the question, hon. Member?

Mr Ramful: Thank you. There have been a lot of criticisms with regard to your Ministry taking all the time to take control of the situation. Now, if you have nothing to hide...

(Interruptions)

This is the question. There is an agreement which has been signed between the company and the salvage team, and a copy of that agreement is in the possession of the Director of Shipping. For the sake of transparency, would you be prepared to table a copy of the agreement so that the population is made aware when the company was supposed to start the salvage operation?

Mr Maudhoo: Mr Speaker, Sir, I have nothing to hide. I have no hidden agenda; neither the Government, neither the Prime Minister, neither anybody on this side. So far, the Government has left no stone unturned to deal with this catastrophe.

(Interruptions)

Even the population is aware of this!

(Interruptions)

I don't reply! You know, Mr Speaker, Sir,...

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order on this side also!

Mr Maudhoo: You know...

(Interruptions)

Mr Ramful: Whether he is ready to table the agreement or not! This is all!

Mr Maudhoo: The salvage...

Mr Ramful: I asked the Minister whether he is prepared to table the agreement.

(Interruptions)

Mr Speaker: Hon. Abbas Mamode!

Mr Maudhoo: The salvage agreement - now all this is with the inquiry, but I don't think this is a document which can be given. The preliminary...

(Interruptions)

Listen! *Ecoutez! Il y a une enquête qui a été enclenchée. Alors, attendons voir.* Let them see all the documents and, obviously,...

(Interruptions)

Mr Speaker: Hon. Ramful!

(Interruptions)

Mr Maudhoo: *Non, non...*

Mr Speaker: Hon. Ramful, you put your questions, and don't argue! Hon. Dr. Boolell!

Dr. Boolell: Yes. Mr Speaker, in the light of what the hon. Minister has stated, from the grounding on 25 July, it took the Prime Minister a very long 14 days to declare an environment emergency. Has your Ministry received any directions to prepare a Contingency Plan and, if so, will he table a copy of that Plan? Because we are talking of people from Rivière des Créoles, Grand Port, Blue Bay, Petit Sable, Grand Sable. All those people are waiting for you to know where is your Contingency Plan to save livelihood, to protect fishermen and to protect all those eking out a living from the sea.

Mr Maudhoo: Mr Speaker, Sir, the Oil Contingency Plan was deployed on the same day. I already answered this in the main question.

Dr. Boolell: You have not answered; you are running away from the facts, from the reality! You are guilty of impropriety!

(Interruptions)

Mr Speaker: Hon. Leader of the Opposition!

(Interruptions)

Leader of the Opposition! Control yourself!

(Interruptions)

Dr. Boolell: Mr Speaker, can I ask the Minister since when exactly has he been made aware that there was a real risk that the vessel will break? Since when?

Mr Maudhoo: Mr Speaker, Sir, it is only on the 6th morning that we got that information; that there was a structural crack. We were informed by the salvors. The salvors informed the Director of Shipping and we were informed, and immediately the Oil Spill Contingency Plan started and everything was deployed on the same day.

Dr. Boolell: So far, the hon. Minister has failed to table any of the agreements.

Mr Speaker: Address the Chair!

Dr. Boolell: Yes, Mr Speaker, Sir, I am talking to him; I will talk through you to him. Can I ask the hon. Minister, until last Wednesday, and I mentioned what he said - Now, clearly, he and the Minister of Environment have had what I call a delayed reaction time, with the result that today we are facing the worst oil disaster. Worst oil disaster! In any country which is respectful of the rule of law and democracy ...

Mr Speaker: Put the question!

Dr. Boolell: ... in any country which is respectful, these two Ministers should have resigned! They should have resigned, Mr Speaker, Sir!

Mr Speaker: This is not a question! You are expressing your opinion; this is not a question. Hon. X. L. Duval!

Mr X. L. Duval: Mr Speaker, Sir, I would like to ask the hon. Minister whether it is his '*attendons voir*' attitude that led to the fact that since the vessel was grounded on 25 July, no pumping of oil was made from the vessel to the many available barges existing in Mauritius and owned by the private sector? No attempt was made to fix the starboard side of

the ship by anchor so that it would not drift. Is it his '*attendons voir*' attitude that had led, now, to the request for his immediate revocation and dismissal?

Mr Maudhoo: Mr Speaker, Sir, I already answered that...

(Interruptions)

I did answer. Well, listen! Listen!

Mr Speaker: The hon. Minister has the right to answer the supplementary question.

Mr Maudhoo: Mr Speaker, Sir, under the Merchant Shipping Act, no one can intervene on the vessel before ...

(Interruptions)

Mr Speaker: Order!

Mr Maudhoo: But listen!

(Interruptions)

Mr Speaker: Order! Order! Order!

Mr Maudhoo: ... before the LOF is signed and concluded, due to issue of liabilities on the vessel. There is an issue of liabilities. As per international norm, the salvage operation can only be conducted by professional salvors once the Lloyd's Standard Form of Salvage Agreement is signed. It is only the duties of the salvor.

(Interruptions)

Mr Speaker, Sir, let me remind the Members of the Opposition, had we taken the decision to try to salvage the vessel ...

(Interruptions)

Mr Speaker: Hon. Patrick Assirvaden, be careful! Be careful! I already gave you the last warning!

Mr Maudhoo: I wish to draw your attention. You are all here since so long. Even for Angel I and for Benita, it was the same process.

Mr X. L. Duval: You have the law! You have the right!

Mr Maudhoo: Every time, we have followed the law. We had done the same thing.

(Interruptions)

Mr Speaker: Don't argue!

Mr Maudhoo: We are doing the same; we are following the law because there is this liability clause.

Mr X. L. Duval: Section 131!

Mr Speaker: Don't argue hon. X. L. Duval! Last supplementary question, hon. Dr. Boolell!

Dr. Boolell: Mr Speaker, Sir, in view of the unprecedented crisis that this country is experiencing following the grounding of the vessel and the oil spill, may I ask the hon. Prime Minister, through you, to set up a Commission of Inquiry to look into any irregularities, inappropriate decision and other culpable acts or omissions, which have brought about this ecological catastrophe which has struck our country and that the two Ministers should step down pending the inquiry?

Mr Speaker: No, this is not a question. So, time is over! You are expressing your opinion. Prime Minister's Question Time!

The Table has been advised that PQ B/525 will be replied by the hon. Minister of Gender Equality and Family Welfare. PQs B/523 and B/524 have been withdrawn. Hon. Mrs Luchmun Roy!

SAFE CITY PROJECT – EXTENSION

(No. B/520) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Safe City Project, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to -

- (a) the number of cameras and other components thereof installed as at to date, indicating the number of crimes elucidated with the help thereof, and
- (b) if consideration is being given for an extension of the project to additional regions and, if so, give an indication thereof.

The Prime Minister: Mr Speaker, Sir, the Safe City Project is being implemented for the purpose of safeguarding National Security as well as Public Security. As such, it will enable the Mauritius Police Force to effectively discharge its duties under the Police Act and

such other duties as may be conferred upon it under any other enactment. It incorporates a wide array of technology-driven subsystems where their integration and inter-operability are fundamental in obtaining better intelligence for decision makers to be proactive and also to optimize responses. This will thus enhance the safety and security of Mauritian citizens and visitors.

The Project comprises the following deliverables –

- (i) supply, installation, testing and commissioning of 4,000 Intelligent Video Surveillance (IVS) cameras over 2,000 sites;
- (ii) supply, installation, testing and commissioning of 300 Intelligent Traffic Surveillance (ITS) cameras over 75 sites;
- (iii) supply, installation, testing and commissioning of 45 Enterprise/Enhanced Long Term Evolution (eLTE) sites, including 4,500 Multimedia Radio Trunking and 500 Vehicular mounted terminals, and
- (iv) Centralised Command and Control Centre, including -
 - (a) a Main Command and Control Centre;
 - (b) a modern Integrated Emergency Response Management System;
 - (c) seven Sub-Command Centres;
 - (d) a Traffic Management and Control Centre, and
 - (e) a Monitoring Bay at each of the 71 Police Stations and one Police Post.

In order to deliver an efficient and effective policing service to the community and to meet the public needs and expectations, the Mauritius Police Force conducted a survey to identify strategic sites where the cameras would be installed. The following factors have been considered during the exercise -

- (i) crime prone areas;
- (ii) accident prone areas;
- (iii) vicinity of Educational Institutions;
- (iv) vicinity of places of worship;
- (v) major roads where there are heavy traffic flows, and
- (vi) well frequented public places.

The implementation of the Safe City Project started with the signing of the contract between the Mauritius Police Force and the Mauritius Telecom on 19 December 2017, and significant progress has been achieved so far.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the Commissioner of Police that -

- (i) 2,761 IVS cameras have been installed at 1,429 sites;
- (ii) 140 ITS cameras have been installed over 68 identified sites along motorways and other main roads;
- (iii) all 45 eLTE sites have been completed;
- (iv) 4,500 multimedia radios have been delivered. 350 Vehicular mounted radios have been installed in Police vehicles. 113 static radios out of 150 have been installed, and
- (v) the state-of-the-art Main Command and Control Centre situated at Ebène is operational since August 2019.

I am further informed by the Commissioner of Police that works are in progress for the following -

- (i) a modern Integrated Emergency Response Management System;
- (ii) seven Sub-Command Centres at seven regional Headquarters;
- (iii) a Traffic Management and Control Centre at Line Barracks, and
- (iv) a Monitoring Bay at each of the 71 Police Stations and one Police Post.

Since the coming into operation of the Main Command and Control Centre in August 2019, as at 10 August 2020, 101 cases which required a Police enquiry have been detected through the Safe City cameras, out of which 88 were through IVS cameras and 13 through ITS cameras. Enquiry is ongoing in those cases except for 11 cases where sentence has been pronounced and two cases which have been disposed of.

With regard to part (b) of the question, I am informed by the Commissioner of Police that the Safe City Project comprises installation of intelligent cameras at strategic locations, covering most of the regions throughout the island. However, consideration will be given for the installation of additional IVS cameras at new sites subject to availability of resources.

Furthermore, in order to enhance the effectiveness of the road traffic management system, consideration will be given to increase the number of sites throughout the island where ITS cameras will be installed subject to availability of resources. The possibility of including new features in the ITS cameras, such as speed detection, Automatic Licence Plate Recognition (ALPR) for two wheelers, a Fine Management System, amongst others, is currently being examined.

Mr Speaker: Hon. Mrs Luchmun Roy!

Mrs Luchmun Roy: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House why there is a delay in the further implementation of the project, please?

The Prime Minister: As I have said, the contract was signed on 19 December 2017. The Police Force and MT had agreed in principle to implement the project within a period of 18 months as from the date of signature of the contract. So, it is good that I quote that section 8 of the contract which reads as follows -

“Responsibilities of the purchaser

Make necessary arrangements for the supply of poles on which the cameras shall be affixed and shall bear the costs of rental of poles, where applicable, and ensure that the poles sustaining the cameras are secure and do not cause any damage to a third party.”

When the technical specifications of the equipment of the Safe City Project were being worked out by the Mauritius Police Force, consideration was given to install the IVS cameras on CEB poles as was the case when the CCTV cameras were installed previously. However, CEB did not allow the MPF to install the Safety City cameras on its wooden poles as these poles were found to be inadequate for meeting the conditions and requirements that were imposed by MT, such as winds, speed, and others. MPF had then to approach MT to provide special steel poles under the same terms and conditions in accordance with the existing lease agreement that would meet the set criteria for installation of the IVS cameras.

An addendum to the contract agreement was thus signed on 29 October 2018 and the steel poles were then procured by MT, which, I am informed, reached Mauritius in November/December 2018.

There were further delays because of other factors, into which I do not want to go now.

Mr Speaker: Hon. Armance!

Mr Armance: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister confirm whether the Safe City Project is equipped with facial recognition cameras? And, if yes, can he confirm where is found the source of the biometric data bank, and where this comes from?

The Prime Minister: I do not think that it has, as yet, this software for facial recognition. I have to confirm, Mr Speaker, Sir, but I do not think so. But there is the

possibility of having this kind of software to be installed. But if that is the case, then the hon. Member is right, there will be need to have, I believe, data banks, in order to be able to match them and to be able to identify people. But I need to check with the Police.

Mr Speaker: Hon. Ittoo!

Mr Ittoo: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister please inform the House about the nature of the offences that have been detected by other Intelligent Video Surveillance and Intelligent Traffic Surveillance cameras? Thank you.

The Prime Minister: There are numerous types of cases; for example, larceny, road accident, drug dealing and possession, assault, murder, and others. These are the types of cases.

Mr Speaker: Hon. Lobine!

Mr Lobine: Mr Speaker, Sir, I have listened to the answer of the hon. Prime Minister with regard to facial recognition technology. Will the hon. Prime Minister, before going ahead with the implementation of the facial recognition technology in the Safe City Project, come before this House with a proper piece of legislation, as it is the case in many democratic societies? Because, in many countries, this technology is being questioned with regard to its issue on Human Rights law. So, will the hon. Prime Minister contemplate bringing a legislation to that effect, to this House, before using this technology in the system?

The Prime Minister: Obviously, Mr Speaker, Sir, if we are to decide on installing such kind of software, we shall certainly see to it that we do it according to law. And if the law does not exist for such kind of facial recognition now, then we shall obviously have to come to Parliament to legislate so that the authorities are legally allowed to carry out such identification exercise.

Mr Speaker: Hon. Nagalingum!

Mr Nagalingum: Can the hon. Prime Minister confirm to the House that the data information captured incidentally on law-abiding citizens is duly protected and not revealed to third parties?

The Prime Minister: I do not know if there is any data bank. I believe the hon. Member is referring to any data that is collected. Yes, of course, that is collected by the Mauritius Police Force and cannot be given or should not be made accessible to other parties. This is why I said that in the number of cases that have been ongoing, such data is essential

for finding a solution to the cases I have mentioned, and it is used only for the purposes of enquiry.

Mr Speaker: Hon. Mrs Luchmun Roy!

Mrs Luchmun Roy: Can the hon. Prime Minister inform the House whether there is a proper maintenance agreement for the equipment? Thank you.

The Prime Minister: Yes. In fact, this is the very purpose of having this kind of agreement, because it is then for the experts and for Mauritius Telecom to service all the equipment throughout the duration of the agreement. I think this is very practical as it ensures that the Mauritius Police Force does not encounter additional costs over the years.

Mr X. L. Duval: The Safe City Project has been exempted from the provisions of the Data Protection Act. So, citizens are not protected at all as far as Safe City Project is concerned. Can the hon. Prime Minister tell us, therefore, under what guidelines the Safe City Project operates, the Police Officers, etc., who have access to the information, and if such guidelines exist, whether he will table same in this House?

The Prime Minister: Obviously, Mr Speaker, Sir, there are guidelines which, of course, limit the responsibility of the officers working in the Command Control System. I know, because I have seen it that there is a code of practice for all those officers who have been based at the Command Centre. One of the fundamental assurances that I can give to the House is that no information can be transmitted to any other third party except, of course, if it is under the authorisation of a Court Order, but, of course, they cannot share information of their own accord and will.

Mr X. L. Duval: Table the code of practice!

Mr Speaker: Next question, hon. Ms Bérenger!

The Prime Minister: I will look into it!

(Interruptions)

Mr Speaker: No conversation!

The Prime Minister: I shall ask the Commissioner of Police. If it is advisable to table it, I shall table it.

Mr X. L. Duval: It is advisable.

The Prime Minister: You are saying so! But I shall seek advice. I need to seek advice.

Mr X. L. Duval: I think it is advisable.

Mr Speaker: No conversation! No argument! Question Time! Next question!

The Prime Minister: I am not going to go by the advice of the hon. Member.

MBC - NEWS BULLETINS & AWARENESS CAMPAIGNS - MAURITIAN SIGN LANGUAGE

(No. B/521) Ms J. Bérenger (First 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 sign language, he will state if he will consider using his good offices to request the Mauritius Broadcasting Corporation to introduce the use thereof during television news bulletins, local emergency broadcasts and parliamentary debates as a means of inclusion of the deaf community.

The Prime Minister: Mr Speaker, Sir, I am informed by the Mauritius Broadcasting Corporation that the Corporation, in collaboration with the Ministry of Social Integration, Social Security and National Solidarity and the Society for the Welfare of the Deaf, is already providing an 8-10 minutes News Bulletin in Mauritian Sign Language, which is broadcast every Saturday on MBC 1 at around 17.55 hours and rebroadcast on MBC SAT on the same day at 19.20 hours. There is also a repeat of the same News Bulletin on the following Sunday on MBC 1 at 12.30 hours.

I am further informed that the Mauritian Sign Language News Bulletin can only be done on recorded mode, as the MBC does not have the required technical facilities for live broadcast of such News Bulletins, at this stage.

Mr Speaker, Sir, during the period of 18 December 2019 to 18 January 2020, the National Disaster Risk Reduction and Management Centre carried out a series of sensitisation campaigns in the Mauritian Sign Language on the MBC TV on disaster and disaster management to raise awareness among persons suffering from hearing impairment. The National Disaster Risk Reduction and Management Centre has informed that the campaign will be carried out again in the current financial year.

Moreover, a video in the Mauritian Sign Language was produced by the Society for the Welfare of the Deaf for the awareness campaigns carried out through television in order

to sensitise the entire population on COVID-19. Furthermore, ongoing campaigns on health issues such as dengue, chikungunya and others are carried out in the Mauritian Sign Language by the Society for the Welfare of the Deaf, in collaboration with the Ministry of Health and Wellness and the MBC.

In addition, the major coverages of the MBC News Bulletins are broadcast with special subtitling to reach the whole audience, including those with hearing impairment.

I am further informed that the Mauritius Broadcasting Corporation, in collaboration with the Society for the Welfare of the Deaf is currently examining the possibility of increasing the duration and frequency of the weekly 10-12 minutes broadcast intended for people with hearing impairment.

Concurrently, the MBC, again in collaboration with the Society for the Welfare of the Deaf, is also examining all the implications of a project for the live broadcasting of one News Bulletin in the Mauritian Sign Language, as suggested by the Society for the Welfare of the Deaf.

Mr Speaker, Sir, regarding the use of the sign language for the broadcast of Parliamentary debates, I am given to understand that the hon. Member had put up a formal request to you and a reply has already been made to her by your Office.

Ms Bérenger: Merci. Si j'ai bien écouté la réponse de l'honorable Premier ministre, donc à l'heure de la technologie de pointe, la communauté des sourds et malentendants n'ont accès aux informations qu'une seule fois par semaine et souvent celle-ci n'est plus d'actualité quand la communauté peut y avoir accès.

Since Mauritius is a signatory country of the United Nations Convention on the Rights of Persons with Disabilities, is the Prime Minister aware that, as per Article 21, Mauritius should introduce the closed captioning and allocate funds and resources to ensure the broadcast television programmes are accessible to the deaf community and should take awareness action in respect to that?

The Prime Minister: As I have said, Mr Speaker, Sir, there are technical issues to be addressed, and there are also issues with regard to human resources, and I am informed that the MBC is discussing with the Society for the Welfare of the Deaf and the Ministry concerned to see how they can increase the number of News Bulletin to be broadcasted in the Mauritian Sign Language. I cannot thus say more than that. This has been the situation. In fact, it has not been the situation only since now, but since long also. However, there is an

effort to try to increase the number of other programmes that can be translated and broadcasted in the Mauritian Sign Language, especially the News Bulletins and other major and important news items that need to be conveyed to the community.

Ms Bérenger: I would like to share with the House that India has enacted its accessibility standards for persons with disabilities in television programmes in September 2019 to ensure that the fundamental rights of the persons with disabilities are respected. Will Mauritius ask for Indian assistance to prepare and enable the enactment of such standards in our country?

The Prime Minister: If I can recall, and if am not mistaken, I believe that we have, in the past, asked for assistance from South Africa. Of course, if there are experts who are willing to help us in that field, we shall ask for their assistance.

Mr Speaker: Hon. Mrs Mayotte!

Mrs Mayotte: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House what are the implications in setting up facility for the hearing impaired in all News Bulletins?

The Prime Minister: First of all, I am informed that we shall need several qualified presenters who will have to be trained for the translation in real time of French, English, Hindi and Creole into sign language. And then, recruitment of such presenters does necessitate amendments in the current PRB Report for the MBC and for training in sign language for television. This training is actually not available locally. Of course, there are other financial implications. I have been provided with much information about setting up of a studio parallel, but we shall have to have equipment and human resources. It is thus quite onerous, but every effort will be made so that we can increase the number of programmes or bulletins that can be translated into and broadcasted in the Mauritian Sign Language.

Mr Speaker: The Table has been advised that PQs B/525, B/557 have been withdrawn. Next question, hon. Ameer Meea!

RICHELIEU OPEN PRISON - PROHIBITED ARTICLES - SEIZURE

(No. B/522) Mr A. Ameer Meea (Third 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 Richelieu Open Prison, he will, for the benefit of the House, obtain from the

Commissioner of Prisons, information as to the number of prohibited articles seized thereat, over the past two years, indicating the –

- (a) number thereof which landed thereat from over the security fences, and
- (b) where matters stand as to the proposed upgrading of the security fences, indicating the start and completion dates thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Prisons that the Richelieu Open Prison, which was constructed in 1958, occupies an extent of land of about 44.25 acres. It is classified as a minimum-security prison for male adult convicted detainees. This prison is presently enclosed by a 2-metre-high chain link fencing.

I am also informed that, through body and cell searches conducted by the prison staff, a total of 54 prohibited articles were seized in 2018. These included 23 mobile phones, 17 batteries for mobile phones, three SIM cards, eight battery chargers, one clean syringe, one needle and one packet of cigarettes.

In 2019, one mobile phone, one battery and two battery chargers had been secured. From January 2020 to date, one mobile phone, one battery and two gas lighters have been seized.

With regard to part (a) of the question, I am further informed that no cases of pelting from over the security fence have been reported for the last two years.

Mr Speaker, Sir, the two sides adjacent to the prison are agricultural land whilst the third side is annexed to the depot of Metro Express Ltd. The other side is occupied by *Morcellement* Chapman. With the development of the residential area and due to wear and tear of the chain link fencing, the prison management decided in 2017 to erect a new fence around the prison starting from the North West of the prison facing *Morcellement* Chapman in a phase-wise manner to enhance security. Necessary funds were provided in Financial Year 2018/2019.

In that context, on 26 March 2019, invitation for bids for the procurement of panel fence in the range of 1.8 m to 2.5 m and accessories for the first phase was sent to five potential suppliers. Out of them, only three bidders responded. On 23 April 2019, the lowest and most responsive bidder was awarded the contract for the sum of Rs1,483,661. These items were procured in June 2019.

After completion of other priority works, fencing works carried out by prison labour started on 02 December 2019. However, during lockdown due to COVID-19, works stopped but eventually resumed on 01 June 2020. As at date, out of 501.8 m of security fence, 82.5 m have already been erected. Work is expected to be completed by June 2021.

Mr Ameer Meea: Mr Speaker, Sir, this issue has been criticised by the Director of Audit in its last report. Can I ask the hon. Prime Minister, since the decision for the fencing was taken in June 2017, why is it that it has taken more than two and a half years to implement this decision?

The Prime Minister: Because in the following year, there were no funds that were earmarked for that project. The funds were only earmarked in the 2018-2019 Budget. That is why it took some time.

Mr Ameer Meea: Mr Speaker, Sir, we are talking about Rs3 m.; we are not talking about Rs300 m. I don't think that we don't have Rs3 m. for the fencing of this project, as it is mentioned in the Director of Audit's Report.

Furthermore, can I ask the hon. Prime Minister - I believe that there must be some cameras there; I don't want to get into the details because I think the hon. Prime Minister won't be able to answer it - if there are cameras there and are they working properly, without getting into the details?

The Prime Minister: Let me first of all say that the Director of Audit does not state that the issue is about whatever millions of rupees are or are not available. In fact, the issue is about why implementation has taken some time. Because it was decided - I repeat again, as it was decided - in 2017, no funds were made available in the Budget. So, the funds were made available thereafter in the 2018-2019 Budget.

Now, in the second part of your question, you said that you think the Prime Minister will not be able to answer. You know I shall not be able to answer about cameras because your main question is about the fences. But I shall try to get the information about cameras and, of course, I shall provide it to you.

Mr Speaker: Time over! Hon. Members, I will break the Sitting at this time for one and a half hours.

At 12.54 p.m., the sitting was suspended.

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

Mr Speaker: Please, be seated!

MOTIONS

S.O. 17(3), S.O. 29(1) & S.O. 49 (8)

The Prime Minister: Mr Speaker, Sir, in view of your ruling that the hon. First Member for Port Louis Maritime & Port Louis East has misled the House, I beg, under Standing Order 17(3), to take the time of the House for urgent business.

The Deputy Prime Minister rose and seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, having obtained your permission, I beg to move, under Standing Order 29(1) to present a motion without notice.

The Deputy Prime Minister rose and seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, in view of your ruling and given the gravity of the circumstances, in terms of the provisions of Standing Order 49 (8), I beg to move that the hon. First Member for Port Louis Maritime & Port Louis East be suspended from the service of the Assembly for today's and the next three Sittings.

The Deputy Prime Minister rose and seconded.

The motion was, on question put, agreed to.

Mr Speaker: Question! Hon. Richard Duval!

SUPER CASH BACK GOLD - POLICYHOLDERS

(No. B/530) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Financial Services and Good Governance whether, in regard to the cases of the policyholders of the Super Cash Back Gold of the former British American Insurance Group pending before court, he will, for the benefit of the House, obtain from the National Property Fund Ltd., information as to where matters stand.

Mr Seeruttun: Mr Speaker, Sir, I am informed by the National Property Fund Ltd that there are 38 cases of Super Cash Back Gold (SCBG) Policyholders and 30 cases of Bramer Asset Management Ltd (BAML) Investors pending before the Court.

Of the 38 Super Cash Back Gold cases, 32 policyholders have been repaid according to the criteria for the final settlement agreement and they are claiming the full repayment. Four policyholders have completed the registration formalities for repayment and have already been paid partly according to the established criteria. However, they have not accepted the final payment according to the Final Settlement Agreement. Two other policyholders have not registered themselves for the repayment and are thus not eligible for any settlement repayment.

Mr Speaker, Sir, with respect to the Bramer Asset Management Ltd. investors, 19 of them have been repaid according to the established criteria and are claiming the full amount. Eight investors have registered themselves but did not accept the repayment criteria and have thus not been repaid any amount. Three investors have not registered themselves and have subsequently not been repaid.

Mr R. Duval: Thank you, Minister. Can the hon. Minister inform the House when the policyholder shall be paid in full, as promised on the eve of the last general election, and also inform the House whether three days of discussions were agreed in an official meeting at National Property Fund Ltd. at Ebène on 30, 31 October and 04 November 2019 by high-ranking officer of Finance and the late former CEO on NPFL?

Mr Seeruttun: Mr Speaker, Sir, this question refers to those whose cases are pending at the level of the Court and it has nothing to do with what the hon. Member is referring to. So, I will ask him to come with a substantive question with regard to that particular issue so that I will be able to provide information with regard to that.

Mr R. Duval: Can the hon. Minister enlighten the House, as a matter of transparency and accountability, why has the NPFL never submitted any written from 2016 to 2019 as it was incorporate in 2015?

Mr Seeruttun: With regard to that issue, Mr Speaker, Sir, at the time when the assets were transferred to the NPFL, in the books of the ex-BAI, at that time, there were a number of receivables and payables that were accounted for, for which they were no more realisable and the auditors, I am informed, have had to work out how to write down those amounts so that the accounts could be finalised and then submitted for filing.

Mr X. L. Duval: Can I ask the hon. Minister, it is been four years, five years since the MTML was set up and now he is telling us it is taking five years for the accounts to be prepared and finalised? Five years?

Mr Seeruttun: Yes, Mr Speaker, Sir.

Mr Speaker: Next question!

SOCIAL REGISTER OF MAURITIUS – REGISTRATION

(No. B/531) **Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Social Register of Mauritius, she will, for the benefit of the House, obtain information as to the number of persons presently registered thereunder, indicating –

- (a) the registration criteria therefor, and
- (b) if consideration will be given for a review thereof.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, I am informed that there are presently 32,927 households comprising of 114,893 persons registered under the Social Register of Mauritius (SRM) out of which 13,470 households comprising 53,302 persons were found eligible under the SRM both in Mauritius and Rodrigues.

The House may wish to be informed that there are no criteria for registration under the SRM. Therefore, the issue of reviewing the criteria for registration does not arise. Any person who feels that he needs income support and empowerment from the Government may apply for registration under the SRM. However, a Proxy Means Test is carried out to determine the eligibility of the household requesting for assistance.

Mr Speaker: Hon. Armance!

Mr Armance: Thank you, Mr Speaker, Sir. I have listened to the Minister carefully, I just want to find out from her, out of the persons who are registered under SRM, are they also bind to have the Social Contract Bond?

Mrs Jeewa-Daureeawoo: Yes, if the applicant is found eligible and is registered under the SRM, then he will have to sign a social contract with the Ministry but if he is not found to be eligible, his name will still be on the register but he will not get the Subsistence Allowance.

Mr R. Duval: Is the hon. Minister aware that as per the list of Social Register of Mauritius, several beneficiaries are owners of two-storey concrete houses and that people from extreme poverty have not received food pack as being provided during confinement?

Mrs Jeewa-Daureeawoo: Well, there are several questions which have been put in this Assembly with regard to food pack. Your question is very specific about registration criteria. Now, you are saying that there are some people who do have two-storey houses under the SRM. So, if you can let me have more information about this particular case, I will certainly look into it because there is a proper mechanism which has been put in place for persons to be eligible under the SRM.

Mr Quirin: M. le président, j'espère comme moi la ministre a dû prendre connaissance des conditions que je dirai assez cruelles imposées aux familles qui demandent à être sur le registre social de Maurice. J'apprends, par exemple, M. le président, qu'une famille qui a un téléviseur, une cuisine attenante ou est hébergée par sa famille, pourrait voir sa demande être rejetée. L'honorable ministre ne croit-elle pas qu'il est grand temps de revoir toutes ces conditions inhumaines qui sont imposées?

Mrs Jeewa-Daureeawoo: Well, it is not inhuman condition. So, this is very inappropriate because the PMT test I and the PMT II test has not been developed by my Ministry, it has been developed by experts. Let me just say, on a note of clarification, the PMT test I was developed in 2010 by Prof. Muller, the UNDP International Consultant based on Household and Budget Survey 2006 and 2007 in collaboration with a consultant, Mr Bundhoo. Now, the PMT II has been developed again with the help of the consultant. I must also say that we have appointed a consultant, Mr Bundhoo in March 2020 to review the PMT test, if need be, and carry out an impact assessment and exercise on the Marshall Plan, amongst others.

Well, we will need to await the outcome of the consultant and, if need be, of course, the PMT II test will be reviewed because as I have just said the PMT II has been implemented as far back as 2016.

Mr Speaker: Last supplementary, hon. Armance!

Mr Armance: Regarding the list, the Minister mentioned that there are no criteria for selection. I just want to find out from her, is this list reviewed or do people go in and out this list?

Mrs Jeewa-Daureeawoo: No, if you had listened carefully to what I have said, I have just mentioned that there are no criteria for registration, but there are criteria when we talk about the Proxy Means Test. The Proxy Means Test takes into account the asset income and the living conditions of the applicant. There is a test which is being carried out before the

people are to be found eligible or not but with regard to the application itself, anyone can apply.

Mr Speaker: Next question, hon. Uteem!

CWA – WATER SECTOR REFORM

(No. B/532) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Energy and Public Utilities whether, in regard to the water sector reform, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the –

- (a) pipe replacement cost on a yearly basis since 2014 to 2019 and since January 2020 to date, and
- (b) current percentage of non-revenue water.

Mr Lesjongard: Mr Speaker, Sir, with regard to pipe replacement, I am informed by the CWA that, major pipe replacement works are normally carried out under capital projects. However, some pipes are also replaced under the CWA's framework agreements for minor works as well as under sewerage projects implemented by the Wastewater Management Authority and road infrastructure projects of the NDU.

I am further informed by the CWA that since January 2014 to date, the CWA has disbursed an amount of Rs2.799 billion for the replacement of 371.3 kms of pipes under its capital projects and framework agreements for minor works. An additional of 96.5 kms of pipes have also been replaced during the same period under projects implemented by the Wastewater Management Authority and the National Development Unit as well as in-house by the CWA and in respect of which the CWA has only supplied the pipes. Moreover, 29.49 kms of pipes have also been replaced under the Metro Express Project.

With your permission, Mr Speaker, Sir, I am making arrangements for the information on the pipe replacement cost borne by the CWA on a yearly basis since January 2014 to date be placed in the Library of the National Assembly.

As regards part (b) of the question, I am informed by the CWA that Non-Revenue Water refers to unaccounted for water losses that can be classified into physical and apparent losses. The physical losses are real water losses through old and leaking pipes, whereas apparent losses relate to commercial losses associated mainly with inaccurate meter readings and water pilferage.

I am also informed that the level of Non-Revenue Water has been examined under several studies carried out since 1999. However, due to difficulties to establish the baseline data, the exact figures of water losses are not available as such.

I am further informed that the CWA has calculated the actual percentage of Non-Revenue Water to be around 60% based on water production and water sales figures.

Mr Uteem: Mr Speaker, Sir, in answer to the Parliamentary Question which I asked on 10 April 2018 on non-revenue water, the then Deputy Prime Minister also gave the figure of 60% as non-revenue water, the water that is being lost. So, does the hon. Minister find it normal that we are called upon to spend billions of rupees and there is absolutely no improvement in non-revenue water?

Mr Lesjongard: Yes, I have also asked the same question to the CWA, because they have invested, like I said earlier, some Rs2.799 billion, but it was for the replacement of 371.3 kilometres of pipe, whereas the information which I have been given is that we have to replace some 1570 kilometres of pipe out of 4000 kilometres, that is, 23%. We should have had, at least, a small decrease in the level of non-revenue water, but this is not the case. This is not the case because first, there are several factors which have to be taken into consideration while calculating the non-revenue water. Then, there were measures in addition to replacement of pipes which should have been implemented, for example, water network management, monitoring of the system and also transfer of knowhow to the workers/employees of the CWA. These issues have not been taken into consideration, and what I have also been told that there was a non-revenue water unit which was functional, but it was dismantled in 2017. So, the figures that have been provided to me, I have requested them to rework the figures so that we have a clear indication not only on the non-revenue water throughout the island, but in the different zones where we have water network around the island.

Mr Uteem: I thank the hon. Minister for his honest answer, which shows how incompetent his predecessor was. May I know from the hon. Minister, in answer to the same PQ, the hon. then, Deputy Prime Minister stated, and I quote: "I am making a formal proposal for a private sector operator to be appointed on a 15-year affermage contract." So, his solution was to privatise and have it carried out by a private company for 15 years. Is the hon. Minister going to confirm whether Government is still going ahead with this affermage contract or this plan is being revisited?

Mr Lesjongard: Mr Speaker, Sir, in the same question that the hon. Member is referring to, he also acknowledged that, and I quote: “the problem is that for years and years, CWA, despite having all the money, all the fundings, has not been able to reduce the non-water revenue.” So, we are almost on the same wavelength, but, with regard to the affermage, this will be discussed in the future, not now.

The Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Mr Speaker, Sir. In regard to the 371.3 kilometres of pipe that has been replaced to the cost of Rs279,000 billion, can I ask the hon. Minister, not for the other component of non-revenue water, but for the actual physical loss in pipes, does not the CWA have a figure how much it was done before and how much it is now because all along, CWA is accompanied by a consultant? How come the investment does not come with an outcome oriented result for such amount of money?

Mr Lesjongard: I understand from the CWA that it is not all the time that they have been accompanied with a consultant. I believe it was for a specific period and, during that specific period, they had implemented the project with regard to non-revenue water in a specific region, that is, upper Mare-aux-Vacoas. I have the results and, if need be, I am going to table the results because the results give an indication over the years, that non-revenue water in Mauritius ranges between 50% to 60%, and has never gone below 50%, whereas the international trend is below 25%.

Mr Speaker: Last supplementary!

Mr Uteem: Thank you, Mr Speaker, Sir. Is the hon. Minister satisfied that CWA has the necessary equipment to detect water losses for broken pipes beneath the surface of land?

Mr Lesjongard: This is why in my reply I said; non-revenue water is not only renewal of asset, that is, replacement of pipes or repairing active leakages. There are other issues which have to be dealt with. The hon. Member will appreciate that I am new in that Ministry and we are, right now, looking into all that. Thank you, Mr Speaker, Sir.

The Speaker: Next question, hon Uteem!

MASKS & PERSONAL PROTECTIVE EQUIPMENT – STOCK

(No. B/533) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to masks and personal protective equipment he will state the -

- (a) aggregate number thereof -
 - (i) purchased, and
 - (ii) utilised, over the period March 2020 to date, and
- (b) category and number of persons eligible therefor.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that stock of the following items as of date is as follows –

- Disposable surgical masks – 11,235,050 units;
- Specialised masks – 2,226,116 units;
- Sterile gowns – 4449 units;
- Non-sterile gowns – 405,258 units;
- Disposable gloves – 31,221,300 units

Mr Speaker, Sir, I am also informed that the number of items purchased over the period of March 2020 to date are –

- Disposable surgical masks – 10,841,650 units;
- Specialised masks – 2,138,026 units;
- Sterile gowns – 2,010 units;
- Non-sterile gowns – 394,168 units;
- Disposable gloves – 30,939,100 units.

Now, for the period of March 2020 to date, the following items have been utilised –

- Surgical masks – 3,169,057 units;
- Specialised masks – 311,693 units;
- Gowns (PPE) – 153,499 units;
- Gloves – 5,525,870 units.

Mr Speaker, Sir, I also wish to inform the House that during the outbreak of the pandemic, my Ministry has issued masks and personal protective equipment, amongst others

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- (a) Ministry of Social Integration, Social Security and National Solidarity;
- (b) Ministry of Tourism;
- (c) Police Department;
- (d) Prison Department, and

(e) National Empowerment Foundation.

Mr Speaker, Sir, I am also informed that my Ministry has provided masks and other protective equipment to Ministry of Environment, Solid Waste Management and Climate Change in a spirit of solidarity in the context of oil spillage at Blue Bay during the weekend.

As regards part (b) of the question, the following persons, amongst others, are eligible for masks and other personal protective equipment –

- (i) Workmen's class of my Ministry, it is 4,759;
- (ii) Medical and paramedical staff – 2,206;
- (iii) Nursing cadre – 5,147;
- (iv) Non-medical staff – 1,205 among others.

Mr Uteem: Mr Speaker, Sir, from the figures given by the hon. Minister, it would appear that more than 70% of the disposable masks, the specialised masks that were ordered, purchased, has not been utilised - more than 70%. So, does the hon. Minister find it normal that we have been spending almost a billion rupees buying masks for them to be stale.

Dr. Jagutpal: Mr Speaker, Sir, let me remind the House that, at the beginning of the pandemic, WHO predictions for Mauritius, Mauritius would be one of the countries which will be severely hit.

From that prediction, Mauritius with a population of 1,265,303, so, the prediction was that we are going to have 87,424 cases of mild infection; moderate infection would be 87,424; severe infection would be 1,005; critical infection would be 358 and the deaths would be 837, with the number of admissions going up to 20,345. This is the beginning of the WHO prediction. This is what the Ministry has been doing. Based on that prediction, the worst case scenario, and that planning has been done to acquire all the equipment.

Mr Speaker: Hon. Mrs Luchmun Roy!

Mrs Luchmun Roy: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House in case of a second wave of Covid-19, what arrangements have been made for provision of masks and personal protective equipment?

Dr. Jagutpal: Mr Speaker, Sir, I am informed that we have sufficient stock to sustain a second wave. I have already given the figures that we have 70%, as hon. Members have said. So, that stock is sufficient to contain a second wave if ever. I wish also to inform the House that the Ministry has various international and national organisations that have given

us donations especially in terms of protective equipment and masks. In line with that recommendation, Mauritius in the second wave so far we had no predictions as far what would be any prediction for a second wave. Now, on that report the officers of my Ministry are still working in case we'll need additional but so far all the equipment we have, I believe, it would be sufficient if ever there is a second wave.

Mr Uteem: The hon. Minister has just indicated that this panic buying was as a result of providing masks to the whole population because there is only around 10,000 staff that are given.

Dr. Jagutpal: Mr Speaker, Sir, there is no panic buying. I have to remind the hon. Member that at the time when the pandemic started from China, there has been strict follow up of the recommendations of the WHO. There was no panic buying. No one at that time predicted that this pandemic would have such a consequence. There is no panic. Timely intervention has been done. I wish to remind him again.

Mr Speaker: Hon. Dr. Aumeer, last supplementary!

(Interruptions)

Mr Uteem: It is my question.

Mr Speaker: Okay, you will have the last one.

Dr. Aumeer: With regard to personal protective equipment and persons eligible thereof, I understand from the Minister, that there is quite a stock available at present. In the wake of the Wakashio issues that we have at the moment, will the Minister consider offering NGOs involved in cleaning beaches with some of these personal protective equipment which surely will help them with regard to the danger that it represents to their health?

Dr. Jagutpal: Thank you, hon. Member. We have been liaising with the Ministry of Environment. Any personal protective equipment in terms of masks, in terms of gloves will be provided to the Ministry and then that would be again obviously given to the NGOs who have been involved.

Mr Speaker: Last supplementary!

Mr Uteem: Thank you, Mr Speaker, Sir. With respect to this excess stock of masks, 70%, there are 2 million surgical masks; there are 2 million special masks for only 10,000 users. Is the hon. Minister considering selling those masks to the public or to other governmental organisations to recoup some of the excessive spending on these masks?

Dr. Jagutpal: Mr Speaker, Sir, first of all, I don't agree that there is an excess of equipment, especially when those equipments are being used for our frontliners, and secondly, if for the last three or four months, we have already used between 20% to 30% of the equipment and we are still in a pandemic situation, there is no question of distributing to whoever.

NATIONAL PROPERTY FUND LTD – FINANCIAL SITUATION

(No. B/534) 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 Property Fund Ltd, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the financial situation thereof, indicating if it has the ability to repay its debts on due dates, and
- (b) where matters stand as to the disposal of the assets thereof.

Mr Seeruttun: Mr Speaker Sir, I wish to inform the House that following the collapse of the ex-BAI (Mtius) Co. Ltd in early 2015, Government decided that the Super Cash Back Gold (SCBG) Policyholders and the Bramer Asset Management Ltd (BAML) investors be paid their capital/investments, either fully or partly, depending on the amount of the capital or investments according to established repayment criteria.

In this context, the National Property Fund Ltd (NPFL) was set up in May 2015, with the primary objective to repay the Super Cash Back Gold policyholders and the Bramer Asset Management Ltd investors.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that the NPFL has till date met its obligations towards the Super Cash Back Gold policyholders and the Bramer Asset Management Ltd investors. As regards the other obligations, they are backed by a Government Guarantee and are being repaid as and when required.

Mr Speaker, Sir, with regard to part (b) of the question, as I mentioned in my reply to Parliamentary Question B/34 at the sitting of 05 May 2020, the NPFL has already started the process of disposing its assets in terms of immovable properties. I am informed that as at date, action has already been initiated for the disposal of a plot of land situated at Flic-en-Flac of an extent of 3,395.68 m².

Mr Uteem: The hon. Minister just answered a few minutes ago that the National Property Fund has not filed its accounts. So, isn't it the case that the reason why the National Property Fund is unable to file its accounts, it is because the auditors are refusing to sign off because the company is insolvent?

Mr Seeruttun: Mr Speaker, Sir, in fact, I did reply earlier on with regard to the late filing of the accounts. The ex-BAI Group was a very complex structure and assets that were transferred had to be re-evaluated and I am informed by the auditors that this exercise is nearly completed and it did take some time but it is almost completed. That's what I have been informed and the accounts should be in a position to be finalised and for filing eventually.

Mr Uteem: It is public knowledge and there has been question in Parliament on that, that the Bank of Mauritius has advanced more than Rs3.5 billion to the National Property Fund Ltd. May I know from the hon. Minister whether he is satisfied that today this National Property Fund has sufficient asset worth at least Rs3.5 billion to repay the debt it owes to the Central Bank?

Mr Seeruttun: Well, Mr Speaker, Sir, at the level of the Ministry, the Government and the NPFL, everything is being done to look for solutions to address this issue.

Mr Speaker: Hon. X. L. Duval!

Mr X. L. Duval: Mr Speaker, Sir, the hon. Minister just mentioned that the accounts will be finalised soon. There are four years' accounts which are outstanding. Is he telling us that the latest accounts of 30 June 2019 which are due, are these accounts the ones that are being finalised or the accounts of 2016?

Mr Seeruttun: To be able to finalise the latest accounts, we had to finalise the first one which dates back to 2015 and that is why we had to re-evaluate to be able to recognise in the books of that year's accounts so that the other accounts could be finalised and filed.

Mr Speaker: Last supplementary, hon. Nuckcheddy!

Mr Nuckcheddy: Thank you, Mr Speaker, Sir. The MMM party was the first to claim that the BAI was operating as a Ponzi Scheme. Can the hon. Minister confirm that the same MMM party accepted a cheque of Rs10 m. from the BAI in 2014?

(Interruptions)

Mr Speaker: Next question!

**TRAINING & EMPLOYMENT OF DISABLED PERSONS BOARD -
REGISTRATION**

(No. B/535) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Training and Employment of Disabled Persons Board, she will, for the benefit of the House, obtain therefrom, information as to the number of –

- (a) disabled persons presently registered therewith, indicating the number thereof employed in the private and public sectors, respectively, and
- (b) employers reported thereat for non-compliance with the statutory obligation for the employment of the disabled, since December 2015 to date, indicating in each case the actions taken, if any.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, the Training and Employment of Disabled Persons Board is regulated by the Training and Employment of Disabled Persons Act of 1996 as amended by the Training and Employment of Disabled Persons (Amendment) Act of 2012.

With regard to part (a) of the question, we have around 1129 persons with disabilities on our register, out of which 58 persons have registered following a communiqué issued by my Ministry on 18 June 2020 inviting persons with disabilities to register with the Board. This exercise is part of our efforts to revamp the Training and Employment of Disabled Persons Board. As at date, the Training and Employment of Disabled Persons Board has placed 300 persons with disabilities in employment in the private and parastatal sectors.

I am informed that there are persons with disabilities who are employed by the Public Service. A recruitment is based on merit and the recruitment exercise is being carried out by the Public Service Commission, the TEDPB has no record regarding the number of persons who suffer from a disability working in the public sector.

As regards part (b) of the question, I am informed that on the previous register for employers, 589 companies were non-compliant with their statutory obligations for the employment of persons with disabilities.

As I mentioned earlier, my Ministry is currently in the process of revamping the Training and Employment of Disabled Persons Board by updating the database of persons with disabilities and employers. I have already given details regarding the register for persons with disabilities.

In the same vein, we have started a new register for employers. Letters have been issued to employers requesting them to register with the Training and Employment of Disabled Persons. So far, 612 companies have responded positively. The exercise for the registration of both persons with disabilities and employers is ongoing.

Furthermore, in view of the fact that the training centres at Calebasses and Rose Belle are now closed and in an effort to carry on with the training courses, we have developed collaboration with the Mauritius Institute of Training and Development. As such, training sessions in housekeeping and waitering for persons with disabilities have already started.

Mr Uteem: Mr Speaker, since as far back as 2015, I have been asking the same question to this House to various Ministers and that is non-compliance by private sector with their statutory obligations to employ 3% of staff. So, my question is very specific. What are the actions taken by the Ministry against those 589 companies which are non-compliant, which are flouting the law?

Mrs Jeewa-Daureeawoo: Yes. I agree with you. As I have said in a previous reply, our Government wants to create a more inclusive society. I must admit that the TEDPB might not have made optimum use of its resources. That is why I took the decision to look into the whole mechanism of the unit. Unfortunately, due to COVID-19, some of the measures have had to be postponed, for instance, with regard to the training courses to be dispensed by the MITD.

As I have said, we are revisiting the system, that's why we have issued communiqués to update the list of both employers and employees, and we will look into the matter and see in what ways we can encourage, sensitise companies to employ persons with disabilities.

Mr Uteem: Mr Speaker, I think we have passed the time of sensitisation campaign. There is a deliberate flouting of the law and what I expect from this hon. Minister is to take a commitment to sue each and every company that is not employing the 3% quota imposed by then by the law.

Mrs Jeewa-Daureeawoo: Do you think this is the moment to sue companies? Do you want me to punish companies which are not...

(Interruptions)

Well, I don't think...

(Interruptions)

Yes, this is your opinion. I am not of that opinion because this is not the time.

Mr Speaker: Only the Minister can answer.

Mrs Jeewa-Daureeawoo: Sorry about that, I am rather advocating...

Mr Speaker: You are a future Minister.

Mrs Jeewa-Daureeawoo: You put a question. You listen to my reply, please. I am rather advocating for closer collaboration with the private sector because, as I have said, we are looking into the whole mechanism. So, I am of the view that, first of all, we have to raise awareness and encourage companies to employ persons with disabilities because I admit that my wish also is to see to it that more people get the opportunity to be employed. But let us start by updating the list and call on the companies for collaboration, and then we will see what can be done to improve the system. Because if we start suing, this might push companies out of business for the time being. That's why I am saying this is not the moment to sue companies because of COVID-19. Let me update the list first and then have close collaboration with the private sector, and then, if need be, we will see.

Mr Speaker: Hon. Quirin!

Mr Quirin: Merci, M. le président. M. le président, concernant l'assistance et la formation des personnes vivant avec un handicap, les Estimates de 2019-2020 font mention qu'une somme de trente millions était prévue sous cet item. De ce fait, l'honorable ministre, peut-elle nous dire comment cet argent a été dépensé et si la totalité bien sûr a été dépensée sinon quelle est la somme qui a été dépensée? Si elle n'a pas toutes ces informations, elle peut déposer bien sûr par la suite.

Mrs Jeewa-Daureeawoo: Yes. Well, I do know that a certain amount has been disbursed for training. I don't have the figure now, but I will provide you with the necessary information in the days to come.

Mr Speaker: Last supplementary, hon. Lobine!

Mr Lobine: Thank you, Mr Speaker, Sir. Can the hon. Minister, in a later course, provide to this House a detailed list of all the cases pending before the court with regard to those non-compliant companies as at now?

Mrs Jeewa-Daureeawoo: Yes. I have already answered to the question. We have never. We have not sued...

(Interruptions)

Non, non. Prosecution has not started yet. That's why I am saying. We will update the list and then we will call upon the companies to come and see us, and then, if need be, actions will be taken.

Mr Speaker: Next question! Hon. Osman Mahomed!

DETAINEES - DEATH IN CUSTODY- INVESTIGATIVE JUDGE

(No. B/536) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to cases of death of detainees whilst in police custody, he will state if consideration will be given for the introduction in the Mauritian judicial system of the investigative judge to investigate thereinto.

Mr Gobin: Mr Speaker, Sir, in the present state of our law, there are four legal avenues open in cases of death of detainees while in custody. Two of these legal avenues are under the District and Intermediate Courts (Criminal Jurisdiction) Act, namely an enquiry under section 64 to be conducted by a Magistrate upon a requisition of the DPP. Second avenue is under section 110(d) of the same District and Intermediate Courts (Criminal Jurisdiction) Act.

Over and above the two legal avenues under the DIC, there is the third legal avenue under section 4(b) of the Independent Police Complaints Commission Act and fourthly, the procedure under the National Preventive Mechanism Act which empowers the National Preventive Mechanism Division of the National Human Rights Commission to make certain recommendations.

In the light of the legal avenues available in the present state of our law, it is not proposed to import the foreign concept, I would say, of the investigative judge into Mauritius into these matters.

Mr Osman Mahomed: Thank you, Mr Speaker, Sir. The latest case in point dates last week, judgment rendered in the case of late Mr Iqbal Toofany, following which the lawyer of the accused party, Mr Gavin Glover, *on ne peut pas être plus royaliste que le roi*, has stated *nous avons gagné au vu des témoignages apportés par la poursuite*. I am not a lawyer. The hon. Attorney-General is an experienced lawyer.

Can I ask him whether it is reasonable to expect that, in such cases where Police officers are required to enquire on Police officers, one can expect the outcome to be just and fair because there is this element of friendship and loyalty that cannot be possibly overlooked.

Mr Gobin: Let me say at the outset, Mr Speaker, Sir, I cannot comment on the case of Toofany right now because it is my understanding that the matter is being looked into by the Office of the DPP as to whether he is going to appeal or not. So, I will guard myself against any comment. I wish, however, to state that we are all concerned about death in custody. One case is one too many. Government had enacted in 2014-2019 the Independent Police Complaints Commission. Now that there is an independent Police Complaints Commission chaired by a former Judge of the Supreme Court, I think we should let that commission do its duties in all independence.

Mr Osman Mahomed: I was reading what the widow of Mr late Iqbal Toofany has stated in the Sunday newspaper –

« J'ai vu se briser les rêves de mes enfants. Ma fille a dû abandonner ses études supérieures. »

Now, if the Police Officers were to be found guilty, the onus for compensation would have squarely fallen on to the State of Mauritius. Can I ask the hon. Attorney General, again an experienced lawyer, being given this incestuous relationship, whether it would not be appropriate to have an independent system, I know he mentioned it is a foreign concept, albeit a *Juge d'instruction à la mauricienne* to look into such cases because it would appear that in this case all the four instances that were present have failed in their responsibility?

Mr Gobin: I would not say that the four instances have failed, Mr Speaker, Sir. Insofar as the independence of the enquiry is concerned, I am satisfied that the Independence Police Complaints Commission (IPCC) is an independent process, it is headed by a former Judge independent of the Police. There are other legal avenues as I said under the DIC. If a Magistrate takes over the enquiry as is indeed possible under section 64, that Magistrate takes the role, in fact, of a quasi-investigative Judge. Admittedly, it happens quite rarely, but it exists in our law. Having said so, I will come back to what I said. Now that there is an IPCC, the process is completely different from what obtains before the creation of the IPCC and finally, once again, I do not want to make a comment specifically on the case of Toofany for reasons which I have mentioned earlier.

Mr Speaker: Hon. Members, the Table has been advised that PQs B/552, B/555 will be replied by hon. Vice-Prime Minister, Minister of Local Government and Disaster Risk Management. PQ B/578 will be replied by hon. Minister of Land Transport and Light Rail. PQs B/567, B/568, B/573, B/574, B/575, B/578 and B/579 have been withdrawn.

Next question, hon. Osman Mahomed!

MV BENITA - SALVAGE OPERATION - PAYMENT

(No. B/537) 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 quantum of compensation received from the insurer thereof, giving a breakdown thereof.

Mr Maudhoo: Mr Speaker, Sir, according to records available at my Ministry, out of a total sum of Rs34,342,638 claimed by the different stakeholders for the salvage operations, an amount of Rs33,129,298 has been paid so far by the insurer London P&I Club. A balance amounting to Rs1,213,340 would be paid shortly to the Mauritius Fire and Rescue Service which has recently submitted the additional information required by the insurer.

Mr Speaker, Sir, with your permission I am tabling a breakdown of the amount claimed by the different stakeholders and the amount paid by the insurer as at 31 July 2020 for the Salvage operation of MV Benita which was grounded at Le Bouchon in 2016.

Mr Osman Mahomed: While I await for the breakdown, I will ask the Minister the following question: in his speech on the Budget presentation on Monday 08 August 2016, the hon. Minister's predecessor, Mr Koonjoo, stated that in the wake of the MV Benita wreck, his Ministry initiated the process of upgrading our legislation to include the requirements therein by drafting a Marine Pollution Bill which had never been done before in the past. Moreover, the Ministry had started drafting a Marine Pollution Liability and Compensation Bill to cover requirements under the International Convention on Civil Liability for oil pollution damages and an International Convention on Civil Liability for bunker oil pollution damages. Now, that was four years ago. Before I come for the question, I went to the library. This Bill has never come to Parliament.

Mr Speaker: What is your question, hon. Osman Mahomed?

Mr Osman Mahomed: Can I ask the hon. Minister whether the legal legislation that we have right now, which is the Merchant Shipping (Civil Liability for Oil Pollution Damage

and International Fund for Compensation for Oil Pollution Damage) of 1986, 36 years ago, is adequate for us to enter the Court case for the MV Wakashio case which is at our shores now and for which this morning himself he has stated that we are not able to do anything because conventions prevent us from taking charge of the ship? So, can I ask the hon. Minister whether he finds this legislation adequate or not?

Mr Maudhoo: Well, Mr Speaker, Sir, this is a legal issue and definitely the legal advisers will seek advice from them. But anyway, I think we have provisions in the law and there will be damages in this issue. That is definite.

Mr Speaker: Next question!

Mr Osman Mahomed: I have one more question on B/537. So, in the breakdown, one can see that one of the major components being claimed from the insurance company is for police helicopter squadron. Now, I have photos with me ...

Mr Speaker: You have one question, put your question!

Mr Osman Mahomed: Can I ask the hon. Minister why is it that since this was reimbursed by the insurance company, on the first day itself the Dhruv helicopter or any other helicopter or foreign helicopters could not be mobilized to remove all the oil that has spilled over in the meantime because it was said that we could not do it by ship bunkering because of the weather? Why was this not done as an immediate step for the affected tank that has spilled over in the ocean?

Mr Maudhoo: Mr Speaker, Sir, I don't know from where the hon. Member get that information, as per records in my Ministry, two days after the vessel got grounded, the salvors were here in Mauritius and then the mobilization was done. It was only after 8 days that they started removing the oil and it took at least 15 to 16 days to remove all the oil. It was never on the second day because the salvors were not even in Mauritius at that time.

Mr Speaker: Your next substantive question!

REGISTRATION DUTY & LAND TRANSFER TAX – REVENUE COLLECTED

(No. B/538) 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.

Dr. Padayachy: M. le président, le droit d'enregistrement et la taxe sur le transfert des terrains sont perçus par le *Registrar General* et non par la *Mauritius Revenue Authority*.

Je dépose le montant total des recettes perçues au titre des droits d'enregistrement et des droits de mutation foncière pour chacune des années de 2015 à 2019 ainsi que pour la période allant de janvier 2020 jusqu'au 31 juillet 2020. Merci.

Mr Speaker: Next question!

Mr Osman Mahomed: While waiting for the paper to reach my source, can I ask the hon. Minister whether the pattern of revenue collection is on the rise or is it on a decline?

Dr. Padayachy: M. le président, à part une hausse exceptionnelle en 2017, il y a eu une hausse constante des revenus collectés, sauf en 2017 et 2018.

Mr Osman Mahomed: Can I ask the hon. Minister why is it that between 2017 and 2018, there has been such a dip?

Dr. Padayachy: Je n'ai pas les informations en ma possession. Je vais essayer de récolter les informations et donner à l'honorable membre.

Mr Osman Mahomed: One of the key departments involved of collecting this kind of revenue is the Valuation Office. From my understanding, there is a responsible officer there, who is not from the substantive cadre of Valuation Officers. Can I ask the hon. Minister what is the rationale of nominating someone out of the department rather than appointing people from substantive post of valuers at the head of the organisation?

Dr. Padayachy: M. le président, encore une fois, je ne suis pas au courant de ces informations. Je l'ai appris, je vais regarder, prendre note de ces informations et revenir vers l'honorable membre.

Mr Speaker: Next substantive question!

CLIMATE CHANGE - INTENDED NATIONALLY DETERMINED CONTRIBUTIONS

(No. B/539) 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.

Mr Ramano: M. le président, la République de Maurice avait soumis ses Contributions déterminées au niveau national (CDN) au Secrétariat de la Convention-cadre des Nations unies sur les changements climatiques (CCNUCC) le 28 Septembre 2015, en amont de la 21^{ème} réunion de la conférence des parties à la Convention-cadre des Nations unies sur les changements climatiques (COP21). Nous avons ensuite ratifié l'Accord de Paris sur les changements climatiques le 22 avril 2016. Depuis 2015 à ce jour, une série de mesures, que ce soit pour l'adaptation comme pour l'atténuation, a été initiée dans plusieurs secteurs clés. Pour rappel, nos CDN avaient identifié des secteurs par rapport à l'adaptation, comme l'eau, l'agriculture, le tourisme, la pêche, les infrastructures, la zone côtière, la biodiversité et la santé. En ce qui concerne l'atténuation, il y a les secteurs de l'énergie, le transport, l'industrie, l'agriculture, la gestion des déchets et les forêts. Ainsi, depuis 2015 des stratégies, des plans d'actions, et plusieurs cadres administratifs et législatifs ont été mis en place.

M. le président, en ce qui concerne le suivi sur les CDN, les mesures administratives suivantes ont été prises –

A ce jour 5 réunions du *NDC Coordination Committee on Climate Change* ont été organisés par le ministère de l'Environnement et 3 réunions du *NDC Coordination Committee on Resource Mobilisation* ont été organisées sous l'égide du ministère de Finances. De plus, mon ministère a organisé 9 réunions entre 2015 et 2019 du *Multilateral Environment Agreements Coordinating Committee*, selon la section 12(A) de l'*Environment Protection Act* de 2002. Ce comité a pour but, entre autres, de faire le point sur les progrès accomplis dans la mise en œuvre des obligations de la Convention-cadre des Nations unies sur les changements climatiques.

Concernant les cadres légaux et institutionnels, des mesures audacieuses ont été prises. Quatre lois notamment, la *National Disaster Risk Reduction and Management Act 2016*, la *Land Drainage Authority Act* de 2017, la *Local Government Amendment Act* de 2018 et la *Mauritius Meteorological Services Act 2019*, ont été promulguées. Nous sommes maintenant en train de finaliser la préparation d'une loi-cadre sur le changement climatique, notamment le *Climate Change Bill*. Le Conseil des Ministres a déjà donné son aval pour que ce projet de loi soit finalisé et introduit bientôt au Parlement.

En ce qui concerne les mesures budgétaires, des sources de financement tant locales qu'internationales ont été investies dans le changement climatique. D'une part, le *National Environment Fund (NEF)* qui avait été restructuré en 2018 avec un financement de R 2

milliards pour soutenir en priorité les secteurs, tels que la réhabilitation de nos côtes face à l'érosion, la gestion des inondations et les catastrophes liés au changement climatique. Le budget 2020-2021 a encore plus consolidé cet effort en allouant la somme de R 2,1 milliards dans le *NEF* pour soutenir d'autres mesures additionnelles en lien avec le changement climatique.

D'autre part, nous avons bénéficié aussi de plusieurs appuis financiers de plusieurs bailleurs de fond internationaux comme le *Green Climate Fund*, l'*Adaptation Fund*, le *Global Environment Facility* et l'Union européenne, entre autres. Depuis 2015 plus de USD 63.5 millions ont été mobilisés, en termes de soutien financier sur les projets liés au changement climatique.

M. le président, à ce jour, plusieurs mesures d'Adaptation ont été prises par mon ministère et d'autres ministères et départements.

En ce qui concerne les mesures d'atténuation prises à ce jour, malgré le fait que Maurice émet moins de 0,01% des émissions mondiales de gaz à effet de serre, le gouvernement a aussi initié plusieurs mesures.

M. le président, la liste est longue, avec votre permission, je voudrais déposer à la Chambre une liste des différentes mesures d'adaptation et d'atténuation entrepris à ce jour.

Je tiens à préciser que cette liste de projet est non exhaustive. Il y a toute une série d'autres projets qui a été implémentée dans les secteurs de la recherche, la formation, et la sensibilisation.

Je voudrais souligner que mon ministère est en train de réviser nos Contributions déterminées au niveau national. Maurice bénéficie de l'appui du Gouvernement Français à travers l'Agence Française de Développement (AFD) et Expertise France pour cet exercice. L'Agence Française de Développement pourvoira environ 200,000 euros et le PNUD accordera une assistance complémentaire à hauteur de USD 300,000, à travers le '*Climate Promise Initiative*' pour cette révision, qui a déjà débuté, M. le président.

Mr Osman Mahomed: Thank you. The hon. Minister has rightly stated that we pollute very little .0.1% at global level. Our main concern in Mauritius is adaptation. Eight years on, since the National Climate Change Adaptation Framework has been adopted and agreed for implementation in Mauritius. Can I ask the hon. Minister whether he will be able to table the progress on this National Plan *en amont de* the next submission that will have to do this year?

Mr Ramano: Bien sûr, M. le président. Comme je l'ai dit, donc, il y a toute une liste qui a été préparée. Donc, cela va de la protection des zones côtières. Cela y va aussi en ce qui concerne le ministère de la Santé. Cela y va, donc, du *Land Drainage Authority*, le secteur agricole, les ressources en eau. Donc, bien sûr, la liste est longue. Avec plaisir, je vais déposer les documents à la Chambre, M. le président.

Mr Osman Mahomed: Thank you. Our level of risk, according to World Risk Report, has somehow gone down over the last three years. And I'll here look at the specific issue of lack of adapting capabilities. Can I ask the hon. Minister whether he has taken cognizance that in 2017, this figure was 41.23, 2018, 38.09 and 2019 gone down further, 36.65, in terms of lack of adapting capabilities, even though we have invested some 63 million USD? What is the assessment of the hon. Minister in that respect?

Mr Ramano: M. le président, en ce qui concerne l'adaptation, c'est vrai, l'honorable membre a parfaitement raison, que cela requiert, quand même, une politique assez holistique. Et je dois dire que la politique d'adaptation, cela ne se concentre pas dans un secteur particulier. Que ce soit en ce qui concerne l'adaptation, que ce soit aussi en ce qui concerne l'atténuation, il y va de l'adoption d'une politique transversale, parce que cela concerne plusieurs secteurs. Mais, je suis sûr, avec le plan qui est en préparation, cette deuxième phase - parce qu'il faut le dire, que ce soit en ce qui concerne l'adoption et aussi l'atténuation, nous avons cette responsabilité de venir de l'avant après chaque cinq ans.

Donc, bien sûr lorsque nous allons préparer cette liste des mesures pour les prochains cinq ans, nous allons prendre connaissance et aussi s'adapter avec les contraintes que nous avons dû faire face pour les derniers cinq ans.

Mr Speaker: Hon. Mrs Luchmun Roy!

NATIONAL SOLIDARITY FUND - OVERSEAS TREATMENT - FINANCIAL ASSISTANCE

(No. B/540) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to Overseas Treatment, she will, for the benefit of the House, obtain from the National Solidarity Fund, information as to the number of children having benefitted thereunder over the period March 2020 to date, indicating the –

- (a) nature of the medical treatments required, and

(b) quantum of funds disbursed in relation thereto.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, with your permission, I wish to reply to PQs B/540 and B/549 together as they relate to the same subject, that is, financial assistance for overseas treatment provided by the National Solidarity Fund.

At the very outset, allow me to mention that financial assistance for overseas treatment is provided by the Ministry of Health and Wellness up to a maximum of Rs1 m. The quantum disbursed depends on the disease. In addition to the above, the National Solidarity Fund provides additional financial assistance to beneficiaries whose treatment costs abroad exceed the amount provided by the Ministry of Health and Wellness. The National Solidarity Fund refunds 50% of the excess amount up to a maximum of Rs200,000.

I am informed that no application was received at the National Solidarity Fund for overseas treatment from March 2020 to date which also covers the curfew period. However, I am also informed that two cases for refund of air ticket in respect of applications made prior to March 2020 were examined and recommended by the National Solidarity Fund Board on 13 May and 08 June 2020 respectively.

Mr Speaker: Hon. Mrs Tour!

Mrs Tour: Thank you, Mr Speaker, Sir. Can the hon. Minister advise on the total amount disbursed for the last 3 years?

Mrs Jeewa-Daureeawoo: For the last 3 years, an amount of around Rs7 m. has been disbursed.

Mr Speaker: Hon. Doolub!

Mr Doolub: Thank you, Mr Speaker, Sir. Can the hon. Minister, please, advise how many applicants have been received for the period 2019/2020, basically for the last year?

Mrs Jeewa-Daureeawoo: Well, we received 49 applications for that specific period and the number of beneficiaries benefitting from the service is 32.

Mr Speaker: Hon. Mrs Luchmun Roy!

Mrs Luchmun Roy: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House of the eligibility criteria for the said scheme?

Mrs Jeewa-Daureeawoo: Well, applications are examined on a case to case basis. The applicant needs to meet the eligibility criteria, that is, household income should not

exceed Rs50,000 per month. Then there is a Social Enquiry Report which is being carried out. Of course, if the report is favourable the applicant will be provided with the amount.

Mr Speaker: Hon. Quirin!

Mr Quirin: Merci, M. le président. M. le président, je suis persuadé que l'honorable ministre a entendu parler du cas du jeune...

Mr Speaker: Put your question!

Mr Quirin: Mais je dois quand même dire certaines choses avant de poser ma question, introduire ma question.

Mr Speaker: Put your question!

Mr Quirin: Qu'elle est au courant du cas du jeune Terry Louise de Chebel âgé de 13 ans qui avait besoin d'un nouveau cœur et qui s'est fait opérer en Inde en mai de cette année. Une intervention qui a coûté plus de R 5 millions d'après mes informations. De ce fait, l'honorable ministre peut-elle nous dire si ce jeune garçon de 13 ans a bénéficié des fonds de la *National Solidarity Fund* et si oui, de nous dire la somme octroyée?

Mrs Jeewa-Daureeawoo: Well, I don't have information with regard to this specific case. So, if you can give me more details, then I will look into it and pass over the necessary information.

Mr Speaker: Last supplementary, hon. Mrs Mayotte!

Mrs Mayotte: Thank you, Mr Speaker, Sir. Can the hon. Minister give us more details about the composition of the board that decides the overseas treatment?

Mrs Jeewa-Daureeawoo: Well, the board is being chaired by the Deputy Permanent Secretary, Mrs Ramdharee and we also have Members of the Regional Health Superintendent and also the Assistant Permanent Secretary. So, I can file the composition.

Mr Speaker: Hon. Dr. Aumeer!

MINISTRY OF HEALTH & WELLNESS - DIRECTOR GENERAL HEALTH SERVICES

(No. B/541) **Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the Director General Health Services posted at his Ministry on contract, he will state the –

- (a) date and terms of conditions of appointment thereof, including the duties and responsibilities, and
- (b) qualifications held.

Dr. Jagutpal: Mr Speaker, Sir, the present Director General, Health Services posted at my Ministry was assigned duties of Director General Health Services from 11 June 2019 to 11 December 2019. On 12 December 2019, he retired from the service and was employed on contract as Director General Health Services for an initial period of six months on the same date. On expiry of the six months, his contract has been renewed on a month-to-month basis with effect from 12 June 2020 on the same terms and conditions.

Given the difficulties being encountered to recruit a suitably qualified candidate for the post and upon the recommendation of the Public Service Commission, consideration was given to amend the existing Scheme of Service.

The Scheme of Service was amended and prescribed on 18 March 2020. However, due to lockdown, the vacancy could only be reported to PSC on 08 May 2020 and the post was advertised on 05 June 2020. The post is expected to be filled shortly.

In the meantime, for the smooth running of the technical arm of the health sector, assignment of duties at the level of Director General Health Services has been made to the retired Director General Health Services, who was performing the duties of Director General Health Services up to the date of his retirement on 11 December 2019.

The main duties of the Director General Health Services are as follows -

- (i) to advise on the formulation of health policies and programmes;
- (ii) to be the head of the professional and technical sides of the ministry and to be responsible for the smooth running of the work of all professional and technical staff;
- (iii) to be responsible for the coordination and implementation of health policies;
- (iv) to develop a coherent strategic framework and annual delivery plan to ensure the continued improvement of health services;
- (v) to work closely with the strategic partners to develop capacity to improve skills in the ministry;
- (vi) to represent the Ministry in national, regional and international forum;

- (vii) to use ICT in the performance of his duties, and
- (viii) to perform such other duties directly related to the main duties.

As regards part (b) of the question, the actual Director General Health Services is holder of an MBBS, a Master of Medicine (Occupational Medicine) from the National University of Singapore and a Diploma in Personnel Management and Industrial Relations from British College of Professional Management in Britain.

Dr. Aumeer: Thank you, hon. Minister. We have recently noted contracts being offered to ex-Commissioner of Police even after his retirement, to the Head of the Central Investigation Department during his retirement time, also to the Commissioner of Prisons, the Acting Director of the Meteorological Services and now the Director General Health Services. Will the Minister explain as to why deserving, loyal, experienced, highly qualified public servants awaiting promotion based on their seniority, with high level professional qualifications such as, I name: Dr. Timol, Dr. Domun, Dr. Nawoor and Dr Ori in your Ministry have been side-lined even for actingship like in this particular case at your Ministry?

Dr. Jagutpal: Mr Speaker, Sir, it is not right here to make comparison of my Ministry, the Health Director compared to what he has been stating. Now, I just give you a brief. The post of Director General Health Services was advertised on 28 September 2016 and the closing date was 18 October 2016. All the names that you have mentioned have applied for the post. The interview was held on 23 August 2018. After the interview, the PSC informed on 21 September 2018, that no candidate fully meets all the requirements of the existing scheme of service for the post of Director General Health Services. This is not the Ministry, it is the PSC.

The post to be re-advertised and be opened to qualified candidates within and outside the public service and also to non-resident specialists with a possibility for recruitment on a contractual basis. And in the event no suitable candidate is found, consideration to be given for hiring preferably under a bilateral technical assistance agreement, the services of non-citizen qualified specialist for a limited number of years.

So, this has been the condition why the post of the Director General has not been filled up. So, it's the advertisement and then the interview, this is the recommendation and the Ministry is abiding according to the recommendation.

Mr Speaker: Hon. Ms Anquetil!

Ms Anquetil: Je vous remercie, M. le président. Est-ce que le ministre pourrait indiquer à la Chambre si la doctoresse M. T., qui a assuré l'intérim pendant plus de deux ans et demi, a été évincée au profit d'un *junior*?

Dr. Jagutpal: Mr Speaker, Sir, again, this question, it is not the Ministry which has to answer this question. The post is filled by the Public Service Commission. I have just given you what has been the recommendation of the Public Service Commission. The interview has been done and that has been the recommendations. Should the Ministry interfere with the PSC? Is this right thing to do?

Mr Speaker: Hon. Ms Ramyad!

Ms Ramyad: Can the hon. Minister of Health inform the House on the outcome of the complaint lodged by the Government Medical and Dental Officers Association on the recruitment for high profile non-citizen qualified specialist on contract in the health sector?

Dr. Jagutpal: Yes. Now, let us say, I am informed that on 24 May 2019,

(Interruptions)

Mr Speaker: Quiet here!

Dr. Jagutpal: ...the Government Medical and Dental Officers Association objected to the recruitment of a high profile non-citizen qualified specialist for a three year contract under the ITEC and SCAAP India for the post of Director General Health Services and they applied to the Supreme Court for an interim order restraining the Ministry and the PSC for appointing a medical practitioner who is not serving public officer in the post of Director General Medical Services. So, this has been the complaint lodged.

In the meantime, the Ministry has not decided to proceed with the recruitment of a high profile citizen qualified specialist, but instead opted for the amendment of the scheme of service for the post as recommended by the PSC. Ultimately, the Government Medical and Dental Officers Association, they withdraw their complaint.

Mr Speaker: Last supplementary!

Dr. Aumeer: I take note of the hon. Minister giving the description of duties of the Director General of Health Services. Can the Minister explain to the House why the Director General of Health Services, who has absent from all the daily press communication during the National Coordination Centre, even in your company, he has never present with you nor

any communication emanated from his office during the period of lockdown while this is a regular practice.

Mr Speaker: Question, please!

Dr. Aumeer: This is my question, why he was not present during the period of lockdown with regard to giving us adequate and credible information as to the smooth running of professional services and ensuring that we have the best health services when people were dying at Souillac Hospital?

Mr Speaker: Very good question!

Dr. Jagutpal: Mr Speaker, Sir, I assure the House that the Director General Health Services has been overlooking at all the activities at the Ministry, especially during the COVID period. At the time of the COVID, the Director of Health Services Preventive, Dr. Gujadhur, who is directly implied in the daily management of all the COVID situations, has been present. And I think it is completely right that the Director General of the Health Services has been overlooking at the whole services, because we should not forget that the Ministry of Health, during the confinement, has been working on a 24-hour basis and there are a lot of other issues to be looked into that has been looked by the Director General Health Services.

Mr Speaker: Substantive question!

EX-BAI GROUP – LOCAL & FOREIGN ASSETS

(No. B/542) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Financial Services and Good Governance whether, in regard to the former British American Insurance Group, he will, for the benefit of the House, obtain from the National Property Fund Ltd, information as to the –

- (a) local assets thereof sold as at to date and the proceeds thereof, and
- (b) sale of the foreign assets thereof.

Mr Seeruttun: Mr Speaker, Sir, following the collapse of the ex-BAI Company Mauritius Limited in 2015, pursuant to section 110A(2) of the Insurance Act 2005, the Financial Services Commission appointed Messrs Mushtaq Oosman and Yogesh Rai Basgeet as Special Administrators of the company and any of its related entities. The administrators had the responsibility, among other things, to recover the assets of the ex-BAI Company (Mauritius) Limited and its related entities and transfer in whole or in part the undertaking

thereof to such insurer and any of its related companies for the purpose of repaying the Super Cash Back Gold policyholders and the Bramer Assets Management Limited Investors.

Mr Speaker, Sir, with regard to part (a) of the question, as mentioned in the reply to Parliamentary Question B/458 at the sitting of 18 June 2019, following a carve-out exercise carried out by the Special Administrators, funds to the tune of Rs6.8 billion were transferred to the NPFL and it is understood that part of this amount was raised from the realisation of the assets of the ex-BAI Group.

In addition, some immovable properties, all locally situated, valued at the time of transfer at around Rs1.6 billion were transferred to the NPFL.

Moreover, as I mentioned earlier today, in my reply to Parliamentary Question B/534, action has been initiated for the sale of a plot of land from the immovable properties, transferred to the NPFL.

Mr Speaker, Sir, as regards part (b) of the question, I am informed by the Special Administrator that the shareholding held by the ex-BAI Group in Britam, Kenya was sold in June 2016 for an amount of around Rs2.5 billion.

Dr. Aumeer: Thank you, hon. Minister. Can the hon. Minister confirm the sale of 15 vintage cars which belonged to the ex-BAI, which were on exhibit at Phoenix Les Halles and the name of the beneficiaries along with the sale price?

Mr Seeruttun: Well, Mr Speaker, Sir, the list of different assets, class of assets that have been sold and I will have to look into those specific assets he is referring to, so that I will be able to provide that to him.

Dr. Aumeer: With regard to Global Capital PLC, can the Minister update us on whether there has been any valuation of the shares and if they have been sold to whom and were there any tender exercise for same?

Mr Seeruttun: Well, Mr Speaker, Sir, with regard to that particular share that he is referring to, because shares do go up and down, I won't have that updated figure right now to be able to communicate that to you.

Mr Speaker: Hon. Juman!

Mr Juman: Thank you, Mr Speaker, Sir. As far as the disposal of immovable properties of the ex-BAI is concerned, can the hon. Minister inform us whether there has been a tendering process yet and, if yes, what is the outcome thereof?

Mr Seeruttun: With regard to the process of selling, of disposing the assets that have gone to NPFL, I am informed that they have appointed a transaction adviser into carry out that process of disposing those assets and this transaction adviser is the one who is responsible to look for potential buyers.

Mr Speaker: Hon. Lobine, last!

Mr Lobine: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House who is the current CEO of the National Property Fund Limited, please?

Mr Seeruttun: The current CEO is Mr Peerun.

Mr Speaker: Hon. Léopold!

RODRIGUES - QUEEN ELIZABETH HOSPITAL - CAESAREAN SECTION DELIVERY - INQUIRY

(No. B/543) **Mr J. B. Léopold (Second Member for Rodrigues)** asked the Minister of Health and Wellness whether, in regard to the case of an infant who sustained a fracture of the femur during a caesarean section delivery at the Queen Elizabeth Hospital, in Rodrigues, on or about 24 July 2020, he will state –

- (a) if an inquiry has been carried out thereinto, and
- (b) the reasons for the time taken for the latter to be transported to mainland Mauritius for specialized treatment.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that on 24 July 2020, following a caesarean section delivered at Queen Elizabeth Hospital in Rodrigues, a new born baby sustained a fracture of the femur.

Mr Speaker, Sir, as regards part (a) of the question, the case was reported to my Ministry on 27 July 2020. In the meantime, an internal inquiry has been initiated at the level of Queen Elizabeth Hospital in Rodrigues to look into the issue.

A Committee has been set up comprising the Ag. Health Director of Queen Elizabeth Hospital, Rodrigues as Chairperson, the Gynaecologist currently in post in Rodrigues, the Paediatrician, the Orthopaedic Surgeon who attended to the baby, the Administrative Officer and the Charge Nurse of the Operation Theatre.

As regards part (b) of the question, I am informed that on 24 July 2020, an emergency caesarean section was carried out by the Gynaecologist in view of the breech presentation and it was a difficult delivery as the mother had a huge fibroid. As a result, the baby was born flat

and needed resuscitation. Furthermore, I am informed that the baby had a fracture of the femur and due to internal bleeding, a blood transfusion had to be done. Hence, the baby had to be stabilised prior to be transported to mainland Mauritius for specialised treatment.

I am also informed that the tour of service of the Gynaecologist has been terminated pending the conclusion of the enquiry.

Mr Speaker: Hon. Léopold!

Mr Léopold: Thank you, Mr Speaker, Sir. Would the hon. Minister give an indication to whether his Ministry will review its policy in order to make sure that only experienced and senior specialists are sent in Rodrigues as they work under no supervision and there is no consultant posted in Rodrigues?

Dr. Jagutpal: Mr Speaker, Sir, I understand the hon. Member's question that we have to send because in Rodrigues, the doctors, the specialists being posted there, they have to perform their duties independently and they don't have any assistance. So, obviously, experienced doctors should be sent over there.

Now, the Ministry has to work on what is an experienced doctor, whether we'll consider so many years of experience to be experienced. So, this has to be worked out and that has to be worked out with the Consultant-in-charge in the respective department. And I will be looking into it.

Mr Speaker: Hon. Mrs Mayotte!

Mrs Mayotte: Thank you, Mr Speaker, Sir. Can the hon. Minister of Health and Wellness inform the House about why the tour of service of the Gynaecologist, who carried out the CS delivery, has been terminated and what is the future course of action envisaged by his Ministry?

Dr. Jagutpal: Mr Speaker, Sir, Specialists in Gynaecology posted in Rodrigues do work independently as I have just mentioned as there is no Consultant-in-charge to supervise their work. So, this implies that all Specialists in any field who are posted in Rodrigues have to work independently. The Gynaecologist concerned in this case has been appointed by the Public Service Commission in March 2016 and has practised as a Gynaecologist for nearly four years in our hospitals in Mauritius. So, it is a well-documented fact that this kind of incidents at times it occur rarely but when delivery is difficult, especially when the patient is presenting with a fibroid and breech position, so rarely we may have such complications.

Mr Speaker: Hon. Léopold, last supplementary!

Mr Léopold: Would the hon. Minister introduce an online reporting system to all healthcare services in the Republic of Mauritius to make sure that all incidents are reported so that all medical staffs have required level of competency and that further training be given to whoever it is needed?

Dr. Jagutpal: Mr Speaker, Sir, online services, this is a proposition from the hon. Member. I think that has to be worked out and then we can come with a definite policy on this issue.

Mr Speaker: Next question hon. Dr. Gungapersad!

**SCHOOLS (PRIMARY & SECONDARY) - CHILDREN WITH DISABILITIES
– ADMISSION**

(No. B/544) 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 children with disabilities, she will state the number thereof admitted in the primary and secondary schools, respectively, indicating the number of schools having taken measures to ensure the provision thereto of all pedagogical facilities and easy access to classrooms and other spaces.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed that the total number of learners with disabilities admitted in primary schools is 65, of which 17 are in the Government Special Education Needs Integrated Units; 28 in the Special Education Needs Resource and Development Centres; 13 in mainstream Primary Schools; 6 in SEN Schools run by NGOs, and one in the private fee paying school.

With regard to admissions in secondary schools, 32 learners are in the State Secondary Schools and 43 are in Private Grant Aided Secondary Schools.

Mr Speaker, Sir, a number of measures have been implemented at the level of my Ministry for the revision of pedagogical facilities for learners with disabilities. The main ones are –

- the provision of adapted textbooks for learners with visual and hearing impairment;

- the provision of personal computers fitted with screen readers and screen magnifier software for visually impaired learners;
- the provision of brail displays for blind learners;
- the support of assistant teachers as well as carers;
- extra assistance from the educators and support teachers;
- the provision of assistance for reading and writing assessment and examinations as well as provision of extra time when asked for;
- assistance of specialist teachers, interpreters for learners with hearing impairment in secondary schools and for examination purposes as well, and
- provision of adapted furniture and wheelchairs when asked for.

In addition, arrangements are being made for the procurement of braille notes for blind students in secondary schools. Work is also being done for the development of adapted curricula for learners with disabilities.

Mr Speaker, Sir, I wish to inform the House that as at date all primary schools having learners with disabilities and 43 State Secondary Schools have already undergone infrastructural works with regard to ease access to classrooms and other spaces. I am further informed that private schools are also developing barrier-free facilities.

The following infrastructural works have been carried out in all State Schools having learners with disabilities:

- Ramps and handrails to facilitate access to classrooms;
- covered links between building blocks to facilitate access to learners using wheelchairs in schools where the specialist rooms are located on the first floor;
- adapted toilets and in certain schools, alighting base for safe access to school yard.

Such works are being carried out in all our schools in a phased manner. Specialist rooms such as computer rooms, science labs and other facilities like music rooms and libraries are situated on the ground floor in such schools, where necessary classrooms for learners with disabilities are located on the ground floor. The services of carers are provided to students requiring the same and, in addition, Mr Speaker, Sir, the taxi fares to travel to school are refunded by the Ministry of Social Integration, Social Security and National Solidarity for students who are suffering from muscular dystrophy and mobility problems and for blind students as well.

Dr. Gungapersad: Thank you, hon. Minister. Can the hon. Minister inform the House whether any survey has been carried out to find out the number of children with disabilities who have not sought admission in primary schools?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, every year, at the time of admission, we make special appeal to parents for them to get their children admitted. No such surveys have been carried out but what is being done right now, we are trying to get some communication with the Ministry of Health and Wellness so that we start getting a data and we are also linking up with the Ministry of Social Security to get the required data.

Dr. Gungapersad: We are fully embarked in the second term of the school calendar and it is with serious concern that we note that some of these children with disabilities have not received their textbooks as at now when I am talking to you.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am informed that schools have been given the books. However, if the hon. Member has any case of students who still haven't received the books, I'll be most grateful if he could forward me the name of the students so that necessary is done.

Dr. Gungapersad: I will do so. Now, some children who are visually impaired and who are blind have made a request whether it would be possible if the Ministry could provide to them what we call a talking calculator which will help them, especially with maths as a subject.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, we will look into the matter and try to see whether this would be possible.

Mr Speaker: Last supplementary!

Dr. Gungapersad: During recess time, there are many children with disabilities who are kept cloistered, locked into their classrooms and they do not have access to outdoor activities. Will it be possible to look into the matter so that these children are provided the opportunities to go outdoor, definitely under the supervision of someone, so that they also they can have recreational activities?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, all students having mobility problems or severely disabled do get the support not only of an Assistant Teacher in class for academic tasks but also the carer who allows them to move around in the school with their support.

Mr Speaker: The Table has been advised that PQs B/559, B/558 also, B/560, B/561, B/562, B/563, B/564, B/565, B/566 and B/572 have been withdrawn.

Next question!

GRAND'BAIE PUBLIC BEACH - EROSION

(No. B/545) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the Grand'Baie public beach, he will state the measures his Ministry proposes to take to address the erosion problem thereat.

Mr Ramano: Mr Speaker, Sir, the public beach of Grand'Baie is of a stretch of 346 metres. Following recommendations made by Landell Mills under the Integrated Coastal Zone Management (ICZM) Framework study undertaken in 2010, works comprising, *inter alia*, construction of rock revetment over 250 metres, reconstruction of drains and construction of a slipway and landscaping works, have been carried out at the northern end of the Grand'Baie public beach. The works were completed in 2012 at the cost of Rs19 m and regular monitoring is carried out by my Ministry. I am informed that, as at date, the works implemented thereat are stable.

I would like to highlight that, following the cyclone Berguitta in 2018, escarpments of height ranging from 0.2 to 0.4 metres were observed over a stretch of 50 metres at the southern end.

Due to heavy trampling and gullies formed by surface runoff, I am informed that, presently, at the southern end, adjacent to the existing rock revetment, near the Grand'Baie Fish Landing Station, there is the presence of escarpment with exposed roots over a stretch of approximately 20 metres. The cleaning contractor, Maxiclean Co Ltd, is carrying out regular maintenance at the site to reduce the escarpment.

Moreover, my Ministry has completed coastal protection works at the Grand'Baie Sunset Boulevard site in March 2019 at the cost of Rs8.49 m and has earmarked on a similar project at the Grand'Baie Le Capitaine site, which is expected to start in January 2021.

Dr. Gungapersad: The hon. Minister, I am referring to a study on coastal erosion in Mauritius Volume I, the question will be a bit long, final technical report in August 2003, a report prepared by W. F. Baird & Associates Coastal Engineers Ltd and Reef Watch Consultancy for the Ministry of Environment 2003 and here I hold two sets of pictures, this

one taken this morning from Grand'Baie and this one is for 2002. Matters have worsened drastically. When you look at this picture taken this morning...

Mr Speaker: Ask your question!

Dr. Gungapersad: Yes. So, what is the hon. Minister going to do in order to address this issue?

Mr Ramano: M. le président, si le site, qui est mentionné par l'honorable membre, concerne la région du capitaine, moi, je suis...

(Interruptions)

Non pas cette région-là. J'aurai souhaité que l'honorable membre me donne de plus amples renseignements. Bien sûr je demanderai aux officiers de mon ministère de faire un *survey* approfondi et bien sûr nous sommes dans tout le processus de *listing* des sites qui méritent considération et bien sûr si le site de Grand'Baie, cette zone spécifique qui est mentionnée par l'honorable membre, est concerné, donc nous ferons le nécessaire, M. le président.

Mr Speaker: Next question! You have one last?

Dr. Gungapersad: Yes. In the Budget Speech 2020-2021, on page 33 paragraph 244, there is one line reference of Rs215 m. to be used for the protection of our beaches, lagoons and coral reefs. I would like the hon. Minister to inform the House how soon, when, such problem is going to be sorted out. Thank you.

Mr Ramano: M. le président, l'honorable membre a parfaitement raison, des fois les procédures tardent trop, donc, ce qui explique le fait que nous sommes en train de revoir toute la procédure en ce qui concerne les *consultancy services* et aussi les *construction works*. Je peux assurer l'honorable membre que nous sommes en train de d'écourter le délai en partie pour les constructions. Nous allons nous assurer que les constructions soient faites dans les meilleurs délais possibles.

Mr Speaker: Hon. David!

CEB - MEDIUM-SCALE DISTRIBUTED GENERATION SCHEME

(No. B/546) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Energy and Public Utilities whether, in regard to the proposed Medium-Scale Distributed Generation Scheme for a maximum of 10 MW, as announced in the Budget

Speech 2020-2021, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) implementation schedule thereof, and
- (b) conditions of sale of the electricity produced from solar energy and exported to the CEB grid.

Mr Lesjongard: Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the Central Electricity Board that it has on the 30 of November 2019 launched a new Medium Scale Distributed Generation Scheme from 10 MW to 20 MW.

As per information collected through the expression of interest exercise for the new MSDG Scheme, CEB's customers have expressed interest for some 70 MW for the new MSDG Scheme.

As part of the implementation schedule, which depends largely on the commitment of the participating customers, CEB's target is to commission annually at least 10 MW of projects under the new MSDG Scheme.

Through the new MSDG Scheme, in addition to the setting up of other projects and schemes, CEB's ultimate aim is to integrate on average at least 27 MW renewable energy capacities annually into the grid. These will enable meeting the national targets set out in Government Renewable Energy Roadmap 2030.

With regard to part (b) of the question, CEB has indicated that the key terms and conditions of the new MSDG Scheme are published on its website and are available for stakeholders' and the general public information. Thank you, Mr Speaker, Sir.

Mr David: Thank you, Mr Speaker, Sir. Without getting too technical on this matter, I still need to ask the following clarification from the hon. Minister because there seems to be a discrepancy in-between what was announced in the Budget 2019-2020 and the latest one.

There are basically two possible arrangements when producing electricity from solar energy and still consuming electricity from the CEB grid: one arrangement known as the gross metering where the producer exports all the gross electricity from the solar energy to the CEB for which he gets paid at a fixed feed-in tariff while he pays to the CEB all electricity consumed from the grid at the CEB supply tariff. Those two tariffs being different and the second arrangement known as the net metering where the electricity generated from the solar energy is deducted from the total electricity consumed from the CEB and then the

producer pays to the CEB only the difference based on the same CEB supply tariff. Can the Minister specify which of the two arrangements will be applicable for the MSDG Scheme?

Mr Lesjongard: I think the hon. Member is getting very technical in what he has asked as question. I do not have that information. Like I said, there has been an expression of interests, the CEB has received some 198 proposals, those proposals are under study and time will come when we will get to the tarification of that scheme.

Thank you, Mr Speaker, Sir.

Mr David: J'adresse donc une question moins technique à M. le ministre. Puis-je demandai au ministre si la URA, l'*Utility Regulatory Authority* est désormais opérationnelle et entièrement habilitée à décider librement des tarifs de vente d'électricité et, si non, pour quelle raison?

Mr Lesjongard: Mr Speaker, Sir, the question is about measures announced in the Budget.

(Interruptions)

I am sorry, Mr Speaker, Sir.

Mr Speaker: Before the vote.

Mr Lesjongard: The question is about measures announced in the Budget and not about the URA if the hon. Member will come with a specific question concerning URA and its activities, definitely I will furnish the required information.

Mr Speaker: Next question!

CONSTITUENCY NO. 1 – WATER SUPPLY – 24/7 BASIS - COMPLAINTS

(No. B/547) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Energy and Public Utilities whether, in regard to Constituency No. 1, Grand River North West and Port Louis West, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the -

- (a) regions thereat benefitting from water supply on a 24/7 basis and since when, and
- (b) number of complaints registered since November 2019 to date from the inhabitants thereof for poor water supply.

Mr Lesjongard: Mr Speaker, Sir, I am informed by the Central Water Authority that for the purpose of water distribution, Mauritius is divided into six water distribution zones which do not take into account a particular constituency. I am further informed that the regions of Grand River North West and Port Louis West are supplied within the Port Louis supply zone.

With regard to part (a) of the question, as per information provided by the CWA, some 15 regions in the Grand River North West and Port Louis West, forming part of Constituency No.1, are benefiting from round-the-clock water supply as follows –

- (i) La Tour Koenig
- (ii) Bell Village
- (iii) Cassis
- (iv) Plaine Lauzun Industrial Estate, and
- (v) Vallijee Housing Estate,

which are receiving water on a 24/7 basis since February 2015, following the commissioning of rapid gravity filters at the Pailles Water Treatment Plant.

The regions of Camp Chapelon, Anse Courtois, Montebello, Sorèze and several regions in Pailles, namely, Pailles Road, St Vincent de Paul Road, Roshan Road, Michael Leal Road, Cité St Louis, which are on 24/7 supply basis since the end of October 2019, following the partial commissioning of the Bagatelle Water Treatment Plant and a rezoning of the existing water supply network. I am further informed by the CWA that the regions of Richelieu and Pointe aux Sables, which receive water from the Pierrefonds Tunnel have always been supplied on a 24/7 basis.

With regard to part (b) of the question, I am informed that since 01 November 2019 to 06 August 2020, the CWA has registered a total of 16,176 complaints on its hotline regarding poor water supply in the whole Port Louis water supply zone, namely 8,541 about leakages, 6,164, regarding no water, 811 about low pressure, 439 about broken communication pipes, 65 about broken mains and 156 about water quality.

Mr David: May I know from the hon. Minister whether he can table the list of areas in Constituency No.1, where leaking water supply pipes need to be repaired or replaced?

Mr Lesjongard: Yes, of course. I do not have the list with me right now, Mr Speaker, Sir, but I will table the list later on.

Mr Speaker: Next question!

CLIMATE CHANGE BILL – INTRODUCTION

(No. B/548) **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 the proposed introduction of the Climate Change Bill in the House, he will state where matters stand.

Mr Ramano: Mr Speaker Sir, I wish to inform the House that, on 12 June 2020, Cabinet agreed to the Attorney General's Office finalising the draft Climate Change Bill.

My Ministry had several consultations with all relevant stakeholders, including Ministries, departments, representatives of Private sector, academia, as well as NGO's and a first draft of the Climate Change Bill was worked out.

The main object of the draft Climate Change Bill is to consolidate the legal framework and mechanism towards making Mauritius climate change resilient and achieving a low emission economy in line with Sustainable Development Goals (SDGs) and the overarching Government objective of developing a greener economy.

As mentioned in the Mauritius Nationally Determined Contributions, the planning process for climate change will be reinforced with the proposed introduction of the Climate Change Bill. The Bill will enhance the resilience of Mauritius against the adverse impacts of climate change and will also complement the following legislations related to climate change

- (i) The National Disaster Risk Reduction and Management Act of 2016;
- (ii) The Land Drainage Act of 2017;
- (iii) The Local Government (Amendment) Act of 2018, and
- (iv) The Mauritius Meteorological Services Act of 2019.

So far, three working sessions have been held on 20, 21 and 24 July 2020, with representative of the Attorney General's Office to finalise the draft Climate Change Bill. As at date, a vetted version of the Climate Change Bill is being awaited from the Attorney General's Office.

Mr David: Merci, M. le président. L'un des leviers d'atténuation du changement climatique est de revoir profondément notre politique énergétique. Alors, il y a d'une part, l'objectif annoncé par le gouvernement d'atteindre une contribution à hauteur de 40 % des

énergies renouvelables dans notre bouquet énergétique d'ici 2030, mais d'autre part, il nous faut impérativement accélérer la transition énergétique à travers des actions concrètes d'efficacité énergétique afin de consommer mieux et moins d'énergie. Aussi, puis-je demander au ministre si un audit énergétique est envisagé sur l'ensemble des bâtiments publics, souvent énergivore, cela, afin de donner l'exemple ?

Mr Ramano: M. le président, la question présentement concerne le *Climate Change Bill*. Donc, en ce qui concerne les politiques d'atténuation et d'adaptation, je viens de répondre à une question qui y réfère. Donc, ce que je peux dire toutefois, M. le président, c'est que les énergies renouvelables font partie intégrante de la priorité du gouvernement en ce qui concerne la mise en place de la politique en ce qui concerne l'atténuation et aussi l'adaptation. Donc, bien sûr une fois que le *Climate Change Bill* sera rendu public, l'honorable membre aura l'occasion de voir toutes les dispositions qui ont été prévues.

Mr Speaker: Hon. Osman Mohamed!

Mr Osman Mahomed: Thank you, Mr Speaker, Sir. One of the submissions as part of the Nationally Determined Contributions in 2015 is as follows: Mauritius is proposing to enact a Climate Change Act. That was five years ago. Can I ask the hon. Minister why is there such a delay and whether the draft Bill has been the subject of consultation with Civil Society?

Mr Ramano: M. le président, je viens de dire qu'il y a eu plusieurs consultations avec le secteur privé, la Société Civile, les différentes ONG. Donc, je peux dire pourquoi le délai. Je peux répondre pour moi, M. le président. Donc, une fois que j'ai pris mes fonctions en tant que Ministre, je me suis assuré que le *Climate Change Bill* fait partie des priorités du ministère et je peux dire que j'ai eu le soutien du Cabinet. Le Cabinet a déjà approuvé le *Climate Change Bill*. Donc, là nous sommes arrivés à un stage de finalisation et c'est au *State Law Office*. Et nous pensons que très prochainement, le Bill sera introduit au Parlement.

Mr Speaker: Last question!

Mr David: M. le président, la lutte contre le changement climatique est un enjeu pluridisciplinaire, politique, technique, économique, juridique, mais également et surtout, scientifique. Evidemment, l'expertise internationale est la bienvenue, mais nous avons également nos experts nationaux, et qui en plus, connaissent les réalités locales. J'ai eu l'occasion de rencontrer deux hier lors d'une émission sur une radio privée dans le cadre du

navire Wakashio, dont les dernières nouvelles semblent être assez alarmantes, Rajiv Bheeroo, biologiste marin, et Roger de Spéville, écologiste...

Mr Speaker: Put your question!

Mr David: La question arrive, écologiste et plongeur expérimenté, et notre pays regorge de plusieurs autres spécialistes. Puis-je suggérer au Ministre, dans le cadre de notre lutte contre le changement climatique, la mise sur pied d'un conseil scientifique national constitué de nos experts nationaux ?

Mr Ramano: M. le président, je peux assurer l'honorable membre que les dispositions de ce futur *Climate Change Bill* fera la part belle à la participation de tous les ministères, aussi de la société civile. Donc, comme je l'ai dit, M. le président, la politique environnementale, c'est avant toute une politique transversale. Cela concerne tous les ministères. Donc, bien sûr, nous prendrons en considération la Société Civile, mais je peux aussi dire à la Chambre aujourd'hui, M. le président, que nous travaillons aussi, à part du *Climate Change Bill*, sur un observatoire de l'environnement. Et là, nous travaillons en collaboration avec l'université de Maurice, et bien sûr, la société civile aura sa place de choix dans les comités appropriés.

NATIONAL SOLIDARITY FUND - OVERSEAS TREATMENT - FINANCIAL ASSISTANCE

(No. B/549) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Social Integration, Social Security and National Security whether, in regard to Overseas Treatment, she will, for the benefit of the House, obtain from the National Solidarity Fund, information as to the number of patients having benefitted thereunder during the curfew period, indicating the quantum of funds disbursed in relation thereto.

(Vide Reply to PQ B/540)

BASIC INVALIDITY PENSION

(No. B/550) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Basic Invalidity Pension, she will state –

- (a) since January 2019 to date, the number of –
 - (i) applications therefor received;

- (ii) recipients thereof who have had theirs discontinued, and
 - (iii) appeals against discontinuation thereof received, indicating the outcome thereof, and
- (b) the Guidelines presently followed by the Medical Board to assess the percentage of invalidity of the applicants therefor.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, as regards part (a) of the question, since January 2019 to date, 13,866 new applications were received for the Basic Invalidity Pension, out of which 6,330 were disallowed by the Medical Board. Out of this number, 2,602 applicants have put up an appeal against the decision of the Medical Board, 296 cases out of the 2,602 appeals have been allowed by the Medical Board.

As regards part (b) of the question, I am informed that the assessment of disability is carried out through a Medical Board comprising of two medical practitioners. The criteria for assessment are specified in the Sixth Schedule of the National Pensions Act for Physical Disabilities. Moreover, a medical guideline for assessment of impairment has been developed in consultation with medical specialists from the Ministry of Health and Wellness. The guidelines were last updated in September 2016.

Mr Speaker: Mrs Foo Kune-Bacha!

Mrs Foo Kune-Bacha: Thank you, Mr Speaker, Sir. There are persons with autism, including children who have to go through review in front of a Medical Board every year when it is obvious that an autistic person's condition will remain somewhat unchanged over time. Can the Minister then say why then impose on an autistic child to go through sometimes the trauma of being questioned and examined by the Medical Board every year?

Mrs Jeewa-Daureeawoo: Well, the hon. Member should understand that a Basic Invalidity Pension is awarded to an applicant who suffers from a disability of at least 60% for a maximum of 12 months. However, depending on the medical conditions of the person, then the medical practitioner recommends the Basic Invalidity Pension, but there are cases where if the person is severely disabled or bedridden, then the Medical Board will recommend that the Basic Invalidity Pension be paid for life. Well, it depends if the person is suffering from incapacity of 100%. For example, if the person suffers from total paralysis or the loss of two limbs, in these cases the incapacity is considered as 100%, then the pension will be awarded for life. But if the incapacity is not 100%, then the person will have to be re-boarded.

Mr Speaker: Hon. Quirin!

Mr Quirin: Merci, M. le président. M. le président, en tant que parlementaire, régulièrement il y a des personnes qui nous font part de leur situation où pendant plusieurs années ils ont bénéficié de la pension d'invalidité et voient subitement cette pension être supprimée. M. le président, j'aimerais que l'honorable ministre nous dise en particulier par rapport à un cas, il y a là pas plus tard que pendant la pause déjeuner, il y a un certain Monsieur S. M. de Barkly qui a bénéficié de la pension d'invalidité pendant deux années et qui subitement a vu cette pension être supprimée. L'honorable ministre peut-elle nous donner des explications par rapport à cet état de choses car Monsieur S. M. de Barkly a été amputé d'une jambe et se déplace à l'aide d'une prothèse et l'honorable ministre peut-elle nous donner des explications et je dépose, M. le président, copie de la lettre d'annulation de la pension et des photos de Monsieur Marie avec sa permission ?

Mrs Jeewa-Daureeawoo: Well, as I have just said, I am not an expert, we rely on the medical guidelines and the Act, and I am sorry to say the loss of one limb is not considered as 100% incapacity. That's why the person has had to be re-boarded.

(Interruptions)

Well, I know that a

(Interruptions)

Can you allow me to answer?

(Interruptions)

Well, a letter is sent to the beneficiary some three months before the expiry of the pension to inform the applicant of a date when he will have to be re-boarded on the Medical Board. But in this particular case, I don't know whether he has received the letter or not, so, I will have to confirm, and secondly, we have made some changes. I do know that now the applicant can be accompanied by his medical practitioner on the Board. Moreover, if the applicant is not satisfied, he can make an appeal, he has one month to make the appeal. That's why I have mentioned if the mechanism is flawed, one would have expected the number of appeals allowed to be higher than the number of appeals disallowed. But this is not the case. 296 cases out of 2,602 appeals have been allowed. So, it means that the system is fair and just.

Mr Speaker: Last supplementary!

Mrs Foo Kune-Bacha: There is indeed a lot of perplexity and grievances as to the amount of incapacity of an applicant as assessed by the Medical Board every year. Has the Minister considered revisiting the Sixth Schedule of the National Pensions Act and reviewing the ceiling of 60% invalidity for eligibility?

Mrs Jeewa-Daureeawoo: Well, you will agree with me that in everything we do, there should be checks and balances. As I have said, the guidelines have been reviewed in 2016. We will look into the matter and see whether it is warranted or not, but for the time being, as I have said, we stand guided by the Schedule of the National Pensions Act and the medical guidelines. If appeal was not there, I would understand my friend, but, as I have said, if the Basic Invalidity Pension is disallowed or discontinued, the beneficiary can appeal. There is course for appeal.

Mr Speaker: Time is 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.

Mr Ganoo rose and seconded.

Question put and agreed to.

(4.36 p.m.)

STATEMENT BY MINISTER

MV WAKASHIO - GROUNDING

The Prime Minister: Mr Speaker, Sir, I wish to make a statement on the situation regarding vessel MV Wakashio, which went aground at Pointe d'Esny at 19 31 hours on Saturday 25 July 2020.

In my reply to PQ B/454 on 04 August 2020, I informed the House of the actions that were initiated by the National Coast Guard when the vessel was first spotted in the common sea route off the Mauritius coast until it went aground.

In his reply to the PNQ of the hon. Leader of the Opposition this morning, the hon. Minister of Blue Economy, Marine Resources, Fisheries and Shipping mentioned the due diligence carried out since the grounding of the vessel and the preliminary investigation being

carried out to determine the cause of the accident and situate responsibilities before appointment of the Court of Investigation as provided in the Merchant Shipping Act.

Mr Speaker, Sir, as the House is aware, a series of measures have been taken at various levels by the Government since the ship went aground to address the issue of oil spill and to mitigate its after effects in accordance with the National Spill Contingency Plan and the various Conventions and Legislation regulating such accidents at sea.

Mr Speaker, Sir, I wish to reiterate that, immediately after the vessel went aground, the National Coast Guard initiated the necessary actions in accordance with its Standard Operating Procedures as already stated in the House.

To remind, the following actions were initiated as from the night of 25 July 2020 -

- (i) at 22 00 hours, the Commissioner of Police chaired a meeting at the National Coast Guard Operations Room both to take stock of the situation and to take remedial actions;
- (ii) the National Oil Spill Contingency Plan was activated by Ministry of Environment, Solid Waste Management and Climate Change;
- (iii) the National Emergency Operations Command level II was activated as from 22 15 hours, which triggered the following -
 - SMF team standby with oil spill equipment, boom and pump at Blue Bay National Coast Guard
 - National Coast Guard - Commando Team on standby with diving equipment together with divers from the Quick Reaction Group South
 - National Coast Guard crafts deployed in the lagoon for afloat patrol/oil spill reconnaissance of the site as from the first day light on 26 July 2020
 - Mobile Patrols along Coastal Road by the National Coast Guard
 - Regular Police deployed for policing on the beach
 - Aerial reconnaissance by the Police Helicopter
 - The Ministry of Health and Wellness was requested to look into Quarantine issue
 - The Department of Fisheries was requested to make an assessment of any environmental damage.

- (iv) The Coordinating Committee at the level of the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping, under the Chair of the Director of Shipping, met on Sunday 26 July 2020;
- (v) the National Maritime and Harbour Security Committee met under the Chair of Secretary for Home Affairs on 28 July 2020;
- (vi) the first meeting of the National Crisis Management Committee under my Chair was held on 06 August 2020;
- (vii) an Environmental Emergency Declaration under section 34(1) of the Environment Protection Act was published on 07 August 2020;
- (viii) two Orders under section 16(2) of the National Disaster Risk Reduction and Management Act were published on 07 and 10 August 2020;
- (ix) the Fisheries Division also has been conducting regular monitoring of seawater since 27 July 2020 at Pointe d'Esny, Blue Bay Marine Park and at Mahebourg Waterfront for physico-chemical parameters and hydrocarbons. No trace of pollution from the casualty vessel was detected at these sites between 27 July to 05 August 2020. However, on 06 August 2020, it was reported that, in the morning of the same day, due to bad weather conditions and constant pounding over the previous few days, the starboard side of the fuel tank was damaged and a quantity of fuel oil escaped into the sea;
- (x) the situation was very closely monitored by the National Oil Spill Contingency Plan Coordination Committee of the Ministry of Environment, Solid Waste Management and Climate Change as well as by the Coordination Committee which is chaired by the Director of Shipping. Rogers Shipping, the local counterpart of the Salvage Team, was present at all the meetings of these Committees; and
- (xi) the Salvage Team comprising seven members reached Mauritius at 06 35 hours on 30 July 2020. On 31 July 2020, they went on the vessel for an assessment. A first report was obtained on the same day, according to which, the Salvage Plan was still being prepared to tug the vessel away. In view of the low risk of oil spill reported by Salvage Team, the option of pumping out the fuel out of the vessel was not considered an option by them at any point in time before the crack was detected on the vessel, on 06 August 2020.

I also wish to reiterate that the Salvage Team, which had the expertise to assess the state of the vessel, reassured the relevant stakeholders that the risk of an oil spill was low and that, on the contrary, there would be a higher risk of oil spill if the fuel would be pumped out of the vessel given that the risk of the pumping pipes being broken would be high due to the bad weather conditions.

Mr Speaker, Sir, at the first meeting of the National Oil Spill Contingency Plan held under the Chair of the Director of Environment on 26 July 2020, it was reported that pumping operations for removal of fuel had not started. Furthermore, the representative of the Mauritius Ports Authority reported that, given the size of the vessel, the MPA and its tug would not have the capacity to deal with the present situation. Additionally, the tanks holding the low sulphur fuel oil was located in the engine room and, as such, the fuel was protected and there were no immediate risks of oil spill.

I also wish to add that assistance was requested from international organisations such as the United Nations, European Union, and foreign friendly countries, such as Australia, France, India, Japan and South Africa through the Ministry of Foreign Affairs, Regional Integration and International Trade. As at 10 August 2020, the following responses had been obtained -

- France - Equipment and experts arrived in Mauritius by two rotation military flights on 08 August 2020 and by ship of the French National Marine (*Le Champlain*) on 09 August 2020. *Le Champlain* reached Port Louis on 09 August 2020. Twelve tons of equipment were offloaded and transported by the SMF to Blue Bay.
- Japan - On 08 August 2020, the Embassy of Japan informed the Ministry that Japan will be sending a team of six experts to provide technical advice and support to local emergency-response forces on the elimination of spilt oil and hazardous materials discharged by maritime incidents. They are expected to arrive in Mauritius today by a chartered flight.
- United Nations Office for the Coordination of Humanitarian Affairs will deploy an expert to assist Mauritius in the crisis. He is expected to arrive on 13 August 2020.

Mr Speaker, Sir, despite the fact that our borders are presently closed, exceptional arrangements are being made to allow aircrafts and vessels to enter our territory on a fast track basis with experts and equipment, while complying with special sanitary protocols.

Mr Speaker, Sir, I must emphasise that it was only on 06 August 2020 at 08 50 hours, that information was received from the Director of Shipping that the vessel had weakened and there was an imminent risk of oil spill and, at 11 05 hours, I received information that the vessel had breached, with one fuel tank starting to leak slowly into the sea.

The National Oil Spill Contingency Plan, Tier 3 for spills over 100 metric tons was immediately activated. The Plan provides that a Tier 3 response involves several international organisations and worldwide call for equipment and resources to support the local and regional teams and for which recovery and clean up would require sustained effort for a longer period than for a Tier 2. The Plan also provides that, in the event of a major oil spill incident, assistance may be sought from overseas in accordance with the International Convention on Oil Pollution Preparedness, Response and Co-operation.

Mr Speaker, Sir, It is important to point out that the following international Conventions, amongst others, apply for accidents at sea -

UNCLOS - Captains of vessels have to comply with the United Nations Convention for the Law of the Sea (UNCLOS) and with the International Regulations for Prevention of Collision at Sea. These provisions have been enforced in the Maritime Zones Act and the Merchant Shipping Act, respectively. Accordingly, vessels sailing within the territorial waters of Mauritius have to comply with the requirements thereof.

The International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 ensures adequate, prompt and effective compensation to persons who suffer damage caused by spills of oil when such oil is carried as fuel in ships' bunkers.

International Salvage Convention 1989 covers the performance of salvage operations, duties of salvor, owner and master of the vessel and special compensation for salvors' efforts to prevent and minimize damage to the environment, claims and actions.

Nairobi International Convention on the Removal of Wrecks 2007 - The Wreck Removal Convention aims at imposing an international régime under which the coastal States will have a legal basis to take actions for the removal of wrecks beyond their territorial seas.

Under this Convention, Panama has signed an optional clause which enables it to remove the wreck ship from our territorial waters.

The Convention also provides for the strict liability of ship owners for the costs of reporting, marking, and removing a wreck and further imposes the compulsory insurance or other financial security for the registered owners.

Mr Speaker, Sir, unjustified criticism has been levelled against Government for its alleged delay in taking actions and especially in regard to pumping out of oil from the vessel and tugging of the vessel. But I wish to inform the House that it is the role and responsibility of the owner of MV Wakashio to choose the Salvage Team and sign the Lloyd's Standard Form of Salvage Agreement (LOF) under the International Salvage Convention 1989. The LOF was signed on 26 July 2020 by the owner of the vessel.

According to this Salvage Agreement -

- (i) the Salvage Team is responsible to, *inter alia*, save the vessel and take the vessel to a place of safety, and
- (ii) while performing the salvage services, the contractors shall use their best endeavours to prevent or minimise damage to the environment. Hence, Polyeco Company, the environmental arm of the SMIT Salvage Team, has already initiated actions to mitigate the environmental impact of the oil spill.

It is to be highlighted that the primary objective of the Salvage Team is to save the vessel and have it tugged away and not the pumping of oil at that stage. The pumping of oil is carried out in case the vessel is damaged and cannot be refloated, so as to avoid risk of spilling.

I also wish to emphasise that Government of Mauritius could not intervene from Day 1, that is, from 25 July 2020 because Mauritius has no such expertise and required resources. Hence, pending the arrival of the Salvage Company, friendly countries were contacted for assistance.

As a matter of fact, given that this is an unprecedented incident of such a magnitude, Government has done its level best to prevent the situation from worsening in the face of the very rough seas due to bad weather conditions. Following the intervention of the Police, SMF, National Coast Guard, Police Helicopter Squadron, Ministry of Environment, Solid Waste Management and Climate Change, Ministry of Blue Economy, Marine Resources,

Fisheries and Shipping, the Salvage Team, private organisations, we have been able to stop the leakage. As at this very moment, more than 2,000 metric tons of fuel have been removed from the vessel and the pumping operation is ongoing to remove the remaining oil. As at date, 3,200 metres of booms have been deployed in different locations, especially in sensitive areas. Moreover, seven skimmers are being used presently to extract oil from the lagoon and there are trucks pumping from the shores, and some 470 metric tons of spilt oil have thus been removed.

I would particularly wish to place on record and express my appreciation to all international organisations and friendly countries, particularly France, the NGOs, voluntary organisations, private sector and thousands of our citizens who have been showing an extraordinary sense of patriotism as always, by voluntarily and spontaneously assisting in the cleaning of the sea and shore.

Mr Speaker, Sir, I am reiterating that Government will ensure that the insurance company of MV Wakashio compensates the State and any other entity or person affected by this calamity.

Mr Speaker, Sir, since Day 1, we have been managing the crisis in a very transparent manner and have been holding daily briefings with the media to keep the population informed on the evolution of the situation. I must confirm that I did announce yesterday that there are still high risks that the vessel MV Wakashio might break and cause further damage to our marine environment.

This is the worst case scenario for which we are getting prepared, but let us pray that this does not happen.

Mr Speaker, Sir, it is a matter of deepest regret as well as of greatest concern for me as Prime Minister, as Head of Government, and as Leader of the House to see how some people, instead of showing patriotic solidarity in the face of an unexpected national calamity, are devoting their time and energy to demagogic wranglings and cheap and petty politicking in their attempts to shower all responsibility on the shoulders of Government in general, and in particular on the shoulders of two Ministers.

What unwarranted criticism did we not hear on our management of COVID-19! Our successful handling of the pandemic to make our country COVID-safe has silenced them. Now they are jumping on the environmental hazards and risks which the grounding at Pointe d'Esny of MV Wakashio is representing and pegging all sorts of imagined irresponsibilities

on Government, when thousands of our compatriots have joined hands to assist in mitigating a damaging environmental crisis in our motherland.

Mr Speaker, Sir, as I have already stated earlier, it is only after completion of all relevant enquiries that it would be possible to determine the exact circumstances that led to the grounding of MV Wakashio at Pointe d'Esny and situate responsibilities.

While these enquiries are vital for appropriate action by the Government to obtain repairs, including financial compensation, we are devoting all our efforts and energies to avoid an environmental catastrophe.

Mr Speaker, Sir, the calamity which our country is facing requires us to roll up our sleeves to clean up those parts of our country which have regrettably been polluted, while also taking measures to protect other parts threatened by the oil spill. While the Nation is at work, the unpatriotic and demagogues are idly, like the Roman Emperor Neron, playing ...

(Interruptions)

Mr Speaker: This is a statement by the Prime Minister! Out of courtesy, you have to listen to a statement from the Prime Minister!

(Interruptions)

You cannot do that! You cannot do that! Let the Prime Minister finish with that!

(Interruptions)

An hon. Member: Look at the Standing Orders!

Mr Speaker: No! You go and find that Standing Orders!

The Prime Minister: While the Nation is at work, the unpatriotic and demagogues are idly, like the Roman Emperor Neron, playing their harps and revelling while Rome was on fire.

Thank you, Mr Speaker, Sir.

Mr Speaker: What is happening here? Order here!

(Interruptions)

Mr Bérenger: *Incompétent!*

(Interruptions)

Mr Speaker: I suspend the sitting.

At 4.58 p.m. the sitting was suspended.

On resuming at 5.59 p.m. with Mr Speaker in the Chair.

PUBLIC BILLS

Second Reading

THE MON CHOISY-CAP MALHEUREUX ROAD OVERHEAD PEDESTRIAN BRIDGE (AUTHORISED CONSTRUCTION) BILL

(No. IX OF 2020)

Order for Second Reading read.

The Deputy Prime Minister: Mr Speaker, Sir, I move that the Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Bill (No IX of 2020) be read a second time.

The object of this Bill, Mr Speaker, Sir, is to authorise Merville Ltd to construct an overhead pedestrian bridge across the Mon Choisy-Cap Malheureux B13 Road.

Mr Speaker, Sir, I wish at the outset to explain the rationale on the line of the present Bill. Merville Ltd presently operates a 3-star hotel under the commercial name of Merville Beach Hotel at Mont Oreb, at Grand Bay. The hotel is presently found over part of State land on the seaward side and freehold land on the landward side which is contiguous to the State land leased.

Merville Ltd intends to redevelop its 3-star hotel into a 5-star hotel to be rebranded as Lux Grand Bay Hotel. The hotel project will be developed over a total extent of some 8.79 *Arpents* of land out of which some 5.02 *Arpents* represent State land already leased to Merville Limited. And the remaining consists of freehold land owned by Merville Limited which is, as I just mentioned, found on the landward side and this is the land which is crossed by the Mon Choisy-Cap Malheureux B13 Road.

Now, the new Lux Grand Bay is of an estimated value of Rs2.6 billion. It will consist of 85 suites, 12 villas, 20 apartments, 2 penthouses, restaurants and spa to accommodate some 300 guests. 60 out of the proposed 119 units will be developed and sold under the Invest Hotel Scheme. The promoter was issued with an Environment Impact Assessment licence for the redevelopment of the existing 3-star Merville Beach Hotel into Lux Grand'Baie which will be a 5-Star Luxury Hotel by the then Ministry of Social Security,

National Solidarity and Environment and Sustainable Development on 08 July 2019 and a Building and Land Use Permit was granted on 17 December 2019.

Mr Speaker, Sir, I am informed that to date, the re-construction works of the hotel, exclusive of the footbridge have started and about a third of the works are completed. The number of staff and workers on site has been increased from 450 to 550 to make up for delays resulting from the COVID-19 pandemic. The new hotel is now scheduled for re-opening in October 2021.

As I have already mentioned before, Merville will be implementing the projects on two plots of land crossed by the public road. Merville Limited has therefore applied to my Ministry for authorisation to construct an overhead footbridge to link the two plots of land by means of this overhead footbridge.

Now, the State Law Office has advised that in view of the fact that the public road, the Mon Choisy-Cap Malheureux Road forms part of the public domain and the bridge would be crossing over the public domain, an Act of Parliament is required; hence, the need for this Bill. This is in conformity with past practice over the years in such situations.

Consultations have been held with several Ministries and departments, namely the Ministry of National Infrastructure and Community Development, the Road Development Authority, the Traffic Management and Road Safety Unit as well as the Mauritius Fire and Rescue Service. They have raised no objection to the construction of the overhead footbridge. Merville Ltd will obviously still have to comply with fire safety requirements and other conditions as imposed by the relevant Authorities.

The proposed overhead pedestrian bridge, I am told, will be at a distance of six hundred and ninety metres (690m) from Vieux Moulin Road, also known as B165, measured along the B13 road towards Grand'Baie Village and it will be constructed at a height of at least 5 metres over the B13 Road. The support of the pedestrian footbridge will be at least 3 metres away from the edge of the B13 Road. The associated amenities and structures of the pedestrian footbridge will be constructed on the private properties of Merville Limited on both sides of the road.

Now, Mr Speaker, Sir, I am informed that the pedestrian bridge shall be the property of the Government of Mauritius but shall not be part of the public domain. However, that part of B13 Road as well as the pavement found under the bridge constructed shall remain part of the public domain for public use. In line with Clause 5(1) of the present Bill, Merville

Limited will have to pay to Government an annual fee which would be revised every 5 years, as may be prescribed.

The bridge will allow for ease of movement for both staff of the hotel and tourists, including children and people in wheelchairs between the hotel grounds located on different sides of the road and it will minimise interaction between people and vehicular traffic. Road safety will accordingly be enhanced for clients and staff alike. In addition, the link created by the footbridge will play a key role in physically and visually integrating the whole development.

Mr Speaker, Sir, with the COVID-19 pandemic, the world economy is experiencing its worst recession in recent times and Mauritius, of course, is no exception.

Government is accordingly supporting private investment in the economy through appropriate sectoral measures. The tourism sector has been the main engine of growth in recent years generating wealth and employment, but is, today, facing major challenges further to the COVID induced closure of our borders. As the House is aware, Government has introduced the following measures to help operators in the tourism sector, namely –

- (a) The licensees of the Tourism Authority and of the Beach Authority are being exempted from payment of licence fees for a period of two years;
- (b) Also, the payment of rental for lease of State lands for hotels has been waived for the upcoming financial year, and
- (c) Additionally, the Hotel Reconstruction and Renovation Scheme rebate of 50% on rental of State lands for hotels has been increased to 100% for two years up to 30 June 2022.

In the same line, Government wishes to encourage investors like Merville Ltd, who despite the prevailing circumstances, are willing to invest in the future of the sector.

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

Mr Seeruttun rose and seconded.

Mr Speaker: Hon. Osman Mahomed!

(6.08 p.m.)

Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central): Thank you, Mr Speaker, Sir, for allowing me to speak on the Mon Choisy-Cap

Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Bill. I have listened to the hon. Minister of Housing and Lands carefully and I have a few points only to raise. So, I am going to be very short in my intervention.

The first point I had was, in coming to Parliament, whether all the clearances have been obtained. The Minister has ensured that the MPI, the RDA and the TRMSU have already approved the design of the proposition.

“Each support of the overhead pedestrian bridge shall be at least 3 metres away from the edge of B13 Road.”

I had one question there, whether these 3 metres are sufficient for vehicular safety and also should Government decide tomorrow to enlarge the coastal road for greater traffic fluidity. But the Minister has assured the House that clearances have been obtained from the related authorities. So, I believe this is not an issue.

So, the second point that I would like to raise is, it has to do, again, with this Schedule where it is stated –

“(…) construction and design as the Minister may approve.”

Well the best way to go about in a country which is cyclonic prone, is to go underground. But, I believe it has its constraints, sometime underground utility facilities and all these things; it makes it more difficult technically and more costly. But we don't know as at now whether the overhead bridge will be made of reinforced concrete, of steel structure, whether it will be a combination of concrete and steel, or whether it is going to be made of masonry concrete and steel, or would it be comprised of timber at all. So, I believe the best would have been to circulate a draft copy of the plan, of the sketch, of the architectural proposition so that we have an idea of what we are being called to approve today.

I hope the Minister will give some indication about how the bridge will look like eventually. Again, in this Schedule, although the height has been specified at 5 metres above B13 road level, no indication has been given about the width of this pedestrian passage. The world reference on the planning, design and operation of pedestrian facilities is the AASHTO (American Association of State Highway and Transportation Officials) and there, they specify a minimum width of 8 feet for such passages. Why such a width? Because we are being increasingly called around the world to encourage people, for example, to use bicycle. So, it is one way to allow fluidity between pedestrian and the cyclists. So, unfortunately, maybe the Minister can clarify later what is going to be the width of this passage.

Now, Mauritius is the signatory of international Convention on disabilities. Well, it is not specified at all whether this bridge will be disabled, accessible, friendly. Well, there are two ways of making this happen, is the construction of ramps or the construction of lifts. I understand both of them are very costly and for the proposition of ramps, it requires additional land because of the slope. But we have to be forward looking; the more so, the parking is on the other side of the road, it would mean that sometimes, tourists or clients of the hotel who have disabilities, will have no other choice than to cross the busy road. The redevelopment, as the hon. Minister, himself, has stated, is to the tune of Rs2.6 billion. I think the promoter could have made this little effort to make the passage accessible to the disabled and this will go a long way in enhancing the image of the Republic of Mauritius, as well, because many tourists visit our country.

Clause 3, subsection (2) of the Bill states –

“The company shall, at all times and at its own cost, maintain the overhead pedestrian bridge in good repair and ensure that it is not a source of danger to the public.”

A bridge is going to become the property of the Government of Mauritius.

Now, when in so specifying in the law, it would appear that the onus is now on the developer, which once the development has been done, will most likely be run by the syndic, through a *syndicat de copropriété*, because they are properties that are going to be sold. Now, the hon. Minister of Housing is fully aware that one of the main problems which development faces is the problem of syndic.

In fact, a case in point is the NHDC. So, how do we get them to fully maintain in appropriate manner the structure in the course of time? We are talking about 20 years, 30 years going forward. Why am I raising this point? Because I have a proposition to make. Mauritius is a cyclonic prone country and many at times during cyclones, the overhead structures collapse and cause a lot of havoc in the country.

We have branches, we have poles either CEB or Mauritius Telecom and we have overhead passages that sometimes give way. And sometimes when there is big conveyance to be done like the case for the St Louis Power Station, there is the need to dismantle and then put back again. That was the steel structure along the way.

So why not, in the District Council or some authorities get a dedicated authority to look at the maintenance of these kinds of structures, which are prone, like I said, in cyclonic conditions and other conditions. So, this also will perhaps give way for the construction or

trying to resolve problem which we face currently. For example, there are a few places in Mauritius where there are traffic lights along the busy motorway. I give an example. Near Hindu House there is one; in Riche Terre, there is one; in Nouvelle France, there is one, and near the airport, there is one. Therefore, what pedestrians have to do is they have to cross over six lanes in order to get on the other side of the road.

Maybe the time has come to perhaps provide for these kinds of overhead facilities. Of course, underground is better, but over that stretch of road, it can be quite complicated. So, that authority/department that I am proposing can look after the management, introduction and maintenance of these kinds of overhead facilities in order to facilitate fluidity of traffic in the country.

So, Mr Speaker, Sir, these are the few observations that I wanted to make. I think this proposition will go a long way in going forward with this project that the Minister has explained how important it is for the country.

So, I believe, on this note, I should say thank you.

Mr Speaker: Hon. Ramdhany!

(6.18 p.m.)

Dr. A. Ramdhany (First Member for Grand'Baie & Poudre d'Or): Mr Speaker, Sir, I stand today in this august Assembly in support of the Bill, providing for the construction of an overhead pedestrian bridge near Merville Limited at Grand' Baie in my constituency.

I wish to acknowledge and show gratitude to the hon. Louis Steven Obeegadoo, Deputy Prime Minister, Minister of Housing and Land Use Planning and Minister of Tourism for putting forward the present Bill to the House in view of the construction of the overhead pedestrian bridge.

With the help of this Bill, Mr Speaker, Sir, the Government is fulfilling its role as a facilitator of development. The Government is in fact facilitating the construction of this modern infrastructure which aims at enhancing safety standards for the hotel employees and the foreign visitors staying in the hotel. Merville Limited accepts a significant responsibility to provide for the safety and wellbeing of its employees under the Occupational Safety and Health Act.

Mr Speaker, Sir, B13 is an extremely busy coastal road, connecting Grand'Baie and Pereybere. This road does not allow much enlargement. It has been deemed necessary to improve the safety infrastructure over time after having tried with a pedestrian crossing. The overhead pedestrian bridge will certainly reduce the pressure on the road.

Via this project, hotel management demonstrates its commitment towards the welfare and safety of its employees who are seen as development partners in an increasingly collaborative environment. The pedestrian bridge initiative goes in line with the need for a corporate organisation to be a good corporate citizen.

The pedestrian bridge initiative, Mr Speaker, Sir, clearly demonstrates corporate citizenship on the part of the promoter. It is believed that activity in the hospitality industry will definitely see a boom in the medium given term that, as a nation; we have proved to be effectively in managing and containing COVID-19 pandemic. Being a COVID-free country will improve the rating of the destination among the safest place in the world. Traffic is bound to increase along B13 in a not very remote future after the hospitality sector resumes activity. The safety of visitors and employees also remains our collective concern as a responsible nation. This is why I see this Bill setting the foundation of the pedestrian bridge project as an absolutely good initiative.

Mr Speaker, Sir, while Government is sensitive to the felt need for pedestrian bridge, we also appreciate the private sector initiative which is rightly seen as an investment for the longer term. The promoter will cover the cost of the construction and also pay an annual fee to the Government as per provision in section (5) (1) of the Bill.

Mr Speaker, Sir, at these hard times, when economies across the other continents have been seriously challenged by COVID-19, hotels in Mauritius have not hesitated to put their infrastructure at the disposal of the Government. They have effectively participated in the national initiative by providing the necessary collaboration in view of the quarantine facilities to accommodate incoming passengers and as a self-resting or self-isolation facility for our front liners.

Hotels have demonstrated a firm commitment to maintain employment during this lockdown. They also have very wisely opted to undertake renovation works, engaging the employees in meaningful activities, therefore, deemed necessary during these very depressive times these days.

The renovation projects are also providing employment opportunities within the construction and refurbishment sector. I have no doubt that the population appreciates these adaptive strategies undertaken by the hotel administration in the concerned sector. The Government needs private sector participation for upgrading existing infrastructure or the creation of modern infrastructure.

Here, I should express the appreciation of the community and the economic operators of my constituency with the construction of two bypasses, aiming at improving connectivity by road in the north. The two new bypasses between the two shopping malls, Grand' Baie, La Croisette and Mon Choisy Mall, nearing completion will relieve pressure on the road from La Croisette roundabout to the National Coast Guard Office at Grand' Baie. This road has a State Secondary School, a private clinic, a dispensary and many commercial outlets. Those accessing to Grand' Baie Business Park everyday will definitely agree that the bypass which is a joint Government and private sector initiative on a cost sharing basis will no doubt relieve them from this undue pressure in a remarkably short time. Concerned residents of Pointe aux Canoniers and the neighbouring coastal regions will also derive immense benefit from the new road.

The second project, Mr Speaker, Sir, is the bypass from Chemin Vingt Pieds to Anse La Raie. Again, the new bypass will ease the lives of the people and economic operators who have to drive all the way via Pavillon, Cap Malheureux are through Saint François, Calodyne Road every day. The aforementioned bypass will also spur development in part of the island and possesses the potential of relaxing the existing pressure on Grand' Baie and Pereybere for quite some time.

Mr Speaker, Sir, my constituent and economic operators of our highly touristic region are very much conscious of the large scale investment being made in extending the sewerage network from Grand' Baie to the end of Cap Malheureux. This network development is certainly in line with our national objective for sustainable development. It will both improve sanitation standard and reduce pressure on the eco-system in our lagoon.

Mr Speaker, Sir, I seize the opportunity delivered to me in the context of this Bill to appeal to the private sector economic operators of the region to participate with the Government to address recurrent flooding problems in the localities of Cap Malheureux, Pereybere and Grand' Baie, including localities of Pavillon, Les Flamands, Mont Thorens and near the market place of Grand' Baie.

Mr Speaker, Sir, there is a dire need for all of us, including the private sector to reach a sustainable solution as successive Government and Local Authorities Development Promoters and property owners may directly or indirectly be responsible for the problems encountered in the localities earlier mentioned, every time we experience torrential rains.

My constituents impress upon me and my colleague for solution. I understand no Government has a magical quick fix solution to this problem. This is why I appeal to the private sector to participate in view of solution today and in the medium term to eliminate even more serious problems in the longer term. Before ending, Mr Speaker, Sir, I am reiterating my support for the Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge Bill.

Thank you, Mr Speaker, Sir.

(6.26 p.m.)

Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East): Mr Speaker, Sir, first of all, as rightly stated by hon. Osman Mahomed, we are not against this development and nothing against the promoter and company who will construct the bridge, but we have a few questions, a few apprehensions. Will the proposed construction of the overhead pedestrian bridge be aesthetically nice and will it be environmentally-friendly? Has there been any feasibility study because it is situated in a highly frequented tourist area? I have gone through the drawing and design of the proposed bridge and I must point that it does not appear to be aesthetically and visually nice. I hope it is this design, this picture, we are talking about. So, the Minister will come forward afterwards.

Moreover, it is extremely sad that the hon. Deputy Prime Minister has presented the Bill in Parliament without any prior consultation with the neighbours and inhabitants of the said region.

Mr Speaker, Sir, nowadays, bicycle riding is becoming a new and ecological mean of transport for most persons thus the project, I hope, will make a provision for a bicycle track at least. Tourists also use bicycles in the region. If some Members are laughing, I suppose they must be aware that more and more tourists are using bicycles as a mode of transport in Mauritius.

Furthermore, all the overhead pedestrian bridges constructed along the motorway are in a very deplorable and dirty condition. There is no authority which caters for its cleaning and I invite the hon. Deputy Prime Minister to visit some of these overhead pedestrian bridges and

take cognisance of same. Due to the current state of these overhead pedestrian bridges, the public prefer to walk on the road instead of using these facilities due to security reasons and its dirty state. Some are poorly lighted and represent a real danger to the public.

We have been made to understand by the speech of the hon. Deputy Prime Minister that this will be the property of the State so question: who will be responsible for the maintenance of this new bridge?

Mr Speaker, Sir, therefore, instead of building an overhead pedestrian bridge which will affect the landscape of this particular region and to protect our environment, I suggest that an underground pedestrian tunnel be constructed like that of the Prime Minister's Office with all state-of-art facilities and security measures to be in line with the smart city guidelines.

We may take another example, Mr Speaker, Sir, the Trou aux Biches hotel where it caters not only for pedestrians but for cyclists and the one found in the south linking a golf course to hotel that designed the underground Telfair, I suppose, Telfair Heritage in the South.

In this particular Bill, again, I know the hon. Deputy Prime Minister is a lawyer maybe a very good lawyer but, coming to the building infrastructure, it is mentioned in regulation number 6, the Minister may make such regulation as he thinks fit for the purpose of the Act.

Secondly, the Minister may, by regulations, amend the Schedule. Therefore, Mr Speaker, Sir, I suggest that, instead of the Minister deciding on himself on the project, let Local Government bodies like RDA, NDU, TMRSU and other bodies be involved and responsible for these types of projects.

So, instead of an overhead bridge, I would urge the hon. Deputy Prime Minister to consider the underground option but again, Mr Speaker, Sir, we are not against the project and nothing against the promoter.

Thank you for your attention.

(6.33 p.m.)

Mr S. Ramkaun (Second Member for Pamplémousses & Triolet): Mr Speaker, Sir, with your permission, my intervention also on the legislation Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Bill shall be brief and this legislation is to authorise Merville Limited to construct an overhead pedestrian bridge across the Mon Choisy-Cap Malheureux Road (B13).

I would like here to congratulate hon. Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism for bringing this Bill to the House. As usual, this caring Government will not leave any stone unturned to provide avenues for the younger generation in the building of their future.

Clause 3 of the Bill stipulates that -

“The company may, subject to such conditions as the Minister may determine, construct an overhead pedestrian bridge, in accordance with the Schedule, across B13 Road at a distance of 690 metres from B165 Road measured along B13 Road towards Grand’Baie.”

Mr Speaker, Sir, as a previous Parliamentary Private Secretary for Constituency number 6, the level pedestrian crossing at Merville Limited of Grand’Baie is very known to me and I am quite aware of the problem technicality. I referred to the EIA submitted by Merville Limited for the project approved under the Invest-Hotel Scheme for further details and information.

Across the world, tourism has emerged as an engine of growth and Mauritius is no exception. Today, tourism is one of the fastest growing socio-economic sector that is fulfilling economic growth and creating jobs and business opportunity in the country. The growth of tourism sector has outperformed the national average. In fact, the growth rate in this sector for year 2016 was 7.8% of the GDP as compared to 3.8% of the national average GDP.

Mr Speaker, Sir, macroeconomic from CEIC analyst team shows that Mauritius Tourism Revenue reaches 374 m. USD in the previous quarter. This data rating and all time high of 549 USD in March 2018 with this Government and a low record of USD, 104 m. in September 2005 with the previous Government.

Travel bans and containment measures around the world have a devastating effect on the tourism sector in Mauritius which has already experienced sluggish growth in 2019. According to Statistics Mauritius, the total number of tourists visiting the island shows a decline by 1.1% in 2019 while gross tourism fell by 1.5%. The tourism industry, as a whole, is an essential component of the Mauritian economy and is estimated to have accounted for 18.9% of GDP.

Mr Speaker, Sir, while the tourism sector has been the hardest hit, other economic sectors such as textile, transportation, manufacturing sectors are also facing the brush of

economic slowdown. As part of the Government fiscal measures of COVID-19, a Wage Support Scheme and Self-Employed Assistance Scheme are already under implementation.

To understand the situation as the specific location whereby authorisation is being sought through this legislation, the existing hotel site is split into two parts on either side of the coastal road. The major part of the hotel occupies an area of 7.28 acres, and the technical side and parking area located on other side of the road are over 2.31 acres. Actually, a level pedestrian crossing enables connection between the busy B13 road.

According to the project proposal to redevelop the site, the northern part would be occupied by 85 rooms and 12 villages whereas the technical building is located on the southern side where an additional 22 IHS apartment would be built and managed by the promoter. It is clear that there will be a lot of pedestrian movement from the southern side towards the shore and the northern side and vice versa crossing the classified and busy road B13.

Mr Speaker, Sir, the Government under the leadership of the visionary and very abled Prime Minister, Pravind Kumar Jugnauth, shall make no compromise on the security of our people and, more so, if tourists are concerned. Pedestrians are the elements of traffic that are often forgotten as part of the movement of the highway. All hon. Members of this House know statistics of the number of accidents that occur yearly and where pedestrians are the highest traffic object. From statistics, casualties by class of road users from period January 2019 to June 2019, we have 17% of casualties being pedestrians and the policy of the Government is to reduce casualties. Riders, that is, autocycles and motorcycles are the highest at 40.3% followed by passengers at 24.6% for the same period. So many amendments have been made on the Road Traffic Bill during the past years in this august Assembly to protect our road users.

Thus, the present legislation for the construction of a pedestrian bridge across the very busy B13 road according to the current laws is essential. We shall not be discussing the technicity of the bridge but provision has been made for the future enlargement of the road through the provision of a clear 3 metre wide on both sides of the road.

Hon. Abbas Mamode just spoke about esthetical and environment friendly of the pedestrian bridge. Actually, this has been designed by promoters and it is now becoming a five-star Lux hotel. I understand there are sufficient specialists to take this into consideration.

Secondly, he spoke about which Authority to maintain these pedestrian foot bridges. It is the Road Authority...

Mr Speaker: No conversation!

Mr Ramkaun: ...that implements the project and then it is handed over to the Local Authority. Mr Speaker, Sir, it is the Local Authority that has the responsibility of maintaining these foot bridges. In my Constituency, we have several of these foot bridges and with discussion with the Deputy Prime Minister, one of them, at Bois Marchand, has been upgraded and the others are going to be upgraded in the near future. So, it is not that they are not being maintained. Yes, there was the problem of electrical wiring. You know the problem of...

Mr Speaker: Address the Chair, please!

Mr Ramkaun: Yes, Mr Speaker, Sir. We know the problem of theft in these foot bridges and this has caused wires and electrical fittings to be lost, but we are putting up a project to refix the lightings so that the pedestrians could use it properly. The hon. Member spoke about constructing an underground bypass.

(Interruptions)

He suggested. But, Mr Speaker, Sir, the high sea level there is not at a very low level compared to the road level, so, it will be difficult at that particular place to construct underground bypass. In accordance to clause IV of the Bill, the overhead...

Mr Speaker: Hon. Abbas Mamode! Hon. Abbas Mamode, be careful!

Mr Ramkaun: In accordance with clause IV of the Bill, the overhead pedestrian bridge constructed shall be the property of the Government of the Republic of Mauritius and shall be, at all times, be maintained by the promoter at its own cost and ensure that it is not a source of danger to the public.

To conclude, Mr Speaker, Sir, I wish to say that a pedestrian bridge is the best symbol for the art of Civil Engineering. It represents the simplest and most elegant structure to pass an obstacle to reach the unknown side or simply go on with our lines of discovery. To build a pedestrian bridge means to face the challenge of connectivity that is separated or to eliminate the existing obstacles. So many pedestrian bridges have been constructed across highways, busy roads and the most essential part of it is the maintenance of the structure and it is expected that timely and proper maintenance be done to the pedestrian bridges.

With these words, I thank all hon. Members for their attention.

(6.45 p.m.)

The Deputy Prime Minister: Mr Speaker, Sir, I propose to sum up and I will appeal to the hon. gentlemen and ladies of the opposite side to return the politeness that we have shown.

Mr Speaker: Address the Chair!

The Deputy Prime Minister: Yes, I am addressing the Chair and I am appealing to the Members on the other side, through the Chair, to show the same politeness and courtesy we have shown by listening attentively to speakers on the other side. I am saying this because Mr Speaker, Sir, you have witnessed a constant interruption and provocation to which has been subjected the Second Member of Constituency No. 5 when he has just intervened.

Mr Speaker, Sir, I would wish to thank, as is the tradition, Members on both sides of the House who have intervened on the Bill. I wish to commend the First Member for Constituency No. 2 who has been very gentlemanly in his approach, as usual, raising some very pertinent points which I will be pleased to address.

I also wish to thank the two colleagues from the majority, the First Member for Constituency No. 6 and the Second Member for Constituency No. 5 for their strong words of support. I wish also to thank my good friend, the Second Member for Constituency No. 3 who, however, appears to have been completely after mark in understanding what this Bill is about but I will, nonetheless, attempt to explain.

Now, Mr Speaker, Sir, let me just remind all the Members of this House who know the present Merville Hotel. On the one side, stands the hotel proper; on the other side is the parking for taxis and private cars of people visiting the hotel and the staff quarters. This is a road where vehicles travel at a very high speed. Recently, there has been a cross here that is being installed - if that is the right term - nonetheless, vehicles continue travelling at a very high speed and there have been accidents there which is why, as a citizen, first and foremost, I very much welcome the idea of having a bridge.

Now, this is not the first time that the State is authorising a private party to build an overhead pedestrian bridge which will then remain property of the State, but will be built, maintained, operated by the private sector exclusively. Queen Street Bridge Act 1979 for the Mauritius Commercial Bank in Port Louis, the Teste de Buch Street Bridge Act in 1990 for

the CEB in Curepipe, the University of Mauritius Link Bridge in 1993 for the University of Mauritius, the Sir William Newton Underpass, Port Louis, in 1996. So, this is not the first time.

Let me also remind Members that this bridge will be paid for by Merville Limited. It will be used solely and exclusively by Merville Limited, but the bridge will remain the property of Government because it goes over a public road. The promoter will have to pay an annual fee to use this bridge. This has been the constant arrangement in the past. The promoter will have to comply with prevailing rules and regulations as defined by the State. After the bridge is built, it will have to be maintained in a good state of repair and the promoter will have to ensure that it is not a source of danger, either for its guests or for its staff. This will be its responsibility. The State will charge fees as provided for, as assessed by the Valuation Department. So, I hope that the situation is clear. The bridge shall be the property of Mauritius. It shall be built and operated by the private sector, the Merville Limited. Government can, at any point in time, remove the bridge, if it so wishes. That is the law.

Now, let me answer some specific points raised by, first, hon. Osman Mahomed and then, by the hon. Second Member for Constituency No. 3. Now, the 3 metres setback, as regards the foundations, well, this has been, in fact, I understand, vetted and decided by the RDA and TMRSU. So, presumably, they will have taken into consideration any eventuality of enlargement of the road on either side, 3 metres, this is 9 feet or more. The design of the bridge, so, this will be a concrete structure as per the details provided which have been vetted and approved, but there will be use of metal, timber and a translucent roofing, just to indicate how much the aesthetic considerations have been taken on-board. So, of course, somebody investing Rs2.6 billion will make sure it fits into the landscape and integrates the hotel structure. Now, the width of the bridge, from what I have seen of the plans, indicates that it will be large enough to accommodate, not only pedestrians, on both sides, there will be a ramp; I do not see any signs of steps. So, persons using a wheelchair will be able to use it, and also, cyclists. It will be physically possible, if allowed by the hotel management.

The issue of a syndic does not really apply. This is not the NHDC. There is a sole promoter, which is Merville Limited. So, it will be maintained by Merville Limited. So, the shareholders, presumably, can change, but it is Merville Limited which will hold the responsibility vis-à-vis the State to ensure proper maintenance. As I say, this is going to be

operated by a private hotel for its guests, and we can presume that it will be properly maintained, if not, the State always has the ability to intervene.

Now, my good friend, the hon. Member for Constituency No. 3 asked, will it be aesthetic? Well, then again, Mr Speaker, Sir, a promoter investing Rs2.6 billion, and who wants to attract tourists, obviously, will ensure that it is aesthetic. Now, the point was also raised whether there were consultations with inhabitants. Again, this is not to be used by inhabitants; this is to be used by the hotel guests and its staff. So, I hope to have answered the concerns. Of course, I shall be very happy to show to the hon. First Member for Constituency No. 2 the plans that I have in my possession, should he wish to consult same. I think the gentleman also raised the issue of an authority to manage footbridges. As I said, we are not talking here of public footbridges, that is another issue altogether, irrelevant to this Bill, but I think, ably answered by the hon. Second Member for the Constituency No. 5. We are talking here of private concerns basically.

So, Mr Speaker, Sir, by thanking again those who have intervened on both sides of the House, let me say a special word of thanks to those who have contributed to the preparation of this Bill, the staff of the Ministry of Housing and Land Use Planning, the Officers of the State Law Office and also, my predecessor, because this Bill was first prepared under my predecessor before I assumed Office. I wish to place on record, of course, the support from the Prime Minister and my colleagues of Government. And, Mr Speaker, Sir, allow me to finish by thanking you very much.

Mr Speaker: You commend the Bill! Are you commending the Bill?

The Deputy Prime Minister: I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Bill (No. IX of 2020) was considered and agreed to.

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

Third Reading

On motion made and seconded, the Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Bill (No. IX of 2020) was read a third time and passed.

*Second Reading***THE REAL ESTATE AGENT AUTHORITY BILL****(No. XI of 2020)**

Order read for resuming adjourned debate on the Second Reading of the Real Estate Agent Authority Bill (No. XI of 2020)

Question again proposed.

Mr Speaker: Hon. Dhaliah!

(6.58 p.m.)

Mr R. Dhaliah (Second Member for Piton & Rivière du Rempart): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, I thank you for the opportunity given to me to bring my contributions to the debate on the Real Estate Agent Authority Bill.

With your permission, I wish, at the very outset, to extend our appreciation and gratitude to all the organisations and individuals involved in providing a helping hand to contain the oil spill arising from the Wakashio tanker. In the same vein, I would like to thank the Government of friendly countries and international organisations for their support.

Mr Speaker, Sir, coming to the Real Estate Agent Authority Bill, I wish to congratulate the hon. Deputy Prime Minister, Minister of Housing and Land Use Planning and Minister of Tourism for having introduced this important piece of legislation. Mr Speaker, Sir, throughout recent years, it has become more and more clear that the real estate market has grown into an undeniable pillar of the Mauritian economy. With investment rising to more than billions of rupees, this sector has grown significantly and can be considered to be one of the economic backbones of the country.

On the one hand, for most people, the greatest asset is their plot of land or their homes. For them, buying or selling a property is one of the biggest financial transactions of their life. The absence of a legal framework in the current system ushers in a lack of

transparency, openness and accountability. This Bill is all about protecting the consumers as well as the good, honest, real estate professionals.

On the other hand, foreigners have been interested in buying a property in Mauritius. Since many years and particularly when Government opened the right for non-citizens to buy property under specific schemes, the real estate business has thus been considered to be a very thriving business and the number of agents involved in the real estate activities have increased over the years, the more so with the integrated resort schemes and the real estate scheme. Both these schemes have been merged into the Property Development Scheme in 2015. This Bill will indeed draw up a new landscape for the real estate business.

M. le président, c'est vrai que c'est un secret de polichinelle que beaucoup a été dit depuis la nuit des temps sur le développement foncier. N'a-t-on pas souvent entendu qu'en plusieurs occasions les plus riches ont tordu les moins fortunés dans le but de se faire des fortunes, des faux morcellements et développements fictifs, annonçant en grande pompe des développements des villas, bungalows et autres appartements par des imposteurs dans le but de plumer des couples, des jeunes et des familles. Souvent, des citoyens honnêtes se sont malheureusement faits pris au piège de ce fossoyeur d'avenir. Souvent aussi, des gens honnêtes n'ont jamais revu des promoteurs évanouis dans la nature ou même émigrés à l'étranger après avoir fait et réussi leur coup. D'autres promoteurs, dans le but de blanchir l'argent sale tout son lot de pratique malsaine que cela comporte, ternissent l'image des promoteurs droits, honnêtes et justes. La nouvelle loi vient justement protéger cette qualité de promoteurs tout en les faisant prendre conscience que leur profession se doit d'être régie par des lignes de conduite conformes aux lois du pays.

La nouvelle législation arrive à point nommé et il est dommage que pendant tout le règne du parti travailliste dans ce pays, on n'a jamais pensé à légiférer pour protéger les gens honnêtes de notre pays. Evidemment, je ne serai pas surpris de le voir venir de l'avant pour critiquer. De toute façon, nous avons aujourd'hui dans cette Chambre, une opposition frustrée, spécialiste de critiques négatives à outrance, en panne d'idées et de propositions mais experte en insultes, en *zette la boue* et surtout experte en *walkout*.

Cette nouvelle législation présentée par le vice-Premier ministre et ministre des Terres et du Logement est trop sérieux, trop important pour qu'on s'en moque. Une loi qui constitue un *landmark* pour le pays, un autre pour la communauté des promoteurs fonciers. Avec ses

officiers, il a accompli un travail d'orfèvre taillé sur mesure pour rendre les choses plus transparentes, claires et dénuées d'opacité.

Je me permets aussi de féliciter aussi le ministre des Terres et du Logement et le Premier ministre en premier lieu pour l'initiative fort louable que d'être venu de l'avant avec une loi pour placer ces fossoyeurs d'avenir devant leurs responsabilités avec tout l'arsenal de mesures légales qui seront appliquées s'ils continuent avec leur petit jeu malsain. J'invite les légistes de l'autre côté de la Chambre à décortiquer cette nouvelle législation pour comprendre que de ce côté de la Chambre, le travail se poursuit dans l'intérêt du pays et du peuple mauricien. C'est une loi qui révolutionnera le monde du développement foncier à Maurice.

Are we now not better prepared to know the do's and don'ts and to practise what is allowed as per the law? Pourquoi doit avoir peur de voter en faveur de la nouvelle législation ? Pourquoi craindre ? Disons plutôt merci à ce gouvernement pour le courage démontré à venir de l'avant pour protéger l'honnêteté au profit des spécialistes de maldonnes.

Mr Speaker, Sir, central to this Bill is first and foremost the protection of the customers. The overarching object of this Bill is to provide the necessary legislative and institutional frameworks to regulate the real estate business and to make real estate agents more responsible and accountable in the exercise of their duties.

The Bill will pave the way towards promoting transparency, accountability and integrity in the real estate transactions. It will also provide the necessary assistance and protection to the persons engaged in this business. In addition, it will ensure compliance with recommended best practices and norms to protect buyers against any unethical behaviour on the part of the real estate agents. The vast majority of these agents are good professionals, honest and fair-minded people but there are a few who indulges in dubious business practices and have thus caused great financial hardship and anguish to their customers. The risks this minority poses to their customers are considerable. These risks include mishandling of funds, poor contractual advice, misleading representations, conflict of interest, misuse of information and fraud. When things go wrong in the real estate business, it is the customers and their families who pay the price. The cost to victims who have been ripped off by careless and rogue agents can run into millions of rupees. The need for this Bill cannot be overstated as it will for sure bring great relief to the plight of these customers.

Mr Speaker, Sir, this Bill will provide the long overdue protection to the people acquiring or selling their properties. It will support the vast majority of good honest professionals working in the real estate industry and who are unfairly tarred with the same brush as those dishonest real estate agents.

Mr Speaker, Sir, as we are all aware there is no legal body *per se* to control and monitor the activities of real estate agents and as such they are operating in a vacuum. This Bill will bridge that gap and fill the vacuum as it provides at clause 3 for the establishment of a Real Estate Agent Authority whose functions, among others, will be to keep a register of all Real Estate Agents, including land promoters and property developers operating in Mauritius. The Authority also exercises and maintains discipline in the real estate business activities. It will go another step further to investigate into complaints against real estate agents or other persons who fail to comply with the rules of the game when carrying out real estate transactions.

Mr Speaker, Sir, in the context of the public sector reforms, this Bill will modernise and professionalise the operations of the real estate sector. Professionalising the real estate sector would by default mean eliminating amateurism. We can no more accept to see what we call *courtier* roaming around Notaries' offices in search of potential clients and I would say it *haut et fort et à qui veut l'entendre* that there have been many cases where these amateurs have many a time misled buyers with false title deeds. We cannot tolerate any more these practices where one's hard earned money is dilapidated.

Mr Speaker, Sir, I have listened carefully to the interventions of hon. Ameer Meea and hon. Lobine last week. It is really sad that they continue to make demagogy on such an important legislation. What are they proposing in fact? There is nothing concrete as such. On the other side of the House, they are more concerned with the interests of the *courtiers*. What they really want is that these *courtiers* continue to rip off those customers who have worked hard throughout their life to make a saving to realise their dreams of purchasing a plot of land or acquire a house or an apartment. Some people have even to make borrowings to be able to achieve their dream to acquire a home for their families. As a responsible Government, we cannot leave these customers at the mercy of those *courtiers*.

Mr Speaker, Sir, I want to reiterate that the key objective of this Bill is to professionalise the activities of the real estate sector and, in so doing, we want to protect the customers against those dishonest agents in the real estate business.

Mr Speaker, Sir, I wish to bring some clarifications regarding the *courtiers*. I have nothing against them except that we want to protect the customers and prevent them from being misled. These *courtiers* may not possess the academic qualifications as spelt out in this legislation, but if we want to professionalise the real estate industry, we cannot, as a responsible Government, disregard the required minimum qualifications. We should not forget that a number of professions such as surveyors, architects and others have their own respective legal frameworks and, as such, these sectors have been professionalised. The same spirit is being emulated for the real estate sector.

We recognise that the *courtiers* reckon several years of experience in the real estate sector. We believe that they can be employed by the registered real estate agents to assist the latter in carrying out duties that do not require the academic qualifications as provided in this Bill. This will, no doubt, create opportunities for the *courtiers* to be enlisted by the real estate agents. In so doing, the *courtiers* will be made more accountable and operate in a disciplined manner through their employers, that is, the registered real estate agents.

Mr Speaker, Sir, I wish to invite the Members on the other side of the House to stop their demagogy on unlicensed *courtiers* especially when we are debating on such an important piece of legislation to professionalise the real estate business. This Government means business and it is undertaking and will continue to undertake serious constructive actions and measures that will make this country thrive and prosper.

Mr Speaker, Sir, the authority may consider, in its action plan, to work towards the establishment of a property price index. We should not forget that we have all the ingredients to make the property price index a reality. Price index will stabilise prices without too much of speculation so that one day, we are not faced with the property bubble which could be very dangerous with a situation of oversupply and we all know an oversupply will just add more harm to what we are currently facing.

Mr Speaker, Sir, in Mauritius, we know that there are more and more qualified real estate professionals from reputed institutions such as the Royal Institution of Chartered Surveyors. It is a laudable effort by the Government in introducing this new Real Estate Bill in order to position Mauritius as a country where real estate investment is safe. It is high time that we get rid of the so-called *courtiers* and get professionals involved in the real estate transactions. It is important that there is a transparency and that prices are not inflated with

the only drive of being paid higher agency fees or commissions for those not acquainted with the term 'agency fees'.

Mr Speaker, Sir, given the changes witnessed in the real estate industry over the past decades with the emergence of new technologies and regulatory practices, it is essential that the rules for real estate transactions reflect contemporary business practices. The Bill provides that no person can act as a real estate agent unless he is registered with the Real Estate Authority. The criteria for registration for real estate agents have been explicitly spelt out and these include, *inter alia*, the age criteria of the applicant, that is, 21 years of age; a diploma in real estate or equivalent as qualifications and five years' experience in the business of real estate transactions.

With regard to companies applying for registration, they should be registered under the Companies Act and have, at least, one director registered as real estate agent. In the same vein, the Bill also restricts access to certain persons and requires a fit and proper test for persons applying for registration as real estate agents. Those ineligible for registration include among others, persons convicted of crime offences, individuals appearing on any United Nations Sanctions List, those declared bankrupt, persons convicted for fraud or dishonesty and persons deregistered to act as real estate agents on account of misconduct or breach of the Code of Practice pertaining to the real estate sector.

Mr Speaker, Sir, this Bill is the building block of a new system for the real estate business to operate in a disciplined environment. Clauses 25 to 28 of this Bill provide disciplinary proceedings and actions against real estate agents for professional misconduct. Disciplinary proceedings shall be initiated against those real estate agents for gross incompetence and negligence, grave impropriety, failure to provide or produce any records or documents to the disciplinary committee during its proceedings, making false and misleading statements, failure to disclose interests and breaches of the Code of Conduct and Practice. It is understood that a Code of Conduct and Practice will be worked out in due course and same will be prescribed.

Mr Speaker, Sir, I must point out that, under the rule of law and natural justice, any person has a right of appeal in case of disagreement with the decision of a disciplinary committee. In this connection, clause 42 of this Bill makes provision for any person aggrieved by the decision of the Real Estate Authority to apply for judicial review before the Supreme Court.

Mr Speaker, Sir, the Bill goes another further step to protect the clients by requesting registered real estate agents to furnish a security with the Accountant-General either in cash or a bond issued by a bank or an insurance policy or through a mortgage on an immovable property. This security will provide comfort in case of default by real estate agents and same will be used to compensate concerned parties accordingly.

Mr Speaker, Sir, the Real Estate Authority Bill is one among a slate of new legislation introduced by this Government in its arduous fight to combat money laundering. The Real Estate Authority, being set up under this Bill, will act as an overarching institution that will regulate the real estate business and target those deals which are particularly opaque. The real estate sector serves as prime targets for money launderers in their quest to convert illicit proceeds to legitimate money. In its risk assessment report in August 2019, the Ministry of Financial Services, in August 2019, duly identified the real estate and property market as being higher risk sectors for money laundering.

In this connection, the Real Estate Agent Authority will address loopholes earmarked in the report by registering all real estate agents in the country and, accordingly, restrict access to criminals and their associates to the real estate sector. This Bill will additionally phase-out the operations of self-declared real estate agents and put an end to shady dealings.

According to the 2018 report of the Commission of Inquiry on Drug Trafficking, the numerous tactics adopted by drug dealers to launder their money included the purchase of properties under assumed names off the books cash deals and fictional property transactions to trap banks to accept deposits. This Bill is geared towards camping down such notorious practices and will henceforth require real estate agents and companies to sign formal contracts with their clients while keeping accounts of their business. The proposed legislation additionally imposes a legal duty on real estate agents to report suspicious transactions to the FIU.

The problem of money laundering in the real estate sector is however not confined domestically only. The Drug Commission Report pointed out that the Integrated Resort Scheme (IRS) was being used to launder money particularly from South Africa. This Bill places an obligation on real estate agents to conduct due diligence to ascertain that the source of funds of prospective buyers in the IRS market is legitimate and accordingly report suspicious transactions to the FIU. The provisions in this Bill will strengthen the existing

frameworks set up by Government to fight against money laundering and the financing of terrorism.

Mr Speaker, Sir, I shall conclude by stating that the need for openness and transparency in the real estate sector cannot be overstated. This Bill, as it is presented, is meant to restore public confidence in the real estate industry. This Bill comes up with a solid set of measures that will enhance public trust in the real estate business, protect the customers when engaging in real estate transactions and professionalise the real estate activities. This Bill seeks to provide uniform regulatory environment for the orderly growth of the real estate industry. We want the real estate sector to grow and we believe in the fact that real estate developers are also partners in this development process. The moment for restoring order and discipline in the real estate business is becoming a reality today.

Long live the Republic of Mauritius. Thank you, Mr Speaker, Sir.

(7.20 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, despite the size of the real estate market in Mauritius, real estate agents are, up to now, largely unregulated. The only requirement is that anybody wishing to operate a real estate business needs to get a general business licence from the Local Government Authority and pay the prescribed licence fees.

As many orators intervening before me have pointed out, there was a risk posed by real estate agents who were not honest and there was a need to protect consumers against real estate agents who overcharge them, need to protect the public against real estate agents who do not complete the sales after having taken their money. And here, I take strong exception to hon. Members on the other side who keep referring to honest people as *courtiers marrons* as if it is these poor people trying to earn a living decently who are to be blamed whereas, in fact, there are rich land promoters, rich property developers who have been selling properties off-plan, *vente en état futur d'achèvement* who took money from the public and then went bust, went into liquidation and the public lost a lot of money in the dealing.

So, yes, there is a case for regulating the sector and we, on this side of the House, don't hold any brief or any courtier. But when there are shortcomings in a Bill, it is our duty to highlight any shortcoming in the Bill. There is a need to put some order in the House and as far back as 2016, the Law Reform Commission, in a Paper entitled Legislative Framework for the Regulation of Activities of the Real Estate Agent already recommended two options.

One was to come up with a substantial piece of legislation and the second one was to amend the *Code de Commerce*. But in either case, what the Law Reform Commission recommended was the setting up of a Real Estate Agent Authority or a *Commission de la Transaction et de la Gestion Immobilière* with disciplinary powers to sanction any real estate agent, any land promoter, any property developer in case of misconduct.

So, the Bill before of the House today, Mr Speaker, Sir, incorporates many of the features of the model legislation that was already proposed by the Law Reform Commission four years ago. But, as rightly pointed out by the hon. Deputy Prime Minister and the Minister of Financial Services after him, the aim of the Bill is not just to regulate the activities of the real estate agent, it is also aimed to combat money laundering and financing of terrorism in the real estate sector. Real estate is attracting money laundering not only because it is a very easy way to convert ill-gotten gains into legitimate income, but it also provides a safe investment in an appreciating asset.

The Commission of Inquiry on Drug Trafficking, in its report published in July 2018, identified the purchase of immovable property as one of the preferred method used by drug traffickers to launder money. The commission found that immovable properties were purchased by persons using *prête-noms*. The purchase price was paid by one person, but the property was put in the name of another person, which seems very familiar these days. When the property was sold subsequently and the cheque deposited in the bank, the bank would ask no question because it was satisfied that the money represents proceeds of sales of properties.

Now, Mr Speaker, Sir, we all know how easy it is to launder money through real estate. Let us suppose there is a drug trafficker who wants to launder Rs1 m. He buys a property for Rs5 m. However, before the Notary Public, in the title deed, he puts only Rs4 m. as the purchase price. The difference, the Rs1 m. is paid under the table in Mauritius or outside Mauritius for that matter. And then, the criminal subsequently sells the properties as a profit and by doing so, he has already been able to launder Rs1 m.

The fact that until a few weeks ago, it was possible for real properties to be purchased with cash payment being effected *hors la vue du notaire* further enables criminal to launder proceeds of crime through the acquisition and disposal of real estate. Now, if we are dealing with criminals who are a bit more sophisticated, the criminal will use a number of companies and intermediaries in the layering stages to hide the tainted source of funds as much as possible. For example, the criminal may buy property using a loan from a company and then

sell that property to another company at over value making a huge gain. It all seems perfectly legitimate, but, in fact, the ultimate beneficial owners of these companies are all related to him through *prête-noms*, through nominees, through trust structures. Now, I don't want to give too many examples of how money is being laundered through real estate because I don't want to give ideas to anyone, but there is extensive literature on the subject.

So, it is no surprise that according to the Commission of Enquiry on drug trafficking, the Financial Intelligence Unit (FIU) had identified 24 cases of drug traffickers laundering their ill-gotten money through real estate between 2011 and 2015. This is in the report. So, 24 cases of drug trafficking, laundering their money through real estate. And yet, the commission observed that no Public Notary had ever reported any case of suspicious transaction. Not a single Public Notary. Hon. Kavydass Ramano has his name on the Bill as he is going to intervene later on, I am sure that he will justify why Public Notaries see no evil and never report any case of suspicious transactions in real estate sector when the FIU themselves have conceded that there have been at least 24 cases where drug traffickers have been laundering money, proceeds of crime through real estate transactions.

Mr Speaker, Sir, the risk of money laundering through real estate in Mauritius is even greater today when we take into consideration the purchase of real estate properties by foreigners, be it under the Integrated Resort Scheme, the Real Estate Scheme, the Property Development Scheme, the Smart City Project and all the other schemes available for foreigners to invest in real estate in Mauritius.

Again, the Commission of Inquiry on Drug Trafficking Report stated, and I quote –

“The Commission has been informed by FIU of cases of money laundering in the offshore as well as traffickers from South Africa through their lawyers purchasing Integrated Resort Scheme property.”

Again, FIU is very much aware of foreigners from South Africa investing in Real Estate Projects in Mauritius as a means for money laundering. And yet, up to now, I have not heard any action being taken against anyone in the real estate business, be they a member of the notary public or a member of their real estate agent sector.

We should not forget, Mr Speaker, Sir, the famous, Mr Alvaro Sobrinho who wanted to purchase several villas in Royal Park for several hundred millions of rupees. Hon. Members will remember that this led to the resignation of Mr René Leclézio as member of

the then Board of Investment on 21 September 2017, because he refused to condone such practice.

I asked a PQ on this matter on 07 November 2017. A Senior Counsel from the private sector, a member of the Bar, had advised the Board of Investment, as it was then known, against allowing Vango Property Ltd., a company owned by Mr Sobrinho, from being allowed to purchase those properties, because of the reputation of risk to Mauritius, and it is thanks to the intervention of Mr Gérard Sanspeur, then Chairman of the Board of Investment. But the Board of Investment imposed as condition to the approval of the investment by Mr Sobrinho that a Report from the Forensic Expert Firm be commissioned to look into the source of fund of Mr Sobrinho, who was going to invest several hundreds of millions of rupees in real estate property in Royal Park. The sale did not go through, as I understand, Mr Sobrinho could not satisfy the Board of Investment of the source of his funds. But, no Suspicious Transaction Report was filed by the land promoter or property developer. No Suspicious Transaction Report was reported by any notary public, by anyone from the real estate sector.

Yet, Mr Speaker, Sir, as far back as 2009 - I repeat it 2009 - 30 July 2009, more than 11 years ago, the Finance (Miscellaneous Provisions) Act amended the Financial Intelligence and Anti-Money Laundering Act (FIAMLA) to include in its definition of 'member of the relevant profession or occupation', 'any Land Promoter and Property Developer, Agent in land, building or estate agency under the Local Government Act 2003'. I repeat, as far back as 2009, real estate agents were already subject to the supervision of the Financial Intelligence Unit, and when in 2012, the Economic and Financial Measures (Miscellaneous Provisions) Act further amended FIAMLA, the definition of 'member of relevant profession', again, included 'Agent in Land and/or Building or Estate Agency under the Local Government Act 2011' as 'member of the relevant profession and occupation'. So, still, in 2012, these real estate agents were still being under the supervision of the FIU. So, as far back as 2009, Mr Speaker, Sir, real estate agents were required by section 14 of FIAMLA to report to the FIU any transaction which they had reason to believe may be a suspicious transaction.

Today, we see in the Bill before the House, Mr Speaker, Sir, at section 23 subsection (1) that real estate agent has to report a suspicious transaction not later than five working days after the suspicion arose. A lot of hon. Members who intervened before me, for that this is a breakthrough in the law. In fact, this is identical word to word from section 14 subsection (1)

of FIAMLA to which real estate agents are already subject to since 2009. Again, if we look at section 23 subsection (2) of the Bill which makes it an offence for real estate agent not to report a suspicious transaction and is then subject to a fine of Rs1 m. and an imprisonment of a term not exceeding 5 years. Again, this section 23 subsection (2) is taken verbatim, word to word from section 14 subsection (3) of FIAMLA. So, this Bill is not bringing anything new as far as regulating real estate agent in this matter. In fact, the FIU even has a whole page on their website dedicated to real estate agent.

So, Mr Speaker, Sir, the problem really was not with the legislative framework. The problem was that real estate agents were not reporting any suspicious transaction to the FIU and the FIU was not properly supervising the activities of real estate agents. And this was the problem; failure of enforcement agencies to do what they are paid to do, a sense of *laissez-aller*. When the Eastern and Southern African Anti-Money Laundering Group (ESAAMLG) published its Mutual Evaluation Report in July 2018, they were quick to pick up on these shortcomings.

Real estate agents, Mr Speaker, Sir, are technically referred to as Designated Non-Financial Businesses and Professions or DNFBPs for short. And ESAAMLG found Mauritius to be non-compliant with regard to Recommendation of the Financial Action Task Force, with regard to the real estate sector, namely, Recommendation 22 - customer due diligence; Recommendation 23 - other Measures; Recommendation 28 - regulation and supervision of DNFBPs.

ESAAMLG expressed major concern over the low level of Suspicious Transaction Report filed by real estate agent because these reporting entities are considered to be representing high money laundering risk. In fact, ESAAMLG noted that there were no, I repeat no Suspicious Transaction Report, with respect to casinos, real estate sector as well as the jewellery sector. No Suspicious Transaction Report filed by any operator in the real estate sector, and they are regulated since 2009. And the FIU has told the Commissioner of Inquiry that there are 24 cases of drug traffickers using real estate agent to money laundering. FIU has told the Commission of Inquiry that South Africans are using Mauritius through their lawyers to launder proceeds of crime, and yet, not a single Suspicious Transaction Report filed by any real estate agent, by any notary public and no action taken by the FIU against anyone in the sector.

ESAAMLG was extremely critical of the FIU. And the report said, and I quote –

“(...) the level of AML/CFT compliance monitoring and supervision is virtually non-existent.”

The Report also pointed out that with respect to real estate agents and dealers in precious stones, there were no specific measures in place to prevent criminals and their associates from entering the market and being the financial owners or holding a management function in the sector.

Now, we all know, Mr Speaker, Sir, that the ESAAMLG Report led to Mauritius being placed on the list of jurisdiction under increase monitoring, also known as the grey list of the FATS, which in turn led Mauritius to be placed on the black list of high risk third countries with fatidic deficiencies in their regime regarding anti-money laundering and counter terrorist financing by the European Commission.

So, Mr Speaker, Sir, the real question that we have to ask ourselves today; we are in 2020, the ESAAMLG Report came out in July 2018, the Commission of Inquiry on Drug Trafficking Report came out in July 2018. Why did we wait two years before the Bill comes before this House? Maybe if this Bill came before this House two years ago, we would not have been grey listed. Maybe we would not have been blacklisted and we all know that there were experts because the hon. Minister of Financial Services stated in an earlier PQ that financial expert has been paid millions of rupees to advise Government before it was placed on the grey list and the black list. So, did Government follow the advice or recommendation of these experts or did they not follow, if they did not follow their advice, why?

So, I really hope in the summing up the hon. Deputy Prime Minister will give us an indication that why has there been so much delay in bringing this piece of legislation when we know that as far back as 2009 real estate agents were under the supervision of FIU and had not filed any suspicious transaction report.

Mr Speaker, Sir, I would like to now comment on a few specific provisions of the Bill. I do not propose to repeat all that my learned friend, hon. Aadil Ameer Meea has stated in his intervention. But I would like to emphasise that we should not lump together in the definition of the real estate agent all the operators because each operator operates its own little cluster. So, we have the *courtier*, the real estate agent who acts mostly as an intermediary between the buyer and the seller and this should not be treated the same way as those who deal with public funds, real property agents and land developers and this is not unique to real estate profession. For example, among law practitioners, Mr Speaker, Sir,

there is a different level of compliance with AML and CFT. If a law practitioner who only provides legal advice and do Court representation and do not handle client's money, the level of AML/FATF for these types of barristers and law practitioners is very low.

On the other hand, if a law practitioner handles clients' funds and assists a client in setting up a company or acts as the intermediary, then these law practitioners have to carry out a full customer due diligence on their clients. So, I would urge the hon. Minister because he has a lot of power, because if he does not propose to amend the Bill, by way of regulation, at least, to set different AML/CFT requirement for different categories of operators in the real estate sector so that especially the smaller *courtiers*, who are not *courtiers marrons*, are not penalised.

Mr Speaker, Sir, I also join my voice to those before me who have criticised the Bill for giving so much power to the hon. Minister. We see at paragraph 8 of the Bill, Composition of Board, how the hon. Minister is given power to nominate representatives on the Board. Now, proposed amendments have been circulated by the hon. Deputy Prime Minister and I am glad to see that in this respect he has paid heed to our criticism that he should not interfere with who the Estate Agent Association or the *Chambre des Notaires* appoints as their representative. So, this is fair enough. But then why is there no amendment being proposed to section 8, subsection (4) which provides that, and I quote –

“Where a vacancy occurs in the membership of the Board, the vacancy shall be filled by a person, appointed by the Minister, who shall hold office for the remainder of the term of office of that member.”

So, it does not make sense. So, if there is a representative of the *Chambre des Notaires*, he passes away or he decides to step down, why is it that it is the Minister who has the right to appoint? It should have been the people who can appoint representatives should be given the power to replace those representatives and it should not be the Minister as section 8, subsection (4) is currently worded.

Then if we turn to section 12, the appointment of the Director, the Chief Executive Officer, again, the Board can only appoint that CEO, that Director with the approval of the Minister. So, why not leave this appointment to be done by the Board after selecting the most suitable candidate after a proper transparent *appel de candidature*? Why should it be the Minister who has to decide who would be the Director, who would be the CEO of that

institution and that is a very important and sensitive post, Mr Speaker, Sir, because this authority will have the power to set fees?

This authority will have the power to take disciplinary action. So, this authority should be seen to be apolitical, should be seen to be above politics. So, why is it then, that when it comes to the appointment of the Chairperson of the Authority, there is a minimum requirement and he has to be a law practitioner but when it comes to the Director there is no requirement of a minimum qualification. To be a real estate agent, you need to hold a qualification but to be the CEO, you don't need to have any qualification. So, he can be a *colleur l'affiche*, for all the Government cares.

I am not saying this so lightly, Mr Speaker, Sir, because we've just seen what has happened to the Mauritius Standards Bureau. We have just seen how the Government wanted to impose one of their candidates as the CEO. The Board refused, the Chairman of the Board was revoked and in the end Mrs Sandhya Boygah, who has absolutely no experience, no expertise, no competence in Standards Bureau was appointed.

Mr Speaker: Come to the Bill!

Mr Uteem: Yes, but this an example of what we don't want to happen to the authority. We don't want a repeat of the Mauritius Standards Bureau with this authority, Mr Speaker, Sir.

So, if we look at then section 17 of the Bill, Security to be furnished by the Real Estate, this is very important because this is money. We are talking about money and again instead of allowing the Board the authority to determine what is the level of security to be furnished by the real estate agent, section 17, subsection (1) states that -

“No person shall be registered as a real estate agent unless he furnishes a security in such amount as may be prescribed.”

So, again, it is the Minister who, by regulation, would determine what is the level of security that has to be provided by the real estate agent, whereas it ought to have been something left to the authority. Similarly, section 20 of the Bill, Fees chargeable by real estate agent -

“(...) fee for a real estate agent in carrying out a real estate transaction shall be of such percentage, as may be prescribed, of the value of the transaction.”

As may be prescribed, who prescribes it? The hon. Minister by way of regulation under section 43 of the law. So, the Minister is the one who makes the regulation. He is the one who is going to determine how much fees is being charged, how much security needs to be paid, how much charges, penalties, interest must be levied. So, why such a *mainmise* of the Minister, why doesn't he allow these powers to the Real Estate Agent Authority?

And it is worth noting, Mr Speaker, Sir, that in the model legislation produced by the Law Reform Commission back in February 2016, there were no extensive powers given to the Minister. Most of the powers which are now attributed to the Minister in this Bill were actually left to the authority in the model legislation proposed by the Law Reform Commission.

Now, with respect to the other provisions of the Bill, section 16 (4), provides that –

“No person shall be entitled to be registered as a real estate agent –

(a) where he has been convicted of a financial crime offence;”

We don't have a problem with this. This is something that has been identified by ESAAMLG, by FATF that there should be an entrance requirement for anyone in the real estate sector because this is a high-risk sector. But we don't have a problem with not allowing a person who has been convicted of a financial crime office.

But, Mr Speaker, Sir, what is a financial crime office? If we turn to section 2 of the Act, it says and I read –

“‘financial crime offence’ has the same meaning as in section 41A of the Courts Act;”

Now, the problem is: we don't have a section 41A of the Courts Act because that section 41A of the Courts Act was supposed to be enacted by the Courts (Amendment) Bill (No. X of 2020) which has been circulated and read a first time but not being the subject to any debate and has not been passed before this House.

So, today, we are asked to vote a law, making reference to financial crime offence which does not exist from a law which does not exist. So, this is one of the niceties. So, I don't know if, by way of proclamation, you cannot proclaim that section of the law but certainly you cannot legislate and refer to a law that does not exist.

Finally, Mr Speaker, Sir, section 19 (3). Section 19 (3) reads –

“Any dispute pertaining to the performance of any contract may, if the parties agree, be referred to and settled by the Authority.”

So, the Authority is given the power to mediate and arbitrate between a client and a real estate agent. The problem is: what would be the procedure used? What would be the rules of evidence? How would this hearing be conducted? Would it be adversarial? Would it be conceptual? There is absolutely nothing, there is only one line in section 19 (3) and this is very different for example when we talk about the disciplinary committee. The Bill extensively describes how the disciplinary committee is set up. What is its power? Who can constitute that disciplinary committee? But when it comes to this dispute resolution, there is absolutely nothing in the law and we don't even know if that award will be final. Can it be appealed against? Because if it is arbitration, can it be appealed to the Supreme Court? On what ground? On only point of law? On point of facts?

So, this is totally absent from this Bill, Mr Speaker, Sir, and I hope that by way of regulation, at least, the hon. Minister will come and provide for the proceedings for guidance as to how the Authority will conduct the hearing when it comes to resolving dispute.

Mr Speaker, Sir, this Bill was long overdue. Iceland and Mongolia which were among the countries that were in the grey list of FATF in February 2020 were removed from the grey list of the FATF in June 2020.

So, let us hope that, with this Bill, we take a step closer for our removal from the grey list of the FATF and the black list of the European Commission.

Thank you.

Dr. Ramdhany: Mr Speaker, Sir, I move for the adjournment of the debate.

Mr François rose and seconded

Question put and agreed to.

Debate adjourned accordingly.

Mr Speaker: I will leave the Chair for the Deputy Speaker.

At this stage, the Deputy Speaker took the Chair.

The Deputy Speaker: Thank you very much. Please be seated. We shall resume the debate as to the Motion of No Confidence. I shall call upon the hon. Deputy Prime Minister for his debate.

(7.54 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.

(7.55 p.m.)

The Deputy Prime Minister: Merci, M. le président.

Surréaliste, voilà comment je qualifierais le mouvement que nous vivons au sien de cette Chambre. J’estime absolument surréaliste d’avoir à débattre de la présente motion de défiance à l’encontre du Président de l’Assemblée nationale dans le contexte présent. Je m’explique. Seuls les inconscients peuvent ignorer les dangers qui définissent la situation exceptionnelle dans laquelle se trouve notre pays, dans laquelle se trouve notre peuple.

D’abord l’état d’urgence environnementale. Mesdames et Messieurs, les députés ont entendu le Premier ministre tout à l’heure lors du *Statement Time. Le Mauricien*, dans sa livraison du jour, nous parle de 24 heures décisives. Nous savons tous que nous sommes en ce moment même engagés dans une course contre la montre pour assurer la vidange des réservoirs d’huile lourde à bord du navire MV Wakashio, j’espère pas mais le risque est là, avant qu’il ne se brise en deux avec un risque réel d’une deuxième fuite d’huile lourde dans nos lagons. Voilà, la situation dans laquelle nous nous trouvons aujourd’hui.

D’autre part, la pandémie de la COVID-19 qui fait toujours peser un danger réel sur notre pays alors que le monde en ce jour compte plus de 20 millions de personnes atteintes et 740,000 morts avec une courbe toujours ascendants dans nombre de pays et une situation des plus graves en Afrique du Sud et en Inde. Mais ne voilà-t-il pas que la priorité pour l’alliance de l’Opposition est de nous obliger à débattre d’une motion contre le Président de l’Assemblée nationale. Voilà, la priorité pour cette Opposition.

M. le président, j’accuse l’alliance de l’Opposition en choisissant ce moment précis pour présenter leur motion, d’agir de manière antipatriotique et antidémocratique. Voyez les démocraties que nous connaissons le mieux. La France où l’Opposition bien évidemment a

débatu vigoureusement des mesures adoptées par le président Macron et son gouvernement face à la COVID-19. Voyez l'Angleterre où mon bon ami Jeremy Corbyn de l'aile gauche du Parti travailliste.

Au moment où il dirigeait le Parti travailliste, il fut un adversaire irréductible des conservateurs succédé par Keir Starmer, opposant sans complaisance du Premier ministre Boris Johnson, mais jamais ni en France ni en Angleterre l'opposition aurait-elle songé ne serait-ce qu'un instant à présenter une motion pareille en pleine crise de la COVID-19. Et nous en plus, nous avons la crise du Wakashio. Absolument surréaliste, incroyable, inconcevable, M. le président, et c'est pourquoi plutôt que de répondre aux arguments sans fondement de l'opposition, je vais m'en tenir à la dimension politique de cette motion, le pourquoi et le comment de cette motion.

M. le président, mon opinion c'est que le dispositif constitutionnel qui fait que le *Speaker*, de tout le temps depuis l'indépendance et même avant, a toujours été désigné par la majorité parlementaire élue, fait qu'il y a une tension obligée, obligée d'une part, par le fait que le président exerce une fonction d'arbitre. Donc, il y a une tension entre le président et tous les députés mais c'est une tension encore plus prononcée dans le cas de l'opposition qui inévitablement soupçonne tous les *Speakers* de partialité.

Voyons les faits, depuis 1959, nous avons connu neuf *Speakers*. Je dis bien neuf, Madame la députée Stéphanie Anquetil avait parlé d'un chiffre plus conséquent mais il y a des *Speakers* qui reviennent. En fait, on a connu neuf *Speakers* et il y a eu huit motions de défiance contre les *Speakers*. Même le vénérable Sir Harilal Vaghjee qui est toujours cité en exemple parce qu'il a été pendant, je ne sais pas, 17 ans ou 19 ans *Speaker*, même lui a connu une motion de défiance. Même mon collègue, le premier député de la circonscription du numéro 14, dont personne ne nierait la diplomatie, l'amabilité, a vu une motion de blâme présentée contre lui. C'est la nature de la fonction mais là où les statistiques sont des plus intéressants, c'est que de ces motions, quatre ont été présentées par le Parti Travailliste, deux par le PMSD, seulement une motion par le MMM parce que le MMM, bien qu'il ait été sans doute le parti qui soit resté le plus longtemps dans l'opposition, a quand même toujours respecté le jeu démocratique jusqu'à cette alliance avec le parti travailliste et le PMSD. Et si je vous demandais, M. le président, qui c'est qui détient le record? Qui est la seule personne, le seul député à avoir présenté plus d'une motion de blâme? Ce n'est pas Paul Bérenger, le premier député de Rose Hill, bien qu'il ait été le plus longtemps leader de l'opposition. Ce

n'est même pas le Dr. Navin Ramgoolam qui a été pendant un certain temps. Ce n'est certainement pas le député Xavier-Luc Duval qui n'a jamais présenté de motion...

(Interruptions)

Serait-ce vraiment difficile à imaginer qui c'est le champion des motions de censure?

(Interruptions)

Evidemment, je regrette qu'il ne soit pas là. C'est le premier député de la circonscription numéro trois, encore heureux pour l'opposition, que cette motion a été présentée par le leader de l'opposition et qu'il ne se soit pas fait piquer sa place par le premier député de la circonscription numéro trois cette fois-ci. Donc, M. le président, il n'y a rien d'exceptionnel au fait que l'opposition, deux fois, la deuxième fois il ne l'a pas présenté mais il avait déposé la motion. Donc...

(Interruptions)

Il faudrait corriger *Hansard* et ce n'est pas nous qui le ferons. Donc, je disais que la perception est inévitable. J'ai écouté l'autre jour Madame la députée Navarre-Marie comme Madame la députée Stéphanie Anquetil s'élevaient contre le fait que lors d'une question parlementaire concernant la condition féminine qu'elles n'aient pas eu droit à la parole et pourtant ce n'est pas nouveau, leur présence au Parlement ne date pas d'hier et elles savent pertinemment bien que le règlement parlementaire *Standing Orders* 26 (1) nous dit que –

“Supplementary questions (...) shall be subject to the ruling of the Speaker, both as to relevance and number.”

Cela a toujours été la règle. J'ai été moi-même longtemps dans l'opposition, je me suis souvent senti déçu de n'avoir pas droit à la parole mais c'est tout à fait normal. Il est impossible pour n'importe quel président de l'Assemblée de donner la parole à tout le monde.

M. le président, les règlements de l'Assemblée prévoient toutes ces situations. Le règlement 39 (10) qui nous dit –

“The discretion of the Speaker - en parlant des questions - or the person presiding in calling Members to address the Assembly cannot be challenged.”

Cela a toujours été la règle. Mais c'est comme lors d'un match de football, l'équipe perdante contestera toujours les décisions de l'arbitre, n'est-ce pas? Cette contestation mènera à des comportements non-autorisés. Cette contestation et ces comportements mèneront

inévitablement souvent à des expulsions du terrain et c'est normal, tout député court le risque d'être sanctionné. Je n'ai pas honte à admettre, M. le président, peut-être ne le savez-vous pas, j'ai déjà moi-même été *named* au Parlement?

(Interruptions)

Absolument ! Et suspendu de participation jusqu'à ce que je présente mes excuses, indéfiniment. Mon collègue, le ministre Alan Ganoo, mon vieux camarade de lutte, n'a-t-il pas lui-même été expulsé, bien qu'étant un ancien *Speaker*? Donc, ce sont les règles du jeu, d'une part le *Speaker*, le président de l'Assemblée a une tâche extrêmement ardue, celle d'arbitrer, celle d'effectuer des arbitrages les plus complexes et les plus difficiles dans toutes sortes de situations mais sans arbitre il n'y a pas de match. Retirer, enlever l'arbitre du terrain de foot, comment y aura-t-il de match? M. le président, cela est évident et c'est pour cela que le règlement, *Standing Orders* 41 (4) nous dit –

“The Speaker, or the person presiding, shall be responsible for the observance of the rules of order in the Assembly or in any Committee thereof and his or her decision upon any point of order shall not be open to appeal, comments or remarks (...)”

Ce sont les règles du jeu et sans arbitre, il n'y a pas de match. Sans *Speaker*, il n'y a pas de débat parlementaire.

(Interruptions)

J'écoutais l'honorable Leader du MMM, le premier député de Rose Hill - évidemment il n'est jamais là quand nous nous adressons à la Chambre mais nous sommes toujours là à l'écouter - disait l'autre jour jamais auparavant cette Assemblée a connu un tel président...

An hon. Member: Historique !

The Deputy Prime Minister: Historique oui, mais pourtant ayant été un de ses plus proches collaborateurs, n'ai-je pas entendu la même chose à l'encontre de Madame Hanoomanjee, la précédente *Speaker* de l'Assemblée? N'ai-je pas entendu la même rengaine à l'égard par exemple des *Speakers*, M. Seetaram ou M. Daby dans le passé?

C'est toujours la même chose. Et c'est toujours sans précédent, jamais auparavant, historique, comme nous dit, Madame la députée.

Donc, M. le président, le problème ne réside pas dans la personnalité. Un *Speaker* peut crier plus fort, l'autre peut crier moins fort, mais le problème ne réside pas dans la personnalité, mais dans la fonction, et peut-être dans le mode de désignation. Mais aucun des

partis présents à cette Assemblée n'a jamais remis en cause le mode de désignation du président de notre Assemblée, autant que je sache. Dans aucun manifeste électoral n'y a-t-il eu de proposition de revoir le mode de désignation.

C'est pour cela que j'affirme que la tension, elle est inévitable. La perception de partialité de la part de l'opposition, de toute opposition, de n'importe quelle opposition, à travers le temps, est inévitable. Le problème ne réside pas dans la personnalité, mais dans la fonction, et peut-être dans le mode de désignation, mais ce n'est pas un problème qui se rattache au présent président de l'Assemblée nationale. Mais le fond du problème, c'est quoi M. le président? Pourquoi l'opposition est-elle tellement inconsciente pour venir présenter une motion en état d'urgence environnementale et en pleine crise de la COVID-19? Parce que cette histoire commence à l'annonce des résultats des élections. Le vrai problème c'est la contestation de ce gouvernement. Souvenez-vous, je l'ai déjà dit dans cette Chambre, le Parti travailliste du Dr. Navin Ramgoolam, fidèle à ses habitudes, qui conteste les résultats des élections chaque fois qu'il perd, et le PMSD qui suit. Et cette fois-ci, le MMM qui, généralement, ne conteste pas les résultats des élections, le MMM qui, au lendemain des élections, par la voix de son leader, rappelait à accepter le jeu démocratique et le vœu de la population, qui se ravise après avoir écouté le Parti travailliste. C'est ça le fond du problème. Mais le fond du problème, ce n'est pas seulement cela, c'est la contradiction actuelle et permanente dans laquelle vit l'opposition. D'une part, elle conteste la légitimité des résultats des urnes, pas une élection c'est toute, c'est l'élection générale, les élections générales qui sont contestées en Cour. D'une part, on conteste ces élections, mais d'autre part, on vient siéger à l'Assemblée. On est absent le jour de la présentation du discours-programme, parce que c'est un gouvernement illégitime, mais après, on est présent pour discourir de ce programme. C'est la contradiction flagrante et permanente que l'opposition vit au quotidien et c'est ce qu'il la met mal à l'aise. Et quelle parade trouve-t-elle alors? C'est dans ce comportement très particulier à l'Assemblée. Un comportement irrespectueux vis-à-vis de la présidence, vis-à-vis du gouvernement, un comportement indigne qui commence dès la prestation de serment.

M. le président, cela m'a marqué, les ricanements, les remarques désobligeantes de ceux qui sont censés être les doyens de cette Assemblée. Lors d'une cérémonie aussi solennelle que la prestation de serment au sein de cette Assemblée, l'élection du *Speaker*, où selon la tradition, la pratique parlementaire, le Premier ministre propose, la motion est secondée par le Leader de l'opposition, mais cette fois-ci, cela ne s'est pas fait. C'est mon

prédécesseur, le troisième député de Stanley-Rose Hill, qui a secondé la motion. Donc, *it was written on the cards*, on voyait venir cette motion, elle était inévitable, parce que le fond du problème, ce n'est pas l'actuel président de l'Assemblée nationale. Le problème c'est que l'opposition n'accepte pas la légitimité du gouvernement et donc, tout ce qui va avec. Voyez les absences au sein de l'Assemblée parlementaire! L'autre jour, j'ai vu le Premier ministre de notre pays se lever pour s'adresser à la Chambre lors du *Finance Bill*. Aucun des Leaders des partis de l'opposition n'était là, même pas le Leader de l'opposition qui est venu plus tard, Alors que, que ce soit le Premier ministre, ou moi, ou tous les ministres de ce gouvernement, nous sommes là dans le respect de la tradition parlementaire pour écouter, pour écouter le Leader de l'opposition, pour écouter les autres Leaders dès lors qu'ils s'adressent à la Chambre. C'est cela la démocratie parlementaire, de savoir écouter avant de parler. C'est comme cela que l'on acquière le droit de parler et de se faire écouter, c'est en écoutant les autres, nos opposants, en écoutant les arguments contradictoires. C'est cela le débat parlementaire, mais cela reflète, comme je disais, le comportement irrespectueux et indigne de l'opposition.

Dois-je mentionner la présentation de pancartes à l'Assemblée? Chose que je n'ai jamais vue de toutes mes années de députation. Les interruptions qui ne s'arrêtent jamais dès lors que quelqu'un de ce côté de la Chambre parle. Vous l'avez vu tout à l'heure quand le PPS Ramkaun parlait. Vous l'avez vu aujourd'hui, M. le président, quatre orateurs s'expriment sur le Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Bill. Les deux orateurs de l'opposition sont écoutés dans un silence quasi religieux, mais dès lors que le deuxième député de la Circonscription No. 5 s'adresse à la Chambre, on le provoque, il est systématiquement interrompu. Voilà ce que j'appelle un comportement irrespectueux et indigne de notre démocratie parlementaire!

Les commentaires, M. le président, les insultes, dois-je vous faire le catalogue, les *bachiaras*, *voler*, lâche, *coward*. J'ai même vu un député de l'opposition dire «*coward*» et puis, être invité à retirer le mot, dire «*je retire coward mais j'ajoute 'ly', cowardly*». C'est ce que ce dont nous témoignons. Mon bon ami, le député Collendavelloo, le troisième député de Stanley-Rose Hill, nous rappelait qu'il y avait eu 66 cas de *disorderly conduct* au sein de cette Chambre, entre février et juin de cette année. Et les *points of order*, *spurious points of order*, comme dirait mon ami, le ministre Alan Ganoo, c'est-à-dire des *points of orders* douteux, non valables, fondés sur des raisonnements spécieux. Et l'opposition sait pertinemment bien ce qu'elle fait et la conséquence de ses actes. Elle joue de la provocation

exprès pour se faire sanctionner et dès lors se présenter comme victime et proclamer que c'est la fin de la démocratie à Maurice.

Les recherches entrepris par un de mes collègues députés de la majorité, nous indiquent que la moitié de ces cas de *disorderly conduct* sont le fait d'un seul député, d'une seule personne, pas le Leader de l'opposition...

(Interruptions)

...pas le Leader de l'opposition, qu'on a toujours connu pour son comportement de gentleman et qui, maintenant, de peur d'être dépassé sur sa droite, essaie de démontrer une agressivité qui ne lui sied pas.

(Interruptions)

Qui ne lui sied pas!

(Interruptions)

The Deputy Speaker: Order!

The Deputy Prime Minister: Même pas ! Il ne s'agit même pas de mon bon ami, le fougueux deuxième député de La Caverne/Phoenix. Il ne s'agit, M. le président, même pas de mon vieil ami et compagnon de lutte de plus de 25 ans, le premier député de Beau Bassin/Petite Rivière, qui n'est pas là pour les raisons que l'on sait. Mais il s'agit de la même personne, qui tout à l'heure je le disais, détenait le record des motions de blâme. Je m'excuse par avance, M. le président, loin de moi l'idée de formuler une quelconque attaque personnelle ou attaquer la conduite de M. le député, mais je dénonce une démarche politique antipatriotique et antidémocratique.

M. le président, pourtant, je crois que c'est le leader de l'opposition qui nous disait que, je cite –

“Respect and courtesy, it is a two-way traffic.”

Je crois que c'était le leader de l'opposition qui nous l'a dit et c'est comme ça que c'est censé fonctionner une démocratie parlementaire. Les députés des deux côtés de la Chambre ont non seulement le droit mais le devoir de s'exprimer, aussi longtemps que cela est fait en conformité avec les règlements, avec les *Standing Orders*.

Moi aussi je dirais, comme le leader du MMM, M. le président, jamais je n'ai vu ou je n'ai témoigné d'un tel comportement vis-à-vis du *Speaker*. Jamais ! C'est historique en effet

que l'on se comporte de telle manière vis-à-vis d'un *Speaker*. Un leader de l'opposition qui refuse de quitter la salle quand on lui demande de se retirer. Jamais je n'ai vu cela ! Un tel dédain pour les règlements parlementaires, cela, M. le président, reflète ce comportement irrespectueux et indigne de l'opposition, dont la motion n'est qu'un détail. Cela suit cette stratégie savamment calculée, bien longuement mijotée et sciemment mise en œuvre aujourd'hui. Donc, j'accuse, M. le président, j'accuse cette motion, j'accuse l'opposition, cette alliance de l'opposition que je définis pour reprendre un terme cher au MMM dans le temps, comme l'alliance de la haine et l'alliance de la honte, une alliance basée et ayant pour seul fondement, la haine envers le Premier ministre, et par association, toute l'équipe qui le soutient, une alliance de la honte, parce que le peuple n'a-t-il pas combien de fois rejeté le rapprochement MMM et Parti travailliste. Je l'ai vécu en 2014, M. le président. Je sais de quoi je parle. J'accuse cette motion d'être le fait de cette alliance de la haine et de la honte. Elle réclame aujourd'hui la démission du *Speaker* comme elle aurait réclamé la démission de n'importe quel *Speaker* nommé par *l'Alliance Morisien*, quel qu'il soit, quelle qu'elle soit, le ou la présidente de cette Chambre aurait été contesté par l'alliance de la haine et de la honte. Il y aurait eu une motion de défiance car, M. le président, elle ne réclame non seulement la démission du président, il y a eu, si je ne m'abuse, une contestation de votre autorité. Il y a eu la réclamation, ce matin même, de la démission du ministre de L'Environnement, du ministre des Pêches, il y a eu la demande de la démission du gouvernement lui-même, il y a eu la demande de démission de tous les députés de la majorité parce que nous avons été, semble-t-il, mal élus.

Donc, tout cela, M. le président, fait partie d'une stratégie délibérée, prévisible de longue date, et qui ne va pas s'arrêter ici. C'est cette alliance de la haine et de la honte qui rêve de faire de Maurice le Liban de demain où le gouvernement démissionne parce que sa démission est exigée par la rue. Hier, le gouvernement a démissionné parce que sa démission a été exigée par la rue, et pourtant, M. le président, la démarche, elle est cousue de fil blanc. On voit clairement le jeu de cette alliance de la haine et de la honte, les efforts pour créer tous les jours ce sentiment de méfiance, abusant du statut d'un journal qui était jusqu'à récemment considéré comme sérieux, comme indépendant, qui est aujourd'hui le quotidien de l'opposition, abusant d'une radio privée, qui est aujourd'hui, enfin depuis les élections déjà, se déclare ouvertement la radio de l'opposition.

(Interruptions)

The Deputy Speaker: Order!

The Deputy Prime Minister: C'est une stratégie claire, cette motion, M. le président, je la situe dans le cadre d'une déclaration de guerre contre le Premier ministre, Pravind Jugnauth, et tous ses associés, relayés par les médias de l'opposition. Vous avez vu la marche organisée il y a quelque temps. On a essayé d'imiter le Liban mais ça a été une marche *fizet*, comme on dit dans notre langage populaire. Je dénonce, M. le président, cette motion comme un abus des règlements parlementaires afin de poursuivre une vendetta politique, décidée à l'avance, et qui aurait été actée quel que soit l'identité du *Speaker*, quel qui était son comportement dans l'exercice de ses fonctions.

M. le président, toute cette motion n'est rien qu'un leurre, n'est rien qu'un leurre pour garder mobilisé le carré d'inconditionnel de plus en plus désespéré que leur leader soit incapable de gagner une élection. Voilà l'objectif, M. le président!

J'accuse cette alliance de la haine et de la honte de présenter cette motion uniquement pour faire obstacle au gouvernement en faisant fi des dangers qui guettent notre peuple, qui guettent notre pays. J'accuse l'alliance de la haine et de la honte en présentant cette motion de chercher par tous les moyens à déstabiliser le gouvernement en semant le doute sur l'action gouvernementale, en créant un climat de défiance, de stigmatisation, de tension en permanence.

M. le président, en voyant - et je vais terminer dessus - ce que l'alliance de la haine et de la honte essaye de faire à notre pays, M. le président, il me vient à l'esprit les mots de cette députée républicaine espagnole, qui deviendra plus tard connue du monde entier comme la Pasionaria. En juillet 1936, en pleine guerre civile espagnole, alors que les hordes fascistes du Général Franco s'approchaient de Madrid pour renverser un gouvernement républicain démocratiquement constitué, cette députée, la Pasionaria, lancera à la radio, un mot d'ordre qui a traversé les frontières et qui a traversé le temps face aux combines antipatriotiques et antidémocratiques de l'alliance de la haine et de la honte, je reprendrai les mots mythiques de la Pasionaria, *No Pasarán*, ils ne passeront pas. J'en ai terminé et je vous remercie, M. le président.

The Deputy Speaker: Thank you very much, hon. Deputy Prime Minister. I'll call upon the Prime Minister, please.

(8.28 p.m.)

The Prime Minister: Mr Deputy Speaker, Sir, I have perused practically all the previous Motions of No Confidence in the Speaker; in 1963, 1982, 1985, 1993, 1995 and in

2017. And to quote from the then Minister of Labour and Industrial Relations, hon. Hervé Duval, intervening in May 1985 on the then Motion of No Confidence in Mr Speaker, he said, I quote -

“M. le président, nous savons à qui nous avons affaire de l’autre côté de la Chambre : Chassez le naturel, dit-on, il revient au galop.”

Indeed, the present Motion of No Confidence is, in fact, no real exception to all the previous Motions of No Confidence in the Speaker. It is almost similar to that to which even Sir Harilal Vaghjee, elected Speaker for life, was subjected to when it was brought against him by the then leader of *Parti Mauricien*, Mr Jules Koenig.

It is also pertinent to quote what Sir Satcam Boolell stated on 07 May 1985 when intervening on the Motion of No Confidence in the Speaker, and I quote -

“The Speaker has the discretion sometimes: although he has eyes, he can refuse to see; although he has ears, he can refuse to hear. So, the impression that one gathers is that the Speaker’s eyes and ears are turned only to one side of the House, and then turn to the other side of the House only when he has to call upon some Members to speak. The task of the Speaker is a very difficult one. But, at the same time, the task of a Member of the House is a very delicate one. And, in Mauritius, the task of the Speaker becomes more difficult because, in a three-Member constituency, the poor Speaker - who cannot participate in the debate, who cannot put any questions, who cannot give satisfaction by way of publicity of his participation in the business of the House - always finds himself to be the most unpopular; and we have a victim in the person of Sir Ramesh Jeewoolall. The people don’t appreciate the fact that a Speaker is a Speaker, and in Mauritius the job of the Speaker has become so unpopular that one of these days, you will find no candidate willing to stand for the job”.

I hope that this does not happen even in our days, in spite of all what is happening in this august Assembly.

The judgement of the Supreme Court in the matter of Paul Raymond Bérenger, Appellant v Sir Ramesh Jeewoolall (Speaker), the Respondent, is of interest in that it is stated therein, and I quote -

“(...) the National Assembly has privilege over its internal proceedings and, in particular, the privilege of maintaining order in the Assembly and makes it abundantly clear that no action shall lie against the respondent (that is, the Speaker) or any

Member of the Assembly, for that matter, in respect of what is said and done by him within the walls of the National Assembly in the protection of its privileges.”

Mr Deputy Speaker, Sir, but who has contributed to the unpopularity of any Speaker, if not today’s Opposition, the MMM, the Labour Party and the PMSD, which has deliberately, and at all times, chosen to ignore the *sine qua non* basics and parameters motivating a Motion of No Confidence in the Speaker? My colleague, the Deputy Prime Minister was saying earlier, quoting the number of motions that have been presented in the past. Out of eight Motions of No Confidence in a Speaker, this trio has brought seven of them and, of course, the majority of them is to no surprise from the Labour Party.

But let me remind the House what, on 07 May 1985, the then Deputy Speaker, hon. Yousuf Mohamed said, and which was echoed abundantly throughout the years, and some three years back, on 04 April 2017, in the then Deputy Speaker’s address. It is of importance and relevance that I should quote these again, and I quote -

“True it is that the rulings and decisions of Mr Speaker cannot be debated (...)”

I hope now hon. Shakeel Mohamed will hear what hon. Yousuf Mohamed then said.

“True it is that the rulings and decisions of Mr Speaker cannot be debated - he said - except on a specific substantive motion, but it must be remembered that the Motion which is before the House today is a Motion of No Confidence. Such a Motion cannot, where it concerns the rulings and decisions of Mr Speaker, take into consideration any matter other than what reflects on the conduct of Mr Speaker.”

Mr Deputy Speaker, Sir, amidst all the criticisms and all the false assertions made by the Opposition on Mr Speaker, hon. Paul Raymond Bérenger implicitly acknowledged that Mr Speaker has been acting as per the Standing Orders which govern the proceedings of this House.

In a public statement on 11 July this year, hon. Bérenger said, and I quote –

«Nou Standing Orders bien bancal. Li vine depi loin sa ein! Ine amender plusieurs fois, mais li reste ene vieux Standing Orders bien, bien bancal. Donc, ena bane loopholes ki laisse boucoup possibilité à ene Speaker, boucoup, boucoup possibilités. Bé kan ou ena ene bébète coumsa, naturellement pou bisin revoir sa bébète là. »

I do not think I need to translate. Hon. Bérenger blames the Standing Orders. He is blaming the rules that we are supposed to respect as Parliamentarians. But how can Mr Speaker be vilified in the way the Opposition is doing when he is simply applying those rules?

Mr Deputy Speaker, Sir, this Motion of No Confidence against the Speaker is clearly not justified. And hon. Bérenger himself has provided the arguments against this Motion.

Now, whether the Standing Orders should be amended or not, this is another debate. If the Standing Orders are *banca*, it is a *bébète*, I do not know, a *bébète* which has to be tamed, this is another issue. Hon. Bérenger has been Prime Minister for two years, at least, and he has also an excellent relationship with the former Prime Minister, Dr. Navinchandra Ramgoolam. And this relationship, we have seen, has culminated in an alliance with what I call revolving leadership. Therefore, why had he not initiated any action, either by himself or through his very good friend with whom he has a very good personal chemistry, to have the Standing Orders amended if he really believes that those Standing Orders are *banca*?

As usual, there is one language in the Opposition and one language when he is in Government!

Let me also demonstrate, Mr Deputy Speaker, Sir, how inconsistent both the hon. Leader of the Opposition and hon. Bérenger are in their accusations against the Speaker.

Hon. Bérenger stated, and I quote –

« *Le Leader de l'Opposition a rappelé que le Parlement avait été postponed sine die, ce qui est interdit par les Standing Orders. Granted, il y avait le coronavirus, mais il y a une façon de faire. »*

Are they saying that the Speaker acted illegally when he postponed the Sitting of 03 April or is it simply that his *façon de faire* is not to their liking?

Mauritius was then in an unchartered territory, with almost all countries struggling with the outbreak of the COVID-19 pandemic, and here the Opposition is whining simply because they did not like the Speaker's *façon de faire*.

In any case, there was no improper action at all on his part, and let me briefly, Mr Deputy Speaker, Sir, recall the sequence of events to show that, to the extent permitted by the exceptional circumstances, all procedures were adhered to strictly.

At the Sitting of Friday 20 March 2020, on motion made and seconded, the House resolved to meet on Friday 03 April. However, on 31 March this year, a Curfew Order was imposed and the Sitting of the Assembly of Friday 03 April 2020 had to be postponed.

Major renovation works had to be undertaken in the Chamber to allow for physical distancing and the next Sitting was held on 05 May 2020. So, will they hold it against the Speaker that our Standing Orders do not provide for procedures to be followed during a sanitary crisis? I do not want to go into what has taken place for us to take the decision in consultation, of course, whereby Mr Speaker decided to postpone the Sitting. The hon. Leader of the Opposition would recall, but let us not go into that.

Hon. Bérenger further said, and I quote –

“Jamais auparavant nous avons vu un Speaker et le gouvernement comploter, avec préméditation, pour provoquer et suspendre l’Opposition, pour ensuite venir accuser l’Opposition de faire des walkouts.”

Well, one can hasten to ask him: *Dans quelle démocratie a-t-on vu un Leader de l’Opposition comploter avec un Premier ministre pour fermer le Parlement pendant neuf mois ?*

The same hon. Bérenger talked about *casser un record* when the Speaker ruled that one PNQ was not in order. I must say the real record-breaker of the National Assembly is not the Speaker but hon. Bérenger himself, because for the whole year of 2014, only seven PNQs were asked by hon. Bérenger, the then Leader of the Opposition. Seven!

Well, we came to know afterwards why he asked only seven PNQs! *En fait, ils étaient déjà en concubinage! D’ailleurs, l’histoire se répète aujourd’hui, mais cette fois-ci avec un nouveau ménage à trois. Et on me dit, c’est trois papis flingueurs. Un énième subterfuge...*

(Interruptions)

The Deputy Speaker: Order, order!

The Prime Minister: *...de la part de ceux qui ont été rejetés pour essayer encore une fois de tromper la population.*

(Interruptions)

The Deputy Speaker: Order, please! Please, continue.

The Prime Minister: *Personne ne les prend au sérieux ! Même leurs partisans...*

(Interruptions)

The Deputy Speaker: Order, please! Allow the Prime Minister to continue.

The Prime Minister: Vous voyez, M. le président, même lorsque je fais mention de trois papis flingueurs, l'honorable Leader de l'Opposition proteste. Il veut être partie des papis flingueurs. Non, mais même leurs partisans en ont en marre de leurs acrobaties politiques. D'autant plus, qu'ils font des menaces en l'air. Comme, par exemple, celle de saisir la justice pour contester les *rulings* du Speaker. Combien de fois j'ai entendu un honorable membre de l'Opposition dire : on va en Cour, on va contester ceci, on va contester cela. Mais combien de cas ? *Niet* ! Et je dois dire que tous les cas constitutionnels que l'Opposition a mis devant la Cour, je crois, ont été rejetés.

Mr Deputy Speaker, Sir, I have visited and revisited the so-called "incidents" that have, according to the Opposition as a whole, taken place since the unanimous election of the Speaker to the Chair of this august Assembly. I have not found any element of misconduct on his part; rather, he has at all times acted within the letter and spirit of the Standing Orders, without any bias, without any partisan stance, and without any hidden agenda and ulterior motives to thwart the Opposition or try to block the Opposition or to provoke the Opposition, or even to deprive the Opposition of its legitimate rights. His concern has been to ensure that both sides of the House have constantly and consistently in mind and in sight their duties and obligations to be, of course, serious; to be responsible representatives of the people of this country, which can actually ill afford to see an Opposition engaged in and bent on sterile and purely demagogic poster-raising.

Indeed, Mr Deputy Speaker, Sir, a close scrutiny of all the so-called incidents involving the Speaker and the Opposition Members between the date of our Sitting on 23 of February and our last Sitting clearly indicates that the Speaker has at all times been striving hard, very hard I must say, to restore and maintain order and orderliness as well as decorum in the House.

Clearly, the Leader of the Opposition has been unable to give any specific example of improper conduct on the part of the Speaker that would warrant any censure of any kind. On the contrary, the Motion of No Confidence in the Speaker, which has been tabled by the Leader of Opposition, can only call our attention, once more, to the serious shortcomings of the other side of the House.

Without doubt, debates on this Motion will expose the failure of the Opposition to act in accordance with the Standing Orders that regulate the way our National Assembly carries out its business. And it is those opposition Members who deserve, in fact, to be blamed, not a Speaker who is willing to take strong and decisive actions to ensure the proper working of the House.

Mr Deputy Speaker, Sir, let me just give a few examples. A PNQ from the Leader of the Opposition to the Minister of Land Transport and Light Rail, that date 23 of February, occasioned 32 interruptions, mostly from hon. Assirvaden and hon. Mohamed. Can you imagine; 32 interruptions only during a PNQ? And the Speaker had to repeat, I looked at Hansard: “Quiet”, “Quiet”, “Quiet, please”, but some Members could not care. On that same occasion, after having indicated “Last question”, the Speaker allowed hon. Bhagwan a supplementary question, thereby again displaying fair play on his part.

The Speaker did not allow tenuous calls for points of order, thereby preventing the House from wasting precious time. Nor did he allow any frivolous allegations, and insisted, for example, on hon. Member of the Opposition making the allegation, namely hon. Assirvaden, to withdraw it, which the hon. Member did, but not straightaway, again. There was much dilly-dallying before the hon. Member finally withdrew the words. Examples abound to “sitting position or indulging in crosstalking.”

Mr Deputy Speaker, Sir, examples of Members of the Opposition deliberately confronting the Speaker with a view to unsettling him, destabilising him, and challenging and sapping his authority, are countless. Countless!

We witnessed this, for example, on 23 February 2020, and again on 28 February 2020, when, following a privilege complaint relating to a Supreme Court Usher by the then Deputy Prime Minister, hon. Mohamed, from a sitting position, continued to argue with the Speaker, thereby challenging the Speaker. Then, there were 91 interruptions. There were six repeated calls of “No speaking from a sitting position” by the Speaker, three repeated calls of “Respect the House” from him, two calls of “Order, please”, one call of “Order”, and five repeated calls of “Order! Don’t shout!”, and one call of “Don’t shout”, all in succession, thereby proving the strenuous efforts made by the Speaker to ensure order, and further numerous other calls of “Order, please!” and “Don’t Shout” quickly followed. And despite these honest and sincere efforts to restore order, the Speaker had no alternative than -

- (i) to order hon. Mohamed out for refusing to withdraw - was mentioned earlier - the word “cowardly” after he had withdrawn the word “coward”, which he repeated while withdrawing, and
- (ii) to name the Leader of the Opposition for showing fingers at him, for showing disrespect to the Chair, and for challenging the authority of the Chair.

On Thursday 11 June, following my reply to the PNQ of the Leader of the Opposition on the alleged corrupt and fraudulent practices regarding the St. Louis Power Generation Project, wherein the name of hon. Paul Bérenger is mentioned in the Report of the Office of Integrity and Anti-Corruption of the African Development Bank (ADB), hon. Bhagwan, being his usual self, attempted to interrupt the question and answer exercise, deservedly earning the remark of the Speaker that he is kidding in Parliament and that he is obstructing the proceedings of Parliament, and he was ordered by the Speaker to withdraw the word “*voler*”, which he refused to do, and he was quite rightly ordered to withdraw from the Chamber. On Monday 15 June, the Leader of the Opposition attempted to argue with the Speaker during the course of the reply to his PNQ on COVID-19 Pandemic-Pharmaceutical Drugs-Purchase, arguing lengthily with the Speaker regarding the authenticity of a document the Leader of the Opposition wanted to quote from. Further, the Leader of the Opposition disrespectfully shouted at the Speaker, and interrupted the proceedings, earning from the Speaker the remark that he should keep his parliamentary manners and when he puts his PNQ, he should listen to the reply. Worse from the Leader of the Opposition, he provokingly told the Speaker to sit down. Can you imagine a Member, Leader of the Opposition, telling the Speaker to sit down, when he, himself, ought to be sitting down? And inevitably, he was ordered out.

Mr Deputy Speaker, Sir, the “*bouquet*” in the machinations of the combined Opposition, in its provocative stance vis-à-vis the Speaker, and in its utter disrespect for Parliament and its flouting of parliamentary democracy, is when, collectively, Members of the Opposition displayed posters against the then DPM in the House, which action was justifiably assessed by the Speaker as being tantamount to gross disorder. The Speaker unavoidably ordered them to withdraw from the House and from the precincts of this august Assembly for the remainder of the day’s Sitting. And I can recall, I think it was just after that, if I am not mistaken, there was Committee of Supply.

(Interruptions)

Yes. Can you imagine such an important exercise for the Opposition, when they should have been here to scrutinise the Budget and the expenses for each Ministry? But they were not thinking about that. They wanted to disrupt the proceedings of the House and this, as I say, is a “*bouquet*”. Never have I seen before, Members protesting. I know they have been protesting outside - so many of us - but not inside this august Assembly like that.

There are so many more examples of the disrespectful and provocative stance of the Opposition in its interaction with the Speaker, like hon. Mohamed, on 23 June 2020, exclaiming “My foot!”, addressing the Speaker; “My foot!”, when the Speaker reminded Members of parliamentary democracy. On Tuesday 30 June 2020, hon. Bérenger was rightly ordered out by the Speaker for refusing to withdraw the word “*lâche*” uttered by him to my direction. And on Tuesday 07 July 2020, hon. Mohamed argued forcefully with the Speaker against the Speaker’s ruling that the point of order hon. Mohamed wanted to raise was not a point of order, and the Speaker ordered him not to disrupt the proceedings of the House.

Then, we have on 28 July 2020, during a reply by hon. Lesjongard, following a question from hon. Armance, hon. Assirvaden interrupted the smooth running of the business of the House and complained that he was not given the floor for a supplementary question, challenged the ruling of the Speaker on who had the floor to ask for a supplementary question. In order to ask a supplementary question, hon. Members need - now it is the new system that we have to catch the eyes of the Speaker, and it is common that the Speaker usually gives priority to the mover of the question. So, he was reminded of the basic principle of catching the eyes of the Speaker, but he continued to argue and ultimately he was ordered out.

Mr Deputy Speaker, Sir, it is the responsibility of the Speaker to keep order in the Assembly. If Members disregard the authority of the Chair, the Speaker must take action. No reasonable person would accept that the Speaker deserves blame when all he is doing is to ensure that Members comply with the rules of this august Assembly.

If the Speaker deems the rules of the House have been breached, he will obviously take necessary actions. Now, if his authority is challenged, he has no other option than to act and not to allow Members to continue to violate the rules of the House with impunity.

From the very start of the current Session of the National Assembly, the Opposition has been trying to undermine the authority of the Speaker.

History will record that never before has our Parliament been subjected to such a long

series of disruptive acts. The examples I have highlighted are just the tip of the iceberg.

Members from the Opposition have deliberately flouted the rules of the House, and shown disrespect for the institution that the Speaker represents. Yet, they claim they are in their rights and dare to justify their acts by arguing that they are the defenders of democracy.

Mr Deputy Speaker, Sir, the Speaker has been assuming all his responsibilities and performing all his duties with impartiality, and his conduct has been above board. I believe that the Motion of No Confidence in the Speaker will boomerang against the Opposition, which more than fully, and paradoxically so, deserves itself a Motion of No Confidence.

Mr Deputy Speaker, Sir, in all true democracies, the Opposition is, for all intents and purposes, the alternative Government. But the question is whether it has been behaving as such. Well, the answer is clearly no, because the contributions of the Opposition for the good of our country have regrettably been negative. It has devoted all its energy in trying to destabilise the Speaker, to provoke him, and to deliberately ignore his calls to order. Walkouts are its preferred runaways from its responsibilities, from participating in debates on which they are unable to oppose what Government presents and proposes for the benefit of the people. It prefers to simply stage walkouts than assuming its parliamentary responsibilities that they are paid for.

Mr Deputy Speaker, Sir, the Leader of the Opposition must surely know that the Speaker has every right to allow or to amend or to edit or even to reject a Parliamentary Question or PNQ which, in his own judgement, fails the test of propriety and relevance, or must be allowed as per our Standing Orders.

Mr Deputy Speaker, Sir, I am the Leader of the House, and as such I have the duty to consult the Speaker. And as the then Deputy Speaker stated on 07 May 1985, in response to a point of order raised by the then Prime Minister, in the context of a No Confidence Vote, and I quote –

“This is very far-fetched reasoning, linking the Speaker with the Prime Minister, and the conduct of the Speaker to whatever the Prime Minister may decide as far as policy is concerned.”

Indeed, Mr Deputy Speaker, Sir, Motions of No Confidence in the Speaker from the days of a stalwart of the calibre of Sir Harilal Vaghjee have become part and parcel of our parliamentary folklore, though also, significantly, part and parcel of our parliamentary

democracy. Such motions have to be debated even though they are mostly tenuous and time-wasting.

Mr Deputy Speaker, Sir, any other person duly elected as Speaker, as has been rightly stated by my colleague, the Deputy Prime Minister, would have been subjected to their same ploy. Is it not true that, to be respected, we must ourselves show respect? And what respect has the Opposition shown to the former lady Speaker? We can still remember very well. And now to the present Speaker? Instead of respect, we see provocation.

Mr Deputy Speaker, Sir, the Speaker has been nicknamed 'loud speaker'. But most certainly, he is not a loud speaker, which is a belittling appellation, but he speaks loudly when he is forced to silence noisy, rowdy, and undisciplined Members of the Opposition. And he speaks loudly when he imperatively needs to call any stubborn Member to order, and this for the sake of decorum, peace, and harmony in the House.

Mr Deputy Speaker, Sir, this Motion of no Confidence has no real and meaningful substance. And it only deserves to be rejected. However, a lot of time and energy uselessly wasted, I must say. But it has allowed the people of our country to witness a sterile, unproductive, and unimaginative Opposition.

Yes, Mr Deputy Speaker, Sir, cette motion ne tient pas la route, et je termine en rappelant ce que Le Défi Quotidien du 14 novembre 2019 avait rapporté. Je cite –

« Arvin Boolell, le leader de l'opposition souligne qu'il a connu Soorojdev Phokeer et qu'il a été un bon ambassadeur... Toutefois, il estime que le membre d'un parti politique qui est au pouvoir et s'il est Speaker de surcroît, doit "être féroce-ment indépendant". Il ajoute qu'il n'a aucun problème à travailler avec Soorojdev Phokeer. »

Le Speaker a été indépendant, n'en déplaise à l'Opposition qui passe le plus clair de son temps à chercher la plus petite bête.

Mr Deputy Speaker, Sir, we know how desperate the Opposition can be when they realise how long the '*traversée du désert*' has been and how long more probably, I say probably, *comme on dit, je ne suis pas gran-nwar, mais* how long probably, it will be.

That is why they have engaged in a campaign to discredit institutions and throw mud at people in a position of responsibility.

No later than last week, the population has been served with yet another painful

episode of gesticulations by hon. Mohamed.

M. le président, à écouter les arguments de l'honorable Mohamed, on se demande s'il faut en rire ou en pleurer. Imaginez-vous que pour tenter de démontrer que le Speaker n'est pas indépendant, il n'a rien trouvé de mieux que de venir dire que ce dernier ne l'a pas invité à déjeuner ou à dîner.

(Interruptions)

An hon. Member: *Li manque laffeksion!*

(Interruptions)

An hon. Member: *Pravind vine assize kot li!*

The Prime Minister: Pour l'honorable Mohamed, l'impartialité d'un Speaker se résume, donc, à une invitation à déjeuner ou à dîner.

(Interruptions)

De tels propos n'étonnent guère, surtout lorsqu'ils émanent de l'autre côté de la Chambre. D'ailleurs, la réputation de l'honorable Mohamed comme dangereux farceur et grossier personnage n'est plus à faire. Je vais vous montrer comment il est un grossier personnage. Les propos vulgaires qu'il avait tenus l'année dernière, lors des débats sur le Budget 2019-2020, sont là pour nous le rappeler. Je ne voulais pas mentionner. Peut-être que l'honorable Leader de l'Opposition a oublié.

Il avait, lors de son intervention ce jour-là, déclaré, et je cite –

« *jante pane faire* » - fin de citation. Ce n'était pas de moi.

Cela, en référence à une annonce faite dans un précédent Budget (2016-2017). Je préfère ne pas m'attarder plus longtemps sur cette phrase de l'honorable membre. Et ce n'est pas terminé! Là, qu'est-ce qu'on a vu?

Last Tuesday itself, hon. Mohamed has insinuated that Hansard has been tampered with. The hon. Member alleged that when consulting Hansard, and he was brandishing a document, he could not find the words, I quote: "Get ready to table the document", which the Speaker had addressed to the Prime Minister. After an internal inquiry was conducted to ascertain the veracity of this evidence, it was clear that hon. Mohamed had misled the House and cast aspersion on the authority of the Chair.

An hon. Member: *La honte!*

The Prime Minister: And once again, it shows how far they can go in trying to obtain political mileage.

Maintenant qu'ils sont en alliance, donc, ils font équipe. Le 21 juillet 2020, whilst hon. Balgobin was making his speech on the Motion of No

Confidence in the Speaker, hon. Bhagwan interrupted him and used the word '*bachiará*' several times. And you rightly asked him to withdraw the word, but he not only continued but even went on to threaten hon. Stephan Toussaint, saying, I quote: "*Taler mo coupe to sévé do couyon!*" He is not here; I do not know whether he is *couper sévé en ce moment*; working very hard probably. And whilst leaving the Chamber, the hon. Member repeated the words several times, and you justly ordered him out for his gross disorderly conduct in the House. I can, Mr Deputy Speaker, Sir, continue with so many examples.

Voilà à quel niveau est tombée l'Opposition. Heureusement, c'est bien que la population puisse suivre en direct à la télévision. La population n'est pas dupe. Elle sait faire la distinction entre ceux qui œuvrent pour le progrès et le développement, entre ceux qui font face, même à beaucoup d'obstacles et de difficultés et de défis à relever d'un côté, et comme un gouvernement qui se concentre pour trouver des solutions, et de l'autre côté, une bande de pyromanes qui n'ont aucun respect pour les institutions de la République.

Today, I did not want to go into quoting certain examples where some Members, but particularly one in the Opposition a essayé de mettre le feu et continue, à travers plusieurs de ses déclarations en privé, à instiguer la population, une partie de la population - je ne dirais pas la population, mais une partie - à faire du désordre, mais je garde ça pour un autre jour.

Our institutions cannot fall prey to politicians who misbehave and play dirty tricks, and then go out complaining that they are victims of partiality. This posture does not convince anybody. On this side of the House, we do not see any justification for this Motion of No Confidence. And this is why we shall reject the Motion and reiterate our confidence in Mr Speaker. We are convinced that the Speaker will continue to ensure that our Parliament remains the temple of democracy it is meant to be. Guided at all times by the Standing Orders, he should continue to be the custodian of the rights and privileges of all Members of this Parliament.

Thank you, Mr Deputy Speaker, Sir.

(Applause)

The Deputy Speaker: Thank you very much hon. Prime Minister. We shall break for dinner for one and a half hour, please.

At 9.11 p.m., the sitting was suspended.

On resuming at 11.08 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please be seated. I'll invite the hon. Leader of the Opposition for his summing-up.

The Leader of the Opposition (Dr. A. Boolell): Mr Deputy Speaker, Sir, there has been a record number of interveners over the last four weeks despite the late night and early hours Sittings, and I thank them all.

Let me right from the outset remind the Minister of Justice - unfortunately, he is not here - and Legal Adviser to Government, if the Motion was a waste of time, then he is insulting all those who intervened.

The Deputy Speaker: Leader of the Opposition, please wear your mask. Thank you very much.

Dr. Boolell: Alright, half way.

The Deputy Speaker: Fine, as long as there is nothing flying in the air.

Dr. Boolell: Alright, but I am too far away from everybody for micro droplets to fly.

An hon. Member: You never know.

Dr. Boolell: With me yes, you are right.

The Deputy Speaker: Please get on.

Dr. Boolell: Let me remind the Minister of Justice and Legal Adviser to Government of what the French like to say: *Du sublime au ridicule, il n'y a qu'un pas. Et le ministre de la Justice vient de franchir le pas.*

I made it a point to listen, of course, very intently to the speech delivered by the hon. Prime Minister who, despite his best will and endeavour to say loud and clear that he is a man of principle, unfortunately, has been very disrespectful of Parliament. I say so because I would have expected him to be more respectful and understand that Parliament is not only the temple of democracy, but it is sacrosanct, and we have to pay heed to this sacrosanctity.

I expected him, as a man of principle, which, unfortunately, he is not, to place a Motion of this importance first on the item of the agenda. I listened, as I said, to his speech. It's a bias speech; the most bias speech, if I can say so, I have heard from a Prime Minister in defence of a Speaker. And for whom the bell tolls? Only the Speaker knows for whom the bell tolls. It is up to him to seek redemption. It is not the tyranny of numbers who will save the Speaker because, out there, the sentence has already been pronounced.

(Interruptions)

An hon. Member: Out there, where?

Dr. Boolell: Out there. You know where it is. Mr Deputy Speaker, let me tell the Speaker ...

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: ... through you, the Prime Minister has no right to bring in the burlesque Speaker when there a Motion of No Confidence. His lack of decorum is a common feature and could again be seen as he came to chair the Sitting of the National Assembly when debates on a Motion of No Confidence against him had already started and were due to continue in the course of the very same Sitting of the day. Let me make ...

(Interruptions)

Dr. Boolell: Hold your horse; hold your horse, Mr Prime Minister.

The Deputy Speaker: No crosstalking! Order!

Dr. Boolell: Let me put across my views. It is in your interest to listen. Let me tell our friends that if a Magistrate on the bench is challenged over an alleged case of conflict of interest...

(Interruptions)

The Deputy Speaker: Order, please!

Dr. Boolell: His Honour withdraws and refers the matter to the Master and Registrar for another colleague to hear the case. This is upholding the dignity of the Judiciary. It is true that the Speaker, to a large extent, has to answer to himself, and the only way we can challenge him is by moving a Motion of No Confidence in the Speaker. And for those on the

Government bench who hinge the speeches on decorum, on dignity and discipline, I would advise them to take notes.

I would like to remind hon. Ganoo that the Motion of a Leader of the Opposition is of right, and the Leader of the House has an obligation to bring the Motion. And if I were to pay heed to hon. Ganoo, it seems that it was a favour that was dispensed to the Opposition. I tabled the...

Mr Ganoo: It's not in the Standing Orders.

Dr. Boolell: Yes, of course, it is not in the Standing Orders, but it was not a favour that was dispensed. I tabled the Motion without fear, favour or prejudice. Hon. Ganoo, as I say, a former Speaker and Cabinet Minister, knows better. It is not because the timeline for the Motion is unwritten that the MSM Government should do away with convention and tradition. It should be debated within a month, as of right. Hon. Ganoo should recall how he was removed from the Chair in a disgraceful manner, and if I were to remind him of what happened...

Mr Ganoo: This is not true!

Dr. Boolell: ...on the 22 March 1983, and if I were...

(Interruptions)

The Deputy Speaker: Order! Order! One second.

Mr Ganoo: On a point of personal explanation, Mr Speaker, Sir.

The Deputy Speaker: One second, one second. Hon. Leader of the Opposition, will you give way?

Dr. Boolell: I can't give way to...

The Deputy Speaker: Please!

Mr Ganoo: The Assembly was dissolved in June 1983. I was still in the Chair. In fact, I remained Speaker until the new Speaker was elected, as per our Constitution. I was never removed.

Dr. Boolell: But then, the dating, Mr Deputy Speaker, Sir, is that he was uprooted from the Chair. Mr Deputy Speaker, Sir, let me remind him of what happened on 22 March 1983. And if I do remind him of what happened, he would quake in his boots, Mr Deputy Speaker, Sir.

Mr Deputy Speaker, Sir, hon. Ganoo, a man of great principle, and I admire him for what he was; I have known him since a very long time, but he will go down in history as the man who has made the biggest U-turn in politics. Minister Bodha was right to say, and I listened to him. He was right to say that MSM does not bring a Motion of No Confidence.

Mr Ganoo: By allying to the MMM ...

(Interruptions)

The Deputy Speaker: Order! Order! Order!

Dr. Boolell: Minister, hold your horse! Hold your horse! Take it easy; it hurts. It hurts, but take it easy. There is plenty to come; plenty to come.

(Interruptions)

The Deputy Speaker: Order! Order! Order!

(Interruptions)

Order! Order! Order! Order! Please allow the Leader of the Opposition to continue with his speech.

Dr. Boolell: Minister Bodha was right to say that MSM does not bring a Motion of No Confidence. It simply decapitates the Speaker.

(Interruptions)

Mr Deputy Speaker, Sir, do you know why Ajay Daby was forced to resign in September 1990? Unlike the incumbent, he refused to toe party line and made it clear to the then Leader of the MSM that he would not be party to an amendment to the Constitution, to turn Mauritius into a Republic, with a Certificate of Urgency. And it is good to read...

(Interruptions)

The Deputy Speaker: Order! Order!

Dr. Boolell: Mr Deputy Speaker, Sir, you gave them enough rope to hang themselves. I want latitude to speak and to rebut the arguments that they put forward. If it hurts, I cannot be held responsible.

The Deputy Speaker: Hon. Leader of the Opposition...

(Interruptions)

An hon. Member: You have to be relevant.

Dr. Boolell: I am relevant. If you are not relevant, I ...

(Interruptions)

The Deputy Speaker: Order! Order! Hon. Leader of the Opposition, please allow me!

(Interruptions)

Order! Order! Order! Order! Order! Please, hon. Members! Hon. Salim Abbas Mamode, do you want the Leader of the Opposition to give you way as well? So, every Member, please be respectful of the mover of the Motion.

Dr. Boolell: Thank you very much.

The Deputy Speaker: I will allow you to speak, but everybody should cooperate, even on your side.

Dr. Boolell: Thank you. Mr Deputy Speaker, Sir, let me come to an issue which has ...

(Interruptions)

The Deputy Speaker: Hon. Nuckcheddy!

(Interruptions)

Hon. Member! Hon. Member! Hon. Armance! Hon. Armance, I am giving you a last warning!

An hon. Member: *Met li dehors!*

The Deputy Speaker: Hon. Nuckcheddy, you go along the same line. Last warning! No crosstalking!

I am looking at you, hon. Member. I am not going to say your name; you have received the message. It is the Leader of the Opposition talking; he is the Leader of the Opposition. So, please be respectful. Please, hon. Leader of the Opposition!

Dr. Boolell: Mr Deputy Speaker, Sir, I am going to refer to an issue which is a non-issue but which was subject of debate and raised forcefully by our friends sitting on Government bench. Uncalled for, and the object, of course, was to wage a psychological warfare over the climate issue. Let me remind our friends, and people out there have taken note that the debates are aired deliberately at odd hours and at the last Sitting live

transmission was disrupted at the time when the Opposition Whip was referring to the Hansard as comment made by Pravind Kumar Jugnauth on '*Pe tape la table couma ene zako*'.

What explained the cut? Is it because the Prime Minister is being hoisted by his our petard? The Prime Minister is not the only one who used the derogatory remarks in relation to primates. Do you recall the treatment meted out by Counsel Collendavelloo to Inspector Tuyau, who was the Leading Investigation Officer in the MCB/NPF saga?

Spare me, Mr Deputy Speaker, Sir, the responsibility of having to repeat the callous remark made by hon. Collendavelloo then. No one wants to hear, to see or say anything when it comes to Prime Minister and his former Deputy Prime Minister. They can't get away with the monkey business because the countdown has started and the wreck is scheduled.

Mr Deputy Speaker, Sir, I have heard many speeches being made in this House by young Members, newly elected, and I have sound evidence to say, and you know it as well, the reason as to why they did so; because instructions were given to them at the Parliamentary meeting of the MSM and its appendages, as I said, to make an issue over a non-issue to wage a psychological warfare over the primate issue. Making vexatious speeches with cheap political innuendo lead to nowhere. It has a boomerang effect and no political mileage to obtain. With '*Pe tape la table couma zako*', the fan has spread the dirt in their faces. Some of the Government bench have intervened on the Motion only to stoke communal flames, and I hope they do some soul-searching and express regret.

The Deputy Speaker: Hon. Member!

(Interruptions)

Dr. Boolell: Mr Deputy Speaker, Sir...

The Deputy Speaker: Hon. Leader of the Opposition, with all due respect, I am sorry for interrupting, but to whoever it might be imputed, it is not going to be accepted, at least by me, as Chair, that any kind of communal attachment is made.

Dr. Boolell: Mr Deputy Speaker, Sir, I am going to refer to...

An hon. Member: *Code Noir!*

Dr. Boolell: *Code Noir!* You know the reference to *Code Noir*.

The Deputy Speaker: I know. Order! Continue, please!

Dr. Boolell: Mr Deputy Speaker, Sir, the Opposition is an emanation of the Constitution and it will have its say. Notwithstanding what I said earlier in relation to two former Speakers whose departure was provoked by the MSM, it is good to remember how a former Speaker, in collusion with the Executive, used a colourable device on 29 January 1993 in an attempt to declare the seat of the then Leader of the Opposition vacant. Do you know, my friends, at what time Parliament was convened to sit? Guess! At 9.00 am, with a Certificate of Emergency, and the Motion was challenged and the Supreme Court ruled against Government; Parliament is supreme.

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: Mr Deputy Speaker, Sir, this is the virtue and principles of the MSM which hon. Bodha has gratified the newly elected Members on the Government bench with. And for how long...

An hon. Member: *Li pe lire!*

The Deputy Speaker: Order!

Dr. Boolell: And for how long will they keep manipulating institutions? For how long will they soak in deepfake news and curtail the freedom of others with the help of the Speaker?

Mr Deputy Speaker, Sir, let me remind the Chair who was in the Chair when hon. Bodha was Leader of the Opposition in 2005-2007. And I can understand why they didn't move a Motion of No Confidence in the Speaker. Certainly not a political and diplomatic liability was dragged to the Chair by the then Leader of the House. Certainly not! And I say I wished the Minister of Justice would have been here and would have paid heed to what I have to say.

Mr Gobin: I am here!

Dr. Boolell: Oh, you are here! I am glad you are here! Let me remind him ...

(Interruptions)

Yes, Mr Deputy Speaker, Sir. Neither Kailash Purryag nor Razack Peeroo was a liability. They were as good as gold. The Chair, and I said it when I moved the Motion...

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: The Chair ceases to belong to a political party on his election, and there is a vast difference between the Speaker and the long line of distinguished Speakers, Mr Deputy Speaker, Sir.

(Interruptions)

The Deputy Speaker: Too many talking! There is too many talking in this House!

Dr. Boolell: Those opposing the Motion have put across the arguments vehemently, I grant you, not in defence of the Speaker, but in support of a party member who is a serial offender. The Speaker is the suitable boy of the MSM and its appendages, and they will pamper him, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, as I say ...

(Interruptions)

The Deputy Speaker: Hon. Minister, please!

An hon. Member: Warning! *Pas warn li?*

(Interruptions)

Mr Quirin: With due respect, be fair!

The Deputy Speaker: Hon. Quirin, the hon. Leader of the Opposition is, despite all the commotion created by all these Members, he is still getting on with his speech. I really want to be able to listen to what he is saying and if you don't want to listen, anybody who doesn't want to listen, they have other option. I want to listen; I want to be able to listen to each and every word. Please, Leader of the Opposition!

Dr. Boolell: Thank you very much. Mr Deputy Speaker, Sir, I was saying that those who opposed the Motion have put their arguments across, some vehemently I grant you, not in defence of the Speaker, but in defence of a party member who is a serial offender. And I will remind again hon. Bodha, because he was Leader of the Opposition from 05 April 2006 to September 2007, that he had rights and obligations, which he exercised fully under the Privileges, Immunities and Powers Act of the National Assembly. And he was allowed to put his PNQ and the Standing Order of anticipation was never an issue for any Leader of Opposition when a measure was announced in the Budget and was subject for a PNQ, and the nation had to be enlightened.

Mr Deputy Speaker, Sir, there was no burlesque from the Speaker at the time and legislators were able to represent their constituents properly, and they can only do that if they can speak freely in Parliament. Hon. Gobin is right on one issue; that the Speaker is here today and here to stay because of tyranny of numbers. As elected Members of the 63% of the electorate, we are the voice of the people...

(Interruptions)

...and we will have our say!

(Interruptions)

And we will have our say! Mr Deputy Speaker, Sir, hon. Bodha mentioned the syndrome of the Opposition...

(Interruptions)

The Deputy Speaker: Order! Order! Order! Order!

(Interruptions)

Order! Order! Order! Order!

(Interruptions)

Hon. Members!

(Interruptions)

Hon. Members! Please, continue!

Dr. Boolell: Mr Deputy Speaker, let me rub it in again.

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: It is nice to rub it in on an open wound, you know.

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: As elected Members of 63% of the electorate...

(Interruptions)

...we are the voice of the people, and we will have our say! Mr Deputy Speaker, Sir, my good friend mentioned the syndrome of the Opposition. Of course...

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: *Détente* and *entente cordiale* of the Opposition. And I say it again for those who have plugged the ears, and I will say it again...

(Interruptions)

...and I will say it again: the *détente* and *entente cordiale* of the Opposition is the wish of the electorate, and there is no looking back on this, Mr Deputy Speaker, Sir!

(Interruptions)

The Deputy Speaker: Order! Order!

Dr. Boolell: Mr Deputy Speaker, Sir, the Speaker is one of the reasons for the Opposition, with the support of the people, to put up a common front, to ward off threats and to protect institution. This commonality of interest...

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: ...is in the best interest of the nation. It is our right to protect the sacrosanctity of Parliament. The hallmarks of the Chair remain impartiality, and I don't have to rely on the rosemary beads to keep track of the number of times blatant example of partiality and bias by the Speaker.

Mr Deputy Speaker, Sir, the Opposition has been systematically inhibited to do its work and exercise its free speech to hold Government to account. Why did the Speaker evacuate us from the centre stage of the decision making process on the day when Ministers would have been scrutinised in the Committee of Supply? Why, Mr Deputy Speaker, Sir?

(Interruptions)

Why? Why, Mr Deputy Speaker?

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: Because we waved a 4 by 4 paper?

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

Mr Gobin: Mr Deputy Speaker, Sir, I have a point of order.

The Deputy Speaker: I will listen.

Mr Gobin: I have a point of order.

(Interruptions)

The Deputy Speaker: Order!

Mr Gobin: I have a point of order.

The Deputy Speaker: I will listen to you.

Mr Gobin: I have learnt from the Opposition how to raise point of orders.

(Interruptions)

The Deputy Speaker: Please, go ahead!

Mr Gobin: The hon. Leader of the Opposition is reading.

(Interruptions)

And I know that he is reading from papers written from Garden Tower Building.

(Interruptions)

So, in accordance with Standing Orders, the Leader of the Opposition should not read, whether from Garden Tower papers or from any other papers.

(Interruptions)

The Deputy Speaker: Order! Order! Order!

(Interruptions)

Order! Order! Order! Order!

(Interruptions)

Dr. Aumeer: I don't touch alcohol. Don't accuse me of taking alcohol!

The Deputy Speaker: Hon. Dr. Farhad Aumeer!

(Interruptions)

Order! I suspend!

At 11.34 p.m., the sitting was suspended.

On resuming at 11.43 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please be seated!

Dr. Boolell: Mr Deputy Speaker, Sir, I do not intend to condescend to the level of the nincompop who made some unwarranted remarks. I am glad that he has made a dishonourable exit, but he will have a price to pay for what he has said.

The Deputy Speaker: May I, Leader of the Opposition...

Dr. Boolell: Mr Deputy Speaker, Sir, I was...

The Deputy Speaker: May I, first of all, prior to giving you the floor, just call all Members, be mindful so that we can listen to the debate. Please hon. Member!

Dr. Boolell: Mr Deputy Speaker, Sir, I was saying that because we waved a 4 by 4 paper, which featured the revocation of the then Deputy Prime Minister, the one and the same who refused to be served electoral petition paper by a registered Court Usher, was that the reason why we were evacuated from the Chamber? And I know, for certain, that our exit was stage-managed and the Speaker acted under instructions from the political arm of the Executive. The issue was simple, get the vote out of different Ministries over and done with. That was the purpose; get the vote of different Ministries over and done with. Their intention was, indeed, very clear, and the Speaker will have to explain whether the service of the electoral petition on the Minister in his Ministerial Office is an act that would impede or hinder the Minister in the discharge of his duties and function. And I will come to substance, because one of the criticisms that had been levelled when I moved the Motion was that there was no adequate substance, and I will come with a specific substance and they will have to chew more than they can bite, Mr Deputy Speaker, Sir.

Can a Speaker give a ruling on a matter which is before the Supreme Court? This Speaker did it, and it is *sub judice*. I say shame on the Speaker who does not want to understand the doctrine of separation of power, and he gave a flimsy ruling, which I will read

“I now take the view that an offence may have been committed in breach of 6(1) (t) of the National Assembly (Privileges, Immunities and Powers) Act.”

He was not even too sure, and I am sure, probably, he acted under duress. And I ask the question: if elections had been free and fair, as stated by Members on the Government bench, why is justice being delayed by a Member who has an effortless sense of superiority in legal matters? 63% of the electorate voted against the MSM and its appendages.

(Interruptions)

There is an urgency for petitions to be heard. A motion by the lawyer of the then Deputy Prime Minister to set the case in abeyance was rejected by the hon. Chief Justice, Mr Eddy Balancy, who has requested that the electoral cases be in shape by 26 March, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Leader of the Opposition!

(Interruptions)

Hon. Minister!

(Interruptions)

Hon. Leader of the Opposition, probably you have a point to make, but, right now, what I see is that you are going towards what happened in Court, which is...

Dr. Boolell: I am not saying what happened. I am saying what was said by the Chief Justice, who requested that all electoral petitions be in shape by 26 March. That's what I am saying.

The Deputy Speaker: No, that is fine.

Dr. Boolell: And that was in the paper, Mr Deputy Speaker, Sir.

The Deputy Speaker: You can say it, but where is the relation with the Motion of No Confidence, Leader of the Opposition? Where is the relation?

Dr. Boolell: Of course, it is related! I am saying that the Speaker was...

Mr Ganoo: On a point of order, please!

The Deputy Speaker: I will listen to the point of order.

Mr Ganoo: Mr Deputy Speaker, Sir, clause 40(4) of the Standing Orders says -

“Reference shall not be made to any matter on which a judicial decision is pending, in such a way as might, in the opinion of the Chair, prejudice the interests of parties thereto.”

It is not fair. Let the Supreme Court decide on your electoral petition. You cannot comment on a case before. This is the Standing Orders.

The Deputy Speaker: I take note of your point of order. This is exactly what I brought the attention of the Leader of the Opposition to. I want to listen to whatever you have to say, but you have to, at least, guide me where you are going. Right now, all I see is you coming up with what happened in the Supreme Court, Leader of the Opposition!

Dr. Boolell: Fair enough, Mr Deputy Speaker, Sir, as to where I am going to guide you, I am going to guide you to a motion of privilege.

The Deputy Speaker: Thank you.

Dr. Boolell: Why I am saying that is because I will refer to the motion that was moved by hon. Uteem, but for different causes, and what was the ruling then given by the hon. Speaker, Mrs Maya Hanoomanjee. And you know what he said? That the motion for contempt came too late, whereas in the case of the motion moved by the former Deputy Prime Minister, it was entertained by the Speaker. That is what I want to say. That is why I say, you cannot have differential treatment, and differential and special treatment was given to the then Deputy Prime Minister. This is why I am saying the Chair was in collusion with the Executive, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Leader of the Opposition, your mask! I do not want to interrupt you. Please, the public is seeing!

Dr. Boolell: Alright. Mr Deputy Speaker, Sir, I have made my point and I said that the Speaker cannot give a ruling on a matter pending before the Supreme Court, and I will come back to what I said: that the Opposition does not exist according to the goodwill of Government or the Speaker. And after the Speaker had given his ruling on the privilege complaint, Mr Shakeel Mohamed was right to state that the matter was *sub judice*, that is, pending before the Court, and he wanted to give an explanation, but was prevented to do so by the Speaker. And when I tried to intervene, I was shouted at, named and suspended from the Assembly, and the Prime Minister was quick on his feet to move for suspension.

And let us hear the views of eminent jurists on the controversial decision of the Speaker, and I quote under Standing Order 49 of the National Assembly -

“A Member may be named for disregarding the authority of the Chair, or of persistently and wilfully obstructing the business of the Assembly by abusing its rules or otherwise.”

Did the conduct of the Leader of the Opposition fall squarely within the spirit and philosophy of Standing Order 49? That question was asked by those eminent jurists, and, of course, the conclusion was: “he was simply trying to make a point and was prevented from doing so.”

(Interruptions)

The Deputy Speaker: I will, I will. I will give you as well if you have. Hon. Member, you have...

Mr Dhunoo: On a point of order...

The Deputy Speaker: Okay, we will listen.

Mr Dhunoo: On a point of order, I am referring to what the Leader of the Opposition said. He said that the *sub judice* rule in this circumstance was not applicable because, according to Standing Order 74, the motion was procedural. No debate is allowed. Standing Order 40(4) could not be applicable to a procedural motion which cannot be subject matter of a debate. This is what the Speaker at that time did.

The Deputy Speaker: I do take note of your point.

An hon. Member: *Tonn lire li enba laho! Tonn mal lire li!*

(Interruptions)

The Deputy Speaker: Order! Order! I did get your point. This is what I have already conveyed.

(Interruptions)

The Deputy Speaker: One second, this is what I have already conveyed to the Leader of the Opposition. He has got my point; he is not dwelling anymore on that ground. You have been here for long time. Please continue!

Dr. Boolell: If only the Speaker could, to some extent...

(Interruptions)

The Deputy Speaker: Continue! Continue!

Dr. Boolell: If only the Speaker could, to some extent - I am not saying to a large extent - do what you always do to ease off the tension. What do you do? You suspend for a short while, allow the tension to ease off.

The Deputy Speaker: Do not take me as example.

Dr. Boolell: No, I am not taking, but I am saying! But this is what we are asking of a Speaker. We do not want any burlesque behaviour, standing on his feet for no reason, threatening, pointing fingers, shouting. What is it that you want from a Speaker? Decency, decorum, discipline, impartiality. Is this too much? Fairness! But I ask the basic question, and I am not the one who is saying that the Speaker is partial; the whole country is saying it. If you want to gage public opinion, go and talk to people! And I say it with regret; the Speaker is a disgrace to the Chair. And I say it with deep-seated regret, Mr Deputy Speaker, Sir. We cannot bring the Chair into disrepute, and this is what is happening. And I call upon all of us to impress upon the Speaker to put on his best behaviour. That is all we are saying, and if he wants to earn respect, he has to command that respect. It is not going to be thrust on him, Mr Deputy Speaker, Sir, and I totally agree with what the Prime Minister has said: that it is a two-way traffic. But it cannot be a one-way traffic, with the support of Government. And I said earlier, Government cannot be seen and perceived to be defending a member of the Party. In defence of the Speaker, their arguments should be in favour of the Speaker and not a member of the Party.

The Deputy Speaker: May I...

Dr. Boolell: Mr Deputy Speaker, Sir...

The Deputy Speaker: May I, with due respect. I have noted it earlier on as well. It is the second time you are making reference to the Speaker being a Party member.

Dr. Boolell: Of course, he was a Party member!

(Interruptions)

The Deputy Speaker: Order! What I am asking is - maybe I am wrong: Did you say he was?

Dr. Boolell: Yes!

The Deputy Speaker: Or he is?

Dr. Boolell: He was, I said, but...

The Deputy Speaker: He was, not right now!

Dr. Boolell: Except that his name has been mentioned in the electoral petition. He may be called as...

The Deputy Speaker: No, as at now...

Dr. Boolell: ...as an agent of the MSM.

The Deputy Speaker: Right now, there is nothing...

Dr. Boolell: Alright, fair enough, but that is what I am...

The Deputy Speaker: This is not ...

Dr. Boolell: I said 'perceived and be seen' as being partial, and he acts as if he is still a Party member and...

The Deputy Speaker: Thank you very much.

Dr. Boolell: And also, this is the perception that he is in collusion with the political arm of the Executive.

Mr Deputy Speaker, Sir, and I said, you know, if only he could follow the examples which you have set. But I will come to another issue which has been a subject of much debate and comments by those who are well-versed on Standing Orders; disorderly conduct.

Now, with all due respect to you, I am not saying that all that a Speaker or a Deputy Speaker does is right, and I concur with what the Prime Minister was saying when he referred to the speech delivered by Sir Satcam Boolell on a motion of no confidence. We cannot expect the Speaker to have the ears, the eyes of one and all. But if a Speaker is willing, there is a thumb rule in relation to catch his eyes, and this is what Speakers in the House of Commons do. There is a thumb rule, and it can easily be established. We do not want a Speaker who has tunnel vision, whose peripheral field is only in one direction. That is all that we are saying. I think it would be in the interest of one and all that the Speaker catches the eyes of Members sitting on both sides of the House.

Mr Deputy Speaker, Sir, let me come to disorderly conduct. I said I am not going to make any unwarranted remark, but I felt that it was unfair for the Chair, and you were in the Chair, Mr Deputy Speaker, Sir, to name hon. Bhagwan in the early hours of Wednesday 27

July, when for more serious offences - and I am glad to welcome our friend, the Minister of National Infrastructure and Community Development in the House and I wish him well.

The Deputy Speaker: No, one second! Are you referring to me?

Dr. Boolell: No, I am referring to disorderly conduct.

The Deputy Speaker: No, but this instance where I acted is not ...

Dr. Boolell: No, I am not referring to...

The Deputy Speaker: Please.

Dr. Boolell: Okay, but I am referring to disorderly conduct and I will say it, again with regrets, and I hope the hon. Minister of National Infrastructure take note of what I am saying. That what he said should never be repeated in this House. Even if he has conveyed apologies, but it is not the end of the story. And if a Speaker was impartial and not bias, the hon. Minister should have been named. For lesser offence, today, hon. Shakeel Mohamed was named, and I consider this to be an unfair treatment that has been dispensed to hon. Shakeel Mohamed.

(Interruptions)

The Deputy Speaker: Order!

Dr. Boolell: This is an opinion that I am...

(Interruptions)

The Deputy Speaker: Order! Order, order! May I, first of all, address the issue. I will take your point of order.

(Interruptions)

Order! First of all, hon. Leader of the Opposition, your Motion was put before this House on a certain date. Even that followed after the motion, you know it better what I am saying. So,...

Dr. Boolell: I understand but what...

The Deputy Speaker: There is so much element that you can canvass.

Dr. Boolell: Mr Deputy Speaker, Sir, ...

The Deputy Speaker: One second! Now, I have a point of order from the Leader of the House. Would you still have ...

Mr Ganoo: In fact, this was going to be my point of order.

The Deputy Speaker: So, you still have one?

The Prime Minister: Just to correct the hon. Leader of the Opposition. Hon. Mohamed was not named, he was suspended, but on a motion. So, now he wants to have a debate on this, when the motion was already made and voted in this House.

The Deputy Speaker: So, I read your mind, I guess. Please!

Dr. Boolell: I am not going into the merits or demerits except that I want to highlight that when we refer...

Mr Lesjongard: Mr Deputy Speaker, Sir, let me raise the point of order. This happened today. Your Motion was put in front of the House weeks ago. You cannot argue on that.

The Deputy Speaker: Thank you.

Dr. Boolell: Mr Deputy Speaker, Sir...

The Deputy Speaker: Let me...

Dr. Boolell: I want your ruling.

The Deputy Speaker: I think I have already made it very clear, prior to hon. Members even taking the point of order. This is an issue that came today, after the event. Maybe, you can use another instance, another circumstance to bring up that event. It would be totally legitimate, but, right now, let's focus on the present Speaker.

Dr. Boolell: But I want to make it quite clear when we refer to a motion, it is good also that we refer to what is revised and unrevised. I think it should be fair, and we cannot be seen to quote only from unrevised version.

Mr Deputy Speaker, Sir, let me come to a specific Sitting held on 21 July 2020, and I will refer to that Sitting to give substance to what I have to say. You will understand clearly the reason which I put forward to say that the Speaker is bias, and I expect the Speaker also to lead by example.

Now, before I come to the very essence of what I have to say, let me say how can we trust the Speaker to uphold the decorum, discipline and dignity of the House when he himself acts in an undignified, unworthy and undisciplined manner. And I am not surprised the bad habits breed content. I will refer to late Sitting and there was no apology from the Speaker;

the Minister of Finance also arrived late on 28 July, and there was not a word from the Speaker nor from the Minister. Basic decorum expects an apology, and this is basic decorum of the House and the House expects an apology. There was no apology as if - it is true that it is the temple of democracy. The temple of democracy means that we have to show respect. It is not because the high priest does not lead by example that all disciples have to follow suit. I hope that this will not be the rule, and I hope it will be an exception. But, nevertheless, I expected those who have committed an offence, and I say an offence to the House, they should have conveyed an apology.

Now, let me refer to the PNQ of 21 July 2020. What was the PNQ all about? It was a precise, focussed and straight to the point about the scandalous emergency procurement exercises on drugs and medical equipment during the lockdown period. And the nation, of course, must have been shocked to see the Prime Minister embark into a lengthy monologue which was irrelevant to my question. And only in his preliminary reply, which lasted 14 minutes and 26 seconds, the hon. Prime Minister raised 19 points irrelevant to the Private Notice Question. And after listening to him with horror, I must say, to the first 14 minutes, of course, I was right to say enough was enough. And I told the Speaker and I said I expected him to give a ruling because I said that was unfair. At that time, I didn't refer to what was spelt out in Erskine May, but I expected a ruling from the Speaker to say that this is what Erskine May says at page 305. An answer, Mr Deputy Speaker, Sir - and it is good that we take note of that. An answer to a PQ should be confined to the points contained in the question, with such explanation only as renders the answer intelligible, though a certain latitude is permitted to Ministers of the Crown. But there was no latitude. What was given was given boundless space to make a mockery of Parliament, and the Prime Minister was dispensed the time he wanted to make a lengthy reply without being specific to the question that was asked. And I said...

Mr Teeluck: Mr Deputy Speaker, Sir, on a point of order.

The Deputy Speaker: May I please listen.

Mr Teeluck: With all due respect to the Leader of the Opposition, the Leader of the Opposition is referring to events which have occurred after the Motion of No Confidence was laid in front of the House. So, I think it's not relevant for us to be debating or to be referring to events that have occurred after the date of the Motion.

(Interruptions)

The Deputy Speaker: Order! Order! Order! Hon. Leader of the Opposition, we have already discussed on this matter. We have already talked. I have been giving you sufficient leeway. I am sure you can make the point after that.

Dr. Boolell: Mr Deputy Speaker, Sir, I was scandalised. Since you don't want me to go into the nitty-gritty bit of this question, okay, I will come to the essence of it. I was scandalised by the total passivity of the Speaker and raised a point of order and I explained that I have asked a specific question and stated that if the Prime Minister wants to make a statement, there is statement time and he can do so there.

And I've reiterated this several times that he should not waste the time of the House with replies which are not relevant to the PNQ and the Standing Orders are quite clear and state that the Speaker has to give a ruling when a point of order is raised, Mr Deputy Speaker, Sir. And I can go on and on in relation to the dignity and decorum of the House being trampled upon by the Speaker on virtually every Sitting of the House, Mr Deputy Speaker.

Mr Deputy Speaker, Sir, most of the points that have been canvassed by our friends sitting on the Government bench have been rebutted forcefully.

(Interruptions)

Let me remind my friend the post of Prime Minister is not the privilege of a single few. It's open to one and all and, as Mauritians, we are entitled to be the Prime Minister of this country. Okay?

(Interruptions)

The Deputy Speaker: Order! Order!

Dr. Boolell: So, if some of them on the other side Mr Deputy Speaker...

(Interruptions)

The Deputy Speaker: Order! Order! Order! Order!

(Interruptions)

Order! Order!

Hon. Leader of the Opposition, please continue. Address me; I am listening to you very carefully.

Dr. Boolell: Through you, okay alright.

The Deputy Speaker: Address to me.

Dr. Boolell: Mr Deputy Speaker, Sir, through you, I am conveying a message to them. If there are many errand boys and girls on the other side who follow their leaders blindly that's their responsibility.

(Interruptions)

The Deputy Speaker: Order! Order! Order! Order!

(Interruptions)

Order! Order! Order! Order! Hon. Leader of the Opposition.

Dr. Boolell: Mr Deputy Speaker, Sir, with all due respect, if they are going to provoke me ...

The Deputy Speaker: Wait! Wait!

Dr. Boolell: I will give them...

The Deputy Speaker: Wait! Wait! I am willing if you have any kind of message to pass - you said through me you want a message to go through but the way you have put it is not proper. It's not acceptable to me, please refrain from it. Withdraw it and then do it some other way. Errand boys, it's not good.

Dr. Boolell: There is nothing for me to withdraw.

The Deputy Speaker: You are a gentleman, don't do that continue with the debate, stick to it.

Dr. Boolell: Okay. I don't know what I have to withdraw but to please you, I will withdraw what I don't know what I have to withdraw.

The Deputy Speaker: Thank you. Saying errand boys to some people, it's not good.

Dr. Boolell: Mr Deputy Speaker, Sir, the Motion of No Confidence is not before this House as a result of partisan politics against the Speaker. It is not before this House because of personal antipathy or anger against the Speaker. It is before this House because the Speaker is failing to discharge his fundamental responsibilities. It is before this House because the Speaker is becoming a threat to our Parliamentary democracy and it is before this House because the Speaker is failing in his primary duty or impartiality towards Members of the National Assembly. Mr Deputy Speaker, Sir...

Mr Toussaint: *Comien paz rester?*

Dr. Boolell: Do you want to stay here till the morning?

Mr Toussaint: You are not the Chair.

Dr. Boolell: Alright but keep your remarks to yourself! Keep your remarks to yourself!

(Interruptions)

The Deputy Speaker: Order! It's not joke time. Hon. Toussaint, please be mindful. Hon Leader of the Opposition!

Dr. Boolell: Mr Deputy Speaker, Sir, the joy of being an errand boy that they think they can always do whatever they want.

(Interruptions)

An hon. Member: Lire, lire!

Dr. Boolell: Did I hear some unwarranted remarks from this unspecific quarter.

(Interruptions)

Mr Deputy Speaker, Sir...

The Deputy Speaker: I will come to you hon. Nuckcheddy in a little bit. Hon. Quirin, you are next to me and it's very easy to hear you whatever you are murmuring.

Mr Quirin: Of course, I am telling you that hon. Nuckcheddy has already - you have already given him his final warning. That's what I am telling you! I told you before to be fair!

(Interruptions)

The Deputy Speaker: Hon. Quirin!

Mr Quirin: Yes, Mr Deputy Speaker, Sir!

The Deputy Speaker: I haven't given you the floor. I am talking to you listen and only listen with the ears and not with the mouth.

(Interruptions)

I order you out! Out!

(Interruptions)

An hon. Member: *Dehors!*

Mr Quirin: Shame on you! Shame on you!

(Interruptions)

The Deputy Speaker: I am naming, hon. Quirin. And I invite the Leader of the House to make the appropriate motion at the appropriate time.

(Interruptions)

You want to be in contempt as well? Please.

An hon. Member: Please?

Dr. Boolell: Mr Deputy Speaker, Sir...

The Deputy Speaker: Wait, I have more things to do. Don't show me my job! I am doing...

(Interruptions)

Hon. Assirvaden! Don't show me my job!

(Interruptions)

Order! Order! Hon. Nuckcheddy, out!

(Interruptions)

Order! Order! I'll allow him his time. You may continue with the debate. Please continue.

Dr. Boolell: Mr Deputy Speaker, Sir, as I stated earlier I have moved this motion without fear, favour or prejudice. My prayers and I hope our prayers will be answered. This is the time for the Speaker to think positively and to come to better terms and understand the importance of the Chair.

The Chair does not vacillate, if he wants to be the high priest of a temple of democracy on this alter, Mr Deputy Speaker, Sir, he should understand...

(Interruptions)

The Deputy Speaker: Order! Order!

Dr. Boolell: He should understand...

(Interruptions)

The Deputy Speaker: Order! Order!

Dr. Boolell: Mr Speaker, what is the...

The Deputy Speaker: It's the first time. Order! Continue, continue. Raise your voice.

Dr. Boolell: ...that partiality is not a hallmark...

The Deputy Speaker: Raise your voice please.

Dr. Boolell: Mr Deputy Speaker, Sir, I have listened very intently...

The Deputy Speaker: I'm listening, talk to me.

(Interruptions)

Order! Order! Please address me.

Dr. Boolell: Mr Deputy Speaker, I have listened very intently to speeches delivered by all Members of the House. I am sure they were delivered with good intentions. And as I said in defence of the Speaker we cannot be seen or perceived to defend a member of any party. What is true for the Government is equally true for the Opposition. We made it very clear that we want a Speaker who is independent, who is impartial. This motion, we are not going to call for any division of vote because we know and understand the meaning of the tyranny of numbers. But I hope, at the end of the day, we all will come to better senses and democracy will prevail. Parliamentary democracy means separation of powers and I pray that there won't be any collusion between the Speaker and the political arm of the Executive. It is true that there is a Leader of the House as there is a Leader of the Opposition and they both can have access to the Speaker but the Speaker has to be independent and the Chair should not vacillate and I pray that the Chair will not vacillate in the name of Parliamentary democracy.

Thank you very much, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much, Leader of the Opposition.

The question is that the Assembly has no confidence in Mr Speaker. Those in favour say 'Aye', those against say 'no'.

The Ayes have it.

(Interruptions)

The Deputy Speaker: I apologise. That was a slip of the tongue.

(Interruptions)

I apologise. I will call Members.

(Interruptions)

Order! Order! It is because there is too much noise in this House and nobody is listening. I will call all the Members in favour to raise their hands.

(Interruptions)

All the Members against raise their hands, please!

The Noes have it indefinitely.

The motion of the hon. Leader of the Opposition (Dr. A. Boolell) was, on question put, defeated.

The Deputy Speaker: I suspend for 10 minutes.

At 00.22 a.m., the sitting was suspended.

On resuming at 00.49 a.m. with the Deputy Speaker in the Chair.

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Prime Minister: Mr Deputy Speaker, Sir, in view of your decision to name the hon. Third Member for Beau Bassin & Petite Rivière, I beg, under Standing Order 17(3), to take the time of the House for urgent business.

The Deputy Prime Minister rose and seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Deputy Speaker, Sir, having obtained your permission, I beg to move, under Standing Order 29(1), to present a motion without notice.

The Deputy Prime Minister rose and seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Deputy Speaker, Sir, in view of your decision to name the hon. Third Member for Beau Bassin & Petite Rivière, I beg to move that the hon. Third Member for Beau Bassin & Petite Rivière be suspended from the service of the Assembly for today's and the next two sittings.

The Deputy Prime Minister rose and seconded.

The motion was, on question put, agreed to.

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 18 August 2020 at 11.30 a.m.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned.

(00.51 a.m.)

MATTER RAISED

ASPHALT - RECYCLING

Mrs S. Tour (Third Member for Port Louis North & Montagne Longue): M. le président, alors que le phénomène des changements climatiques s'accélère et l'épuisement de nos ressources naturelles indispensable à la vie même des populations humaines s'est accentué au cours des dernières décennies, la question de la préservation de l'environnement et notre écosystème est devenue l'une des plus préoccupantes. Qu'en est-il de la durabilité de notre civilisation, voire même la survie de notre espèce, si on prend en considération l'inadéquation croissante des termes de la relation population ressource naturelle, environnement et développement. En réalité, sous l'effet conjugué de la croissance exponentielle de la population humaine et de la destruction des ressources naturelles, le développement durable est plus que jamais à l'ordre du jour. Il faut dire que la conscientisation au grand enjeu en matière d'environnement et de développement durable a pris de l'ampleur, individu, entreprise, ONG entre autres, ils sont de plus en plus nombreux à prendre le virage vert.

Les récentes mesures annoncées dans le Budget 2020/2021 viennent affirmer que la notion du développement durable n'est pas restée un slogan vide de sens pour le gouvernement. Dans sa démarche, afin de mettre le cap sur une économie circulaire, c'est-à-dire, réduire, récupérer, recycler, réparer au lieu de produire à nouveau, l'accent est surtout mis sur la gestion et la valorisation des déchets. Le ministre de l'Environnement nous propose, par exemple, le tri des déchets à la source, le compostage des déchets de marchés par le biais des autorités locales, la mise à disposition d'*ecobags* dans des lieux stratégiques à travers toute l'île pour collecter des déchets plastiques et afin d'encourager le recyclage des

pneus usagés, leur donner une deuxième vie sera classer comme activité de recyclage et bénéficiera ainsi des différents régimes fiscaux et autres mesures d'incitation.

M. le président, merci donc de me donner l'opportunité d'intervenir ce matin sur les nouveaux enjeux du développement durable désormais inclus dans les politiques de recyclage et d'explorer une nouvelle avenue possible afin de diminuer considérablement la quantité des matériaux réutilisables mise au rebut, en l'occurrence, le recyclage de l'asphalte en provenance des routes usées et abîmées à Maurice. M. le président, chaque année nous effectuons environ 35 km de resurfaçage dont 20 km comprenant le fraisage et l'élimination du vieux béton bitumineux. Cela représente 6000 m³ soit 14 000 tonnes de matériaux éliminés. Le gouvernement est actuellement embarqué dans un vaste plan de décongestion routière qui implique la construction de nouveaux rubans des routes sur les principales artères, de ce fait la quantité des matériaux éliminés continuera à augmenter avec le vieillissement de notre réseau routier, or jusqu'ici les parties des routes éliminées finissent dans les sites d'enfouissement. Ceci n'est pas soutenable et ne cadre pas avec notre projet d'île durable, M. le président. Il est donc temps de considérer des méthodes qui sont plus en harmonie avec l'environnement, cela passe par le recyclage de l'asphalte abîmé. Dans de nombreux pays, il n'existe quasiment plus aucun chantier qui n'utilise pas au moins une partie de l'asphalte recyclé. Ainsi en 2018, en Allemagne, un quart de l'asphalte produit, 41 millions de tonnes étaient à partir de l'asphalte recyclé, 10,5 millions de tonnes avec un volume total de recyclage de 12 millions de tonnes d'asphalte l'année dernière, cela représentait une revalorisation de 87 %.

La technique du recyclage passe par l'enlèvement d'une couche d'environ 10 cm de surface de la route et le broyage du bitume en y ajoutant des produits chimiques. C'est la substance obtenue qui est réutilisée pour l'asphalte. Cette méthode est déjà utilisée en Afrique du Sud et en Malaisie où l'on rajoute du caoutchouc au bitume au moment du broyage.

M. le président, le recyclage de l'asphalte pour la réfection routière est un impératif économique et écologique afin de préserver les ressources naturelles. Le recyclage correct de l'asphalte est essentiel pour assurer un transport routier durable et minimiser les déchets particulièrement compte tenu du fait que l'asphalte recyclé réduit considérablement les émissions de dioxyde de carbone, le CO₂. Tout type d'asphalte peut être recyclé, qu'il provienne de revêtements d'autoroute, de routes municipales, de stationnement commerciaux ou résidentiels, il est donc possible de recycler l'asphalte plusieurs fois à la fin de leur vie utile. L'asphalte est un mélange composé d'environ 5% de bitume et de 95% de granulat.

L'asphalte est recyclable mais surtout réutilisable grâce à la capacité du bitume à retrouver ses caractéristiques physiques. De ce point de vue, le bitume permet de mettre en œuvre la règle des 3R, Réduire les déchets à la source, Réutiliser ou réemployer les matériaux afin d'en prolonger leur durée de vie, Recycler les déchets pour d'autres usages.

M. le président, actuellement à Maurice, c'est la *Road Development Authority* qui s'occupe de l'asphaltage des routes. Lorsque des fissures ou des trous apparaissent sur des routes, elle ne fait qu'appliquer une nouvelle couche de bitume or ce système ne règle aucunement le problème des fissures car dès qu'il pleut l'eau s'accumule entre les deux couches d'asphalte. Par conséquent, l'asphalte est une nouvelle fois fissuré. De plus, l'ajout d'une nouvelle couche provoque un problème de niveau, ce qui fait qu'à certains endroits, le trottoir est plus bas que la route, ceci est le cas, par exemple, dans ma circonscription, dans plusieurs endroits, notamment Cite la Cure, Allée Père Laval, Vallée des Prêtres et le gouvernement a eu à investir dans des projets de drains afin de résoudre le problème d'accumulation d'eau causé par les chaussées surélevées dû à l'ajout d'asphalte sur l'ancien revêtement.

M. le président, l'utilisation d'asphalte recyclé est devenue une nécessité. L'asphalte recyclé peut aussi nous permettre de réaliser des économies à plusieurs niveaux. Le prix élevé du pétrole qui, entre autres, dans la composition d'enrobée bitumineux fait en sorte que le recyclage d'asphalte devient une technique de plus en plus prisée. Réutiliser l'asphalte représente, donc, une solution susceptible de réduire les dépenses –

- une nette réduction des coûts de production grâce aux coûts réduits de bitume, minéraux et transport;
- effet réduit sur les ressources naturelles (moins d'huile et de besoins en agrégats);
- réduction des systèmes de stockage onéreux, et
- réduction des émissions de CO₂.

Pour toutes ces raisons, je pense qu'il est plus que jamais l'heure de considérer le recyclage de l'asphalte comme une urgence, car cette nouvelle approche permettra de diminuer l'utilisation des ressources naturelles, de l'énergie, de la fabrication et de la mise en œuvre de nos routes. Ainsi, dans le contexte du développement durable et afin d'adopter des pratiques plus respectueuses de l'environnement, les efforts de tout intervenant doivent se conjuguer autour de l'objectif ultime, que 100% du béton bitumineux soit recyclé.

M. le président, je vous remercie pour votre attention.

The Deputy Speaker: Thank you very much! Hon. Minister, please!

The Minister of National Infrastructure and Community Development (Mr B. Hurreeram): Thank you, Mr Deputy Speaker, Sir. I wish to thank the hon. Member for coming forward with this specific adjournment matter. It gives me the opportunity, first of all, to highlight the tremendous work that has been accomplished by this Government over recent years, under the guidance of the Prime Minister, hon. Pravind Jugnauth, to make Mauritius Island environmentally sustainable.

This Government has at heart the preservation of the environment and a green economy is the cornerstone of our mission to transform Mauritius into an ecofriendly country.

It was very clear since day one that our intention was to reduce our consumption of non-renewable sources of energy, such as petrol and coal, and turn towards cleaner sources of energy, such as solar energy.

We have now restricted even more the use of plastic and encouraged the production and distribution of biodegradable products, such as bags, bowls and other utensils used in the food industry.

My colleague, the Minister of Environment, Solid Waste Management and Climate Change, hon. Kavi Ramano, has been on the forefront since the general elections of 2019. He has now set the bar very high and sent a very strong message: that during this term we will go even further in our endeavor to make Mauritius Island an example in the region and around the world.

Recently, the Cabinet agreed to develop a strategy whereby our country will start to recycle used tires. This is a major breakthrough, Mr Deputy Speaker, Sir. And I believe we should not stop there.

In this regard, the Ministry of National Infrastructure and Community Development, and the Road Development Authority, want to play their part in this ambitious Government project.

The hon. Member of Port Louis North & Montagne Longue, hon. Mrs Tour, rightly pointed out that around 14,000 tons of asphaltic concrete are disposed at Mare Chicose every year.

This asphaltic concrete is removed in the process of resurfacing of our road networks which is also necessary. However, we, as a country which aspires to become environmentally sustainable, cannot continue with such practice.

Small island States are highly vulnerable to climate change and its subsequent effects, such as floods, landslides, sea level rise, surge in average temperature, and increase in duration and severity of droughts.

Climate change also leads to an increase in the cost of maintenance and repairs of infrastructure. Therefore, the amount of asphalt to be disposed each and every year is bound to increase over time.

At present, the current practice in Mauritius in connection with the repair and maintenance of road surfaces consists of two very distinct techniques.

On one hand, repair consists of laying an overlay of asphalt on a damaged road surface and on the other hand, the damaged asphalt itself is removed and replaced by a new asphalt layer. Both techniques are extensively used in Mauritius, with the former, called 'resurfacing', and the latter, called 'milling and resurfacing'.

The overriding advantage of doing milling and resurfacing is the maintaining of the level of the roads in specific locations, as mentioned by my hon. colleague, in relation to the surrounding existing features.

Thus, resurfacing is generally done in sparsely populated zones and milling and resurfacing is mostly done in densely inhabited zones.

Although, milling and resurfacing has its advantage, its major disadvantage currently lies in the fact that current practice in Mauritius does not allow the reuse of scrapped road asphalt removed from damaged roads. This material is thus dumped and discarded without further process. This is an environmental concern for all.

I am, therefore, pleased to announce that the Cabinet has requested the Road Development Authority, as the main Highway Authority, to develop a strategy focusing on the adaptation to climate change and construction of resilient infrastructure in the context of the sustainable development of Mauritius.

This strategy forms part of the broader Asset Management Strategy concept, which has already been approved by the Board of the RDA.

In line with the adaptation strategy, the RDA intends to encourage contractors to use innovative and sustainable construction materials and technology.

RDA, as part of its climate change adaptation strategy process, proposes to reuse this material and recycle it into new asphalt. The RDA views the use of recycled asphalt as an opportunity to introduce these sustainable materials and technology in road maintenance works.

Recycled asphalt is made up of old paving materials, which would otherwise be discarded in landfills. To produce recycled asphalt, manufacturers grind the old asphalt into new aggregates; add a designed dosage of bitumen suitable for road construction and maintenance projects.

Two methods are possible for recycling. One consists of onsite recycling and the other consists of offsite recycling. Contractors would be able to choose either one.

If recycling is adopted as a policy in Mauritius, road contractors will be encouraged to invest in recycling equipment. They would either have to modify their existing plants and equipment, buy new equipment or enter into joint venture with specialist international contractors.

In any way, RDA's proposal for recycling will be phased and gradual in time so as to allow contractors to adapt to the new technique.

Initially, regarding costs, the initial direct costs could be higher but in the long-term, the direct costs would substantially decrease. Details of cost implications can only be obtained from contractors as this would largely depend on their in-house and available equipment.

Recycled asphalt is also eco-friendly because the technique helps to use less virgin materials, save energy, and reduce non-biodegradable solid wastes.

Advanced countries, such as the United States, Great Britain, France, Germany, the Netherlands, Denmark, and Austria use recycled asphalt in up to 90% of its production of asphaltic concrete. As a matter of fact, asphalt is the most recycled product in the United States.

Mauritius stands to gain from the recycling of old asphalt on an environmental point of view. Additionally, the country would also benefit from the import of a new technology which is commonplace and extensively used internationally.

The RDA understands that currently, contractors operating in Mauritius may not be accustomed to the use of recycled asphalt. Therefore, the RDA intends to issue a communiqué to potential bidders in the Press with the following objectives –

1. inform potential contractors about the general policy of the RDA with regard to climate change, resilient infrastructure, and sustainable development, and
2. inform potential contractors that they need to acquire the required resources to use recycled asphalt in the context of the framework agreement for road maintenance and minor works, which will be effective as from January 2021.

Therefore, to sum it up, the use of Reclaimed Asphalt Pavement not only decreases the use of natural resources, but also reduces the use of energy; lowers transportation costs to carry aggregates; and decreases the amount of construction debris carted away to landfills.

Materials constitute the most expensive cost in terms of production. In the United States, fresh materials constitute about 70% of the cost to manufacture asphalt. By using the Reclaimed Asphalt Pavement, significant savings can be made in the costs of materials, which will consequently reduce the overall road construction cost significantly. To further decrease costs, the highway authority may retain ownership of the RAP, which can then be supplied to contractors to produce hot mix asphalt.

As a small country, whose main resource is human resource, we are bound to adapt to change, understand and apply what is already being implemented abroad, and use the latest breakthroughs in technology to achieve so.

Mr Deputy Speaker, Sir, no other Government has done more for Mother Nature than this Government. Mauritians understand the importance of preserving our fauna and flora. Mauritians understand what is at stake and, as responsible citizens, mobilise and follow their sense of patriotism and work hand in hand with this Government unlike some sitting on the other side of the House, *qui se font des oiseaux de mauvais augure*.

Mauritians are environment conscious, more than ever before, and know perfectly well what this Government is doing to safeguard our environment while ensuring a sustainable development. They know that we will not waver, we will not falter, and we will not fail in our mission to ensure that Mauritius becomes an environmentally safe country.

Former President of the United States, Jimmy Carter, once said -

“Like music and art, love of nature is a common language that can transcend political or social boundaries.”

Some still need to understand this. This saying embodies the symbiosis that exists between the population and this Government. As one, we walk the talk towards a greener and sustainable Mauritius. As one, we will win.

Thank you Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. I take this opportunity to welcome you back after your recovery.

Mr Hurreeram: Thank you.

The Deputy Speaker: I wish you a safe journey. The House is adjourned.

At 01.11 a.m. the Assembly was, on its rising, adjourned to Tuesday 18 August 2020 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

KOLEKTIF KONVERSAYON SOLIDER DEMONSTRATION 11.07.2020 –

MBC COVERAGE

(No. B/523) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the demonstration held on Saturday 11 July 2020 by the *Kolektif Konversayon Solider*, he will state if he is in presence of and, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to if it is in presence of, representations for unfair and inaccurate coverage thereof by the MBC and, if so, indicate –

- (a) the actions taken in relation thereto, if any, and
- (b) if the *Kolektif Konversayon Solider* has requested for a right of reply and, if so, indicate where matters stand.

(Withdrawn)

**AIRPORTS OF MAURITIUS LTD EMPLOYEES UNION - PRESIDENT -
SUSPENSION**

(No. B/524) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Mr S. S., President of the Airports of Mauritius Ltd. Employees Union, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd., information as to -

- (a) when was the latter suspended from duty, indicating the reasons therefor,
- (b) when the Board of the AML decided to terminate the contract thereof, indicating the reasons therefor, and
- (c) if the reinstatement thereof is being envisaged.

(Withdrawn)

STREET CHILDREN - *BRIGADE DES MINEURS*

(No. B/525) 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 street children, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, age-wise, taken care of by *La Brigade des Mineurs*, since 2016 to date.

(Withdrawn)

MONT ROCHES SOCIAL WELFARE CENTRE - SPORTS FACILITIES

(No. B/551) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Gender Equality and Family Welfare 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.

Reply: I have been informed that there are currently a volley ball cum basketball pitch and a petanque court as sports facilities available at the Mont Roches Social Welfare Centre. An average of five players practice street football on the pitch once or twice a week and there are almost no players making use of the petanque court.

In view of present budgetary constraints, renovation of the sports facilities will be considered at a later stage.

Moreover, a Youth Centre was operational in the compounds of the Mont Roches Social Welfare Centre under the aegis of the Ministry of Youth Empowerment, Sports and Recreation. The Centre was closed in March 2019 since the building housing the Youth Centre was too small for the holding of youth activities.

**VACOAS URBAN TERMINAL PROJECT - VACOAS MARKET AND
MARKET FAIR**

(No. B/552) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Land Transport and Light Rail whether, in regard to the Vacoas Urban Terminal Project, he will, for the benefit of the House, obtain from Metro Express Ltd., information as to –

- (a) where matters stand as to the proposed integration of the Vacoas Market and Market Fair therein, including, the expected start and completion dates thereof, and
- (b) the cost thereof.

Reply (The Minister of Local Government, Disaster and Risk Management):

Apart from the modernisation of our transport system, the Metro Express Project provides a real opportunity to revisit the configuration and functional arrangements of our town centres with the implementation of the Urban Terminals.

An Inter-Ministerial Committee has been set up under my Chairmanship to look into the implementation of the Urban Terminal Projects. These modern developments aim at transforming the urban landscape by integrating major facilities under a single roof.

The Urban Terminals in the four towns will thus become the centre of communication for public transport, including the metro line, buses, and taxis and also provide facilities and amenities for retail, shopping, commercial activities, food court and leisure, amongst others.

At the town of Vacoas-Phoenix, the Market Fair and daily market are both located in the core town centre area and I am informed by the Council that consideration is being given for the integration of the Vacoas Market and Market Fair in the proposed Urban Terminal Project.

The stallholders at the Vacoas Market and representatives of the Vacoas Fair have been informed about the Vacoas Urban Terminal Project and their relocation and are agreeable.

I am also informed that the Municipal Council of Vacoas-Phoenix is currently fine-tuning the Request for Proposals that would be launched in due course by my Ministry as advised by the Solicitor General's Office.

Accordingly, it is not possible, at this stage to provide information concerning the expected start and completion dates of the proposed Urban Terminal project.

Regarding part (b), the cost thereof would be borne by the private promoter to be appointed following the RFP exercise.

QUEEN VICTORIA HOSPITAL - MRS N. A. - TWINS - BIRTH

(No. B/553) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Health and Wellness whether, in regard to the allegations made by Mrs N. A. to the effect that she gave birth to twins at the Queen Victoria Hospital on 23 June 2020, he will state if his Ministry has initiated an inquiry thereinto and, if so, indicate the outcome thereof.

Reply: I wish to inform the House that an inquiry was carried out on 01 July 2020 by my Ministry which confirmed that Mrs N. A. had attended Victoria and SSRN Hospitals on four occasions during these last two months. She attended these institutions for ailments other than pregnancy.

On 13 May 2020, the patient attended Victoria Hospital (ENT Unit) and stated that she was 8 months pregnant. Patient was advised for admission, but she refused and signed the Discharge Against Medical Advice (DAMA) for personal reasons.

On 07 June 2020, patient attended SSRN Hospital in a distressed state. Patient was advised for admission by the Gynaecologist and Obstetrics Department. In spite of strong medical advice from the Doctor, patient along with husband, refused admission and insisted on signing the DAMA, stating that they would continue their follow-up in the private sector. DAMA was signed at 00:41 a.m. on 08 June 2020.

On 23 June 2020, patient attended Victoria Hospital (ENT Unit) for an ear problem. Patient was admitted on the same date and discharged on 25 June after treatment for ENT problem and diabetic control.

It is to be noted that patient had no Ante-natal follow-up in any of the institutions mentioned above, prior to her visit, and neither did she give birth in these institutions.

After a full enquiry at my Ministry's level, the case has been reported to the Police for further investigation.

In a correspondence dated 10 August 2020, the Commissioner of Police has informed my Ministry that an enquiry is ongoing into the matter at the level of Piton Police Station of the Northern Division.

PUBLIC OFFICERS – INTERDICTION – REMUNERATION

(No. B/554) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to public officers presently under interdiction, he will state the number thereof, indicating the total monthly quantum of funds to be disbursed in terms of remuneration payable thereto.

Reply: I am informed that as at 06 August 2020, 152 officers in the Civil Service were under interdiction and the total monthly quantum of funds disbursed for their salary, amounts to Rs3.2 m.

I wish also to inform the House that as at January 2015, 322 officers in the Civil Service were interdicted from the exercise of the powers and functions of their respective posts as criminal proceedings were instituted against them for issues such as drug offences, conspiracy, bribery and larceny, amongst others. A total of Rs6.1 m. was then being paid monthly as salary to the interdicted public officers.

Following concerns raised by the National Audit Office in its successive Reports and in order to curb expenditure with respect to interdicted public officers, my Ministry, in consultation with the Attorney General's Office, advised through a Circular Letter dated 14 September 2016 to Supervising Officers of concerned Ministries/Departments, to conditionally recall interdicted public officers, on a case to case basis, pending determination of their cases. Supervising Officers have also been requested to exercise their powers of interdiction in a more judicious manner.

As at 30 June 2020, 97 public officers in the Civil Service have been recalled to duty on the following conditions –

- (i) upon resumption of duty, these officers would obtain benefits attached to their respective posts;
- (ii) however, payment of increment and other benefits which are due during the period of interdiction would be considered only after the determination of the case against them;
- (iii) the performance, work and conduct of these officers would be subject to close and continuous monitoring/supervision, and a quarterly report would have to be submitted to this Ministry, and
- (iv) they would be required to seek Police clearance and written permission from the Responsible Officer of the Ministry/Department before proceeding abroad.

The present policy of Government is to reduce as far as possible the number of officers on interdiction. Supervising Officers are advised to resort to interdiction only in cases of serious offences. The power to interdict must be exercised judiciously.

My Ministry will continue to monitor the situation of interdicted public officers through monthly reports to be submitted by all Ministries/Departments. A database of interdicted public officers with all the relevant details is also being kept at the level of my Ministry for that purpose.

**METRO EXPRESS LTD - IMMIGRATION SQUARE URBAN TERMINAL
PROJECT**

(No. B/555) 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 Immigration Square Urban Terminal Project, he will, for the benefit of the House, obtain from Metro Express Ltd., information as to where matters stand as to the implementation thereof.

Reply (The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management): As the Immigration Square falls within the Buffer Zone of the Aapravasi Ghat, clearances pertaining to Heritage Impact Assessment (HIA) and Visual Impact Assessment (VIA) will have to be obtained from UNESCO prior to the start of the project.

I am informed by the Ministry of Arts and Cultural Heritage that it has launched tenders for the enlistment of consultancy services for the overarching HIA/VIA on Friday 03 July and the closing date is for 24 August 2020.

A timeline has been worked out, whereby the report for the overarching HIA/VIA for projects falling in the buffer zone of the Aapravasi Ghat would be submitted to UNESCO by mid-January 2020.

I am further informed that the Ministry of National Infrastructure and Community Development has already issued the letter of award to the promoter Yi Hai Ltd, and any amendment to the initial proposal as requested by UNESCO would have to be made in consultation with the promoter and the consultants for the project.

I am also informed that the Letter of Intent had already been issued to the promoter by the Ministry of Housing and Land Use Planning on 26 May 2020.

The start of the project will, therefore, depend upon all clearances being obtained from UNESCO, which according to the timeline of the Ministry of Arts and Cultural Heritage is February/March 2021.

MAURITIUS - SUS-ISLAND - REBRANDING

(No. B/557) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the rebranding of Mauritius as SUS-Island, he will, for the benefit of the House, obtain from the Tourism Authority, information as to when same was launched, indicating if any consultancy work was carried out prior thereto and, if so, indicate the cost thereof.

(Withdrawn)

LIVERPOOL FOOTBALL CLUB - COMMERCIAL AGREEMENT

(No. B/558) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the commercial agreement signed with the Liverpool Football Club for the promotion of Mauritius as a global tourist destination, he will state the –

- (a) date of signature, and
- (b) cost thereof.

(Withdrawn)

PUBLIC ENTERPRISES DEBT

(No. B/559) 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/560) 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/561) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to the catering services for the Quarantine Centers, he will state the –

- (a) contract values thereof, and
- (b) procurement methods used therefor.

(Withdrawn)

MAURITIUS INVESTMENT CORPORATION LTD - COMPANIES - FUNDS

(No. B/562) 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)

FAREI - TRAINING COURSES

(No. B/563) Mrs J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to the training courses organised by the Food and Agricultural Research and Extension Institute for the farmers, he will, for the benefit of the House, obtain information as to where and when same will be delivered, indicating if any assessment of the efficacy thereof has been carried out as at to date.

(Withdrawn)

FAREI – POTATOES – NEW VARIETY

(No. B/564) Mrs J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to potatoes, he will, for the benefit of the House, obtain from the Food and Agricultural Research and Extension Institute, information as to if a new variety thereof has been tested and, if so, indicate the outcome of the findings thereof.

(Withdrawn)

MAURITIUS GYMNASTICS FEDERATION - MANAGING COMMITTEE

(No. B/565) Mrs J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Mauritius Gymnastics Federation, he will state if his Ministry has dissolved the Managing Committee thereof and appointed a temporary committee to manage the affairs thereof until the election of a new Managing Committee and, if so, give details thereof and, if not, why not.

(Withdrawn)

NATIONAL SOLIDARITY FUND - DISABLED PERSONS - SCHEMES

(No. B/566) Mrs J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the disabled persons, she will, for the benefit of the House, obtain from the National Solidarity Fund, information as to the schemes available thereunder.

(Withdrawn)

MAURITIUS STANDARDS BUREAU – CHAIRPERSON & MEMBERS

(No. B/567) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the Standards Council, he will, for the benefit of the House, obtain from the Mauritius Standards Bureau, information as to the date of –

- (a) appointment and remunerations drawn by the Chairperson and members thereof, and
- (b) the last meeting thereof.

(Withdrawn)

MAURITIUS MUSEUMS COUNCIL - MR S.D. - APPOINTMENT

(No. B/568) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Arts and Cultural Heritage whether, in regard to Mr S. D., Chairperson

of the Mauritius Museums Council, he will, for the benefit of the House, obtain from the Council, information as to the –

- (a) date and terms and conditions of appointment thereof;
- (b) qualifications and experience in museum related matters held, and
- (c) monthly remuneration and benefits drawn.

(Withdrawn)

**CERCLE DE JOACHIM FOOTBALL CLUB – INTERNATIONAL TRANSFER
CERTIFICATES - INQUIRY**

(No. B/569) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Labour, Human Resource Development and Training whether, in regard to the five foreign players transferred from Madagascar for the 2019-2020 football season by the Cercle de Joachim Football Club, which attracted the imposition of a fine of approximately Rs400,000 by the FIFA for failing to abide by the Transfer Matching System Regulations, he will state if consideration is being given for the setting up of an inquiry regarding the submission of International Transfer Certificates not recognized by the FIFA which led to the issue of work permits to the said players.

Reply: I wish to inform the House that in accordance with the law, my Ministry publishes a set of Guidelines for ensuring that information is available to everyone regarding compliance with requirements of a work permit application. These Guidelines clearly state all compulsory documents and steps to be followed by an applicant.

Amongst other documents required for application for a work permit in respect of a foreign football player, the International Transfer Certificate (ITC) is a mandatory document that the recruiting football club has to submit to my Ministry together with the non-objection of the Mauritius Football Association. However, the ITC is not applicable for renewal of permits where the player is already playing in Mauritius. Upon clearance of all the relevant authorities, a permit may be granted to the foreign player. Permits are granted for one season at a time.

In the case of *Cercle de Joachim*, applications together with the required supporting documents were submitted in December 2019 for the employment of five Malagasy players,

one of whom was already playing in Mauritius for the club. Work permits were approved and thereafter issued for the remaining 2019/2020 football season.

It is to be noted that Government Authorities rely on the information provided by MFA regarding ITCs as no Government body has access to the Transfer Matching System (TMS) of FIFA to counter verify the genuineness of the transfer. In fact, I am informed that the process of ITCs remains an internal process among National Football Federations, Clubs and FIFA, and is regulated under specific internal regulations.

Accordingly, regarding the ITCs submitted by the *Cercle de Joachim* while applying for the said work permits, my Ministry has already formulated a request to the Commissioner of Police for investigating the matter in line with the provisions of the Non-Citizens Employment Restriction Act, which provides that any person who makes any statement which he knows to be false for the purpose of procuring for himself or for any other person the grant of a permit is committing an offence and is subject to penalties prescribed.

SQUATTERS - POINTE AUX SABLES, RIAMBEL & CUREPIPE – SRM REGISTRATION

(No. B/572) 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 squatters of Pointe aux Sables, Riambel and Curepipe, whose dwellings were recently pulled down, she will, for the benefit of the House, obtain from the National Empowerment Foundation, information as to if an inquiry has been carried out to determine the number thereof registered on the Social Register of Mauritius, indicating the number of children thereof attending schools and if school materials have been provided thereto and, if not, why not.

(Withdrawn)

LA COLOMBE SHELTER – CAREGIVER - ALLEGED MISCONDUCT

(No. B/573) 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)

MAURITIUS WEIGHTLIFTING FEDERATION - ATHLETE A. M. - JUNIOR AFRICAN CHAMPIONSHIP

(No. B/574) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Mauritius Weightlifting Federation, he will, for the benefit of the House, obtain therefrom, information as to why athlete A. M. was not selected for the Junior African Championship, held in Uganda in 2019.

(Withdrawn)

ADULTS & CHILDREN WITH DISABILITIES – NUMBER

(No. B/575) 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)

MEDICATION - STOCK - EXPIRY DATES

(No. B/576) 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.

Reply: I am informed that the stock of medication is monitored closely at the Central Supplies Division (CSD) of my Ministry. The products are received in batches. The quantities and expiry dates are clearly specified for easy monitoring. On receipt of these products, the officers posted at the Central Supplies Division cross-check the quantities,

whether in units or volumes, and the expiry dates are also verified. Thereafter, the products are classified as per trend of use, whether it is fast moving, normal or slow moving. All the products received are recorded in a computerised system containing the details, particularly the expiry dates.

I wish to point out that recently, in the context of the COVID-19, my Ministry conducted an in-depth investigation in respect of stock of pharmaceutical products. This investigation concerned 766 drugs. The exercise was undertaken to find out the situation on drugs, stock available, duration of the stock available, trend of use of the drugs and the requirements for the future.

This exercise will allow the Ministry to take appropriate remedial action to ensure that drugs needed are available in sufficient quantity at all times for the treatment of our patients. A Monitoring Mechanism has been set up to ensure that the stock situation is closely followed up and that timely action is initiated to replenish the stock.

Furthermore, the products are monitored according to their expiry dates, that is, according to the first expired first out (fefo) principle.

As regards part (b) of the question, I am informed that the disposal of expired drugs is governed by the Environment Protection (Standards for Hazardous Wastes) Regulations 2001 and my Ministry stands guided by the Solid Waste Management Division of the Ministry of Environment, Solid Waste Management and Climate Change on the issue. The expired items are removed from inventory, are segregated and sent to the Solid Waste Management Division for disposal.

I am also informed that in some cases, the suppliers accept to take back the expired items and to provide fresh products with new expiry dates.

PEDESTRIAN CROSSINGS - BELISHA FLASHING LAMPS

(No. B/578) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of National Infrastructure and Community Development whether, in regard to the pedestrian crossings, he will state where matters stand as to the proposed –

- (a) installation of Belisha flashing lamps, and
- (b) revisiting of the locations thereof.

(Withdrawn)

CIVIL SERVICE COLLEGE – BOARD

(No. B/579) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the Civil Service College, he will, for the benefit of the House, obtain therefrom, information as to if the Board thereof has recently been reconstituted and, if so, indicate the names of the members who have been –

- (a) replaced, and
- (b) appointed, indicating the term of office thereof.

(Withdrawn)

VULNERABLE FAMILIES - SOCIAL CONTRACTS

(No. B/580) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the vulnerable families, she will state the number thereof having signed social contracts, indicating the –

- (a) number thereof signed over the period 2018-2020 which have been terminated, and
- (b) progressive input and output of the social contract in the fight against poverty.

Reply: For the period 2018-2020, there were 11,654 eligible households who have signed social contracts with the National Empowerment Foundation for support under Empowerment Schemes.

As regards part (a) of the question, 1,531 contracts have been terminated within the same period and the remaining 10,123 households still have a valid contract with the National Empowerment Foundation.

With regard to part (b) of the question, according to the National Empowerment Foundation, as per the main conditions stipulated in the Social Contract, empowerment of SRM eligible families is effected through four core areas of interventions, namely –

- (a) economic empowerment;
- (b) education;
- (c) health, and
- (d) family empowerment.

The information with regard to part (b) is being placed in the Library of the National Assembly.

**NATIONAL EMPOWERMENT FOUNDATION (NEF) - SOCIAL HOUSING
UNITS**

(No. B/581) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the social housing units delivered to the National Empowerment Foundation (NEF) over the period 2018-2020 by the NHDC Ltd, she will, for the benefit of the House, obtain from the NEF, information as to the number thereof, indicating the name of the beneficiaries thereof, region-wise.

Reply: I am informed by the National Empowerment Foundation that, as at date, the Foundation has already acquired 47 NHDC housing units across the island and the handing over of keys will be done shortly.

As regards the selection of beneficiaries, the National Empowerment Foundation is in the process of appointing a Court Usher for the drawing of lots in respect of the allocation of the 47 housing units.

RICHE TERRE - STATE LAND - LEASE

(No. B/583) Mr R. Wochit (Third Member for Pamplemousses & Triolet) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the State land at Jin Fei, he will state where matters stand as to the proposed lease of plots thereof to sugar cane and vegetable planters thereat.

Reply: I presume the hon. Member is referring to State Land at Riche Terre.

I am informed that in October 2006, the then Government decided to set up a project known as the 'Mauritius Tianli Economic Trade Cooperation Zone' in the Terre Rouge and Riche Terre region. Accordingly, Government resumed possession of State Land occupied by sugar cane planters at Terre Rouge and vegetable planters at Riche Terre.

I am further informed that out of 106 sugar cane planters, 86 have been allocated serviced lots at Khoyratty and 20 who had constructed their houses on the site at Terre Rouge before October 2006 were regularised *in situ* through the grant of a building site lease.

I am also informed that 115 vegetable planters will be allocated building site leases on serviced lots at Khoyratty and Mon Goût. According to Landscape (Mauritius) Ltd, which has been entrusted the responsibility for implementation of infrastructural works at these two

sites, 70% of works at Khoyratty and 95% of works at Mon Goût have been completed. The anticipated completion date is end of September 2020.

BUILDING & LAND USE PERMIT - APPLICATION

(No. B/585) Mr R. Wochit (Third Member for Pamplemousses & Triolet) asked the Minister of Finance, Economic Planning and Development whether, in regard to application for the issue of a Business Registration Number, he will, for the benefit of the House, obtain from the Corporate and Business Registration Department, information as to if, prior to the processing thereof, an applicant is required to submit a Building and Land Use Permit and, if not, why not.

Reply: Il n'y a aucun lien entre la délivrance de *Business Registration Numbers* et les *Building and Land Use Permits*.

Une personne peut enregistrer une entreprise sans commencer immédiatement ses activités commerciales.

Une fois qu'une entreprise est enregistrée, les informations la concernant sont mises à jour dans le *Central Business Registration Database*, qui est accessible à divers organismes du secteur public, dont la *Mauritius Revenue Authority*, le ministère de la Sécurité sociale, l'*Economic Development Board* ainsi que les autorités locales. De même, en cas de changement de coordonnées d'une entreprise, les informations mises à jour sont actualisées sur la base de données et immédiatement accessibles.

CEB GREEN ENERGY - NUMBER OF PROJECTS IMPLEMENTED

(No. B/587) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the CEB Green Energy, he will, for the benefit of the House, obtain therefrom, information as to the number of projects implemented as at date, indicating if the contract for the construction and installation of a solar photovoltaic farm at Tamarind Falls financed by the Exim Bank of India has been awarded and, if so, to whom.

Reply: I am informed by the Central Electricity Board that CEB (Green Energy) Co. Ltd, which is a wholly owned subsidiary of the Central Electricity Board (CEB), has as at date implemented three renewable energy projects.

Firstly, CEB (Green Energy) Co. Ltd has implemented the Home Solar Project, which is on a pilot basis, and provides for 1,000 Solar PV Kits for Social tariff category 110 A for

vulnerable customers. As at now, 879 Solar PV Kits amounting to 879 kW have been commissioned.

Secondly, the Green Energy Scheme for SMEs has been implemented and comprises of the installation of 1,000 Solar PV kits of 2kWp each on rooftop of SMEs falling under the tariff category 215. As at now, 807 Solar PV Kits have been commissioned for SMEs.

Thirdly, Phase I of the 2 MW peak Solar PV Farm at Tamarind Falls, Henrietta has been implemented.

I am further informed by the CEB that the contract for the Design, Supply, Installation, Testing and Commissioning of an 8MWac Solar PV Farm at Tamarind Falls, Henrietta (phase II), which is fully financed by the Exim Bank of India through the Dollar Credit Line Agreement (LOC) from the Government of India, has not been awarded as the Bid Evaluation Committee has recommended that clarifications be sought from the first ranked bidder on some minor technical deviations, prior to contract award.

CONSTITUENCY NO. 15 - VALENTINA SEWERAGE PROJECT

(No. B/588) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the ongoing Valentina Sewerage Project in Constituency No. 15, La Caverne and Phoenix, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to the –

- (a) number of households connected to the said network;
- (b) cost thereof, and
- (c) completion date thereof.

Reply: I am informed by the Wastewater Management Authority that the Valentina Sewerage Project (Contract WW389W) was awarded to Contractor ONIX Co. Ltd on 10 September 2019. The original scope of works of the project consisted of laying of 700 metres of street sewer pipes and connection of 75 households to the public sewer adjacent to the Valentina industrial zone network. Following a detailed design survey carried out by the Contractor, the number of households has been reviewed to 84.

With respect to part (a) of the question, the WMA has informed that the Contractor has started with laying of street sewer in the first instance and, as at date, some 350 metres of street sewer have been laid. As regards house connections, 10 households have been connected to the public sewer.

With regard to part (b) of the question, I am informed that the Contract amount is Rs25,535,084.15 (VAT incl.).

As for part (c) of the question, works have started on 02 October 2019 and the scheduled completion date was 01 October 2020. The completion date has been revised to 09 October 2020 following an extension of time of eight calendar days granted on account of adverse weather conditions.

The completion date has been revised once again in view of extension of time requested by the Contractor due to, amongst others, sanitary curfew and difficulty to enter premises to carry out house connection works. The new completion date is scheduled for 04 January 2021.

PRIEST PEAK RESERVOIR, PORT LOUIS – WATER SUPPLY

(No. B/590) Mr M. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Energy and Public Utilities whether, in regard to the Priest Peak Service Reservoir, in Port Louis, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the number of hours of water supply being operated therefrom, indicating when a 24/7 water supply service will be ensured.

Reply: I am informed by the Central Water Authority that the Priest Peak Reservoir of storage capacity of 6,600m³ directly supplies some 7,143 households in the regions of NHDC La Cure, Ste Croix, Roche Bois, Cite Martial, Camp Yoloff, Vallée des Prêtes Junction and Morcellement Al-Madina. The reservoir also provides water, through the La Cure Reservoir, to some 2,400 households in the regions of Carreau Lalo, Lower Vallée des Prêtes, la Cure Housing Estate, Morcellement La Vallée and St Marie Road. All the regions served by the Priest Peak Reservoir receive water during 12 hours daily, that is, from 4.00 a.m. to 10.00 a.m. and from 3.00 p.m. to 9.00 p.m.

I am further informed by the Central Water Authority that the Priest Peak Reservoir is mainly fed from the Plaine Lauzun Pumping Station, which also supplies water to the Upper Monneron Reservoir through the same pipeline. As per information provided by the CWA, the hours of supply in the regions served by these two service reservoirs depend principally on the pumping capacity of the Plaine Lauzun Pumping Station and the carrying capacity of the existing pipeline.

With regard to 24/7 water supply in the regions concerned, I am informed by the CWA that a feasibility study was carried out in November 2017 and the following civil engineering works were identified –

- (i) the upgrading of the Plaine Lauzun Pumping Station, and

- (ii) the laying of a separate pipeline from the Plaine Lauzun Pumping Station to Upper Monneron Reservoir so that the existing pipeline is dedicated to the Priest Peak Reservoir only.

I am also informed that the project for the upgrading of the Plaine Lauzun Pumping Station to increase its pumping capacity from 19,000m³/day to 32,000m³/day has been completed in November 2018 at the cost of Rs79.8 m.

I am further informed that the construction of the dedicated pipeline from the Plaine Lauzun Pumping Station to the Upper Monneron Reservoir is planned to be implemented during the Financial Year 2021/2022 at the estimated cost of Rs70 m. As per information provided by the CWA, the total volume injected to the Priest Peak Reservoir will increase from the actual 13,000m³ per day to 23,000m³ per day after installation of the new pipeline.