



**SEVENTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 30 NOVEMBER 2021**

**CONTENTS**

**PAPERS LAID**

**QUESTIONS (*Oral*)**

**MOTION**

**STATEMENTS BY MINISTERS**

**BILLS (*Public*)**

**ADJOURNMENT**

**QUESTIONS (*Written*)**

## 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 Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
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. 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
	Minister of Commerce and Consumer Protection
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, GCSK, GOSK
Deputy Speaker	Hon. Mohammud Zahid Nazurally
Deputy Chairperson of Committees	Hon. Sanjit Kumar Nuckcheddy
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
Adviser	Dowlutta, Mr Ram Ranjit
Deputy Clerk	Ramchurn, Ms Urmeelah Devi
Clerk Assistant	Gopall, Mr Navin
Clerk Assistant	Seetul, Ms Darshinee
Hansard Editor	Jankee, Mrs Chitra
Parliamentary Librarian and Information Officer	Jeewoonarain, Ms Prittydevi
Serjeant-at-Arms	Bundhoo, Mr Anirood

**MAURITIUS**

**Seventh National Assembly**

-----

**FIRST SESSION**

-----

**Debate No. 36 of 2021**

**Sitting of Tuesday 30 November 2021**

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

**The National Anthem was played**

*(Mr Speaker in the Chair)*

**ANNOUNCEMENT****OBITUARY – MR HEERALALL BHUGALOO**

**The Prime Minister:** Mr Speaker, Sir, it is with deep regret that we have learnt of the demise of Mr Heeralall Bhugaloo, former Member of Parliament, on 27 November last, at the age of 83.

Mr Bhugaloo was born on 28 July 1938 in Port Louis. He had a passion for education and started his career as a teacher of English Language and French Literature. Later, he became Manager of Port Louis High School.

In 1969, he founded the '*Combat*', a weekly newspaper which was soon converted to '*Le Militant*'. In the same year, Mr Bhugaloo, one of the founding members of the MMM, became the first president of the Party.

Some years later, he left the MMM and joined the Mauritius Labour Party. In December 1976, he contested the first General Election after independence as a Labour candidate under the banner of the 'Independence Party', and was elected Third Member for Constituency No. 18 - Belle Rose and Quatre Bornes to serve the then legislative Assembly.

He was appointed Minister of Education. However, he resigned both as Minister and Member of Parliament in January 1977.

In 1982, he again contested the General Election in Constituency No. 6 - Grand Baie and Poudre d'Or under the Banner of '*l'Alliance Nationale*' but was not returned.

Thereafter, Mr Bhugaloo severed all ties with politics and dedicated himself to the education sector.

Mr Speaker, Sir, may I request you to kindly direct the Clerk to convey the deep condolences of the Assembly to the bereaved family.

**The Leader of the Opposition (Mr X. L. Duval):** Mr Speaker, Sir, I associate myself to the tribute made by the hon. Prime Minister to late Mr Heeralall Bhugaloo and I also request the Clerk to convey the condolences of the Opposition to the bereaved family.

**Mr P. Bérenger (First Member for Stanley & Rose Hill):** May I be allowed to join the Prime Minister and the Leader of the Opposition in our tribute. Thank you.

**Mr Speaker:** Hon. Members, I associate myself with the tribute paid to the memory of late Mr Heeralall Bhugaloo, former Member of Parliament, by the hon. Prime Minister, the hon. Leader of the Opposition and hon. Bérenger, and I direct the Clerk to convey the deep condolences of the Assembly to the bereaved family.

Hon. Leader of the Opposition!

*(Interruptions)*

Carry on!

**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**

Certificate of Urgency in respect of the Virtual Asset and Initial Token Offering Services Bill (No. XXI of 2021). (In Original)

**B. Ministry of Social Integration, Social Security and National Solidarity**

The Social Aid (Amendment No. 3) Regulations 2021. (Government Notice No. 284 of 2021)

**ORAL ANSWERS TO QUESTIONS****COVID-19 – DEATHS - PERIOD 01 NOVEMBER-29 NOVEMBER 2021 -  
VACCINES**

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state –

- (a) between 01 November to midnight of 29 November 2021, the number of –
  - (i) registered deaths and the comparative figure for the corresponding period in 2020, and
  - (ii) deaths attributed to COVID-19 according to his Ministry, indicating the number of the deceased who were fully vaccinated and with which vaccines.
- (b) the number of –
  - (i) 60 years plus persons having received a booster dose as at date,
  - (ii) doses of Sinopharm vaccines to be gifted or sold to Africa, and, if to be sold, at what price, and
- (c) whether –
  - (i) the Omicron variant has been detected in Mauritius, and
  - (ii) consideration will be given for the granting of a 14<sup>th</sup> month bonus to all medical and non-medical officers working in public health institutions.

**Dr. Jagutpal:** Mr Speaker, Sir, let me first express our deepest condolences, on this side of the House, to the family of late Dr. Ashraf Pooloo, Consultant in Charge Pediatrics posted at Dr. A. G. Jeetoo Hospital.

His demise today, and each time we lose one of our health care workers, is a reminder of the challenging task of our frontliners and of their dedication to their duty.

As Minister of Health and Wellness, I will continue to offer my unconditional support to my staff, be it in treatment centres or at the administrative level. They can always rely on me to

defend them against malevolent minds who do not hesitate to openly and needlessly attack them just for the sake of petty and futile political mileage.

More than ever, we, on this side of the House, wish to thank our frontliners for their relentless efforts in ensuring that the health and wellness of our population prevail. Our thoughts and prayers are also directed towards all the families bereaved by the loss of a dear one.

Mr Speaker, Sir, it is an undeniable fact the world is going through difficult and testing times. For almost two years now, we have been constantly adapting and upgrading our preparedness to address the pandemic.

Mauritius has based its preventive response on the necessity to strictly adhere to sanitary measures and vaccination. In spite of the constant emergence of new variants, these two measures have shown their efficacy and remain life-saving.

Our population is today fully aware of the various sanitary measures they need to adopt to protect themselves from the virus.

Mauritius has also succeeded in widely vaccinating its population and today we are at par, and to some extent, even ahead of some developed countries regarding vaccine coverage.

My Ministry, through its scientific surveillance mechanism, is also keeping up to date with latest treatment protocols. My Ministry has already procured new drugs available on the market which have shown better efficacy. My Ministry has also pre-ordered drugs being newly developed such as Ronapreve by Roche Manufacturing Ltd, which is supplying Governments only. Our pre-order strategy is based on available scientific evidence.

I wish to seize this opportunity to express our gratitude to the scientific world which has contributed significantly to fight this pandemic through the rapid development of appropriate vaccines and treatment.

They have also been on the forefront and have constantly been equipping our world with the required tools to mitigate the impact of COVID-19 on our populations.

Mr Speaker, Sir, with regard to part (a) (i) of the question, according to information obtained from the Civil Status Office, for the period 01 November 2021 to 29 November 2021, the total number of registered deaths stands at 1,686. The total number of deaths for the 29 days for the corresponding period last year was 855.

As I have already explained in my reply to the Private Notice Question of 19 November 2021, statistics should be analysed and compared over long-term, that is, over 6 months for the trend to be fully captured.

As for the pandemic, countries will experience a peak before the pandemic dies out. Mauritius has been witnessing a rise in the number of COVID-19 cases over the past weeks.

However, the number of cases has started to decrease. As such, it is malicious to focus on statistics within a punctual time frame.

Mr Speaker, Sir, allow me to reiterate that, we, on this side of the House, are not in favour of treating deaths as mere digits and figures.

Mr Speaker, Sir, it has been at several times insinuated that my Ministry is not providing the true figures. I would like to reiterate that statistics are collected at the level of each hospital and sent to my Ministry each day. Similarly, statistics from private health institutions are forwarded ...

**Mr X. L. Duval:** Mr Speaker, Sir, on a point of order!

**Mr Speaker:** Point of order!

**Mr X. L. Duval:** I heard the hon. Minister say ‘malicious’. Was that addressed to me? I heard him say ‘malicious’.

**Mr Speaker:** Did you...

**Mr X. L. Duval:** Is that the way to answer a question?

**Mr Speaker:** Okay. You made your point. Did you mention?

**Dr. Jagutpal:** Mr Speaker, Sir, I will repeat what I have said. And again, if those who are willing to take it that they are in that ‘malicious’ category, this is their problem.

*(Interruptions)*

**Mr Speaker:** Is there anything like ‘malicious’?

**Dr. Jagutpal:** I have not pointed directly to anybody in person, Mr Speaker, Sir. So, I repeat it. However, the number of cases has started to decrease...

**Mr Mohamed:** Mr Speaker, Sir, on a point of order. There is one person who is the Leader of the Opposition who has put the questions, asking for statistics. And he said that it is 'malicious' to concentrate on statistics. Obviously, he means the Leader of the Opposition, and if he did not, he should withdraw it.

**Mr Speaker:** No! I understand your point of order, but it is not necessary. Please, continue!

**Dr. Jagutpal:** Mr Speaker, Sir, I will repeat what I have said before.

However, the number of cases has started to decrease. As such, it is malicious to focus on statistics within a punctual time frame.

*(Interruptions)*

I will continue, Mr Speaker, Sir.

Similarly, statistics from private health institutions are also forwarded on a daily basis to enable figures at the national level to be compiled.

Mr Speaker, Sir, with regard to part (a) (ii) of the question, I am informed that the number of persons who have passed away due to COVID-19 from 01 November 2021 to midnight of 29 November 2021, according to the statistics at the level of my Ministry, stands at 348.

Out of this number, 156 were fully vaccinated, namely –

- AstraZeneca: 16, representing 0.02% of those vaccinated with same;
- Covaxin: 44, representing 0.09% of the same vaccine;
- Johnson & Johnson: 8, representing 0.007%, and
- Sinopharm: 88, representing 0.04%.

Between 01 November 2021 and 29 November 2021, the mortality rate of unvaccinated persons stood at 15.6 per hundred thousand population whereas the mortality rate for people vaccinated with Sinopharm is at 7.2 per hundred thousand population, therefore, clearly evidencing the efficacy of the vaccine.

Mr Speaker, Sir, as per WHO advice of September 2021, I quote –

*“Un vaste essai multi pays de phase 3 a montré que deux doses, administrées à un intervalle de 21 jours, ont une efficacité de 79% contre l’infection à SARS-Cov-2 symptomatique 14 jours ou plus après la deuxième dose. L’efficacité du vaccin contre l’hospitalisation était de 79%.”*

Furthermore, the WHO advised on 15 November 2021 that, I quote –

“There are several safe and effective vaccines that prevent people from getting seriously ill or dying from COVID-19. This is one part of managing COVID-19, in addition to the main preventive measures of staying at least 1 metre away from others, covering a cough or sneeze in your elbow, frequently cleaning your hands, wearing a mask and avoiding poorly ventilated rooms or opening a window.”

“As of 15 November 2021, WHO has evaluated that the following vaccines against COVID-19 have met the necessary criteria for safety and efficacy –

- AstraZeneca/Oxford vaccine;
- Johnson and Johnson;
- Moderna;
- Pfizer/BionTech;
- Sinopharm;
- Sinovac, and
- Covaxin.”

Mr Speaker, Sir, with regard to part (b) (i) of the question, I wish to inform the House that the booster dose is being administered as from September 2021 and as at date, 94,846 persons have been vaccinated, out of which 33,713 persons aged 60 and above have received their booster dose.

Mr Speaker, Sir, in accordance with our vaccination strategy, priority of consideration is being given to –

1. the frontliners such as health personnel, both from the public and private sectors, medical and dental practitioners and personnel of pharmacies;

2. patients with comorbidities such as cancer patients, dialysis patients, patients having undergone renal transplant, patients with severe respiratory diseases, immunosuppressant patients and trisomy patients, and
3. pregnant women.

I wish also to inform the House that out of the 230,000 persons aged above 60, 206,487 have already been fully vaccinated. The vaccine efficacy is valid for at least 6 months.

Mr Speaker, Sir, in view of the vaccine efficacy period, I wish to point out that the number of persons 60 years and above who were fully vaccinated as from 26 January to 31 May 2021 stands at 29,303. As I have just informed the House, 33,713 persons aged 60 and above have already received their booster dose.

Mr Speaker, Sir, with regard to part (b) (ii) of the question, the House may wish to note that Government has always been providing assistance to other friendly countries in the region. In this context, in view of the critical situation in India in April this year, particularly the scarcity of oxygen in that country for the treatment of patients, Government donated 200 oxygen concentrators to India. These were sent to India by a special Air Mauritius flight on 28 April 2021.

Mr Speaker, Sir, similarly, this year, 100 cylinders of oxygen and Personal Protective Equipment were also donated to Madagascar.

In the same spirit, Government has decided to assist countries in the region in their vaccination strategy. Consequently, the Ministry of Foreign Affairs, Regional Cooperation and International Trade is coordinating the bilateral assistance.

Rwanda expressed its interest to receive both Sputnik V and Sinopharm vaccines. 60,000 doses of Sputnik V have already been sent to Kigali and 50,000 doses of Sinopharm vaccines are being airlifted today.

Moreover, Zimbabwe expressed its interest to receive Sinopharm vaccines. 60,000 doses of the vaccines were sent to Harare on 22 November 2021.

Mr Speaker, Sir, in view of our friendly ties with these countries and in a spirit of regional cooperation, this Government has never considered the question of payment for the

vaccines or other equipment and supplies. *Cela ne nous a jamais effleuré l'esprit, M. le président.*

Mr Speaker, Sir, with regard to part (c) (i) of the question, as of now, the Omicron variant has not been detected in Mauritius based on S-gene target failure and sequencing.

However, a preparedness plan has been finalised at the level of my Ministry to detect the Omicron variant.

Mr Speaker, Sir, the current average COVID-19 test capacity of Central Health Laboratory is more than 2,000 tests per day. The maximum tests performed by Candos Health Laboratory (CHL) in a single day stands at 3,800.

Local sequencing capacity is in place. Two platforms are available for sequencing, namely Ion Torrent and Nanopore Technologies. 200 samples can be sequenced per month locally.

PCR is regularly carried out for diagnosis of SARS-CoV-2. Omicron, like other Variant of Concern, can be picked up by the current PCR assay being used at Central Health Laboratory which is using E and N gene for diagnosis.

As from 29 November 2021, my Ministry has also included S-gene in our PCR assay panel to monitor S-gene target failure (SGTF). The S-gene target failure gives an indication of a variant. All samples showing S-gene target failure will then be further sequenced to know the type of variant.

Mr Speaker, Sir, yesterday, the Director General of the WHO, Dr. Tedros has stated, I quote –

“We don't yet know whether Omicron is associated with more transmission, more severe diseases, more risk of reinfections, or more risk of evading vaccines. Scientists at WHO and around the world are working urgently to answer these questions.”

Mr Speaker, Sir, with regard to part (c) (ii) of the question, I wish to remind the House that, despite the difficult economic situation, Government has this month disbursed a significant amount representing arrears of Pay Research Bureau Report 2021 for the months of January to October 2021 and for the month of November 2021. With regard to the 14<sup>th</sup> month bonus, the question does not fall under my prerogative.

Mr Speaker, Sir, I welcome all the PNQs that the Leader of the Opposition has addressed to me as Minister of Health and Wellness. This gives me the opportunity to highlight the tremendous amount of work being done by this Government, the health frontliners and other collaborators to contain the pandemic.

Mr Speaker, Sir, I wish to point out that all PNQs have been answered with real facts and figures. I reassure the House that as Minister of Health and Wellness, with the unflinching support of the hon. Prime Minister and all my colleagues, I will leave no stone unturned to provide each and every COVID-19 patient with best treatment, care and support.

Mr Speaker, Sir, I would like to seize this opportunity to express my deep sense of gratitude to all friendly countries and to other private organisations and NGOs for their assistance in fighting this pandemic.

Mr Speaker, Sir, vaccination has proven its efficacy in the battle against COVID-19. I would again urge all citizens who are not yet vaccinated to do so at the earliest. Those who have not yet done their booster dose are also encouraged to come forward for same.

Thank you, Mr Speaker, Sir.

**Mr X. L. Duval:** Mr Speaker, Sir, despite the misplaced satisfaction and arrogance of the Minister of Health and Wellness, I would remind him that in November of this year, there have been almost twice as many people who have died than last year and he has only recognised 348 of these as being COVID deaths. So, obviously, Mr Speaker, Sir, his figures are false.

I would like now, Mr Speaker, Sir, to ask the Minister a question about the aged. In his last Press Conference that he had, he told us, Mr Speaker, Sir, that 70% of the people who died were actually over 60 years old, and we find now that hardly 10% of them have actually been vaccinated with the booster dose. My question, Mr Speaker, Sir, is: what real effort is the Ministry doing to reach out to the aged who represent, as I mentioned, 70% of dead in the last week, to give them the booster dose?

**Dr. Jagutpal:** Mr Speaker, Sir, I will come back to what the Leader of the Opposition has said on satisfaction and arrogance and figures are false. Mr Speaker, Sir, in my reply, I have already given the figures as it is. This is undeniable that the number that I have given, the statistics that have been provided by the Civil Status Office, this is the mere figures. At no point

in time we want to hide these figures; they are the figures. But those who have passed away, unfortunately, with COVID stand at the figures that I have given. Again, these figures cannot be contrary to what the Leader of the Opposition wanted us to say. It is not so. The figures are the real figures.

The question about the booster dose, that only 10% of the population, of those above 60 years have already done their booster dose, this is what we keep on saying; that the booster dose, as I have said, till the month of May this year, some 29,000 above 60 years old have done the vaccination; they are fully vaccinated. To do the booster dose, you will require at least four months so that you can engage into the booster dose. In the next coming months, we will see that the number of people coming for booster dose above 60 years will keep on increasing. The effort is Government has already started the programme of booster dose two months back, in September, and obviously you have to satisfy the criteria before receiving the booster dose. This is an ongoing campaign. I wish the Leader of the Opposition would also say how Government has been proactive in administering the booster dose. In the UK today, it is now that they are starting the booster dose and in Mauritius, booster dose has already started since two months.

**Mr X. L. Duval:** Mr Speaker, Sir, Mauritius - even the figures that he has given, I am contesting - currently has the highest death rate per capita, per million in the whole world, Mr Speaker, Sir. That is even the figures that the Minister of Health and Wellness is giving. This is why, Mr Speaker, Sir, there is the question of the efficacy of the Sinopharm vaccine which, as the WHO itself stated, was never tested on the aged, whereas in Mauritius, it was given a lot to old aged people. This is why, Mr Speaker, Sir, I am asking the hon. Minister to make diligence and make sure that the aged receive the booster dose, whether it is Janssen or Pfizer, because the Sinopharm vaccine that they were given was never meant for them, and I have the document from WHO if the Minister wishes to refresh his memory.

**Dr. Jagutpal:** Mr Speaker, Sir, I will again point out what I have already stated in my reply: what was the WHO's advice in November 2021 about efficacy and safety of vaccines. This has already been stated and where Sinopharm also has been the vaccine that is recommended by WHO.

Mr Speaker, Sir, with regard to the booster dose for 30,713 of the population, there are different vaccines that have already been used: Johnson & Johnson, AstraZeneca, Pfizer and

Sinopharm. There is availability for booster dose and all those vaccines are being used and, hopefully, we will be expecting other vaccines or vaccines that we do have so that we can provide the population with the booster dose.

**Mr X. L. Duval:** Mr Speaker, Sir, the Sinopharm vaccine is no longer being offered to anyone in Mauritius, as he knows. It is not being offered as a booster dose to anyone in Mauritius. It is gifted to two African countries and that is a very good thing. Mr Speaker, Sir, is not that an admission that the Sinopharm vaccine was not appropriate in Mauritius for use? Because he has taken nearly the whole lot and given to two African countries, whereas he is keeping the Pfizer and he is keeping the Johnson & Johnson for Mauritius.

**Dr. Jagutpal:** Mr Speaker, Sir, I have replied to this question. I will not repeat again what WHO has said about the Sinopharm. It is very good to point out what the Leader of the Opposition is stating about the Sinopharm vaccine. We are very much again thankful to the People's Republic of China for donating these vaccines in the beginning. And at that time, when we did not have any vaccine, we received these vaccines. It is being proved, as per the statistics I have already given, that Sinopharm is a vaccine that has proved its efficacy and, obviously, we have fortunately been able to manage to receive different vaccines at different points of time and this has been used. This is the same strategy we are going for. It does not mean that we are not going to use Sinopharm vaccines. The availability of vaccines does not depend on the Government; it depends upon the manufacturing company. If all these vaccines will be available in Mauritius, definitely we will keep on going and evolving about the vaccination, especially looking at the efficacy of vaccination based on scientific surveillance.

**Mr X. L. Duval:** Mr Speaker, Sir, the truth is that Sinopharm vaccine is no longer being offered to Mauritians; that is the truth. We were told that tomorrow, I think, we are going to receive 100,000 or more doses of Pfizer. I would like to ask the hon. Minister if that is expected for tomorrow or has that been postponed?

**Dr. Jagutpal:** Mr Speaker, Sir, as for booster dose, our senior citizens have already been vaccinated with Sinopharm. The number stands at 5,221. It does not depend on Government to prove the efficacy the vaccine. We will rely on international organisations to give us the recommendation about Sinopharm. I will again state that Sinopharm is a vaccine which has proved its efficiency. Now, procedures are already being taken to receive Pfizer vaccines and,

hopefully, if not by end of this month, before end of January next year we will be receiving a considerable amount of Pfizer vaccines.

**Mr X. L. Duval:** Mr Speaker, Sir, we are running out of stock of Pfizer and Janssen. The Minister told us that the vaccine is coming tomorrow. Now, he tells us it will be either at the end of this month, which is today, or end of next month, which is in a month's time. What is it? Which date, hon. Minister, are you going to receive more vaccines? Because people are dying by hundreds every week!

**Dr. Jagutpal:** Mr Speaker, Sir ...

**Mr X. L. Duval:** I don't know.

**Mr Speaker:** Order!

**Dr. Jagutpal:** This question, it seems like the Leader of the Opposition is willing to say that again, we are lying about the date on which we are going to have the delivery of the vaccines. This is not so. Mr Speaker, Sir, the agent who is going to deliver us the vaccines will give us the date. The agent will give us the date when the delivery is scheduled. We will follow the advice of the agent. If the agent is the African Union and one month back African Union told us that they were going to deliver the vaccines today, and they are not going to deliver it, it is going to be postponed, let us say, next week. Then, this does not depend upon the Government. What he wants to refer to is that it is the Ministry that is not giving the appropriate date. It is not so. This is out of context.

**Mr X. L. Duval:** I am saying that many countries have many vaccines because they were intelligent, they pre-ordered and ordered in time.

*(Interruptions)*

This Minister, this Government never did so! They thought it was...

*(Interruptions)*

**Mr Speaker:** Order!

*(Interruptions)*

Order!

**Mr X. L. Duval:** And now, I am telling the hon. Minister that we have a stock of vaccines that will last us, maybe one week or two, and after that there will be no more boosters. Whereas we know, Mr Speaker, Sir, that we need the booster vaccines to protect the population, and that is why I am asking him to give us a definite date. This is his work, his responsibility to tell us and to procure the vaccines.

*(Interruptions)*

**Mr Speaker:** Order!

**Dr. Jagutpal:** Mr Speaker, Sir, as at date, the number of Pfizer doses that we do have stands at 109,248; the number of Janssen that we do have in our stock as at date stands at 286,945.

*(Interruptions)*

Mr Speaker, Sir, as per the hon. Leader of the Opposition, we are going to do the vaccination and it is nearly more than 400,000 doses in one week. That would be incredible! I wish that we will be able to finish those doses! Thank you, Mr Speaker, Sir, for the encouragement that the Leader of the Opposition is giving us; that we will be doing nearly 400,000 doses in one week and that is why we will not have vaccines for next week.

**Mr X. L. Duval:** Mr Speaker, Sir, I do not have the same figures he has for the Janssen vaccine.

*(Interruptions)*

I do not know whether he is telling us the truth!

*(Interruptions)*

**Mr Speaker:** Order!

**Mr X. L. Duval:** I hope he is telling us ...

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mr X. L. Duval:** I hope he is telling us the truth. Maybe he can substantiate that at some later time. But, Mr Speaker, Sir, it would be irresponsible for him not to give us a date as to when the next lot of vaccines are coming.

**Dr. Jagutpal:** Mr Speaker, Sir, I request the hon. Leader of the Opposition that whatever figures he has, he has to table it; and where is the source from which he got these figures. I am going to table my figures and my stock; whatever I have stated. I am inviting him to table because it is not possible if he does not have any other questions to ask me, to come back and say that my figures are not good. The first question is about the figures that are not good; I am not giving the proper figures. Now, about the vaccination stocks, that also we are not giving the figures. So, if he does not have any questions, he can give the chance to other Members.

*(Interruptions)*

**Mr X. L. Duval:** ...believes what he said. 90% of the population asked for his resignation. Mr Speaker, Sir, ...

*(Interruptions)*

**Mr Speaker:** Order!

**Mr X. L. Duval:** I want to ask the hon. Minister, on 17 November ...

*(Interruptions)*

**Mr Speaker:** Order!

**Mr X. L. Duval:** What do you want me to table?

**An hon. Member:** Table now!

*(Interruptions)*

**Mr Speaker:** Order, I am on my feet! Mind your language!

**Mr X. L. Duval:** Mr Speaker, Sir, on 17 November, the Deputy Prime Minister - who is not here, in Spain, I think - stated that Mauritius is safe as a destination for tourists. On that same date, Mr Speaker, Sir, we were averaging some 20 deaths a day. Did he, at all, raise this issue with the Deputy Prime Minister to say the negative effect that it will have on our population, on its preparedness and the state of preparation for COVID and social distancing, and also, Mr

Speaker, Sir, that it would destroy our credibility overseas? Did he raise this issue with the Deputy Prime Minister?

**Dr. Jagutpal:** Mr Speaker, Sir, let me remind the House that the High- Level Committee, even during the absence of the hon. Prime Minister, was chaired by the Deputy Prime Minister on a daily basis. During the High-Level Committee, the Committee takes stock of all the situation, be it in terms of testing, be it in terms of positivity, be it in terms of deaths, be it in terms of hospitalisation or all other figures, and in the presence of the WHO representative and other experts in the field of public health. Now, Mr Speaker, Sir, taking into consideration all these aspects, measures are being taken as appropriate. So, that is why, during that time, when we saw that there was an increase in the number of cases, obviously all other sanitary measures, precautions and decisions that have been taken were taken in line with the High-Level Committee.

**Mr X. L. Duval:** Mr Speaker, Sir, as far as Omicron is concerned, the hon. Minister has told us that no case has been detected here. Is it because the sequencing results are not yet available, because for some reasons it can take weeks in Mauritius, or is it because the sequencing for yesterday or the day before the arrivals has been done and no Omicron variant has been found? Which is which, please?

**Dr. Jagutpal:** Mr Speaker, Sir, in my reply, I already stated that the world came to know about this virus on Thursday in the evening and as from Friday in the morning, during the Cabinet Meeting, decisions have already been taken. Now, about the sequencing, we can do the test to do the sequencing for the Omicron variant in Mauritius. And before doing the sequencing, there are other tests, as I have explained about the S-Gene. Through the PCR testing, we can identify what are the samples where you have a mutation of the gene, and this is being carried out. These are the tests that are already being done and what are the tests that will follow in the future. Rest assured, Mr Speaker, Sir, that sequencing is being done on a regular basis and, so far, no Omicron has been detected in Mauritius, though we keep on doing the PCR mutation test.

**Mr Speaker:** Time over by three minutes already!

Hon. Members, the Table has been advised that PQ B/1236 will be replied by hon. Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade. PQs B/1240, B/1241, B/1242 have been withdrawn. Hon. David!

**CARGO HANDLING CORPORATION LTD - CONTAINER-HANDLING  
ACTIVITIES**

(No. B/1233) Mr F. David (First Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to tractors and trailers used for container-handling activities, he will, for the benefit of the House, obtain from the Cargo Handling Corporation Ltd., information as to the –

- (a) number thereof presently owned by the Corporation, indicating the number thereof not being operational, if any, and since when, and
- (b) measures taken to ensure proper service continuity of the Corporation.

**The Prime Minister:** Mr Speaker, Sir, the Cargo Handling Corporation Ltd. is the sole operator for container-handling activities at Port Louis Harbour. It also handles general and bulk cargoes, excluding products through pipelines and conveyor belts. With a team of some 1,290 personnel across its three distinct business units, namely, the Mauritius Container Terminal, the Multi-Purpose Terminal and its Corporate Services, the Cargo Handling Corporation Ltd. aims at offering an efficient and reliable service to the shipping community and Port users.

In 2019, the Corporation handled an average of 55,000 Twenty-Foot Equivalent Units (TEUs) of containers per month. Due to the global COVID-19 pandemic and ensuing disruptions in maritime and logistics global trade, there was a slight drop in activities at Port Louis in 2020 with the container traffic decreasing to around 52,000 TEUs monthly. Based on the current year statistics, the situation is on an increasing trend compared to that of 2020.

In that respect, I am informed by the Managing Director of Cargo Handling Corporation Ltd. that, although the number of containers handled will probably not reach the peak of 2019, an average of 54,000 TEUs, per month is being expected for 2021.

Mr Speaker, Sir, for the purpose of container-handling in the harbour, highly specialised equipment are used by the Corporation for specific operations. With a view to providing high level services to economic operators, the Corporation has invested massively in modern container handling equipment. For instance, in addition to the existing five Ship-to-Shore cranes,

two Super Post Panamax Ship-to-Shore cranes were commissioned in 2017 and one in 2019 to service new generation vessels. In addition, eight Rubber Tyre Gantry cranes were commissioned during the same period.

Mr Speaker, Sir, with regard to tractors and trailers, they are mainly used for the conveyance of containers from quays to the stacking areas during off-loading operations and from the stacking areas to the quays during loading operations. These equipment are also used for shifting of containers for scanning and examination purposes by Customs and other authorities.

As regards part (a) of the Question, I am informed by the Managing Director of the Cargo Handling Corporation Ltd. that the Corporation has currently a fleet of 61 tractors and 70 trailers. Out of the 61 tractors, 15 are under repairs: 4 since 2020 and 11 during the course of this year. Out of the 70 trailers, 19 are grounded for repairs: 2 since 2020 and 17 during the course of this year.

Mr Speaker, Sir, I am also informed that the Cargo Handling Corporation Ltd. has already initiated necessary actions for the repair of all the grounded equipment. Accordingly, the Corporation has already ordered spare parts from local and overseas suppliers. However, due to the COVID-19 pandemic and the resulting disruption in the supply chain worldwide, the spare parts ordered from overseas have a longer transit time and are yet to reach Mauritius. Furthermore, overseas manufacturers have reduced their production due to economic difficulties and shortage of raw materials. The local suppliers are also facing the same difficulties in procuring the spare parts ordered by the Corporation.

Moreover, some of the tractors and trailers are very old and their spare parts are no longer available off the shelf. Hence, these spare parts have to be manufactured to order. This further delays the delivery of spare parts. Once the spare parts are delivered to the Corporation, its in-house maintenance team will carry out the necessary repairs.

Mr Speaker, Sir, with regard to part (b) of the Question, I am informed that, for the smooth operations at the two terminals and stacking areas, the Cargo Handling Corporation Ltd. requires optimally 45 tractors along with trailers at all times.

Out of the eight Ship-to-Shore Cranes at Mauritius Container Terminal, a maximum of six is used at a time, firstly due to limitations in respect of vessel configuration, and secondly to maintain a spare capacity so as to cater for breakdown and downtime for regular maintenance and servicing of the cranes in accordance with the manufacturer's recommendations.

The agreed formula for vehicle deployment for daily ship-to-shore operations requires five tractors with trailers per crane, that is, 30 such vehicles for the six cranes under operation at its peak. Additionally, five tractors with trailers are required for servicing the Multi-Purpose Terminal and 10 other tractors and trailers are needed for yard operations, namely for scanning and verification by Customs and other authorities. During peak of operation, if the need arises, Cargo Handling Corporation Ltd. can pool up such equipment between the two terminals for an efficient service.

Therefore, Cargo Handling Corporation Ltd. is not facing any shortage of tractors and trailers for its smooth operations as it has presently 46 tractors and 51 trailers in running conditions and these are adequate for the volume of containers handled at the Mauritius Container Terminal.

These equipment are, however, extensively used pending the coming back into operation of the grounded equipment. Therefore, it is a fact that, from time to time, these equipment may be subject to minor breakdowns, which are speedily repaired by the in-house maintenance team. Taking into consideration the rest time and downtime due to breakdown, there is need for some spare capacity in the fleet of these vehicles. Once all the grounded equipment will be repaired, the spare capacity will be restored.

In case of need, as a last resort, the Corporation also has the option of hiring the services of private lorries to ensure continuity of container-handling operations at the Terminal.

Furthermore, the Corporation has worked out a plan for the next four financial years for the replacement and renewal of its handling equipment with a view to enhancing its services for captive and transshipment business activities in the Port. This will help achieve the vision of Government for transforming Port Louis Harbour into a major transport logistics and maritime hub connecting Europe, Africa and Asia.

Thank you.

**Mr David:** Merci, M. le président. J'ai écouté la réponse du Premier ministre avec beaucoup d'attention, comme d'habitude. Puis-je demander au Premier ministre si a été porté à son attention que lors de la dernière commande pour 13 camions et 17 remorques par la *Cargo Handling Corporation* - si je ne me trompe pas, c'était une commande passée en 2019 avec une livraison qui a été effective en 2020 - que la quasi-totalité des remorques étaient inutilisables parce qu'elles ne répondaient pas aux spécifications techniques de l'appel d'offres, à savoir qu'avec un poids de 65 tonnes sur la plateforme, une partie de cet équipement touchait le sol du port et arrachait même le bitume ?

**The Prime Minister:** Mr Speaker, Sir, I am informed that, following the last procurement exercise, the trailers that were supplied by the company had, in fact, some problems. The attention of the supplier was drawn by the Cargo Handling Corporation Ltd. The supplier has undertaken to remedy the situation. I understand that there was a number of trailers that were repaired, but I am informed that it was not to the satisfaction of the Cargo Handling Corporation. So, the matter is being looked into. Eventually, the suppliers will have, of course, to provide equipment, trailers - I think it is mainly with regard to the trailers - according to the specifications that have been stipulated in the tender document for procurement.

**Mr Speaker:** Hon. Ittoo!

**Mr Ittoo:** Thank you, Mr Speaker, Sir. With regard to that contract, can we know from the hon. Prime Minister what was the amount of the contract value and the amount paid, and whether there was any retention money? Thank you.

**The Prime Minister:** The total amount paid to date is Rs79,145,059.71. I understand that a penalty has been applied and one item retained for non-performance of contract. I have the details, but let me give the amount. The total amount that was deducted was Rs9,601,771.73. There is also retention money of 5% that is to be paid after warranty period, in accordance with contractual obligations, amounting to Rs4,670,885.87.

**Mr Speaker:** Hon. Dr. Boolell!

**Dr. Boolell:** Thank you very much, Mr Speaker, Sir. Can the Prime Minister inform the House as to the names of the suppliers of spare parts and whether there was a procurement exercise called for?

**The Prime Minister:** A tender for the procurement of those 13 tractors and 17 trailers was launched through an open advertised bidding on 28 August 2019. At closing date, that is, 08 October 2019, four bids were received. The lowest responsive offer was from Joint Venture (JV) PSL, McAfee, UMCL at a total cost of Rs93,417,717.30. On being awarded the contract, the supplier was paid 15% of the contract value and the delivery date of the tractors and trailers was originally set for 15 September 2020 but was subsequently extended to 04 October 2020 due...

*(Interruptions)*

**Mr Speaker:** Now, there is something going on!

**The Prime Minister:** ... to COVID-19. The 13 tractors arrived in Mauritius on 23 July 2020 and the 17 trailers arrived in August 2020. I understand that the commissioning of the equipment started on 14 September 2020 and was carried out by the Technical Manager, assisted by his technical team, the operational staff, and others.

During the exercise, it was found that the trailers could not safely withstand a load of 65 tons, as specified in the tender document. As I said, I do not want to go into all the details. The problem was referred again to the supplier who was asked to remedy the situation. Also, engineers have had a look at what was wrong, and have considered what should be done from the side of the CHL. I must point out that this matter has not yet been sorted out.

**Mr Speaker:** Hon. Dhunoo!

**Mr Dhunoo:** Thank you, Mr Speaker, Sir. In his reply, the hon. Prime Minister mentioned that spare parts are being ordered from both local and overseas suppliers to repair the trailers and tractors that are grounded. Can the hon. Prime Minister give the names of these spare parts companies, both local and overseas, or table it?

**The Prime Minister:** No, the spare parts do not relate to those trailers that I have mentioned, that is, those that have been supplied by the Joint Venture PSL, McAfee, UMCL. They relate to other breakdowns that occasionally occur at the Cargo Handling Corporation Ltd. Therefore, spare parts are ordered and are then repaired in-house. These concern the tractors and the trailers that are being repaired at the Cargo Handling Corporation Ltd. I do not think I have the list from where the spare parts are ordered, but I can obviously provide a list from where they are being procured, whether locally or from abroad.

**Mr David:** Dans sa réponse, le Premier ministre a mentionné qu'il y a un *in-house maintenance team*. Puis-je demander au Premier ministre s'il y a actuellement un responsable de maintenance en poste, si oui, depuis quand, et si non, pour quelle raison ?

**The Prime Minister:** I do not think I have this information. I need notice of that question. Obviously, I shall find out and provide this information to the House.

**Mr Speaker:** Hon. Doolub!

**Mr Doolub:** Thank you, Mr Speaker, Sir. Can the Prime Minister inform the House as to investments made by CHL from the period 2010 to 2014 compared to the period 2015 onwards? Thank you.

**The Prime Minister:** Mr Speaker, Sir, according to available records, the investments made by Cargo Handling Corporation during the period 2010 to 2014 were nil. In fact, it is after the assumption of office of this Government in December 2014 that investments at the Cargo Handling Corporation Ltd. stood at Rs1.4 billion since 2015 under the item of various container-handling equipment, including the refurbishment of the existing three ship-to-shore cranes, acquisition of two new ship-to-shore cranes, rubber tyred gantry cranes, and tractors and trailers. Another Rs625 m. were spent on the acquisition of one super post-Panama ship-to-shore crane and other container-handling equipment. Thus, the total amount invested by the Cargo Handling Corporation Ltd. since 2015 to date is roughly about Rs2 billion.

**Mr Speaker:** MP Juman!

**Mr Juman:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House what is the total contract value and why Rs79 m. have been paid despite we are not satisfied with the required specification?

**The Prime Minister:** As I said, it was awarded to the lowest responsive offer of (JV) PSL, McAfee, UMCL at a total cost of Rs93,417,717.30. I must say that I, too, am not very happy with this situation because there was a procurement exercise and a committee which had evaluated all the bids, and those tractors have been supplied to Cargo Handling Corporation Ltd. and they are not in good running condition now as we can note. Now, the Cargo Handling Corporation Ltd. has, of course, raised the matter with the supplier and has also sought legal

advice, and has asked the supplier to remedy this situation to ensure that these trailers be in working condition.

**Mr Bhagwan:** Can the Prime Minister inform the House who chaired the Allocation Committee; whether it was the Chairperson or the General Manager?

**The Prime Minister:** I do not have this information about who has chaired this Committee. But I shall definitely provide this information to the House because there was an Evaluation Committee, as usual, to look into all these specifications, whether...

**Mr Bhagwan:** Who chaired the Board?

**The Prime Minister:** The Board? No. It was not the Board which decided on this procurement exercise. There is a specific Committee to evaluate all the bids and has recommended the lowest responsive bidder which I mentioned earlier.

**Mr Speaker:** Hon. Abbas Mamode!

**Mr Abbas Mamode:** Can the Prime Minister inform the House what are the future plans of Cargo Handling Corporation Ltd as regards the acquisition of additional container-handling equipment?

**The Prime Minister:** From what I can gather, for the years to come, that is, 2021-2022 onwards, that is, for the four coming years, already earmarked is the acquisition of 30 tractors and trailers, and the project is estimated at around Rs250 m. I understand that for the year 2021-2022, Rs125 m. will be spent and for 2022-2023, Rs125 m. will again be spent. So, in all, 30 tractors and trailers.

Coming back to the earlier supplementary question, if I may, Mr Speaker, Sir, I am informed that the Technical Manager who is an engineer had chaired the Evaluation Committee. I can give his name also later on.

**Mr Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** Thank you, Mr Speaker, Sir. The Prime Minister mentioned that 65 tons were specified in the tender documents. Can I ask him, for the sake of clarity, whether the specifications were not correct or the specifications were not followed? And if the

specifications were not followed, what sanction will be taken against the supplier, like banning him, in order not to have such situation in the future?

**The Prime Minister:** Mr Speaker, Sir, I cannot pass any judgement on whether a specification was correct or whether it was not followed. It will be for the lawyers who are already advising the Cargo Handling Corporation Ltd. to advise us where the fault is, where it comes from and, of course, appropriate legal action will be taken following legal advice.

**Mr Speaker:** Hon. Juman!

**Mr Juman:** Thank you. Can we know from the hon. Prime Minister whether the Rs79 m. payment to the supplier was recommended by the engineer after inspection of the equipment?

**The Prime Minister:** Mr Speaker, Sir, payment must, definitely, have been recommended, but I cannot say by whom because payment has been effected. I have mentioned the sum that has already been paid. It must have been recommended. But, if it was not recommended, we would need to find out and carry out an inquiry into what has happened.

**Mr Assirvaden:** Merci, M. le président. Le fait que ça fait déjà 3 ans que les 17 tracteurs sont déficients, est-ce que le Premier ministre peut informer la Chambre s'il a pu voir avec les officiers de la *Cargo Handling Corporation Ltd* - le fait que 17 tracteurs sont manquants - si cela a impacté les opérations, l'efficiencia de la *Cargo Handling Corporation Ltd* depuis 3 ans ?

**The Prime Minister:** I have already replied that it has not impacted. In fact, we have been able to service all the containers that had to be transferred from ship to shore and from shore to the Container Terminal Park and to the businesses. And likewise, we have been able to manage to transfer those containers that had to be loaded on to the ship.

**Mr Speaker:** Hon. Dr. Aumeer!

**Dr. Aumeer:** Thank you. Can I ask the hon. Prime Minister whether the Cargo Handling Corporation Ltd has contracted out local companies in an attempt to ensure proper service continuity of the Corporation, considering that there have been issues with the acquisition of these trailers over at least the last 24 months?

**The Prime Minister:** I am informed that it was only on one day, that is, 03 September 2021, that the Cargo Handling Corporation Ltd. had hired taxi lorries for its second shift, that is,

between 1500 hours to 2300 hours, and for the third shift, from 2300 hours to 0700 hours. And the total cost to the Cargo Handling Corporation Ltd. was Rs60,000.

**Mr Speaker:** Hon. Juman! No question? Only hands? So, two minutes left. Hon. Lobine!

### **SAFE CITY PROJECT - FACE RECOGNITION TECHNOLOGY**

**(No. B/1234) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the use of the face recognition technology component of cameras of the Safe City Project, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to if same is now operational and, if so, indicate if an exercise for collecting biometric photographs has been carried out and, if so, indicate where the database thereof is kept.

**The Prime Minister:** Mr Speaker, Sir, in December 2017, the Police Department signed a contract agreement for the provision of Safe City services with Mauritius Telecom, on a 20-year operating lease basis. The objective of the Safe City Project rests on two pillars, which are the safety of our population and the security of our nation. It basically assists the Police Department in combating crimes and in elucidating cases, and is also a deterrent to potential offenders and to criminals. In fact, the Safe City Project aims to be an obstacle in the way of potential offenders so as to discourage them to flout the law and disrupt order, for fear of detection and arrest.

Mr Speaker, Sir, in 2018, consultations were held between the Police Department and the Data Protection Office with a view to ensuring that the rights of data subjects are protected whilst enabling the Police Department to achieve the legitimate aim of prevention and detection of crime.

It is worthy to note that under section 44 of the Data Protection Act, an exception to any provision of the Act can be made where it constitutes a necessary and proportionate measure for the protection of national security, defence or public security, subject to section 44(4) and for the prevention, detection or prosecution of an offence. Yet, the Mauritius Police Force has been

exempted from only a limited set of provision in the interest of national security and public security, namely –

- (a) sections 23 (2), (3) and (4);
- (b) section 26;
- (c) section 29, but only with respect to personal data pertaining to the commission or alleged commission of an offence by a data subject;
- (d) section 37;
- (e) section 38, and
- (f) section 21, insofar as it corresponds to the rights provided for in sections 23 (2), (3) and (4), sections 26 and 29, and sections 37 and 38.

Therefore, the Mauritius Police Force is still under an obligation to comply with most of the provisions of the Data Protection Act, when operating the Safe City cameras.

Mr Speaker, Sir, the Project which is being implemented comprises the following deliverables –

- (i) supply, installation, testing and commissioning of 4,000 surveillance cameras over 2,000 Intelligent Video Surveillance (IVS) Sites;
- (ii) supply, installation, testing and commissioning of 300 traffic cameras over 75 Intelligent Traffic Surveillance (ITS) Sites;
- (iii) supply, installation, testing and commissioning of 45 Enterprise/Enhanced Long Term Evolution (ELTe) Sites, including 4,500 Multimedia Radio Trunking, 350 Vehicular mounted radios and 150 Static radios, and
- (iv) a Centralised Command and Control Centre, 7 sub-Command Centres and a Traffic Management and Control Centre.

Mr Speaker, Sir, I am informed by the Acting Commissioner of Police that all of the 4,000 surveillance cameras have built-in face recognition capabilities which, when enabled, may allow the identification of an individual's identity through the characteristics of his or her face.

The technology provides for the matching of faces captured with the existing faceprints in a database of photographs of individuals.

However, the Acting Commissioner of Police has also informed that the face recognition technology in surveillance cameras is not yet operational, and that currently authorised Police Officers are able to view the live footages of public places. When a case is reported, Police Officers analyse the video footages in the vicinity of the incident in search of clues to elucidate the case. A request is then sent to the Main Command and Control Centre to extract the particular footage, store it on a CD, and hand it over to the Police Officer conducting the enquiry.

Mr Speaker, Sir, since the Safe City Project became operational in 2019, many cases have effectively been resolved with the inputs of its cameras, as follows –

- (i) 57 in 2019;
- (ii) 77 in 2020, and
- (iii) 120 so far this year.

Mr Speaker, Sir, I am also informed by the Acting Commissioner of Police that there has been no exercise so far to collect biometric photographs for the purposes of the Safe City Project. The question of having a database for same does not, therefore, arise.

Mr Speaker, Sir, I am aware that there are ongoing international debates on the use of face recognition technology by Police authorities. But let me again reassure the population that the aim of the Safe City Project is to assist the Police in ensuring the safety of the public more effectively and efficiently. As such, it is proposed to use the face recognition technology, for example, in cases where crimes have been committed, for the purposes of identifying the perpetrators against a limited database that is constituted of habitual criminals and persons who are already on Police records. It will also be used in the search for missing persons, following a responsible person reporting such a case and consenting to the use of photographs of a missing person which will be uploaded in the system for search and identification purposes. The Police Department will hold discussions with the Attorney General's Office and the Data Protection Office with regard to having a specific legal framework for the use of face recognition technology in the Safe City Project.

Mr Speaker, Sir, let me also and again reassure the whole country that the Safe City Project is not, and shall never be a repressive tool, as my Government has, and will always have at heart the well-being of our population.

**Mr Lobine:** Thank you, Mr Speaker, Sir. May I ask the hon. Prime Minister, with regard to the Code of Practice that was under preparation by the Data Protection Commissioner, if same been finalised, and if so, will he table same in this House to know the parameters that those Codes of Practices are being drafted upon?

**The Prime Minister:** I think I did answer a question earlier with regard to the Code of Practice. I have a copy with me, and if I am not mistaken, Mr Speaker, Sir, I also think I have already tabled a copy. At any rate, it is also available on the website of the Police Department. But I can, again, if need be - I shall check - table a copy of the Code of Practice.

**Mr Lobine:** With regard to the tests that are due to be carried out on the software with regard to the Face Recognition Technology, can the hon. Prime Minister inform this House how many trained personnel at the level of the Police Force have been offered training and by which organisation, please?

**The Prime Minister:** Had the hon. Member listened carefully to my reply, he would have noted that we are not yet there. I have said that it is not operational. I have also mentioned what is intended in the future. I have also emphasized that there are going to be discussions with the Attorney General's Office, with the Data Protection Office, and, of course, we need to be prepared in terms of the human resources as well and officers will have to undergo specific training with regard to the eventual operation of the system.

**Mr Speaker:** Time is over by 10 minutes!

Hon. Members, the Table has been advised that PQ B/1302 will be replied by the hon. Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade.

PQs B/1270, B/1287, B/1288, B/1290, B/1291, B/1312, B/1313 and B/1314 have been withdrawn. Hon. Juman!

**NEW ENT HOSPITAL – PATIENT DEATHS - 01.11.2021 TO 30.11.2021**

**(No. B/1244) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the New ENT Hospital, he will state the number of patients who died thereat since 01 November 2021 to date and table the breakdown thereof on a daily basis.

**Dr. Jagutpal:** Mr Speaker, Sir, in regard to the New ENT Hospital, I am informed that 139 patients have passed away since 01 November to 28 November 2021.

Mr Speaker, Sir, with your kind permission, I am tabling the information as requested by the hon. Member.

**Mr Juman:** Thank you, Mr Speaker, Sir. Can the hon. Minister repeat the number of deaths, please?

**Dr. Jagutpal:** With regard to the New ENT Hospital, I am informed that 139 patients have passed away since 01 November to 28 November 2021.

**Mr Juman:** As per official figures from GIS, which is published every day, the number of admissions from 01 November to 28 November amounts to 226 which represents approximately 50% of persons who were admitted to ENT Hospital died. Is there any specific problem or what is the exact problem that the rate of death is relatively high at the ENT Hospital?

**Dr. Jagutpal:** Mr Speaker, Sir, that does not mean that at ENT Hospital before 01 November, there was no patient. This is not the case. There were already patients admitted at ENT Hospital before 01 November. And also, we have to account that on 29 November, there were patients still being admitted over there.

Now, the second part of the question is the high mortality rate that we have at ENT Hospital; I believe that the hon. Member will agree with me that in all countries where there was a peak, be it in Europe, in USA, in UK where the deaths were more than 10,000-12,000 on a daily basis, and what we have witnessed is that over there, there were no beds to receive patients, there were no ventilators, they had to choose who to put on ventilators and who not to put on ventilators. This has not been the situation in Mauritius. Everybody who has turned up, be it in a mild, moderate or severe condition has been given appropriate treatment. Now, international figures, the WHO has also given in its specialised setup for COVID emergencies, the death rate

across the world is more than 50%, and we, if we have evaluated ours, from 01 September to now, it is around 38%. This means that our treatments have been appropriate but, unfortunately, a significant number of people have passed away.

**Mr Speaker:** Hon. Nuckcheddy!

**Mr Nuckcheddy:** Thank you, Mr Speaker, Sir. Can the hon. Minister please inform the House on the number of COVID patients that had been admitted to the New ENT Hospital and how many have recovered between the period 01 November to 28 November of this year? Thank you.

**Dr. Jagutpal:** Mr Speaker, Sir, I will try to find out if ever I have these figures. Mr Speaker, Sir, I will table the figures for the number who have recovered and have been discharged from ENT Hospital.

**Mr Speaker:** So, the last supplementary! Hon. Juman!

**Mr Juman:** L'honorable ministre, vous avez fait une demande urgente avec le gouvernement français pour dépêcher un *senior* réanimateur et une infirmière *senior* pour effectuer un audit à l'hôpital ENT et est-ce pour la raison qu'il y a trop de morts, il y a un problème ? C'est pour cela que vous avez fait cette demande urgente pour un audit à l'hôpital ENT ?

**Dr. Jagutpal:** Mr Speaker, Sir, the PQ B/1245 is on this subject. Now, if the hon. Member wishes that I answer the second PQ now, I will do so.

**Mr Speaker:** Next question! That was the last supplementary!

**FRANCE AMBASSADOR & MINISTRY OF HEALTH & WELLNESS -  
CORRESPONDENCE**

**(No. B/1245) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the requests made to the Ambassador of France by his Ministry by letter dated on or about 18 November 2021, he will state if he is in presence of any reply thereto and, if so, give details thereof.

**Dr. Jagutpal:** Mr Speaker, Sir, the COVID-19 Strategic Preparedness and Response Plan provides for measures to be taken to strengthen our capacity to track COVID-19 surges in order

to effectively anticipate, timely detect and implement priority actions to deal with the emerging new variants of concern and their impact on therapeutics and disease severity.

With the increasing number of COVID-19 cases being registered daily since the beginning of November, my Ministry wrote to the Ambassador of France during the second week of November to express our supplementary requirement in terms of oxygen in the near future.

Moreover, the French Embassy was requested to provide us with one Anaesthesia Resuscitation Specialist and one Nursing Officer specialised in the field of Resuscitation Services on an urgent basis to provide –

- support to the team posted at ENT Hospital;
- to provide one-day training to our Anaesthetists and our Nursing Cadre in COVID-19 Treatment Centres;
- to make an audit of our treatment services and protocols, and
- to propose recommendations on the improvement of our protocols for resuscitation services.

Mr Speaker, Sir, accordingly, we received a reply on 25 November 2021 from the French Embassy wherein we have been informed that a team comprising of Anaesthesia Resuscitation Specialist and one Nursing Officer specialised in the field of Resuscitation Services would be in Mauritius as from 29 November to 03 December 2021.

The medical team is already in Mauritius. The Indian Ocean Commission will bear all costs of the mission of the team. Moreover, 96 syringe pumps, 9 ventilators and 20,000 Rapid Antigen Tests would also be provided. The date of arrival is being finalised.

Mr Speaker, Sir, moreover, we have already received four consignments of liquid oxygen of 20 tons, each from Reunion Island through the assistance of le Barracuda on 20, 23, 24, and 25 November, respectively. It is expected to have five or six rotations for shipment of additional consignments which will allow us to meet our future requirements for the coming weeks in case the need arises.

**Mr Juman:** De ces 80 tonnes d'oxygène, combien ont déjà été utilisées et combien sont stockées ?

**Dr. Jagutpal:** Mr Speaker, Sir, I do not have the figures but I will definitely table this: how many we have utilised and how many are still in our store.

**Mr Ramful:** Mr Speaker, Sir, with regard to the consignment of oxygen, who is bearing the cost of the oxygen? Is it the State or the companies that were supposed to provide the Ministry with the oxygen?

**Dr. Jagutpal:** Mr Speaker, Sir, the arrangement is being done between the companies and one company in Reunion Island to make provision for oxygen. The companies will bear the cost of oxygen. The Ministry has assisted the transfer of the oxygen on a rapid basis.

**Mr Assirvaden:** Le ministre peut confirmer, vue le contenu et l'urgence de cette lettre ; est-ce que le ministre peut dire à la Chambre si le ministère des Affaires étrangères ou le ministre des Affaires étrangères était au courant du contenu et de l'envoi de cette lettre ?

**Dr. Jagutpal:** Mr Speaker, Sir, the Ministry of Foreign Affairs is being made aware of all correspondences addressed to any foreign country or Embassy.

**Mr Speaker:** You have a last?

**Mr Juman:** Pour ces 80 tonnes d'oxygène, est-ce que c'était urgent ou c'était pour utiliser dans les mois à après ? Parce que dans un *statement* que vous avez fait à la Chambre, la semaine dernière, vous avez dit que ...

*(Interruptions)*

**An hon. Member:** *laiss li koze !*

**Mr Speaker:** Order!

**Mr Juman:** Come on!

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Juman:** Vous avez dit que c'est pour utiliser dans les mois à venir. Et là, on a payé, c'est ce qu'on vient d'entendre d'après votre réponse. On a payé, on a transporté ça pour le fournisseur qui est Samlo Koyenco.

**Dr. Jagutpal:** Mr Speaker, Sir, I again repeat what I have already said in my statement, the same statement applies now also.

**Mr Speaker:** So, hon. Members, I'll suspend the Sitting for one and a half hour.

*At 1.00 p.m., the Sitting was suspended.*

*On resuming at 2.37 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please, be seated! Next question!

### **COVID-19 – VACCINES - STOCK**

**(No. B/1246) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to COVID-19 vaccines, he will state the number thereof currently in stock, indicating the –

- (a) number thereof purchased and donated either through the COVAX Facility or others, and
- (b) expiry dates thereof, indicating how the disposal of expired ones are carried out.

**Dr. Jagutpal:** Mr Speaker, Sir, my Ministry has, since the beginning, made arrangements for the procurement of the COVID-19 vaccines through diplomatic channels or through pooled procurement channels such as COVAX Facility/GAVI Alliance and African Medical Supplies Platform of the African Union.

I am informed that as at 25 November 2021, the stock of COVID-19 vaccines at the regional hospitals and the Central warehouse stands at 992,574 doses.

With your kind permission, in reply to parts (a) and (b) of the question, I will be tabling the number of COVID-19 vaccines that have been purchased by my Ministry since the beginning of this year along with the respective number of doses that my Ministry has availed from friendly countries and other organisations with their corresponding expiry dates.

Mr Speaker, Sir, as regards disposal of COVID-19 vaccines, my Ministry stands guided by the Solid Waste Management on this issue since expired medicines and pharmaceutical products are classified as hazardous wastes under the First Schedule of the Environment Protection (Standards for hazardous wastes) Regulations 2001.

I further wish to inform the House that till date, no vaccine has been discarded due to expiry date in Mauritius.

**Mr Juman:** Thank you. Can I know the number of Sinopharm vaccines actually in stock and their expiry date?

**Dr. Jagutpal:** Mr Speaker, Sir, the number of Sinopharm in our stock is 500,000 doses and the expiry date is for two years. It is in 2023.

**Mr Juman:** The hon. Minister, in reply to PNQ this morning, he said Sinopharm proved its efficacy. So, why is the Ministry no longer using Sinopharm to vaccinate; whether first dose or booster dose since more than a week?

**Dr. Jagutpal:** Mr Speaker, Sir, the Ministry is still using Sinopharm for vaccination as first dose as well as booster dose.

**Mr Speaker:** Next question!

#### **COVID-19 - MEDICAL EQUIPMENT & ACCESSORIES - PROCUREMENT**

**(No. B/1247) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to the prevailing COVID-19 pandemic, he will give the list of all medical equipment and accessories procured by his Ministry since September 2021 to date in relation thereto, indicating the –

- (a) type of tender procedure followed;
- (b) name of bidders and of successful bidders, and
- (c) contract values thereof?

**Dr. Jagutpal:** Mr Speaker, Sir, I am informed that in relation to the prevailing COVID-19 pandemic, my Ministry has had recourse to 8 bidding exercises for the procurement of laboratory and medical equipment and accessories, having a total contract amount of Rs37,665,000.

Of these exercises, three were for laboratory equipment and were carried out through the Restricted Bidding Method for the sum of Rs11,950,000.

Mr Speaker, Sir, in addition, my Ministry has awarded contracts for 10 ICU ventilators and 25 Multiparameter Patients with standard accessories through the Open National Bidding Method for a total amount of Rs10,750,000 and one Oxygen Generation System having a capacity of 1,000 LPM for the sum of Rs9,900,000 through Request for Quotation method following a market sounding.

Mr Speaker, Sir, with your permission, I am tabling the required information.

**Mr Ramful:** Just to come back to the procurement of the 80 tons of oxygen from Reunion Island which holds within this period, I understand that given the urgency, Government had to intervene through the diplomatic channel. But may I know whether it is normal that Government facilitated the purchase, Government had sent its vessel with workforce, and then, Government have to pay the local company for the purchase of the oxygen. Is that normal?

**Dr. Jagutpal:** Mr Speaker, Sir, though this question is not related at all to the question that has been set to me, that is, medical equipment and accessories; I will nevertheless reply to this question. Yes, Government has facilitated the transportation of oxygen from Reunion Island to Mauritius. At the same time, I have been informed that the cost for transportation was paid by the local companies to any shipping company and that would be deducted when the payment would be made.

**Mr Speaker:** Next question!

**Mr Ramful:** PQ B/1248!

#### **COVID-19 - DELTA VARIANT – MEASURES TAKEN**

(No. B/1248) **Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to the prevailing COVID-19 pandemic with the Delta Variant situation, he will state the projected peak time of the current wave thereof, indicating the additional measures his Ministry proposes to take for the containment thereof ahead of the upcoming festive season?

**Dr. Jagutpal:** Mr Speaker, Sir, in September 2021, Mauritius registered its first cases of COVID-19 infection with the Delta virus. Subsequently, a daily increase in the reported number

of cases was observed during the second and third week of October while the peak time of the current wave was observed during the week of 15 to 22 November 2021.

Mr Speaker, Sir, in order to prevent further resurgence in the number of positive cases during the upcoming festive season, especially with the emergence of new variants of concern which present additional risk for new waves of transmission, various public health and social measures to control transmission and mitigate severe illnesses and deaths, as well as the socio-economic impact took effect since 12 November 2021, such as –

- mass gathering limitation to 50 persons;
- suspension of picnics on public beaches, and
- prohibition of cultural activities, amongst others.

Moreover, implementation of public health and social measures, namely physical distancing, wearing of face masks and hand hygiene continues to be the backbone of response for the foreseeable future.

Mr Speaker, Sir, the National Land Transport Authority had issued a Communiqué on 19 November 2021 to inform all persons travelling in public buses and in the light rails, to strictly comply with the sanitary measures, namely –

- to wear a protective mask over his nose and mouth at any bus stop, bus shelter, bus and light rail stations and on board of any bus and light rail;
- to regularly use hand sanitizers;
- no standing while travelling in public buses;
- to adhere to crowd management and physical distancing at bus stops, bus stands and bus and light rail stations, and
- as far as is reasonably practicable, to keep the windows in every bus open.

Moreover, the National Land Transport Authority made a special appeal to senior citizens and children to limit their travelling in public transport, unless absolutely necessary, particularly during peak hours from 6 a.m. to 10 a.m. and from 2.30 p.m. to 8 p.m. on week days.

Mr Speaker, Sir, as from 29 November 2021, arrangements have been made for public officers to attend work at different time slots in order to further contain the spread of COVID-19. Aggressive media campaign is also being done to sensitise the public at large on the precautionary sanitary measures to take to limit the risk of infection, namely, avoiding mass gathering, proper wearing of masks and regular sanitization. In fact, these measures have proven effective as during the last weekend whereby the sales of Black Friday were being heavily publicised, we did not observe crowds at the various shopping malls.

Mr Speaker, Sir, additionally, Mauritius has suspended all commercial passenger flights from South Africa from 28 November 2021 due to the new Coronavirus variant Omicron, and any passenger who has been physically present in South Africa, Namibia, Lesotho, Botswana, Eswatini and Zimbabwe will be denied entry or transit through Mauritius.

Mr Speaker, Sir, in light of the evolution of the situation, consideration will be given to either impose additional sanitary precautions or ease the current restrictions.

**Mr Ramful:** Thank you, Mr Speaker, Sir. The hon. Minister will agree with me that, with the festive season approaching, the number of gatherings will increase, and definitely, there is the possibility of a new wave. Now, many countries, like the UK, for example, have already taken measures. For example, restricting the number of families, what they call ‘Christmas’ bubbles’, ‘New Year’s bubbles’, etc. Is the Minister envisaging those types of measures?

**Dr. Jagutpal:** Mr Speaker, Sir, in light of the situation, the High-Level Committee and the Cabinet will take the decision. In fact, we are monitoring the situation daily, especially with the new variant Omicron; what is the international output and what will be the international recommendation that will be implemented accordingly.

**Mr Osman Mahomed:** Thank you. With regard to Omicron, can I ask the hon. Minister whether he has taken cognisance that a first case has been detected in Reunion Island, and whether the same protocol will apply to whatever African countries with which flights have been suspended because of Omicron?

**Dr. Jagutpal:** Mr Speaker, Sir, with regard to any passenger coming to Mauritius, a test is being done at the country of origin before departure, and then, a test is done on arrival, at the airport. We have other measures like imposing vaccination. In fact, it is not only for Omicron,

but for any virus to enter the country. We are having strict measures that can allow us to minimise the risk of the virus entering the country.

Concerning Omicron, obviously, some South Africans who have been in Mauritius and been tested positive have already being placed in treatment centres. Secondly, we are conducting their sequencing to see if they are positive and if they are having that Omicron variant. All these measures are already being implemented to see where our country is in terms of Omicron Variant, whether it is there or not. So far, the laboratory has informed us that there is no Omicron variant in their samples because of preliminary test being carried out and it has no indication of Omicron variant.

**Mr Assirvaden:** Merci, M. le président. M. le ministre, vous savez que fin de décembre, c'est le moment propice pour les Réunionnais de visiter l'île Maurice en masse. Le fait qu'Omicron a été découvert à l'île de la Réunion, est-ce que vous allez préconiser au *High-Level Committee* le fait d'arrêter nos liens avec l'île de la Réunion comme avec l'Afrique du Sud ?

**Dr. Jagutpal:** As already stated, first of all, a foreigner coming to Mauritius, be it from Reunion Island or elsewhere, has to be fully vaccinated. Secondly, before departure, you are tested to see whether you are positive, even if it is not Omicron. If you are positive on departure, you will not be allowed to enter the plane. So, these are strict measures.

Coming to Mauritius, again, you will be subjected to a PCR test. Already these measures are very consistent in preventing the entry of any virus in Mauritius, be it Omicron, Delta variant. These measures are already there. In case we detect any positive case in the island, we will do the sequencing to try to detect whether this is Omicron or not. I believe that we have to give it some time to observe what the situation is in Reunion Island, and then, accordingly, we will be taking the decision.

**Mr Speaker:** Last supplementary!

**Mr Juman:** Merci, M. le président. M. le ministre, je viens de prendre connaissance, comme mon collègue, que le passager testé positif à Omicron à la Réunion était en provenance de Maurice. De ce fait, M. le ministre, quelles sont les mesures que vous préconisez maintenant que le passager était en provenance de l'île Maurice ?

*(Interruptions)*

**Mr Speaker:** Quiet! Order! Let the Minister reply.

**Dr. Jagutpal:** Mr Speaker, Sir, the hon. Member has said that the passenger has been to Mauritius. So far, my information is that this passenger has transited through Mauritius.

Now, we have to look as to where this passenger has been, how long he has been in Mauritius, what are the sanitary measures? I believe we have to get information from all the different aspects before we can comment on this.

**Mr Speaker:** Next question!

### **ONLINE CLASSES - ATTENDANCE**

**(No. B/1249) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to online classes, she will state the percentage of attendance thereof since the start of the second semester.

**The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun):** Mr Speaker, Sir, I wish to inform the House that since the beginning of the second term which started on 13 September 2021, classes were held on a staggered basis and this until 09 November 2021.

Following the closure of schools on 10 November, we proceeded with online classes for students of Grades 10 to 13. The remaining Grades 7 to 9 have educational programmes on the four national television channels and the Student Support Portal.

About 40,000 upper secondary students in Grades 10 to 13 and about 8,500 educators in both public and private schools use online platforms like Microsoft Teams, WhatsApp, Zoom and Google to connect online with their students to ensure continuity in the teaching and learning.

Following a preliminary survey in respect of students of Grades 10 to 13, it has been found that the majority of students varying from 85% to 95% on an average are attending their online classes.

Online teaching is currently being monitored by the Rectors with the support of the heads of department, and educators who are fully engaged in the process of teaching and learning are in close contact with the students.

The Quality Assurance and Inspection Division is presently carrying out an in-depth survey to analyse the implementation of the remote learning over the period of 11 November to 30 November 2021.

I wish to reiterate that the current situation is being closely monitored.

**Mr Ramful:** I have been told by certain educators that in those low performing colleges from specific areas the rate of participation is quite low. Am I correct to say that?

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, I have got analysis and we have noted that in some schools, it goes to around 55-65%, but in a few schools. In general, it is being done properly and we are trying to find out the reason for the low participation. In certain cases we have had replies where students are sick or the connection is not good, things of the sort.

**Dr. Gungapersad:** Mr Speaker, Sir, will the hon. Minister enlighten us whether for SC and HSC, Grades 11 and 13, where attendance is a criteria whether they will pay or not, whether the attendance for online classes will equally be counted?

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, the 90% attendance in fact was implemented taking into account the students who used to be absent from school, and we were trying to get them to be in school. Right now, we are following what is happening with the online teaching and online classes, and we are getting reports from the teachers. And whenever we feel that there is a need to take action, we are going to take action. But right now, the situation is such that teachers are saying that students are attending. Unless we get a report from a teacher stating that the student has consistently been absent, we can't take action. But right now, no such case has been reported to us.

**Mr Ameer Meea:** Mr Speaker, Sir, since for Grades 5 and 6, there are no online classes, is the Ministry maintaining exams which are scheduled for Grade 6 modular assessment in January?

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, the modular assessment has been postponed to end of January 2022.

**Mr Ramful:** May I know from the hon. Vice-Prime Minister in those areas which she said that the attendance is quite low, what concretely is she envisaging to do to increase participation?

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, we have been talking to heads of schools to find out what is the reason and whether there is a need for supplementary educational resources to be supplied to the students in terms of files and notes, etc. Already we are working on notes that are being distributed to some schools. Now, we want to extend it to any other school where we feel there is a need.

**Mr Speaker:** Hon. Members, the Table has been advised that the following PQs have been withdrawn: B/1255, B/1284, B/1285, B/1286, B/1299, B/1300, B/1301, B/1303, B/1304, B/1305, B/1315, and B/1316.

Next question!

#### **TEENAGE PREGNANCY – REPORTED CASES**

**(No. B/1250) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of Gender Equality and Family Welfare whether, in regard to teenage pregnancy, she will state the number of reported cases thereof since January 2020 to date.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the number of cases of teenage pregnancy reported to my Ministry since January 2020 stands at 462.

**Mrs Mayotte:** Can the hon. Minister inform the House about the support provided to early pregnant mothers by her Ministry?

**Mrs Koonjoo-Shah:** Yes, indeed. Mr Speaker, Sir, assistance and support given to teenage mothers and teenage pregnant girls can be summarised as follows –

- Home visits in order to ascertain that pregnant girl or mother-to-be are accepted at the level of the family environment;
- There are interviews of pregnant persons with respect to support, envisage to meet their biosocial, legal, economic needs;
- Interviewing and counseling of parents and siblings to ensure that the pregnant person is accommodated in a safe and secure environment;

- There are educational sessions with respect to care and parental skills that are provided in order to create awareness among teenage pregnant mothers on several issues pertaining to their own well-being and that of their children. So much so that they make of their pregnancy a wanted one and a feel-good factor is instilled during that period;
- There are appropriate referrals that are made with respect to social aid if need be;
- If parents are difficult and teenage mothers are rejected then they are removed to a place of safety under an emergency protection order;
- counselling is also done to the boy or as we call the prospective father, if identified and the minor mother is above 16;
- Teenage parents are nevertheless informed of the provisions of the law in case they would entertain abortion or abandonment at a later stage;
- Full support is provided, Mr Speaker, Sir, by my Ministry, especially if the girl is below 16 years of age where emphasis is therefore laid on counselling of parents and proper psychological support.

**Mrs Mayotte:** Thank you. Can the hon. Minister tell us what happens to the studies of a young girl when she is found pregnant?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, cases of teenage pregnancy are reported to the level of my Ministry in most occasions by medical social workers from all the regional hospitals for follow-up purposes. And following that, assistance and support is given to the teenage mothers and the teenage pregnant girls as I have illustrated in my previous answer.

**Mr Speaker:** Hon. Dr. Aumeer!

**Dr. Aumeer:** Thank you. Can the hon. Minister as a matter of request seek with the hon. Minister of Health and Wellness that there should be a dedicated teenage pregnancy clinic with medical backup in each of our regional hospitals since the needs of these teenage girls are completely different to adult mothers? Thank you.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, as a matter of policy, these teenage pregnancy cases once they have been scrutinised by the child protection team of my Ministry, of the Child

Development Unit, these cases are subsequently referred to the drop-in centres for long-term support and *prise en charge*. One has to note that these drop-in centres, Mr Speaker, Sir, is a project of the Ministry, but it is managed by the Mauritius Family Planning Welfare Association. Cases referred to the Ministry by hospitals, health centres, different NGOs, *la Brigade Pour La Protection des Mineurs*, the Police, anonymous callers, relatives, victims themselves are taken on a case to case basis.

And whether we have to now look at providing a specialised unit for teenage pregnancy is probably subject to further discussions, Mr Speaker, Sir.

**Mr Uteem:** Thank you, Mr Speaker, Sir. May I know from the hon. Minister, out of the 462 cases of teenage pregnancies in how many of these cases was the father a minor and what is the policy of her Ministry with respect to access of minor fathers to their children?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, out of the 462 cases of teenage pregnancy reported during the period in question, 23% pertains to cases of teenage pregnancy on minors under 16. The question of the hon. Member is specifically on the father, whether the father is under 16 or not. Unfortunately, I do not have that specific data but 23% out of the 462 pertains to cases of minors under 16 and obviously according to what is already pre-established there is a criminal enquiry that has been requested from the Police and follow-up is maintained on those cases, Mr Speaker, Sir.

**Mr Speaker:** Next question!

#### **NEW MOSQUE ROAD & ERNEST LEMAIRE ROAD, CHEMIN GRENIER - LAND DRAINAGE PROJECT**

**(No. B/1251) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of National Infrastructure and Community Development whether, in regard to Land Drainage Project being implemented at the New Mosque Road and Ernest Lemaire Road respectively, at Chemin Grenier, he will, for the benefit of the House, obtain from the National Land Drainage Authority, information as to the work progress thereof, indicating the date of handing over thereof.

**Mr Hurreeram:** Mr Speaker, Sir, I am informed by the National Development Unit (NDU) that a first open bidding exercise for the projects 'Drainwork at New Mosque Road,

Chemin Grenier’ and ‘Construction of absorption drain at Ernest Le Maire Street, Chemin Grenier’ was launched on 28 and 29 April 2021 respectively but no responsive bid was received.

Subsequently, a second open bidding exercise was launched on 11 June 2021 for both projects. However, that exercise had to be cancelled for the same reason of no responsive bid being received.

A third bidding exercise with revised specifications, as advised by the Procurement Policy Office, was launched on 08 September 2021. Following that exercise, the contracts for both projects, that is, the ‘Drain work at New Mosque Road, Chemin Grenier’ and, the ‘Construction of absorption drain at Ernest Le Maire Street, Chemin Grenier’ were awarded to the lowest responsive bidder, that is, Safety Construction Co. Ltd, in both cases, on 04 October 2021 for an amount of around Rs17 m. (Incl. VAT) and around Rs15 m. (incl. VAT), respectively.

Trial pits have been carried out on both sites to locate underground services. A joint survey was carried out by the Contractor and the Central Water Authority at the New Mosque Road on 17 November 2021 with a view to finalising the list of materials required, that is, pipes and fittings, for the renewal of existing CWA pipes. Physical works are expected to start on site by mid December 2021.

On the other hand, construction of 200m of drainage network is in progress at Ernest Le Maire Street, Chemin Grenier, and 10% works have already been completed representing 30m excavation works. Both projects are expected to be completed by mid-March 2022.

Mr Speaker, Sir, with your permission, I would also like to inform the House that, with a view to further mitigating the problem of flooding at the locus, the Road Development Authority has already carried out the following works -

- a) Cleaning of drains over 1.2km with provision of metal grating at junction with new Mosque Road and Ernest Le Maire Road, and
- b) Upgrading of drains near Dream Price, Chemin Grenier to provide for efficient evacuation of water.

I am also informed by the RDA that the milling and resurfacing works at B9 at Case Noyale estimated to cost Rs8 m. is scheduled to start in December 2021.

In addition, regular cleaning of gullies is carried out to prevent accumulation of water on the roads thereat. I should take this opportunity to thank the current team of Minister, PPS, MPs of Constituency No. 14 for their continuous support and dedication in having those works achieved.

**Mrs Mayotte:** Thank you, Mr Speaker, Sir. According to some inhabitants of Chemin Grenier, New Mosque Road, there have been some tremors which were felt during the excavations in some houses in the vicinity. Can the hon. Minister confirm that and state what measures have been taken so that the constructions in the surroundings are not damaged during the excavations?

**Mr Hurreeram:** Mr Speaker, Sir, with regard to the excavation at Ernest Lemaire, the situation is quite challenging. Since the houses are very close to the road which is very narrow that is less than three metres wide. Nevertheless, the contractor is avoiding using jackhammer, that is *marteau-piqueur*, to avoid causing strong vibration. Instead we have proceeded with the excavation using asphalt cutter and backhoe that is a JCB. No big stones were found underneath the road, so, *ça s'annonce bien*.

Moreover, we have communicated with the inhabitants that if ever they feel any crack or something uncomfortable, to inform us immediately and the NDU team and the contractor will act immediately for remedial action. But, again, I would like to reiterate that it is a very tricky location, very close to the road, the houses are built almost on the limits of the roads and the private properties and very narrow. So, we are trying our best to avoid those inconveniences.

**Mrs Mayotte:** The hon. Minister mentioned project road works on one of the oldest roads in Mauritius, Case Noyale road to Chamarel. Can the hon. Minister state the duration of the works there?

**Mr Hurreeram:** Mr Speaker, Sir, I wish to inform the House that there is a normal wear and tear along B9 Road and works order to the order Rs8 m. have already been issued for milling and resurfacing at different stretches.

With regard to Case Noyale, I believe the hon. Member is referring to the stretch of 900 metres from Fatima Church to New Fisheries Post. The works are expected to start shortly in

December and for the case of Case Noyale, the duration of work should be at least one week. Thank you, Mr Speaker, Sir.

**Mr Speaker:** The table is advised that PQs B/1308, B/1309, B/1310 have been withdrawn. Next question!

#### **NATIONAL YOUTH CIVIC SERVICE PROGRAMME – ENROLLED YOUNGSTERS**

**(No. B/1252) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the National Youth Civic Service Programme, he will state if same is ongoing and, if so, indicate the number of youngsters enrolled therein and, if not, why not.

**Mr Toussaint:** Mr Speaker, Sir, the National Youth Civic Service Programme (NYCS), was announced in the 2018/2019 Budget Speech and was launched on 8 February 2019.

The National Youth Civic Service (NYCS) programme is a highly dynamic and creative initiative that aims at empowering our young people aged between 17 to 25 years old. Through its different modules, our youth, including those from Rodrigues, are empowered to develop their innate intelligence, gain confidence, be resilient and daring. The NYCS further vows to inculcate in our youngsters a sense of good citizenship.

Mr Speaker, Sir, presently, my Ministry is running the fourth edition of the programme that began on 24 August of this year. Some 515 youngsters, including from Rodrigues, are enrolled for this edition. I also wish to seize this opportunity to thank the Human Resource Development Council which has been a major partner for this programme since its inception.

**Mrs Mayotte:** One supplementary question for the Minister. Can the hon. Minister state how many young people of the region of the west participated in the programme?

**Mr Toussaint:** Mr Speaker, Sir, the region of the west is covered by the Bambous Youth Centre and actually in Bambous Youth Centre we have 12 youngsters following the programme. It is also covered by Petite Rivière Noire Village Hall where actually 13 youngsters are following the programme. It is also covered by - if we go further in the constituency of the hon. Member - the Chemin Grenier Youth Centre where we have 25 youngsters that started on a face to face basis for the programme and now we have additionally 25 youngsters that are following the courses online.

**PLAINE VERTE YOUTH CENTRE – OPERATIONAL DATE, ACTIVITIES &  
AIR EXTRACTOR FANS**

**(No. B/1253) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Plaine Verte Youth Centre, he will state –

- (a) when same will be operational, and
- (b) if consideration will be given for a review of the –
  - (i) modus operandi of the activities thereof, and
  - (ii) relocation of the air extractors thereof.

**Mr Toussaint:** Mr Speaker, Sir, the Plaine Verte Youth Centre was constructed back in 2006 and ever since it has been an important facility in terms of providing sports activities to the inhabitants of this region of Port Louis. Major renovation works were carried out in the Centre from September 2019 to July 2020.

Mr Speaker, Sir, with respect to part (a) of the question, I wish to inform the House that further to a request made by the Ministry of Health and Wellness in April 2021, the Youth Centre is presently being used as a vaccination centre. Given Government's unrelenting fight against COVID-19 and the emphasis being put on the vaccination campaign to protect our population, this arrangement will be maintained until further notice.

With regard to part (b) (i) of the question, prior to the Youth Centre being used as a vaccination centre, several sports activities were being held there, for example, badminton and volleyball. Once the Youth Centre would be no more required for the purpose of a vaccination centre, my Ministry may reconsider the mode of operation of the Centre that will be based on the demand of the inhabitants.

Mr Speaker, Sir, as regard part (b) (ii) of the question, my Ministry has been made aware about the noise generated by extractor fans installed at the Centre. A site visit has been effected by Officers of my Ministry and the matter is being looked into. Thank you.

**Mr Abbas Mamode:** Est-ce que l'honorable ministre peut donner l'assurance à la Chambre que les habitants de la dite région pourront continuer à utiliser le centre comme dans le

passé, *that is, prior to the Centre being used as a vaccination centre, and after being liberated by the Ministry of Health ?*

**Mr Toussaint:** Oui, tout à fait, M. le président. Et je dois profiter de cette occasion pour éclaircir une rumeur qui circulait dans la région, et dont le vice-Premier ministre, l'honorable Dr. Husnoo, et l'honorable Abbas Mamode, avaient attiré mon attention. À ce qu'il paraît, après, quand on aura terminé avec la vaccination, le centre allait devenir payant. Je ne sais pas d'où vient cette rumeur. Le seul changement que nous allons faire au sein de ce centre, c'est que le centre sera désormais *manage* par un officier du département Sports de mon ministère au lieu d'un officier du département Jeunesse. Puisque ce centre, qui malgré tout s'appelle *Youth Centre*, est plus utilisé comme un gymnase avec des facilités de badminton et de volleyball, il serait plus adéquat que le centre soit *managed* by un officier du département Sports de mon ministère.

**Mr Osman Mahomed:** With regard to the air extractors, are they working? Because, if they are not working and the fact that so many people go there for vaccination, there might be an issue of ventilation. It may not be appropriate to be in a confined area with so many people, and this might lead to the spread of COVID.

**Mr Toussaint:** Tout à fait, je comprends l'appréhension de l'honorable membre. Au fait, ce que mes officiers m'ont dit, c'est que quand les *air extractors* sont éteints le soir - quand on ne les utilise plus - avec la force du vent, il y a une certaines parties qui continuent de tourner et ça créé des ennuis de bruits, etc. Mais en pleine journée dans le cadre de la vaccination, nous n'avons aucun souci. D'ailleurs, jusqu'à présent le ministère de la Santé n'est pas venu vers nous pour dire qu'il y a un problème de ventilation. Les *air extractors are working; they are in very good working conditions.*

**Mr Speaker:** Next question! You have a question? Please, go ahead!

**Mr Nuckcheddy:** Thank you, Mr Speaker, Sir. Can the hon. Minister please inform the House if other youth centres where we have outdoor sports facilities will also have an Officer from the Department of Sports of his Ministry, as it will be the case for Plaine Verte?

**Mr Toussaint:** M. le président, même si cette question n'est pas reliée directement avec la question principale, les centres de Jeunesse, et j'ai en tête le Centre de Jeunesse de Pamplemousses où nous avons des *outdoor facilities*, continueront à être *managed* par un *Youth*

*Officer* du département Jeunesse. La différence avec le Centre de Jeunesse de Plaine Verte, c'est que toute l'espace est utilisée essentiellement pour jouer au badminton et au volleyball, pour faire des séances de zumba, de yoga, donc, tout ce qui concerne plus le département Sports que le département Youth.

**Mr Speaker:** The Table has been advised that PQ B/1280 has been withdrawn. Next question!

**SME EMPLOYMENT SCHEME - GRADUATES & DIPLOMA HOLDERS –  
FUNDS DISBURSED**

**(No. B/1254) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the SME Employment Scheme, he will, for the benefit of the House, obtain from SME Mauritius Ltd., since the inception thereof to date, information as to the –

- (a) number of graduates and diploma holders having benefitted thereunder, and
- (b) quantum of funds disbursed.

**Mr Bholah:** Mr Speaker, Sir, the SME Employment Scheme was launched in August 2018. Initially, it targeted 1,000 graduates. Following Budget 2019-2020, it was extended to diploma holders. This year, it has also been open to holders of Technical and Vocational Education Training Certificate Level 3.

The objective of the scheme is to provide qualified graduates, diploma, and certificate holders with work experience while providing SMEs with qualified resources to support their development and growth. Registered SMEs engaged in any legal value creating economic activity, except pure trading, are eligible for the scheme. Once registered, SMEs sign the relative agreement and they are provided with a list of potential places in fields they have requested.

Entrepreneurs conduct the interviews and inform SME Mauritius of their choice. Placement is for a period of one year, which may be renewed and SMEs benefit from the services of any two, of graduate, diploma or certificate holder.

Mr Speaker, Sir, since the launch of the SME Employment Scheme in August 2018, 1,663 graduates and 379 diploma holders have been placed in SMEs across sectors of the

economy in both Mauritius and Rodrigues. Today, 551 graduates and 242 diploma holders are in post. The total amount disbursed since the start of the scheme to date is Rs220,426,491.

**Mr Abbas Mamode:** Can the Minister say why there are only 551 graduates and 242 diploma holders, whereas, the target is a total of 1,000, the more so, when we know that there are many graduates who are without a job?

**Mr Bholah:** Well, the reasons are manifold. First, it is not all the graduates and diploma holders who go and register for that scheme. Secondly, those who enrolled and who are placed, they do leave after a couple of months because either they are not happy with the working environment or they have secured another job. Thirdly, because they are not happy, again as I said, with the graduate this time, the entrepreneur or the SME just put an end to the agreement and the graduate has to leave.

**Mr Abbas Mamode:** Has his Ministry carried out any survey to assess the success or otherwise of this scheme?

**Mr Bholah:** Well, as I said earlier, there have been 1,663 graduates who have been placed and most of them, on the strength of experience gained on the job, secured another job. Every month, Officers of SME Mauritius, they do contact either by phone or by physical presence, whether the scheme is successful and if the entrepreneur is happy with the presence of the graduate. So there is a continuous assessment of the scheme. This is why we have also enrolled the diploma holders as well as the certificate holders on that scheme.

**Mr Uteem:** Thank you. Mr Speaker, Sir, in order to make the scheme more popular, will the hon. Minister consider increasing the number of graduates which can be taken over by a single SME? At the moment there is a maximum of two because you may have SMEs who want to employ more graduates but they are limited by the number of graduates that they can take under that scheme.

**Mr Bholah:** Yes, given that we are not able to achieve this target number, 1,000, I think this is a good suggestion that we can consider.

**Mr Speaker:** Last supplementary!

**Mr Dhunoo:** Thank you, Mr Speaker, Sir. Is the Minister and his Ministry considering specific information campaign to universities present in Mauritius to achieve this 1,000 number campaign?

**Mr Bholah:** No, the campaign is on-going. We have the scheme on the website of SME of Mauritius permanently. And then, in any speech that I do deliver, whenever the opportunity exists, I do recall about the existence of such a scheme and I request graduates to enrol and then to gain the experience with entrepreneurs in a real-life situation.

### **PROLIFERATION OF STRAY DOGS - PUBLIC PLACES -REMEDIAL ACTIONS**

**(No. B/1255) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to stray dogs, he will state if his attention has been drawn to a proliferation thereof in public places, including roads, beaches and hospitals and, if so, indicate if urgent remedial actions have been/are being taken in relation thereto.

*(Withdrawn)*

**Mr Speaker:** Next question. Dr. Aumeer!

### **COVID-19 - EXTRA CORPOREAL MEMBRANE OXYGENATION MACHINE**

**(No. B/1256) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the Extra Corporeal Membrane Oxygenation Machine, he will state if same is being used in the treatment of severely ill COVID-19 positive-tested patients at the new ENT Hospital, indicating –

- (a) if adequate training has been provided to the staff for the use thereof;
- (b) quantum of funds earmarked for the use thereof, and
- (c) if consideration will be given for the urgent acquisition of additional units thereof in the light of the statistical projections of the COVID-19 pandemic.

**Dr. Jagutpal:** Mr Speaker, Sir, in reply to part (a) of the question, my Ministry has received one Extra Corporeal Membrane Oxygenation Machine (ECMO) as donation from the Indian Ocean Commission. I am informed that training was dispensed by a Clinical Specialist for

Acute Care Therapies from South Africa at the new ENT Hospital for all specialists involved namely Anaesthesiologists, Vascular-Surgeons, Thoracic Surgeons, Perfusionists and Cardiologists. The training ended on 25 November 2021 and a report from the trainer is awaited.

Moreover, my Ministry is liaising with the Indian Ocean Commission for the complementary equipment that would be required for the proper functioning of the ECMO machine namely –

- a) one Heater-Cooler machine;
- b) one Near-infrared spectroscopy, and
- c) one Activated Clotting Machine.

Specifications for these complementary equipment have already been provided to the Indian Ocean Commission.

Mr Speaker, Sir, in reply to part (b) of the question, the associated costs for the complementary equipment to the ECMO machine would amount to some Rs2 m.

Mr Speaker, Sir, in reply to part (c) of the question, a request has been made to the Indian Ocean Commission for the acquisition of another ECMO machine.

**Dr. Aumeer:** Thank you hon. Minister. Has the relevant ICU department set up exclusive criteria for selection of patients of who to be admitted and be considered as a priority for ECMO machine since demand would definitely exceed supply, considering the increasing number of severely COVID-19 patients in our ICU?

**Dr. Jagutpal:** Mr Speaker, Sir, hon. Member, I think that we are proceeding step by step because the machine is now available. The training has already been dispensed and now, it is for those who will use the machine, have to be confident and then once, they have gained confidence, they are going to provide us with the figures and whatever be the set-up that has to be made to operationalize these machines. So, it is with time and now we are awaiting the trainer's report before proceeding with the different requirement.

**Dr. Aumeer:** Thank you. Will the Minister, as *avant-gardiste, je dirais*, consider advising technicians at his Ministry to set up a statistical assessment regarding the efficacy and economic burden of conventional ventilatory support which we are using now, against ECMO?

One of the guidelines is the Chilean 90-day mortality report which can eventually guide your Ministry and Government as to intelligently spend our money in the very dilemma of having so many seriously COVID-19 patients in our ICU.

**Dr. Jagutpal:** Mr Speaker, Sir, with regard to this question, the assessment of the experts, the anesthesiologists, those working in the reanimation department, we are fully aware what has been the rate of comorbidities, especially for those who have been seriously ill. Now, we will stand guided by the advice of those doctors because they have been treating patients with COVID-19, especially in the Intensive Care and then, the Ministry will accordingly implement their recommendations.

**Mr Speaker:** Last supplement!

**Dr. Aumeer:** Hon. Minister, have you been made aware that there was resistance from certain consultants, particularly, at the Cardiac Centre to allow Perfusionists to attend training for ECMO, and, if so, whether you have used your good office to smoothen training and usage of this machine?

**Dr. Jagutpal:** Mr Speaker, Sir, that is why the training has been conducted for the Perfusionists from what I understand the hon. Member is referring to and that is why training has to be dispensed especially for the specialised advanced equipment and this has been done.

**Mr Speaker:** Next question!

### **COVID-19 - PCR TESTS - SEQUENCING**

**(No. B/1257) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the persons who passed away following COVID-19 infection since 01 September 2021 to date, he will state if –

- (a) sequencing of PCR tests of all the said persons have been performed and, if so, give the results thereof, and
- (b) contact tracing and PCR tests of the close contacts thereof have been conducted.

**Dr. Jagutpal:** Mr Speaker, Sir, in reply to part (a) of the question, since 01 September 2021 till 27 November 2021, 485 persons have unfortunately passed away due to COVID-19. Sequencing for SARS-Cov-2 is done for purpose of genomic surveillance to detect

any new mutation which may be of concern. It is also done to detect introduction of any variants of concern and as per WHO guidelines, a minimum of 2% samples tested positive should be sequenced. The samples chosen for sequencing must have a Ct value of less than 30 and samples should not show any degradation.

Mr Speaker, Sir, during that time period, samples from 2 deceased have been sequenced locally and the SARS-CoV-2 lineages found were B.1.617.2 (DELTA) and B.1.318.5 (AZ.5). Moreover, 9 samples have been sent for sequencing by the National Institute for Communicable Diseases (NICD) South Africa, the results of which are awaited.

Mr Speaker, Sir, in reply to part (b) of the question, contact tracing has, since the beginning, proven to be a fundamental component to limit the spread of COVID-19 in Mauritius. All positive cases detected at flu clinics or reported by private laboratories, are requested to provide a list of close contacts. The latter are thereafter contacted and advised to self-isolate for 7 days if they are fully vaccinated or for a period of 10 days, should they not be vaccinated against the COVID-19.

**Dr. Aumeer:** Thank you hon. Minister. For academic and statistical purposes, does the Central Lab keep the concerned samples to be analysed for further analysis in the light of new variant coming up on the market?

**Dr. Jagutpal:** Mr Speaker, Sir, hon. Member, you are perfectly right that for later studies and sequencing, samples should be kept in appropriate conditions so that at a later stage, sequencing can be done.

**Mr Speaker:** Next question!

#### **CWA - WATER METERS - DEFECTS**

**(No. B/1258) Dr. F Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Energy and Public Utilities whether, in regard to the Central Water Authority, he will, for the benefit of the House, obtain therefrom, information as to where matters stand as to the replacement of the faulty domestic water meters in Port Louis, indicating if aggrieved customers –

- (a) are eligible to compensation for payment of excessive bills as a result thereof, and

- (b) benefit from the services of technical teams from the Authority for the detection of suspected water pipe leakages.

**Mr Lesjongard:** Mr Speaker, Sir, I am informed by the Central Water Authority that 50,000 cold potable water meters were procured in February 2020 and were delivered in June and September 2020 respectively. The meter change exercise started as from July 2020.

I am further informed that the number of defective meters in Port Louis as at 30 September, 2021 stood at 6,500. 3,904 meters have already been replaced in Port Louis as at 24 November, 2021. The remaining 2,596 defective meters are expected to be replaced by the end of February 2022.

Mr Speaker, Sir, with regard to part (a) of the question, the Central Water Authority has reported that there is no policy for payment of compensation due to excessive bills. However, in case an excessive bill has been paid, the amount paid in excess is refunded on subsequent bills after an investigation carried out by the Meter Reading Section of the CWA. In the event that a meter is not working, the customer is billed on an average basis in accordance with Section 3 of the CWA Regulations 2011.

I wish to highlight that following a change of meter, the meter reading section of the Central Water Authority advises the customer to verify its internal water network so as to detect any leakage.

Mr Speaker, Sir, concerning part (b) of the question, I am informed by the Central Water Authority that there are several types of leakages that can exist in a water network. The Central Water Authority's responsibility with regard to operation and maintenance of the pipeline stops at the CWA meter. As such, the maintenance of any stretch of pipes falling after the CWA meter is under the responsibility of the customer. In the case of any suspected water pipe leakages, after CWA meter, the customer normally has recourse to the services of a plumber for prompt repairs.

**Dr. Aumeer:** Thank you, hon. Minister for your comprehensive answer. Is the replacement scheme of CWA meters only meant for those who had a complaint of excessive bills or is it extended to all users of CWA service since new meters are apparently more efficient and abide to European laws?

**Mr Lesjongard:** Yes, Mr Speaker, Sir, in fact, we are installing new meters in different location of the island. It is not only for those who make complaints. We have a programme at the level of the CWA and we are also considering in the near future to have smart meters also installed at consumers premises.

**Dr. Aumeer:** Merci, M. le président. Il y a cette année-ci le projet Compteur Intelligent qui devait commencer pour les abonnés de Rose Hill. Seront-ils étendus à d'autres régions et quand, car ils pourront apparemment détecter des cas de fuite de réseau qui aiderait beaucoup au non-gaspillage de l'eau.

**Mr Lesjongard:** Mr Speaker, Sir, this decision has already been taken. With regard to what has happened in Rose Hill, this will be extended to other localities also.

**Mr Osman Mahomed:** Can I ask the hon. Minister how many meters have been changed in Port-Louis because 6,005 faulty meters is quite high? What percentage of meters will this represent as being faulty and why is it faulty?

**Mr Lesjongard:** In fact, Mr Speaker, Sir, it represents about 8% to 9% of the number of meters. The total number of subscribers as at October 2021 in Port-Louis was 53,172 out of which 48,502 were domestic and 4,670 are non-domestic subscribers. It is around 8% to 9% but this has been for quite some years now. It is only, like I stated, that at the beginning of the month of June last year that new meters were delivered and from thereon, we started the renewal of those meters, Mr Speaker, Sir.

**Mr Speaker:** Last supplementary!

**Mr Uteem:** The hon. Minister just mentioned that 2,596 meters are still left to be changed and the problem has been going on for years. So, how can the CWA continue charging customers on average when this average is based on defective measurements that have been going on for years? So for years, they have been paying defective charges.

**Mr Lesjongard:** This is what is there in the regulation, Mr Speaker, Sir.

**Mr Speaker:** Next question!

**HOME RAPID COVID-19 TESTS - FREE DISTRIBUTION**

**(No. B/1259) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to Home Rapid COVID-19 Tests, he will state if consideration will be given for the free distribution thereof amid the prevailing COVID-19 pandemic situation with the Delta variant.

**Dr. Jagutpal:** Mr Speaker, Sir, COVID-19 Home Self-Testing Kits are screening tests, known as rapid tests, which might orientate towards a diagnostic but do not provide a definite assessment as to the status of its user.

Any person who suspects that he or she may have been infected with COVID-19 can avail himself or herself of the COVID-19 Home Self-Testing Kit at a retail pharmacy.

Where a person is tested to be positive by means of a COVID-19 Home Self-Testing Kit, he or she is subjected to a Rapid Antigen Test at a COVID testing centre to confirm the results.

In view of the above, the question of distribution of the COVID-19 Home Self-Testing Kit does not arise at this point of time.

**Mrs Foo Kune-Bacha:** Merci, M. le président. Puis-je demander à l'honorable ministre quelle est sa stratégie afin de limiter la propagation du variant Delta qui se propage à travers les personnes infectées mais pré-symptomatiques et aussi à travers celles qui sont asymptomatiques et qui infectent les autres sans même le savoir ?

**Dr. Jagutpal:** Mr Speaker, Sir, sanitary measures, which means properly wearing masks whether somebody is exposed to anybody who is infected or not and doing the vaccination is the key to fight COVID-19.

**Mr Ameer Meea:** Mr Speaker, Sir, the Minister explained that he cannot distribute Rapid COVID Tests freely to everyone, fair enough! But let me remind the House that it is an expensive test for many of our Mauritian fellows. Not everybody can afford to have a COVID test every week or every day. So, my request to the hon. Minister, if he can at least consider, for those on the Social Register, to be able to have a free COVID test per family, according to certain set criteria? Thank you.

**Dr. Jagutpal:** Thank you, hon. Member. I will forward the request to the Ministry of Commerce and Consumer Protection, if ever this can be applied, that is to provide self-testing kits at a reasonable price.

**Mrs Foo Kune-Bacha:** Merci, M. le président. Nous pouvons aussi constater qu'un grand nombre des membres de la même famille se contaminent entre eux. Malheureusement, ça entraîne des fois à des décès. Et un moyen pour briser cette chaîne de transmission serait d'encourager les personnes de se faire tester avant les rencontres familiales à travers des tests rapides, par exemple. Sur le même point que mon collègue, acheter ces tests en pharmacie n'est pas nécessairement à la portée de tous et dans un esprit d'équité, ne serait-il pas souhaitable de les rendre plus accessibles et plus abordables à tous ?

**Dr. Jagutpal:** Mr Speaker, Sir, the basic fundamental, again, of fighting COVID is - I understand that in a family, it is not possible for family members to exercise all the sanitary measures. But yet, getting vaccinated and trying to limit close contact would be obviously favoured. Now, considering providing rapid antigen test, we have to look at it and if ever it is possible, especially as hon. Ameer Meea has said, if we can control the price of the self-test sold in the pharmacies. I have to look into it with the Ministry of Commerce and Consumer Protection.

**Mr Speaker:** Next question!

**Mrs Foo Kune-Bacha:** B/1260!

### **CHILD SEX TRAFFICKING - REPORTED CASES**

**(No. B/1260) 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 child sex trafficking, she will state the –

- (a) number of reported cases thereof since January 2015 to date, indicating the number of convictions secured in connection therewith;
- (b) measures taken to combat/prevent same, and
- (c) protection and care provided to victims thereof.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the number of reported cases relating to child sex trafficking to my Ministry since January 2015 to date stands at 36 and are all females.

With reference to part (a) of the question, Mr Speaker, Sir, I am informed by the Commissioner of Police that Since January 2015 to date, there has been one conviction secured.

As regards parts (b) and (c) of the question, I shall elaborate with your permission, Mr Speaker, Sir, some of the main measures that my Ministry has put in place to tackle the issue of child sex trafficking, as well as the protection and care that is provided to the victims of child sex trafficking.

All cases of alleged child trafficking are made known to my Ministry and recorded at the level of the CDU for social enquiry. The reported cases, if not reported to the Police, are simultaneously reported to the Police for criminal enquiry. There are also joint interviews by the Police and CDU Officers of my Ministry in order to avoid repeated narrations of incident.

There is a close collaboration with the *Brigade Pour la Protection des Mineurs (BPLPDM)* and other stakeholders to assist in the identification of victims and providing them with support. The *Brigade* carries out raids in game houses, hotels, discotheques and also investigates in suspected cases of child trafficking.

Child victims are also provided with immediate and long-term protective and support services at the level of the six CDU Outstations across the island, that is, one at Goodlands, Flacq, Souillac, Port Louis, Bambous and Vacoas.

Protective and supportive services are also provided in the Day time Drop-in-Centre at Port Louis and the Residential Centre at Grand Rivière North West. The Drop-in-Centre provides for mainly these services but not limited to –

- Long-term counselling and therapy;
- Monthly medical sessions;
- Parental Counselling;
- Couple/Contraceptive Counselling;
- Monthly home visits to clients;
- Prevention and sensitisation of adolescents/public on sexual abuse and teenage pregnancy;
- In some cases, referrals are made to NGOs and other institutions (as and when needed);

- Clinical services, including visits to a gynaecologist at the Mauritius Family Planning and Welfare Association clinic;
- HIV testing and Pregnancy testing;

And only to end with an ongoing list, Mr Speaker, Sir.

The Residential Centre ensures better protection and assistance to children who are victims of Child Sex Trafficking in a very sustainable manner. It provides adequate, appropriate and safe shelter to children victims of exploitation.

Mr Speaker, Sir, on the Preventive level, the Child Development Unit carried out 101 campaigns from January 2015 to October this year on the Commercial Sexual Exploitation of Children (CSEC) (including the topic of child sex trafficking), wherein 5,570 persons were reached through the campaigns. From 2015 to October this year, a total of 187 campaigns have been carried out by the Drop-in-Centre, thereby reaching 6,870 persons.

There is the *Atelier Partage Parents* that is ongoing, the School Child Protection Clubs, and radio programmes in different languages, Mr Speaker, Sir. Broadcast has also been successful in reaching out the maximum number of people.

**Mrs Foo Kune-Bacha:** Merci. Plusieurs organismes internationaux, tel le Conseil des droits de l'homme des Nations Unies, indiquent que l'île Maurice est une destination importante pour le tourisme pédophile. Et du fait que nos frontières sont désormais ouvertes, peut-on savoir de l'honorable ministre si une étude à l'échelle nationale a été entreprise ou sera entreprise afin de comprendre ce fléau et quelles sont les mesures prises pour combattre le tourisme pédophile ?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I would love for the hon. Member to give me a bit more details about the report that she just quoted from. And I would like to reassure the House that a zero-tolerance approach is adopted when it comes to child trafficking and the protection of the child and this is done in collaboration with our international instances as well. For example, the upcoming enactment of the Child Sex Offender Register, an essential database is being set up at the Crime Record Office for keeping record of persons convicted for offences related to child abuse, be it on our national soil or internationally.

**Mrs Foo Kune-Bacha:** Par rapport au rétablissement et la réinsertion des victimes, la ministre a parlé des *drop-in-centres*. Mais avoir des *drop-in-centres* mis sur pied ne veut pas

automatiquement dire que les services seront adéquats et appropriés pour ces victimes. Donc, puis-je demander à l'honorable ministre comment est assuré que ces victimes reçoivent les services qui y sont appropriés dans ces *drop-in-centres* ?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I wish to reassure the House that these protective and supportive services are not plucked out of thin air. They are discussed. They are much reinforced programmes that address the specificities of children who are either allegedly victims of abuse or have actually been victims of exploitation. Therefore, should the hon. Member or any other Member of the House for that matter have any further contribution or suggestion on how to enhance those services at the drop-in-centres, I would be very, very happy to sit down and hear the inputs. Thank you.

**Mr Speaker:** Next question!

**Mrs Foo Kune-Bacha:** B/1261!

#### **NURSERIES - PUBLICLY-OWNED & PRIVATELY-OWNED**

(No. B/1261) **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 nurseries, she will state the number thereof which are publicly-owned and privately-owned, respectively, indicating if her Ministry will consider granting a subsidy on the fees payable in respect of the privately-owned ones.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, according to the records kept at the level of my Ministry, the total number of nurseries stands at 377; among which, seven are managed by the Municipal Councils, one is managed by the National Children Council and there are 369 privately-owned nurseries across the island.

Mr Speaker, Sir, I am informed that a *Crèche Voucher Scheme* is already being implemented by the National Empowerment Foundation to assist beneficiaries on the Social Register of Mauritius. A grant of Rs2,000 is payable, on a monthly basis, to any registered nursery per child enrolled from a family registered on the Social Register of Mauritius.

Mr Speaker, Sir, Government is also helping the privately-owned nurseries through the following two schemes –

1. One-Off Cash Grant Scheme, to help the nurseries to obtain registration with my Ministry meant for enhancement of their infrastructure and training of their personnel, and
2. The Investment in *Crèches* by a Company Scheme, whereby any company which has incurred expenditure on a nursery for the benefit of its employees may deduct twice the amount from its gross income for the year, as informed by the Ministry of Finance, Economic Planning and Development.

Mr Speaker, Sir, the question of granting a subsidy on the fees payable in respect of privately-owned nurseries is being considered at the level of the Ministry of Finance, Economic Planning and Development. We obviously have to take into account the various far-reaching implications of such a measure.

**Mrs Foo Kune-Bacha:** Merci. Je me réjouis de la réponse de l'honorable ministre car le développement de la petite enfance est cruciale parce qu'il est démontré que 80 % du cerveau de l'enfant se développe avant l'âge de 3 ans et cela pourra aussi aider les mamans à prendre un travail. Puis-je demander à l'honorable ministre si son ministère envisage de venir avec la construction de plus d'écoles maternelles publiques ?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, demands for registration of new *crèches* institutions come to my Ministry on quite a regular basis and these demands for registration are considered obviously on a case to case basis. There are site visits that are conducted. There are very rigid criteria that are already established prior to granting a license to operate a *crèche*. So, whether we are going to be considering opening up further *crèches* or taking into account all the demands, yes, we have to meet the demands of a dynamic and growing society. So, why not?

**Mr Osman Mahomed:** Can I ask the hon. Minister whether in the context of COVID capacity of accepting inmates by publicly owned nurseries have reduced?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, it is not very directly associated with the main question but I will try to answer. If I am understanding correctly, your question is whether the number of people registering in *crèches* has decreased. There has not been a study carried out to that effect but it is obvious that as parents we have taken all our information pertaining to whether it is safe to be sending the children to the *crèches* and there are policy decisions whether

to keep the *crèches* open – which we have – because one has to understand, Mr Speaker, Sir, that the level of exposure within a *crèche* is very limited compared to a school that is welcoming 300-400 students in one go. *Crèches* normally operate on a very limited number of children attending and a very good ratio of carers to children, obviously adhering to all sanitary measures that have been setup in those places.

**Mr Speaker:** Next question!

### **CASINOS – COVID-19 – POSITIVE-TESTED EMPLOYEES**

**(No. B/1262) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the casinos, he will, for the benefit of the House, obtain from the State Investment Corporation Ltd., information as to the –

- (a) number of employees thereof having been COVID-19 positive-tested since March 2021 to date, and
- (b) sanitary safety measures in place.

**Dr. Padayachy:** M. le président, j'ai été informé que le nombre d'employés des quatre casinos dans lesquels la *State Investment Corporation Ltd* détient une participation majoritaire, à savoir: le Grand Casino du Domaine, le Caudan Waterfront Casino Limited, le Casino de Maurice Limited et le Grand Baie Casino Ltd, qui ont été infectés à la Covid-19 entre le 01 mars 2021 et le 25 novembre 2021 s'élève à 70, sur un nombre total de 674 employés.

Sur les 70 employés –

- a) 6 ont été trouvés malades sur leur lieu de travail et transférés à l'hôpital, après quoi ils ont été testés positifs et auto-isolés, et
- b) 64 étaient à leur domicile et ont été déclarés positifs au test.

En ce qui concerne la partie (b) de la question, j'ai été informé que les Casinos suivent les protocoles établis par les autorités, y compris les suivants –

- i. l'accès contrôlé aux casinos; sachant que –
  - l'accès n'est autorisé qu'au personnel et aux joueurs vaccinés ;

- ceux qui ne peuvent pas être vaccinés pour des raisons médicales doivent présenter les résultats d'un test PCR, valable sur 7 jours
  - toutes les personnes accédant aux casinos sont soumises à des contrôles de température corporelle;
  - des désinfectants pour les mains sont fournis à l'entrée;
  - toutes les personnes accédant aux locaux des casinos doivent porter des masques.
- ii. des désinfectants pour les mains sont également mis à la disposition dans toutes les zones du casino;
  - iii. la distanciation physique est pratiquée dans les locaux du casino;
  - iv. il y a aussi le port d'un masque facial est obligatoire en tout temps dans les locaux du casino, et
  - v. la fourniture de masques faciaux, de visières, de gants et de combinaisons selon les besoins du personnel, en fonction de la nature de leur travail.

M. le président, j'ai également été informé que des précautions supplémentaires de sécurité sont en place dans les locaux des casinos, telles qu'un nettoyage en profondeur lorsqu'un cas positif est détecté, ainsi qu'une désinfection régulière et la mise à disposition d'un test antigénique rapide pour les employés présentant des symptômes de la Covid-19.

Les employés qui n'ont pas de température élevée mais qui présentent des symptômes de la Covid-19 sont renvoyés chez eux par mesure de précaution. Merci.

**Mrs Foo Kune-Bacha:** Merci. J'ai en ma possession une photo d'un avis daté du 15 novembre 2021 du Grand Casino du Domaine qui stipule que le nombre maximum permis à la fois dans ce casino est de 240 personnes. Puis-je demander à l'honorable ministre quelle est la logique de permettre 240 personnes à la fois dans ce casino qui est en passant un endroit fermé d'intérieur, quand depuis le 12 novembre les rassemblements publics et privés sont limités à 50 personnes à la fois peu importe la dimension de l'endroit et les rassemblements religieux en extérieur à 10 personnes ?

**Dr. Padayachy:** M. le président, je remercie l'honorable membre pour cette question. Je voudrais tenir à préciser que c'est un lieu de travail. Donc, c'est comme dans les entreprises, c'est comme dans les centres commerciaux. Nous avons pris des dispositions spécifiques par rapport à ce lieu de travail. Donc, par rapport à ce casino que vous êtes en train de dire, je vais vous donner quelques informations. Le nombre de personnes admises est de 240 mais parmi ces 165 personnes qui sont externes aux casinos qui sont admis à l'intérieur. C'est un lieu de travail, on n'a pas pris de dispositions par rapport à ces lieux de travail.

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

**Mr Ameer Meea:** Mr Speaker, Sir, what we just heard from the hon. Minister of Finance is shocking. It is really shocking because for religious places we are interdicting people for 10 persons only and...

*(Interruptions)*

What is your problem?

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Ameer Meea:** What is your problem?

*(Interruptions)*

**Mr Speaker:** Order!

*(Interruptions)*

**Mr Ameer Meea:** We are interdicting people to go to religious places to only 10 persons and we are allowing 240 people to enter the casino? What is the logic? What is the rationale behind this?

**Mr Speaker:** Okay, you have put your question.

**Dr. Padayachy:** M. le président, sur les 240 personnes qui sont autorisées dans ce casino, il y a environ 100 personnes qui travaillent dans ce casino. J'aimerais demander à cet honorable membre...

*(Interruptions)*

**Mr Speaker:** Order!

**Dr. Padayachy:** Je peux répondre à la...

*(Interruptions)*

**Mr Speaker:** Order!

**Dr. Padayachy:** Je demanderai à l'honorable membre est-ce qu'il est en train de me dire qu'il faut interdire les jeux à Maurice ? C'est ça sa question ?

*(Interruptions)*

C'est ça sa question ? Si c'est sa question il faut qu'il vienne avec une question spécifique dessus.

**Mr Speaker:** Next question! You had a question.

**Mr Osman Mahomed:** Yes, insofar as a comparison being made with the workplace, a workplace has got partitioning, people in offices, sub-offices and all. Not 250 persons at one go. We are not comparing likes with likes here hon. Minister.

*(Interruptions)*

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

*(Interruptions)*

M. le président, je vais répondre à cette question. Je crois que l'honorable membre n'a pas visité toutes les entreprises à Maurice. Il devrait aller faire des visites un peu partout pour voir comment travaillent les gens. Si vous allez dans les entreprises, vous avez 2000 employés qui travaillent sur le même *floor*. C'est pareil, c'est pour cela qu'on a mis en place des protocoles de précaution concernant les mesures sanitaires dans toutes les entreprises. Ce sont des mêmes règles qui s'appliquent.

**Mr Speaker:** Last supplementary!

**Mr Assirvaden:** Merci, M. le président. M. le ministre, ce que vous venez de dire à la Chambre est vraiment troublant parce que dites-vous bien qu'il n'y a pas que les casinos M. le ministre, il y a aussi des restaurants, des petites entreprises qui travaillent légalement pour essayer tant bien que mal de joindre les deux bouts de ce Covid que nous vivons. Vous parlez de

240 personnes dans un casino, *it is a working place* mais des restaurants, les tabagies ou les petits *snacks* sont aussi des *working places* !

**Dr. Padayachy:** Je tiens à préciser à l'honorable membre...

*(Interruptions)*

**Mr Speaker:** Order!

**Dr. Padayachy:** ...tous ces lieux de travail, on n'a pas fermé ces lieux de travail à ma connaissance sauf si pendant que j'étais malade on a annoncé des nouvelles dont je ne suis pas au courant et j'ajouterai dessus, si l'honorable membre est en train de parler des restaurants, des places où on travaille, où il y a des petites gens qui travaillent, j'aimerais souligner à cette honorable membre, c'est ici, c'est ce gouvernement qui a décidé récemment de continuer à payer les salaires dans ces petits restaurants qui sont en train d'avoir des petites gens. Merci, M. le président.

**Mr Speaker:** Next question! Hon. David!

#### **MEDICAL HIGH-FLOW OXYGEN DEVICE – PROCUREMENT**

**(No. B/1263) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Health and Wellness whether, in regard to the medical High-Flow Oxygen, he will state the volume thereof procured for use in the public health institutions for the years 2019, 2020 and since January 2021 to date, indicating in each case the local supplier thereof and the cost thereof.

**Dr. Jagutpal:** Mr Speaker, Sir, I presume the hon. Member is referring to equipment used for Medical High-Flow Oxygen Therapy, which is a device to administer High-Flow Oxygen to a patient, and is rather quantified in numbers and not in volume.

Mr Speaker, Sir, I am informed that no Medical High-Flow Oxygen device was procured in the years 2019 and 2020. In the year 2021, my Ministry procured one Medical High-Flow Oxygen device from FTM (Mtius) Ltd at the cost of Rs219,000. This equipment is installed at the New ENT Hospital.

Mr Speaker, Sir, I also wish to refer the hon. Member to the reply I made to Parliamentary Question B/1171 at our sitting of 23 November 2021, whereby I informed that

following a bidding exercise, an award for additional 10 units of High-Flow Oxygen device has been made on 18 November 2021 and the delivery thereof is expected by 06 January 2022.

**Mr David:** Merci, M. le président. Dans la réponse du ministre, effectivement, à la question parlementaire B/1171 du 23 novembre, il avait été question d'un fournisseur qui avait initialement reçu une commande le 06 avril avant d'informer le ministre le 22 avril qu'il ne serait pas en mesure d'honorer son contrat en raison des coûts de frets qui avaient augmenté, et par conséquent la commande du ministre avait été annulée. Puis-je demander au ministre le nom de ce fournisseur en question ?

**Dr. Jagutpal:** Mr Speaker, Sir, if I am not mistaken I have already submitted the information.

*(Interruptions)*

**Mr Speaker:** Order!

*(Interruptions)*

**Mr David:** Je précise au ministre qu'il n'avait pas mentionné et j'ai vérifié dans le Hansard, ce nom de fournisseur n'apparaît toujours pas à ce jour. En relation à cette question par rapport à l'oxygène médical, nous avons toutes et tous compris qu'après les vaccins et les antiviraux, c'est la course à l'oxygène. Puis-je demander au ministre si au niveau de son ministère il y a un monitoring qui est effectué sur la quantité d'oxygène médical qui est consommé dans nos hôpitaux publics en fonction de ce qui est produit par le seul fournisseur contractuel depuis 2020 ? Parce que je comprends dans le *statement* du ministre, en date du 23 novembre, que c'est ce fournisseur, Samlo Koyenko Steel Co. Ltd, dont le nom a été mentionné, qui est venu au ministre à la mi-novembre 2021 pour dire qu'il ne pouvait plus fournir d'oxygène. Ce qui a alors provoqué une réunion en catastrophe au ministère le 17 novembre avec Samlo et ses deux concurrents et qui a ensuite engendré la lettre que nous connaissons désormais envoyée le 18 novembre à l'Ambassadrice de France à Maurice. N'y a-t-il donc pas un monitoring effectué au niveau du ministère pour anticiper ce manque de production d'oxygène dans notre pays ?

**Dr. Jagutpal:** Mr Speaker, Sir, I invite the Member to come with a substantive question because this is on High-Flow Oxygen and I will definitely give all the elements that he requires.

**Mr Speaker:** Hon. Armance!

**Mr Armance:** Mr Speaker, Sir, if I refer to the question of my hon. friend, can he confirm whether the company is VD Ltd?

**Dr. Jagutpal:** VNS Diagnostics Ltd.

**Mr Speaker:** Hon. Dr. Aumeer!

**Dr. Aumeer:** The hon. Minister just mentioned that procurement has been sent for supplying hospitals with further High-Flow Oxygen meters and is expected to reach by early January, 08 January. We are, today, 30 November, and for the last one month we had already 350 dead people in this country due to COVID-19. Are we going to wait for further 350 people to die? Because High-Flow Oxygen meters is now the critical equipment for survival of patients in any ICU places.

*(Interruptions)*

**Dr. Jagutpal:** Mr Speaker, Sir, surely I am going to reply to him. I just invite him to be calm. There is nothing to be excited. He should refer to the Hansard of last week, to the reply I made. I will repeat it again –

“I am informed that there is One High-Flow Oxygen Device at the New ENT Hospital. In addition, there are two portable ventilators and ten ICU ventilators at ENT Hospital as well as three portable ICU Ventilators at Victoria Hospital, with the option of High-Flow Oxygen cannula.”

**Dr. Aumeer:** Not High-Flow!

**Dr. Jagutpal:** It is High-Flow Oxygen cannula. So, this reply has been given to me from inputs received from the Senior Surgical Technologists. So, if the hon. Member wants to take his place then I invite him to do that. So, that is what has been given to me.

*(Interruptions)*

**Mr Speaker:** Come on! What is that happening over there?

**Dr. Jagutpal:** This is what I replied last week. They can be used to deliver High-Flow Oxygen to patients. So, in all, 16 apparatus to deliver High-Flow Oxygen.

**Mr Speaker:** Next question!

**CONSTITUENCY NO. 1 - *RÉSIDENCE* SIR GAËTAN DUVAL -ROAD  
RESURFACING & DRAIN WORKS**

(No. B/1264) **Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of National Infrastructure and Community Development whether, in regard to road resurfacing and drain works at *Résidence Sir Gaëtan Duval* in Constituency No. 1, Grand River North West and Port Louis West, he will state the –

- (a) implementation schedule, and
- (b) cost thereof.

**Mr Hurreeram:** Mr Speaker, Sir, I wish to inform the House that *Résidence Sir Gaëtan Duval*, commonly known as *Cité Mauvilac*, is located in the Pailles west region. I am informed by the NDU that this particular region does not have any drainage infrastructure and is affected during heavy rainfalls. Also, the road thereat requires full width resurfacing works.

Accordingly, Mr Speaker, Sir, there is a need to address the problem in the region of *Résidence Sir Gaëtan Duval* holistically. In fact, I wish to inform the House that my colleague, the PPS, hon. Dr. Mrs Dorine Chukowry has on several occasions visited the locus and has requested the NDU to initiate appropriate measures to address the issues relating to both the drainage network and the road resurfacing.

Mr Speaker, Sir, I am informed that the work is complex, covering some 1.2 kilometres of roads and a network of drain which has to be provided within a densely built-up zone with some hundred houses served by underground services. In addition, there are some low-lying areas in that zone. The works to be undertaken therefore require specialised skills, particularly for the design of an appropriate drain network and outlet for storm runoff.

In this respect, with regard to part (a) of the question, the services of a Consultant are being enlisted for the design, supervision and management of the project. A bidding exercise is being carried out by the NDU for the appointment of a Consultant. The opening of bids is scheduled for 22 December 2021. Based on the proposal of the Consultant and after consultation with the Land Drainage Authority, an appropriate implementation schedule will be worked out to ensure that the problem in the region is addressed at the earliest.

Mr Speaker, Sir, as regards part (b) of the question, I am informed that the project is estimated to cost around Rs30 m.

**Mr David:** Merci, M. le président. Je tiens à déposer à la Chambre deux photos qui illustrent l'état des rues de la Résidence Sir Gaëtan Duval, aussi connue comme Cité Mauvilac, comme l'a précisé le ministre. Je précise que j'ai pris moi-même ces photos pas plus tard qu'hier où on voit très clairement qu'il y a plus de crevasses que d'asphalte. Lors d'une *PQ* qui avait été posée par mon collègue, l'honorable Armance au ministre du *Local Government*, il avait été, effectivement, mentionné ce budget de R 30 millions. Puis-je demander au ministre la confirmation que ce budget et ces travaux sont bien prévus au cours de cette année financière 2021-2022 ?

**Mr Hurreeram:** *M. le président, comme je viens de le dire dans ma réponse, on est en train de travailler dessus.* We are here in a very build-up area. We have under road services, CWA piping, wastewater, etc., *qui passent en-dessous.* We have got the pictures also; and we do not need pictures as such because my colleague, hon. Dr. Mrs Dorine Chukowry, despite her condition, is on the ground night and day, and is following closely for it to happen. So, the hon. Member do not have to worry about this one. Our officers also are looking into it and we need a holistic solution; we cannot just come and tar the road.

So, we need to go into and as I have said already, we have launched a bidding exercise through a Consultant. So, let us wait what the Consultant says, and then, as soon as we have the report of the Consultant, we have the money, we have the Budget and we will start the work.

**Mr Armance:** Mr Speaker, Sir, this project has been on the table since 2015. So, it has been delayed now for 6 years. So, I fail to understand that the Minister and his PPS is night and day on this Cité Mauvilac. My question is since we do not have a timeframe for when they are going to do the drain works and resurfacing works, can he, at least, ensure the House that they are going to take some temporary measures regarding the road surfacing at the earliest possible?

**Mr Hurreeram:** Yes, Mr Speaker, Sir, in fact, the hon. Member is very right. He was the elected Member for the Government in 2015 for that Constituency and nothing was done. And once again, thank to PPS Dorine Chukowry, she is looking into it.

Thank you.

*(Interruptions)*

**Mr Speaker:** Next question!

### **FISHERMEN - BAD WEATHER ALLOWANCE**

**(No. B/1265) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the Fishermen Bad Weather Allowance, he will state the quantum thereof paid over the corresponding number of bad weather days since 01 September 2021 to date, indicating the number of fishermen concerned therewith.

**Mr Maudhoo:** Mr Speaker, Sir, as from July 2021, bad weather allowance is being paid at the rate of Rs475 per day to registered artisanal fishers for the days declared as “bad weather”, for not being able to carry out their normal fishing activities.

A bad weather day is defined as a day when the sea is rough, rough to moderate or moderate to rough by the Mauritius Meteorological Services. My Ministry receives a report from the Mauritius Meteorological Services on the general state of the sea around Mauritius which enables the computation of the number of bad weather days.

I am tabling the Mauritius Meteorological Services Reports for the following periods -

- a) 16 August 2021 to 15 September 2021;
- b) 16 September 2021 to 15 October 2021, and
- c) 16 October 2021 to 15 November 2021

Mr Speaker, Sir, there are three categories of registered artisanal fishers, namely in-lagoon fishers, in-lagoon/off-lagoon fishers and off-lagoon fishers. As at date, out of 1,778 registered artisanal fishers only 51 are in-lagoon fishers who are concerned with the zoning system. As regard to in-lagoon/off-lagoon fishers, they carry out off-lagoon fishing activities, thus, they all receive the same amount of Bad Weather Allowance depending on the number of off-lagoon bad weather days as confirmed by the Mauritius Meteorological Service.

With a view to ensuring that the registered artisanal fishers concerned are paid Bad Weather Allowance, where applicable, by the end of every month, my Ministry computes the relevant Bad Weather Allowance for the period from 16 of one month to 15 of the following month.

The first step for the payment of Bad Weather Allowance is the stamping of fisherman registration cards, which is carried out from 16 to 23 of every month.

The second step is to crosscheck the records of fisherman registration cards which have been stamped, against the main register in the fisheries post, to ascertain that the fisher is indeed active in fishing activities and is not drawing any other social benefit.

I am informed that for the period from 16 August 2021 to 15 September 2021, the Mauritius Meteorological Services had declared twenty (20) days as “bad weather”. Subsequently, out of 1,834 registered fishers for that period, 1,752 eligible registered artisanal fishers were paid Rs9,500 each as bad weather allowance amounting to a total of Rs16,156,650/- for that period.

The number of registered artisanal fishers depending on death, voluntary relinquishment of fisher card or not stamping of fisher card at all.

As regards bad weather allowance for the period from 16 September to 15 October 2021, I am informed that 7 days have been declared as bad weather days by the Mauritius Meteorological Services (MMS). Thus, 1,736 out of 1,829 eligible registered artisanal fishers have received Rs3,325 each as Bad Weather Allowance, amounting to a total of Rs5,645,850/- for the period 16 September to 15 October 2021.

Furthermore, I am informed that 2 days have been declared as bad weather days by the Mauritius Meteorological Services for the period from 16 October to 15 November 2021. Thus, 1,570 out of 1,778 eligible registered artisanal fishers were paid Rs950 each, amounting to a total of Rs1,484,850/- as Bad Weather Allowance for the period 16 October to 15 November 2021.

As for the 51 fishers, in-lagoon fishers, the Bad Weather Allowance varies, depending on the weather condition in the respective zones. I am informed that an average amount between Rs950 to Rs2,295, totalling an amount of Rs198,000 for this particular period.

Mr Speaker, Sir, with your permission, I am tabling the breakdown of the amount of Rs23,485,300 paid to eligible registered artisanal fishers as Bad Weather Allowance for the period 16 August to 15 November 2021. Mr Speaker, Sir, I further add that the Bad Weather Allowance for 2020 has been Rs110,480,225, that is, an average of 55 plus/ minus to Rs60,000 per fisher yearly.

**Mr David:** Je remercie le ministre pour sa réponse et, avec votre permission, M. le président, je me permets de dire au ministre que je suis heureux de le retrouver dans cette Chambre. Je n'aurai donc qu'une seule question supplémentaire, en raison de cette nouvelle disposition qui concerne notamment les pêcheurs ayant atteint l'âge de 65 ans et plus, toujours en lien avec la *Bad Weather Allowance*. Le ministre peut-il éclairer la Chambre sur le traitement qui va être réservé à ces pêcheurs ayant atteint 65 ans et plus, et qui refuseraient de rendre leur carte de pêcheur ou de la transmettre, est-ce que ces pêcheurs continueront à percevoir la *Bad Weather Allowance*?

**Mr Maudhoo:** Mr Speaker, Sir, I wish to inform the House that although all registered artisanal fishers aged 65 and above, who continue to operate, they will continue to derive their old age pension of Rs9,000. They will continue to benefit from Bad Weather Allowance and all the privileges and incentives put at the disposal of the Fishers' Community such as life jackets, ice box, loan facilities from the DBM for the purchase of fishing equipment, boats, outboard motors etc. They will continue to benefit.

**Mr Speaker:** The Table has been advised that PQ B/1283 has been withdrawn.

Next question!

#### **VACOAS-PHOENIX MUNICIPAL COUNCIL - BOX CULVERT & BRIDGE WIDENING**

**(No. B/1266) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the construction of a box culvert, a retaining wall and the widening of the existing bridge at Futloo Lane, in Phoenix, he will, for the benefit of the House, obtain from the Municipal Council of Vacoas and Phoenix, information as to where matters stand.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk (Dr. A. Husnoo):** Mr Speaker, Sir, I am informed by the Municipal Council of Vacoas-Phoenix that following a request made on 26 December 2018 to the National Development Unit for the construction of a new box culvert and retaining wall at Futloo Lane, Phoenix, financial clearance to the tune of Rs4,140,000 was obtained on 18 April 2019.

On 17 May 2019, bids were invited by the Municipal Council of Vacoas-Phoenix for the construction of a box culvert, retaining wall and widening of the existing bridge at Futloo Lane, Phoenix. The contract was awarded on 17 September 2019 to Navrang and Co. Ltd for the construction of a box culvert, and the widening of the pedestrian bridge for the amount of Rs2,530,000, inclusive of VAT and a contingency sum of Rs100,000.

I am informed that the Council did not proceed with the construction of the stone masonry retaining wall which was an optional item in the bidding documents since the total amount quoted by the Contractor for the whole project amounted to Rs4,830,000 inclusive of VAT, which exceeded the finance clearance obtained from the National Development Unit for a sum of Rs4,140,000. However, following a visit effected at the site by the civil engineer of the Council, the construction of an additional length of 25 metres of drain was recommended at the site. The construction of the drain at the cost of Rs447,000 inclusive of VAT was approved at the Public Infrastructure Committee meeting of the Council held on 05 February 2020. I am informed that the construction of the box culvert, widening of the pedestrian bridge and construction of the additional drain at Futloo Lane in Phoenix was completed by the contractor on 05 March 2020.

**Mr Lobine:** Is the hon. Vice-Prime Minister aware that several inhabitants of that region have made complaints that instead of that bridge being widened, they have in fact narrowed that bridge? Has he received those complaints?

**Dr. Husnoo:** I have not received any complaints like that but I will just note it.

**Mr Lobine:** Will the hon. Vice-Prime Minister carry out an internal enquiry and ask for a full-fledged report from the Municipal Council of Vacoas/Phoenix as to the state of affairs as instead of this bridge being widened, it has been narrowed and it is causing serious inconvenience to people in that region?

**Dr. Husnoo:** Yes, Mr Speaker, Sir, I will look into that issue.

**Mr Speaker:** Next question!

**OMBUDSPERSON FOR FINANCIAL SERVICES REPORT - 01 MARCH 2019 -  
30 JUNE 2021 - AMENDMENTS**

(No. B/1267) **Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Financial Services and Good Governance whether, he will state if he has taken cognizance of the Report of the Ombudsperson for Financial Services for the period starting 01 March 2019 and ending on 30 June 2021 and, if so, indicate if consideration will be given for the introduction of proposed amendments to the Ombudsperson for Financial Services Act, as recommended therein.

**Mr Seeruttun:** Mr Speaker, Sir, I am informed that the Ombudsperson for Financial Services has made some proposals for legislative amendments in its Report for the period starting 01 March 2019 and ending on 30 June 2021.

Mr Speaker, Sir, I wish to remind the House that the Ombudsperson for Financial Services Act was amended recently through the Finance (Miscellaneous Provisions) Act 2021, *inter alia*, to –

- (i) to empower the Ombudsperson to notify the issue of instructions and guidelines or impose requirements on financial institutions;
- (ii) extend the delay during which a financial institution has to communicate its decision to an aggrieved financial services consumer following written representations made by the consumer to the financial institution from 10 days to 30 days;
- (iii) empower the Ombudsperson to reject a complaint where the complainant does not have sufficient interest in the matter, and
- (iv) remove the requirement for a complainant to make a sworn statement waiving his right to initiate civil proceedings with the Court in respect of the same complaint, that is considered by for the Ombudsperson to hear and determine the complaint.

Mr Speaker, Sir, legislations by their nature are not static but dynamic. Therefore legislators have to adapt to different circumstances as well as have an open ear to suggestions from stakeholders. The above mentioned amendments brought to the Ombudsperson for Financial Services Act, illustrate this Government's commitment, to always be open to constructive proposals and give due consideration to those proposals wherever possible, in line with the established legislative procedures and also to ensure that the letter of the law matches

with the spirit of the Act when it was first created whilst acknowledging the need to adapt to new circumstances.

Mr Speaker, Sir, I am informed that the Ombudsperson for Financial Services has only made an official request to my Ministry for the widening of the power of his office to cover other sectors, namely –

- i) the Development Bank of Mauritius;
- ii) the Mauritius Civil Service Mutual Aid Association Ltd;
- iii) the Mauritius Housing Company Ltd, and
- iv) co-operative Societies registered under the Co-operatives Act 2016. This is being envisaged at the level of my Ministry.

As regards the other amendments to the Ombudsperson for Financial Services Act mentioned in the Report, no official requests have yet been made to my Ministry.

**Mr Lobine:** Will the hon. Minister confirm that in fact one of the main recommendations is for more accountability, that is, the Ombudsperson for Financial Services has recommended that a Select Committee of the National Assembly be set up so that he is accountable and answerable to that Committee? Is he aware of that recommendation of that Report?

**Mr Seeruttun:** Mr Speaker, Sir, if you go by the Report, you will see what are the proposals made. It is all in there. So, everyone is aware of that.

**Mr Speaker:** You have one?

**Mr Lobine:** Will his Ministry set up a Committee to work together with the Attorney General's Office to bring to this House with a Certificate of Urgency amendments being proposed in those recommendations as per that annual report of the Ombudsperson for Financial Services?

**Mr Seeruttun:** Mr Speaker, Sir, these are matters of policy and as I have said in my reply, we have not received any requests as such with regard to this particular issue. So, we will wait for that and then we will consider.

**Mr Osman Mahomed:** The Ombudsperson wants now to report to the President instead of to the hon. Minister. Has the Ombudsperson discussed with the Minister with regard to this proposition first or he just made it in his Report as we have taken cognizance.

**Mr Seeruttun:** Mr Speaker, Sir, he has not discussed with me on that matter.

**Dr. Boolell:** He has not discussed! He has bypassed you!

**Mr Speaker:** The Table has been advised that PQs B/1276, B/1277, B/1278, B/1279 have been withdrawn.

Time over!

### MOTION

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

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

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

*Question put and agreed to.*

**Mr Speaker:** Hon. Ganoo!

### STATEMENTS BY MINISTERS

#### FIFTH-TRADE POLICY REVIEW OF MAURITIUS

**The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo):** Mr Speaker, Sir, with your permission, I am making a statement on the Fifth-Trade Policy Review of Mauritius.

The Fifth-Trade Policy Review of Mauritius was held at the World Trade organisation from 09 to 11 November 2021 in Geneva. The Trade Policy Review is a transparency exercise mandated by the Marrakesh Agreement establishing the WTO. The objective of which is to examine the trade policies and practices of the Member States.

Mauritius, as a developing country, is reviewed every seven years. The review exercise is based on a report prepared by the Government and an independent report prepared by the WTO

Secretariat. WTO Member States are given the opportunity to submit written questions on these reports two weeks prior to the review and to make oral statements on their assessment on the trade policy and practices in the plenary of the first day of the review exercise.

Responses to these written questions have to be submitted at latest on the last day before the review. Reactions to the oral statements made during the review by the WTO Member States and any clarification sought has to be provided in the closing statement on the last day.

Mauritius reviewed some 172 written questions including from the key players such as the U.S, the EU, China, India, Canada and Japan and 12 additional written and follow-up questions during the review. Responses to these questions were submitted within the prescribed deadline.

Mr Speaker, Sir, the Chairperson for the review meeting, his Excellency Dr. A. L. Molokomme, Permanent Representative of Botswana to the WTO laid emphasis, amongst others, on the openness of the Mauritian economy and the economic reforms pursued during the review period which led to Mauritius becoming an essentially services oriented economy.

The discussant, his Excellency Dr. Cleopa Mailu, Permanent Representative of Kenya to the WTO highlighted that Mauritius was a vibrant democracy where good governance, the rule of law, transparency and respect for institutions were key principles that underpin development.

He also underlined the active trade diplomacy pursued by Mauritius and the trade and business facilitation measures taken to improve the business climate.

In my presentation of the trade policies and practices of Mauritius, I dwelled lengthily on the impact of COVID-19 and the wide array of measures taken by the Government to sustain job, to address the socio-economic challenges and to put the economy back on the path of recovery.

In particular, I laid emphasis on the *Plan de relance de l'investissement et de l'économie* of the Government which was aimed at improving social resilience and the business environment, upscaling infrastructure development, facilitating the establishment of sustainable smart cities and the decarbonisation of the transport industry as part of the broader green agenda of Mauritius.

Some 51 WTO Members took the floor to comment broadly the Government and Secretariat reports.

The economic reforms undertaken by Mauritius to facilitate trade and investment were widely acknowledged as well as the key measures adopted by Government to mitigate economic shocks caused by the COVID-19 pandemic. Members praised Mauritius for its openness and its continued effort to further diversify the economy, and to expand market access and investment opportunities through the conclusion of the Free Trade Agreements. The role of Mauritius in the consolidation of regional and continental integration was emphasised.

In conclusion, I summarise the key priorities of Government to stimulate the economy following the impact of COVID-19: an exceptional boost to investment; shaping a new economic architecture and restoring confidence. Moreover, I reiterated the commitment of Mauritius to pursue business and trade facilitation reforms to further revamp the attractiveness of Mauritius as a place to do business. The challenge for the immediate future, was to stimulate economic recovery whilst addressing the impact of climate change.

All the statements made by the Member States qualified the Trade Policy Review of Mauritius as highly successful.

In the margin of the Trade Policy Review, Mr Speaker, Sir, I participated in a number of high-level meetings and events.

I met with Her Excellency Dr. Ngozi Okonjo-Iweala, the Director General of the WTO; His Excellency Mr Daren Tang, Director General of the World Intellectual Property Organisation (WIPO); Her Excellency Ms Pamela Coke-Hamilton, the Executive Director of the International Trade Centre; Mrs Rebeca Grynspan, Secretary General of the UNCTAD, and His Excellency Mr Houlin Zhao, the Secretary-General of the International Telecommunication Union. The objectives of these meetings were primarily to consolidate further the excellent working relations of Mauritius with these organisations and seek their support on some key projects.

I also made a statement at an Information Session on the pandemic and the rising shipping rates organised by Her Excellency Dr. Ngozi Okonjo-Iweala, Director General of the WTO.

Furthermore, in my capacity as coordinator of the African Group at Ministerial level of the WTO, I participated in the opening of a retreat organised by the African Union on 12

November, the aim of which was to frame the negotiating positions of the Group for the 12<sup>th</sup> WTO Ministerial Conference.

**Mr Speaker:** Hon. Ramano!

**COP26 - UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE  
CHANGE**

**The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano):** Mr Speaker, Sir, with your permission, I wish to make a statement on the outcome of my participation and of Senior Officials of my Ministry in the 26<sup>th</sup> Meeting of the Conference of Parties to the United Nations Framework Convention on Climate Change, also referred to as COP26 which was hosted by the Government of United Kingdom from 31 October 2021 to 13 November 2021 in Glasgow, Scotland.

Mr Speaker, Sir, this statement is an unusually lengthy one in view of the importance of the subject matter. I shall therefore crave for the indulgence of hon. Members.

The COP26 summit brought some 39000 delegates from 197 Country parties together to accelerate action towards the goals of the Paris Agreement and the United Nations Framework Convention on Climate Change. The main objective of COP26 was to finalise outstanding issues which had remained unfinished since COP25 in Madrid in 2019, namely with regard to climate change adaptation, mitigation, finance, Article 6 on market and non-market mechanism and the finalisation of the Paris Rulebook, amongst others. The COP Presidency Mr Alok Sharma, had set itself the ambitious task of “keeping 1.5 degree Celsius alive”, referring to the stretch target of the Paris Agreement that will limit some of the most destructive impacts of climate change, if achieved.

COP26 was kick started by the World Leaders Summit which was held on 01 and 02 November 2021. Same was attended by a delegation led by the Prime Minister and comprising myself and Senior Officials.

Mr Speaker, Sir, during the Opening Ceremony, the British Prime Minister underlined the urgency for action to reverse global warming and called upon World Leaders to commit themselves towards attaining net zero emission by 2050 through the motto “Coal, Cars, Cash and Trees”. He called for –

- the phasing out of the use of cars with hydrocarbon internal combustion engine by 2035;
- coal fired power station to end by 2040 in the developing world and by 2030 for the developed world;
- a halt and reversal of deforestation by 2030, and
- the developed countries to mobilise USD100 billion yearly, as promised in Paris to help the rest of the world to move towards green technology.

During the Summit, the Secretary General of the United Nations, Antonio Guterres also emphasised on building a global coalition to reduce emission to net zero and on the need to assist the Small Island Developing States which needed urgent funding to attain the set objectives.

With respect to the Republic of Mauritius, the Prime Minister underlined the vulnerability of our island to climate change and highlighted the various commitments taken by Government to ensure that the objectives set out in our Nationally Determined Contributions could be achieved, namely –

- reducing gas emissions by 40 percent by 2030;
- achieving 60 percent of green energy in our energy mix by 2030;
- phasing out coal in electricity generation by 2030;
- promoting a circular economy involving 70 percent of waste from landfill by 2030;
- encouraging the use of electric vehicles, and
- promoting smart agriculture and island wide tree planting programmes.

Mr Speaker, Sir, the World Leaders Summit was also marked by the launching of a joint initiative by India and the United Kingdom on the Infrastructure for Resilient Islands on 02 November 2021 by six Heads of States, including the Prime Ministers from India, UK, Australia, Fiji, Jamaica and Mauritius. The aim of this initiative is to support SIDS in achieving sustainable development through a systematic approach to resilient, sustainable and inclusive infrastructure. Accordingly, Mauritius would benefit from the systematic approach of risk and resilience

assessments to facilitate risk-informed infrastructure design and planning and post-disaster assessments of critical infrastructure sectors to support recovery and reconstruction, among others along with reaping interlinkages and synergies among Small Islands Developing States as well as across SIDS regions.

A roundtable discussion on “Understanding Island Climate Priorities at COP26” was also organised on 02 November 2021 by the United States Secretary of State whereby the Prime Minister was also invited to participate. The deliberations focused on the need to achieve 1.5 degrees Celsius target, climate financing, the damage caused by climate change and the need for support for adaptation. The Prime Minister underscored the difficulties faced by small distant islands like Mauritius in sustaining their economic growth due mainly to the obligations in treaties relating to commerce and trade being imposed by developed countries, particularly in the financial sector. In the margins of COP26, 133 countries, including the Republic of Mauritius, also supported the “Declaration of Forests and Land Use” initiative during a symbolic ceremony which was attended by the World Leaders.

Mr Speaker, Sir, the “Glasgow Climate Pact” that emerged from the summit at the last hours was a compromise decision and was welcomed by many developing countries for its commitment to doubling adaptation finance and requesting developed countries to present more ambitious climate pledges next year. Small Islands Developing States and Least Developed Countries in general were disappointed that this Conference once again failed to provide vulnerable nations with the financial support to rebuild and respond to the unavoidable impacts of climate change, namely through the Loss and Damage mechanism.

Much was also made of a last-minute intervention that saw language around moving beyond coal weakened in the final text. The call to “phase down” unabated coal use is, nevertheless, unprecedented in the UN climate process.

It has to be said that this was the first-ever COP decision to explicitly target action against fossil fuels, calling for a “phasedown of unabated coal” and “phase-out” of “inefficient” fossil-fuel subsidies. The mention of coal and fossil fuels at a COP is actually a “huge step forward”.

Even if as a Small Island Developing Country like Mauritius, we welcomed the phasing out of coal, however, 111 we also recognise that the speed of the phase out is of high relevance

to certain developing countries. There is also the question of the shortfall from developed countries to deliver on their promises to provide finance and technological support for developing countries to move towards cleaner energy. The debate around coal phase out should be viewed from the lens of national circumstances and equity to enable poverty alleviation and promotion of sustainable development.

On the other hand, the highly anticipated finalisation of the Paris Rulebook has been agreed. The pending issues with regard to Article 6 for an international carbon market mechanism, the enhanced transparency framework to track and communicate progress on emission reduction and the common timeframe for NDC updating have been agreed. This will now provide country Parties with crucial set of guidelines and modalities to embark on the implementation phase of the Paris Agreement.

Similarly, the Glasgow Climate Pact has basically introduced a broad, political “cover decision” calling for renewed efforts to raise ambition on cutting emissions, climate finance, adaptation and the loss and damage already being caused by warming. The pact requests countries to raise their ambition again next year and creates a Glasgow Dialogue on funding for loss and damage, as well as pledging to double adaptation finance. As far as the formal negotiation process is concerned there were the various agenda items of the three main “governing bodies”, namely the COP26 (the “supreme body of the Convention”), CMP16 (serving the Kyoto protocol) and CMA3 (serving the Paris Agreement) as well as the ever-present work of the two main “subsidiary bodies”, known as SBSTA and SBI, whose more technical work programme, as ever, dominated the first week.

Mr Speaker, Sir, the preamble of the Summit confirmed the centrality of a sustainable recovery from COVID-19 and solidarity with vulnerable parties to global efforts to tackle climate change. The COP26 also provided the opportunity to connect, create network and share national perspective with other country Parties, non-governmental organisations and technical experts on various climate change related themes and topics.

The Mauritian delegation was able to participate in some 12 side events in the margin of COP26. It was the opportunity for Mauritius to share its standpoint and challenges as an African Small Island Developing State. In that endeavour, we had the opportunity to participate in a series of side events. The main ones are –

- (i) The “Energy and the Powering Past Coal Alliance” (PPCA) event which was organised by UK;
- (ii) The “Climate Finance Loop for Effective NDC Implementation” event which was organised by the Commonwealth Secretariat;
- (iii) The European Union and the Organisation of African, Caribbean and Pacific States (OACPS) Partnership event, which was aimed at strengthening cooperation on climate action and the use of science-based information to build resilience;
- (iv) The “African islands transitioning towards a climate smart and resilient future” event which was organised by the African Union Commission and the Indian Ocean Commission;
- (v) The “Partnerships for Island Resilience” organised by USA and the former President Obama, where the issues of Island States had been discussed;
- (vi) The side event on Accelerating Climate Finance Access for Nature-based Solutions in Supporting Climate, Land and Biodiversity Targets which was organised by the Commonwealth Secretariat, and
- (vii) The “Together for Tomorrow” event organised by the UNESCO, which focused on education and climate action.

I have also participated in a platform together with Mr Achim Steiner, the UNDP Administrator.

Mr Speaker, Sir, it has been gathered that there are sufficient potential sources of funding and technical assistance which could be explored under new and forthcoming initiatives, namely

–

- (i) the Nationally Determined Contribution partnerships under the United Nations Framework Convention on Climate Change;
- (ii) the Climate Promise Initiative “pledge and impacts” under the United Nations Development Programme;
- (iii) the Local 2030 Network, Island Net Zero programme under the United States Ocean Islands partnership programme, and

- (iv) the Upscaling of funds under the second phase of the Adapt'Action programme of the *Agence Française de Développement*.

Mr Speaker, Sir, on 13 November 2021, COP26 concluded in Glasgow with all countries agreeing the Glasgow Climate Pact to keep 1.5 degree Celsius threshold alive and finalise the outstanding elements of the Paris Agreement. The Glasgow Climate Pact comprises some 55 key decisions towards enhancing ambition and actions in relation to mitigation, adaptation and finance. For developing countries and Small Island Developing State, financing from developed countries is of high importance, including for the implementation of the Nationally Determined Contributions. Developed countries are urged to fully deliver on the annual USD100 billion goal urgently and through to 2025. They are also urged to urgently and significantly scale up their provision of climate finance, technology transfer and capacity building for adaptation, including for the formulation and implementation of national adaptation plans. Moreover, they are urged to at least double their collective provision of climate finance for adaptation from 2019 levels by 2025.

I wish to also inform the House that operating entities of the Financial Mechanism, multilateral development banks and other financial institutions are also urged to further scale up investments in climate action. They are called upon for a continued increase in the scale and effectiveness of climate finance from all sources globally, including grants and other highly concessional forms of finance. Furthermore, providers of financial support are encouraged to consider how vulnerability to the adverse effects of climate change could be reflected in the provision and mobilisation of concessional financial resources and how they could simplify as well as enhance access to finance.

The Glasgow Climate Pact, combined with increased ambition and action from countries, means that 1.5 degree Celsius remains in sight and scales up action on dealing with climate impacts, but it will only be delivered with concerted and immediate global efforts. The COP will continue to work to ensure that fund flows to developing countries and Small Islands Developing States.

Mr Speaker, Sir, to conclude, I wish to cite the COP26 President Alok Sharma –

“We can now say with credibility that we have kept 1.5 degrees alive. But, its pulse is weak and it will only survive if we keep our promises and translate commitments into

rapid action. From here, we must now move forward together and deliver on the expectations set out in the Glasgow Climate Pact, and close the vast gap which remains. We need to continue our efforts to get finance flowing and boost adaptation. After the collective dedication which was delivered in Glasgow, the work here cannot be wasted.”

With these words, I thank you for your attention.

**Mr Speaker:** Hon. Members, I suspend the Sitting for 45 minutes.

*At 4.51 p.m., the Sitting was suspended.*

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

**Mr Speaker:** Please be seated!

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded the Virtual Asset and Initial Token Offering Services Bill (No. XXI of 2021) was read a first time.*

### *Second Reading*

## **THE INDEPENDENT BROADCASTING AUTHORITY (AMENDMENT) BILL**

### **(No. XVIII of 2021)**

*Order read for resuming adjourned debate on the Independent Broadcasting Authority (Amendment) Bill (No. XVIII of 2021).*

*Question again proposed.*

**Mr Speaker:** Hon. Doolub!

**Dr. Boolell:** Mr Speaker, Sir, on a point of order! I would like to take the House to Rules of Debate, on page 19 of Standing Orders, and refer to Section 39 (1). Mr Speaker, Sir, I seek your indulgence to grant me the right to intervene on a Bill before the House. Now, besides, I

was told that the Minister of Public Service, Administrative and Institutional Reforms whose name was equally on the list of interveners on the Sitting of the 26 November 2021, that he would be the one to move for adjournment of debates, and therefore that I would be the one to address the House after his intervention. Mr Speaker, Sir, watching the debates be on the frontal of shores, I was taken aback that the list had been altered. Now, the Minister of Public Service, Administrative and Institutional Reforms was asked to withdraw his name to deliberately deny me my legitimate right. I make a plea to you, Mr Speaker, Sir, in the good name of Parliamentary democracy, for my basic and fundamental rights to be restored. Mr Speaker, Sir, I know you are independent and I will bow to your ruling.

**Ms Ramyad:** Mr Speaker, Sir, I wish to intervene on the matter. First of all ...

**Mr Speaker:** Is that a point of order?

**Ms Ramyad:** It is a point of clarification on what the hon. Member has said. In fact, ...

*(Interruptions)*

I am answering to the point of order because it is ...

*(Interruptions)*

**Mr Speaker:** Order!

**An hon. Member:** You are not supposed to answer, it is for the Speaker to answer.

*(Interruptions)*

**Mr Speaker:** Order!

*(Interruptions)*

Order! Do not bully anybody! Let's do something; let's do the work properly!

**Mr Assirvaden:** Il s'est adressé au *Speaker*.

**Mr Speaker:** So, ...

**Ms Ramyad:** On a point of order whereby the hon. Member has imputed motives.

**An hon. Member:** *Non!*

**Ms Ramyad:** Because at no point in time ...

**Mr Speaker:** Let me listen!

**Ms Ramyad:** ... it was communicated that the hon. Minister of Public Service will adjourn. I did not communicate it because the Whip of the Opposition can say whether I communicated something like that or not.

**Mr Speaker:** Okay, you made your point of order. You made your point of order. Let me work a bit; let me give my ruling.

Hon. Members, I received a letter dated 29 November 2021 from the hon. Whip of the Opposition requesting that Dr. the hon. Boolell be allowed to intervene on the Independent Broadcasting Authority (Amendment) Bill (No. XVIII of 2021) today.

In 2012, the then Speaker ruled that the selection of orators was a matter for the Whips, namely the Chief Government Whip and Opposition Whip to decide on the list and when they should speak.

In 2013, the then Speaker observed that it was not proper to raise a point of order in regard to list and selection of orators.

The Speaker, making reference to Erskine May and Shakhder, expressed the view that, and I quote –

“During the course of actual working, the Government Whip and the Opposition Whip should come to contact with each other to sort out matters of common interest and to understand and accommodate each other.”

Moreover, in 2013, in the course of the same debate, the then Speaker was invited to use his powers under Standing Order 77 to “prevail upon the Government Side to rearrange the order of speakers”. The Speaker ruled that it was an established practice of having, in our parliamentary system, the Whips preparing lists of orators while business is being conducted in

the Assembly, and submitting same in the Chamber, without the Speaker's intervention. The House has always accepted that lists of orators are reached through consensus between the Whips.

Hon. Members, I wish to point out that at the last Sitting, the name of hon. Dr. Boolell was on the list of orators that was duly circulated. When his turn was reached, his name was called out but he was absent and no explanation was given. It is also an established practice that when a Member whose name is on the list to intervene but when called, is absent, he loses the opportunity to intervene in the debate.

In the light of the above, I regret, sincerely regret, not being able to intervene. However, I have requested hon. Armance to sort out the matter with the hon. Chief Government Whip.

Thank you.

Hon. Doolub!

(5.51.p.m.)

**Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien):** Thank you, Mr Speaker, Sir, for giving me the opportunity to intervene on this Bill.

*(Interruptions)*

**Mr Armance:** Mr Speaker, Sir, if you may allow me a point of clarification since you quoted the letter I have sent to you.

**Mr Speaker:** I did not follow. Please start again what you said.

**Mr Armance:** I am saying since you referred to the letter I have sent to you, I will like to have a Point of Personal Explanation.

**Mr Speaker:** Which letter are you referring to?

**Mr Armance:** The letter I have sent to you, that you mentioned in the House today.

*(Interruptions)*

**Mr Speaker:** Hon. Member, you are a seasoned politician, you have been here several times, I think. My ruling is final.

*(Interruptions)*

No, it is final! And I am not entertaining any other point of order on that. Let me quote the Speaker of 2013. In 2013, the then Speaker observed that it was not proper to raise a point of order in regard to list and selection of orators.

For me, the matter is settled. There is no discussion.

So, hon. Doolub!

*(Interruptions)*

Is hon. Doolub intervening?

*(Interruptions)*

**Mr Doolub:** Thank you, Mr Speaker, Sir, for allowing me to intervene on this Bill.

*(Interruptions)*

**Mr X. L. Duval:** Mr Speaker, Sir, with your permission, ....

**Mr Speaker:** Is it a point of order?

**Mr X. L. Duval:** Yes.

**Mr Speaker:** On the list?

**Mr X. L. Duval:** Yes.

**Mr Speaker:** No, on the list, I have ...

**Mr X. L. Duval:** His name has been raised twice in the House by yourself, by the Government Whip. Surely, he can also, when hearing his name, put his side of things. What is the fairness of his name has been talked about?

**Mr Speaker:** Hon. Members, the question of the list is not a question for the Speaker to decide. And in 2013, the hon. Speaker observed that it was not proper to raise a point of order in regard to list and selection of orators. So, the matter is closed and you do not have the floor.

Hon. Doolub!

**Mr Doolub:** Thank you, Mr Speaker, Sir. Mr Speaker, Sir, I have listened to Members of the Opposition....

*(Interruptions)*

**Mr Speaker:** Order! Order!

*(Interruptions)*

Order! Order! Order! Order!

*(Interruptions)*

Both sides of the House Order! Order!

*At this stage, Members of the Opposition left the Chamber.*

**Mr Speaker:** Hon. Doolub, this is the last time I am asking you to intervene.

**Mr Doolub:** I so wish, Mr Speaker, Sir. Thank you again. Mr Speaker, Sir, I have listened to Members of the Opposition delivering their speech on this Bill on Friday and I am wondering why so many suppositions, why so many apprehensions on their side. And I must say, Mr Speaker, Sir, I am quite baffled when I heard some hon. Members from the Opposition talking or rather defending the right of expression.

Had they been consistent, Mr Speaker, Sir, all through their careers or during their different mandates, I could understand but their position in this House, does not reflect what they preach unfortunately.

Lors des élections générales de 2014, plusieurs Membres de l'Opposition, entre autres les Membres du MMM et le Parti Travailleiste qui étaient en alliance, avaient refusé de participer aux débats sur les mêmes radios qu'ils essaient de nous faire croire qu'ils se soucient autant

aujourd'hui. Certains députés d'en face - malheureusement ils ont décidé de partir - n'ont jamais accepté de faire une déclaration, de donner des entrevues à certaines radios. A cette époque, c'était *mo pa koz avek sa radio la mwa*. C'est leurs idées de la démocratie, M. le président. Donc, aujourd'hui je n'arrive pas à réconcilier leurs soudains intérêts pour ces mêmes radios. Mon collègue, l'honorable Nuckcheddy a donné une esquisse sur ce qui avait été dit car certains étaient au pouvoir.

Mr Speaker, Sir, democracy, freedom of speech and right of expression are not the exclusive properties of the Opposition alone and they cannot decide on who should exercise it or not. I leave it to the public to make their mind on who really wants the right of expression and those who are only paying lip service to it.

*Pour revenir au projet de loi, M. le président*, in its Explanatory Memorandum, the objective of the Bill is -

“(a) empowers the Authority to impose administrative penalties;

(b) enhances the regulatory provisions in the Act;

(c) aims to provide more synergy between the Authority and the Information and Communication Technologies Authority by amending the composition of the ICT Authority to provide that the Chairperson shall be a member of the ICT Authority.”

Mr Speaker, Sir, with regard to the imposition of administrative penalties, much has been said in this House but I share a different opinion from those expressed by Members of the other Side of the House. I am of the view that this measure will indeed help the regulator in discharging its function and at the same time, will help the broadcast licensees. Let me explain.

At present, there are only two regulatory sanctions which are available to the Authority; suspension of license and revocation of license. Some radios have had the bad experience to have their broadcasting licenses suspended and one radio even had its license revoked. And, Mayfair and Purely Communications Ltd, commonly known as Planet FM, had its licence revoked. It is to be noted that prior to the revocation of its licence, Planet FM had never had any sanction imposed on. The administrative penalties or fines, Mr Speaker, Sir, will give the regulator

another option to deal with broadcast operators prior to applying a suspension of licence and only in case they breach the law.

The administrative penalty will only be applicable if a broadcast licensee fails to comply with the IBA Act, the codes and the licence conditions. Some Members on the other side of the House mentioned the penalty rate of Rs500,000 on numerous occasions. I think hon. Uteem, if he did the addition of how many times he mentioned same, he would have reached a sum total of around Rs2.5 m. But Mr Speaker, Sir, what everybody chooses not to mention, the maximum is Rs500,000. Let me repeat it as mentioned in Clause 9 of the Bill -

“shall not exceed 500,000 rupees.”

And the minimum can be any sum starting as from maybe R1. I heard hon. Bodha -who also chose to leave the House - expressing apprehensions on the revenue a Media will have to generate in terms of sales to pay that amount of Rs500,000.

Je pensais qu’il devrait bien le savoir en tant qu’ex-directeur d’une station radiotélévision. Et pour faciliter la tâche de l’honorable membre qui se posait cette question : combien publicité une station devrait vendre pour en arriver à ce chiffre, j’ai été au renseignement, M. le président. Les R 500,000, en termes de revenus publicitaires, peuvent être générés en un seul jour. Bien évidemment, puisqu’il a fait référence à la pénalité maximale, mes calculs sont aussi basés sur les tarifs les plus élevés pendant la période de pointe, c’est-à-dire, entre octobre et décembre, à la différence que moi je joue la carte de la transparence.

M. le président, le plus important dans tout cela, est-ce que les pénalités, je veux dire en général, peu importe dans quelle industrie ou quel secteur, devraient être légères ? Comment à ce moment-là vous rendez les acteurs de ce secteur responsables ? Tout est relatif, M. le président. Dans une industrie qui a le pouvoir d’influencer la pensée ou la perception des gens, qui peut diffamer de par des contenus fausses, qui peut nuire à la réputation de l’individu ou de sa famille, qui peut même aller jusqu’à détruire la carrière d’un politicien, je pense bien que évidemment les pénalités devraient être relatifs. D’une manière à protéger les victimes et la fin de la journée, M. le président, il est question de sauvegarder l’harmonie sociale qui, à mon humble avis, n’a pas de prix. Je le redis, M. le président, l’harmonie sociale n’a pas de prix.

The measures are important to act as deterrent, to prevent *des dérapages* on radios and television. I would like to stress that this measure is not contrary to the right of freedom of expression which is enshrined in Section 12(1) of our Constitution. It should be further noted that Section 12(2) of the Constitution besides does provide for limitations to the freedom of expression.

Mr Speaker, Sir, this measure will not stop people from talking on radios, will not or cannot influence any change in content. Besides, Mr Speaker, Sir, contents on radios or televisions are decided by broadcasters. They have the absolute liberty on whom to invite, what type of programmes or talk shows they host at their leisure.

En 2020, au tout début de la pandémie, M. le président, le Dr. G, il tenait un tout autre langage alors qu'il communique au nom du gouvernement et des autorités. A un moment, il allait dans sa démarche de faire comprendre à son audience qu'il fallait prendre un maximum de précautions, de le traiter de '*coco vide*'. Tout le monde est bien au courant de ça. M. le président, après, quand il est l'invité de tous les jours sur les radios, son langage change ; le contenu, le ton, la direction. M. le président, la liberté de dire ou de changer de ton ou de contenu, ils jouiront toujours de cette liberté *and the show will go on*.

Mr Speaker, Sir, the imposition of administrative penalties will in fact render media to be more responsible in their delivery and, over and above, to ultimately develop a good culture to earn more credibility in the long run.

Mr Speaker, Sir, the Explanatory Memorandum to this Bill also provides that the amendments will enhance the regulatory powers of the Independent Broadcasting Authority. For instance, under Section 18A of the Bill, the Director surely, with the approval of the Board, may apply to the Judge in Chambers for an order where a person refuses to give evidence on the ground of confidentiality.

Mr Speaker, Sir, I am not a barrister but everyone knows that a case before the Court can only succeed if the nature and quality of evidence adduced is likely to pass the Judge. Here, in this particular case, the evidence will normally relate to broadcasting issues and will not require disclosure of personal data or disclosing details of your informants as same are protected by the

Data Protection Act. There is a proper safeguard in Section 18A in that the Judge in Chambers must be satisfied before granting the order. The nature of the information which the Director can seek has already been elaborated in section 18A (1) of the Bill and it will be for the Judge in Chambers to assess the affidavit, evidence before granting any order.

Mr Speaker, Sir, such powers have been conferred on several regulators, namely in the Professional Architects' Council, an Act of 2011, which came into force on 01 March 2012, and it was a law voted by the Labour Government. Section 13 (5) and (6) of the Medical Council Act 1999, again, a law enacted by the Labour Government, and which provides for similar wordings as in Section 18A of the Bill.

This provision, Mr Speaker, Sir, on a literal interpretation of the IBA Act, does not give powers to ask for the source of a journalist. My friend, hon. Nuckheddy besides already canvassed on this point on Friday last - at no point in time the word source is mentioned or found.

Mr Speaker, Sir, with regard to membership of the Complaints Committee, it is the IBA Board which is empowered to appoint members subject to approval of the hon. Prime Minister. Therefore, there is absolutely no change in the manner of appointment of the members and the independence of the Review Panel will not be jeopardised, contrary to what Members of the Opposition want to portray.

*Mr Speaker, Sir, an amendment is being proposed at Clause 7 to bring the renewal of license at par with the yearly payments of license. Toutes sortes d'interprétations et d'hypothèses encore par rapport à ce changement ! Mais, M. le président, ce que les membres de l'Opposition omettent de prendre en considération, depuis l'existence des radios privées, les licences étaient renouvelables. Vrai, sur chaque trois ans, mais au bout du compte, cela fait 20 ans qu'ils opèrent. Est-ce que les licences n'ont pas été renouvelées ? Et, M. le président, petite pique de 'Ton Simon', il faut rappeler aux honorables membres que les radios privées ont pris naissance sous le *Prime Ministership* de Sir Anerood Jugnauth et du MSM, tout comme la retransmission en direct des travaux parlementaires à la télévision, c'était en 2016. Encore une fois, sous la bannière d'un gouvernement MSM ! Et pendant ces 20 ans qu'ils opèrent, il y a eu*

au moins cinq gouvernements. Tous les partis politiques ici ont fait partie des gouvernements successifs, même le MMM était pendant quelques années en alliance avec le MSM au pouvoir.

M. le président, aucun de ces gouvernements, irrespectif de quel parti il s'agissait, n'a jamais révoqué la licence d'aucune radio sauf 'Planet FM' qui est partie en liquidation. Donc, M. le président, je ne comprends vraiment pas le pourquoi de cette psychose que veulent créer les membres de l'Opposition. Les radios privées ou publiques ont toujours pu opérer en toute quiétude durant les 20 dernières années et le seront toujours à la différence, M. le président, qu'on leur demande d'être plus responsables et respectueux envers ce public, qui est la raison d'être même de leur existence. C'est ce que nous souhaitons du reste pour la bonne marche de la démocratie.

Mr Speaker, Sir, those who have been allocated broadcast frequencies since the past 20 years, they should be mindful that they are the privilege operators using scarce resources. The better course of action would have been to democratise the radio frequencies or open up to other competitors. But this is not the issue now, Mr Speaker, Sir.

I must tell that the media business is still reserved to a very few in this country. Yes, I do agree that they made the very wise decision to invest in this industry but everything is dynamic in business. The other day, a Member was referring to India and duration of licenses. But, Mr Speaker, Sir, he forgot to mention how many radio stations operate in India - *ils ne sont pas là. Certainement, ils seront ravis d'apprendre qu'il y même RED FM en Inde qui opère. Et mes amis indiens me taquinaient tout le temps en me disant 'sunte raho' !*

Mr Speaker, Sir, the real threat of the media actually is not the duration of the license. So many businesses have had their license renewed or still have their license renewed on a yearly basis. All telephony operators, so many companies in the financial sector have their license renewed on a yearly basis.

Mr Speaker, Sir, one of the real threats of this industry today is the continuous decline in audience and viewership of the traditional media as opposed to the new media.

Radio and television are considered as being part of the traditional media and have to face the challenge of an ever rising new media; Facebook, Meta, Instagram, Tik Tok, etc.

Businesses, marketers are not willing to invest in advertising in the traditional media. For free or lesser investment, they can advertise in the new media nowadays. So, Mr Speaker, Sir, by rendering the media more responsible, we are indirectly helping and assisting them to become more credible and earn respect from their advertisers.

The hon. Leader of the Opposition started his intervention the other day by citing customers cancelling their contracts, etc. *Mais ce qui n'a pas été mis au courant de c'est qu'il y a aussi des annonceurs qui annulent ou ne renouvellent pas leur contrat parce qu'ils ne croient plus dans la crédibilité de certains médias. Ces annonceurs se soucient de leur marque, M. le président, de leur réputation,* of their brand equity. Moi personnellement j'ai eu cette appréhension partagée de quelques annonceurs qui disent d'être très embarrassés de communiquer sur une chaîne qui ne respecte pas ses clients.

J'ai aussi entendu un honorable membre de l'autre côté de la Chambre. Je crois que c'était l'honorable Ameer Meea appréhendant les conditions de travail de ceux dans les médias. Est-ce qu'ils auront des emprunts avec les banques, etc. etc. ? Mais, M. le président, ce que l'honorable membre ignore c'est que même auparavant la licence était renouvelable. J'ai côtoyé beaucoup de personnes travaillant dans les médias. Ils ont eu leurs emprunts. Leurs emprunts n'étaient pas remboursables sur trois ans, c'est-à-dire la durée de la licence de l'employeur, mais sur les garanties fournies à la banque. Dois-je comprendre pas la logique de l'honorable membre que les employés des compagnies de téléphonie, les services financiers ou tout autres opérateurs dont les licences sont renouvelables sur une année, ils n'ont pas d'emprunt avec la banque ? Certainement pas, M. le président. M. le président, est-ce que ces membres-là, ils se soucient auparavant de tous ces employés embauchés sur une base contractuelle et renouvelable ? En tout cas moi j'en ai pas entendu.

Mr Speaker, Sir, media is very important. Yes, I do reckon it does play an important role in the functioning of the society. People in the society at large are heavy consumers of the media as well as children. At this juncture, it is very important to understand the functioning of the media and thereby the reasons to adequately regulate the industry to protect our children.

I heard so many Members evoking the agenda of the Government with regard to this Bill. And the media actually functions by agenda and this has been coined by theorists and researchers

as the agenda setting theory. Mr Speaker, Sir, let me put it very clearly. I am not referring to any one particular media but same has to do with the functioning of all Medias on planet Earth, even for Planet FM when they used to broadcast on planet Earth.

Most researches conducted on the agenda setting theory were made on two assumptions: the press and the media do not reflect reality, they filter and shape it. Media concentration on few issues and subjects lead the public to perceive those issues as more important than other issues.

Studies have shown that what the media decides to expose correlates with their views on things such as politics, economy and culture. Instead of providing the public with the information they need, the media strive to fill the public's appetite for shocking and sensational headlines.

Mr Speaker, Sir, worth noting, if anybody has any interest to read or peruse this agenda setting theory, academicians would also recommend as side reading and understanding of concepts such as sensationalism, media bias and yellow journalism.

So, Mr Speaker, Sir, the point I want to make based on these empirical evidences coupled to the recommendations in the preliminary report of Geoffrey Robertson submitted in 2013, and in which the words "toothless tiger" are being mentioned when referring to the powers of the Complaints Committee. It was high time especially in a period of global crisis to empower the IBA and the ICTA in view of better regularising the media landscape in the country.

And to this end, Mr Speaker, Sir, on a concluding note, I would like to propose to the mover of the Bill, especially when I see to what extent the Opposition can support few players of the media who suits best their interest, the possible introduction of a mechanism to empower the layperson, the listener or the viewer on media literacy.

In academia, media literacy is a subject of high importance in this very fast evolving digitalised communication world. We tend to refer to audiences as listeners, readers or viewers but it is also a fact that all of them are also customers of media businesses, consumers of the media, and it is of paramount importance that they are empowered to be able to understand the functioning of the media, to be able to filter content and shift from the passive recipient. Scholars evoke concepts such as construction of reality by the media. Media literacy, Mr Speaker, Sir, is

justified not only in terms of the amount of media exposure but also by the fact that media plays a vital role in democracy development, cultural participation and active citizenship.

The European Commission in 2007 adopted a view of media literacy that is based on the fact that there is need to build up better understanding of how media work in the digital world and that citizens need to understand better the economic and cultural dimension of media.

A media literate person, Mr Speaker, Sir, and I sincerely wish everyone can have the opportunity to become one, can decode, evaluate and analyse media content.

M. le président, pour rappel, ce gouvernement a toujours été consistant et cohérent dans son approche envers les moins fortunés. Juste quelques exemples –

- la pension de vieillesse a été majorée à R 9000 ;
- le salaire minimal c'est ce gouvernement qui l'a introduit ;
- durant le lockdown ce gouvernement a soutenu des milliers de familles à travers le Wage Assistance Scheme.

**Mr Speaker:** Come to the Bill!

**Mr Doolub:** Yes, I am concluding, Sir.

**Mr Speaker:** ... and, try to conclude.

**Mr Doolub:** Et je suis convaincu, M. le président, que le Premier ministre fera de tout son mieux pour que la voix de la population se fasse toujours entendre et aussi toujours écouter.

We know all the difference between hearing and listening.

I am done, Mr Speaker, Sir. This was my very humble contribution to the debate. I thank you all for your attention.

**Mr Speaker:** Hon. Hurreeram!

(6.18 p.m.)

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Mr Speaker Sir, a lot has been said on this Bill during the past week. With the extensive coverage we have been served, it felt like almost a month of debate. But this is democracy. This is freedom of expression. Even if the debates outside of this Chamber were not so impartial, we have all heard it yesterday on radios. As for the Opposition, well, their speeches were quite predictable.

*A chaque opportunité qu'on leur donne, ils vont crier sur tous les toits que nous sommes en train d'assassiner la démocratie, que nous avons devant nous un régime totalitaire, que la liberté d'expression est en danger. Si la démocratie est en danger, M. le président, c'est par ce genre de comportement qu'on vient de voir ; trying to bully the Chief Whip and imposing their whims and caprices to the proceedings of the House. They tend to forget that if all of this were true, they would not be sitting here, enjoying the A.C, the privileges and the free Wi-Fi.*

Ils se trompent lourdement de période, M. le président, où les journalistes devaient passer aux casernes centrales pour faire valider leurs articles de presse avant d'aller publier. C'était l'époque du Parti Travailleiste au pouvoir. Et hier, on a entendu un ancien Premier ministre venir dire qu'il va tout révoquer comme amendements qu'on est en train d'apporter à ce Bill. Il a oublié ce que disaient les Reporters sans frontières.

En 2005, la journaliste Sara Persand, cameraman, chauffeur de la MBC suspendus pour n'avoir pas donné la couverture qu'il fallait.

En 2009, Deven Anacootee et Irfaad Olitte se sont arrêtés. En 2011, feu Dharmanand Dooharika – que son âme repose en paix – était condamné à trois mois de prison. En 2012, Bam Fareedun et Jimmy Jean-Louis sont convoqués un 24 décembre aux casernes centrales et convoqués aux casernes centrales un 24 décembre, nous en savons aussi quelque chose, le Premier ministre ne nous dira pas le contraire.

*(Interruptions)*

Karishma Beeharry, exactement ! Pour avoir commenté sur l'état de santé, liberté d'expression, c'est eux qui vont nous donner la leçon aujourd'hui, M. le président ? Alors je disais –

“Having a large number of people in a society who are misinformed is absolutely devastating and extremely difficult to cope with.”

This is a comment made by esteemed professor Stephan Lewandowsky of University of Bristol when he was speaking about how to tackle misinformation.

In a study carried out in developed countries, the data revealed that 64% of adults were of the opinion that made-up new stories were causing confusion about the basic facts of current issues and events. For example, during the weekend, there was a rumour that went viral on social media and eventually was relayed in the news: a Minister’s daughter at the airport. Fake news, Mr Speaker, Sir!

Where was the fact checking? The evidence? No, Mr Speaker, Sir, relaying that *palab* was more important but what about the reputation of the individual? What about justice? I hope and I sincerely hope the DPM will seek legal redress. Those who are outside just now trying to create havoc, yesterday they have been walking around and trying to, with all types of chains, like just unleashed from Jurassic Park with all their chains around their neck. They are trying today to tell you that we are going into a dictatorship. Do you know why they are afraid? Because it is the same people who will go out on the internet, post some fake news which will be then relayed by some private radios. And here, I think, of my good friends, hon. Lesjongard and hon. Dr. Padayachy. Yes, they were sick, they were at home self-isolating and what the news goes about? They are in ENT.

Have they thought one second - they have mothers, they have children abroad - what has been the impact on those people? Is this tolerable? Should not there be some minimum of fact checking because just going live and reporting a Minister is in ENT? And, we know how they put the question; we know how they do it. *Est-ce que le ministre est à la ENT...* And how the people read it there? How the people listen to it there? What do they understand? They do not read the question; they take it for a fact.

Mr Speaker, Sir, working out who to trust and who not to believe has been a facet of human life since our ancestors began living in complex societies. In today’s modern information age it is paramount that we ensure that those responsible of disseminating information do it in a very responsible way. This does not mean not to criticise or not to voice out opinions. It does not

mean that any Government of the day will dictate what is being said. Far from it, Mr Speaker, Sir.

The role of our media, especially our radios, is to keep us, elected Members, sober and responsible. We agree on this but, Mr Speaker, Sir, who keeps them sober and responsible? We heard it yesterday on radio, one of the presenters was constantly interrupting the Attorney-General when he was intervening, leading questions, almost like, yes, *insolent à la radio*. But, you know, Mr Speaker, Sir, when one of the Opposition Member, namely, hon. Bodha was intervening, he was going: *oui Nando, oui Nando, oui Nando!*

*(Interruptions)*

This is what we were hearing! Is this partiality? If this is not partiality then what is it?

Mr Speaker, Sir, we need to ensure that we have a way to know what we hear is trustworthy. It is the actual truth and not manufactured alternative facts. The regulation's aim is and has always been to ensure firstly accountability and secondly responsibility.

The IBA Act, Mr Speaker, Sir, is 20 years old and has known several alterations over the years. As a responsible Government, much like we did with the Cybercrime and Cybersecurity Act, we are merely improving the law. These changes are necessary and are courageous and we can only congratulate the Prime Minister for having the courage, the determination to modernise the country. And in this pandemic period when we are facing so many challenges - I am not trying to butter the Prime Minister - it is a blessing that we have today, Pravind Kumar Jugnauth as Prime Minister of this country, you like it or not.

People are demonstrating out there when Parliament is sitting. Mr Speaker, Sir, this Prime Minister has not sent out SSU, like some did with lady workers claiming for their rights and then they come and say *SSU pann fer pou donn bibron*.

**An hon. Member:** *La honte!*

**Mr Hurreeram:** Indeed! They are twisted alternative facts that we need to protect our citizens from. I can only guess that they are referring to the new Clause 18A which will allow the Director of IBA to obtain an order from a Judge in Chambers to obtain from a person evidence,

record, document, or article that will help in an inquiry of the authority. This is – because I fail to understand why some would suggest – we are for example trying to force a journalist to reveal his or her source of information.

M. le président, il faut bien comprendre, le journaliste ne fait pas partie de la procédure administrative qui concerne la direction de la radio. *'Disclose the evidence required'* c'est dans le cadre d'une procédure disciplinaire qui concerne l'administration, le détenteur de la licence, pas les journalistes.

Now, Mr Speaker, Sir, for the sake of our democracy, I hope that any journalist worth his salt should at least have proof of what they are broadcasting as news on radios or on television. That they have fact checked their information before committing it to our fellow countrymen because if news is being shared to the public based only on hearsay, then there is a fat chance the information to be broadcasted is not 100 % true, and is not 100% reliable, it is extremely unethical and dangerous.

Now, if the proper procedure of gathering of information is followed, evidence is crucial in any article. The question of the source does not even arise. It is a question of proof, Mr Speaker, Sir!

Just like one *'Monsieur konn tou'* who was involved in Heritage City! There was one Advisor at that time at the PMO, who said he had a document about Heritage City. And what did that do? He went to the IBA, asking to fact-check if the document is real or not. That is only fair, Mr Speaker, Sir. I cannot just come and brandish any sort of paper - I have got a document, give it to a journalist; he goes out and spoils the name of anyone and I cannot come and challenge that document! This law is not asking for the source. It is not asking if Mr X or Mr Y who gave that document. But, at least, if you are credible, prove the document; give the document. Just like if I go in here mentioning a document, you will ask me to table the document because you want to check from where I am quoting, that is only fair, Mr Speaker, Sir.

Et pour rassurer nos amis les journalistes, M. le président, c'est important qu'ils comprennent qu'ils sont protégés par la *Data Protection Act*. Ils ne seront pas appelés à divulguer leurs sources comme veulent faire croire certains membres de l'Opposition ou d'autres oiseaux de mauvais augure. C'est important que je me répète : L'*IBA* ne détient aucun pouvoir

de demander à un journaliste de divulguer ses sources d'informations ou encore moins le nom de ses contacts.

*Moreover, it will be up to a Judge in Chambers to determine whether or not any documentary evidence is crucial to the inquiry of the authority.* Une fois encore, M. le président, on est en train de nous diaboliser, quand nous sommes simplement en train d'essayer de responsabiliser et surtout de protéger le citoyen lambda.

Private radios have been part of our wavelength since 2002. We are at the eve of twenty years of existence, but we are yet to see a common self-regulating “*Code de déontologie*” from the operators. Therefore, it is important to have at least an ethics guideline which will help keep in check any abuse or misinformation. I see some journalists have brandished their very own code of ethics on social media, as if to say, ‘I already have one.’ Well, have you been using it? I am not so sure, Mr Speaker, Sir. This amendment provides the framework for a uniform ethical guideline.

Another discord we can hear from the Opposition and a section of the Press is the validity of the license passing from three years to one year. Firstly, it is an important administrative measure, Mr Speaker, Sir, to avoid situations where a radio is unable to operate midway through their licensing period and holds back wavelength that could have been allocated to another operator. We all know that this has occurred in a recent past. My hon. colleague, Mr Doolub, already spoke about that.

Moreover, as far as I am aware, the license is still being paid on a yearly basis. So, what difference does it make to bring its validity to a year? You pay your license every year, but you do not want it to be valid for a year. So, it does not make much sense that it is merely an administrative issue. *Comme on dit, une tempête dans un verre d'eau.* I heard some claim that they will not be eligible to bank loans. Well, I think it is obvious; the banks will base themselves on your repayment capacity when they are going to give you a loan. Why would the period of validity then matter? Every other business has to renew their license every year. Does that mean those businesses are not eligible for loans? Pure nonsense, Mr Speaker, Sir! What they do not tell you is that all the radios already renew their license every year for the past twenty years because,

Mr Speaker, Sir, they choose to do it that way themselves. So, why the fuss if we making it official? What are they really afraid about?

Coming to clause 29A, Mr Speaker, Sir, I believe it is a more explicit, detailed, precise process whereby disciplinary proceedings can take place, to allow any citizen aggrieved by a broadcaster to seek redress. It also details the process by which the licensee can have representations to defend, and challenge any decisions of the authority.

The Independent Broadcasting Review Panel will provide another remedy to licensees if they are still not agreeable to any decision made by the authority. The ultimate recourse remains the Supreme Court. This goes one step further as compared to the existing law.

J'ai entendu, M. le président, des avocats de carrière dire que le *Independent Broadcasting Review Panel* aura pratiquement le rôle d'un Juge en Chambre. Non ! Car il y a, là, un rôle purement disciplinaire et non pénal terme d'une procédure disciplinaire qui relève d'une négociation. De plus, les « *proceedings* » du *Independent Broadcasting Review Panel* doivent être publics sauf pour des cas exceptionnels selon la section 30G(1).

*Mr Speaker, Sir, this is very far from being an attempt to oppress radios. On the contrary!* Il ne faut pas avoir la mémoire courte. Malgré ce qu'on vous dit de l'autre côté de la Chambre, la libéralisation des ondes, c'est le MSM ! C'est aussi le MSM qui a redonné vie au *Media Trust*, une institution qui est en train de former nos journalistes depuis 2015. Et avant 2015, c'était *dormant*, ça n'existait même pas !

Private radios have been decisive in the progress of society over the past two decades. Listening to radios at every hour, day and night, is deeply etched in Mauritian culture. We have no intention to disrupt this trend. But we want to make it reliable. This law is twenty years old and needs improvement. We are merely preparing our country and media space for the future. Radios in particular, play an important role in informing, educating and entertaining our population. This is an enormous responsibility, Mr Speaker, Sir. And as a responsible Government, we have to put in place the proper guardrails wherever appropriate, to ensure that there is no “*dérive*” or “*déravage*” or even financial malpractices under the cover of freedom of expression. Some will have to explain how is it that you have no money in bank, you are making

losses, but you are still paying your employees. Who is paying? Where does that money come from? I do not think my good friend, hon. Minister Seeruttun, wants to go and explain that to FATF again.

**Mr Speaker:** Try to conclude!

**Mr Hurreeram :** M. le président, quand il s'agit des lois qui sont dans l'intérêt public, le bon sens doit prévaloir. Il y a des tentatives de faire croire qu'on souhaite persécuter tel ou tel media. Que ce gouvernement veut serrer la vis aux radios. Rien de plus farfelue, M. le président !

I will try to conclude rapidly. But we, on this side of the House, Mr Speaker, Sir, we are not the evil ones nor are we the ones who are oppressing. We do not have any hidden agenda. Personally, I believe that the uproar of certain licensees has nothing, absolutely nothing, to do with freedom of expression. Their main concern is the fines going from Rs100,000 to Rs500,000. Well, that also has already been canvassed by my good friend, hon. Doolub. And yesterday we also heard some lawyers, one lawyer particularly, claiming to represent the private radios *pro bono* to challenge this Bill. I will invite the other lawyers on the other side of the House to join him so as we can really put the Bill to test in a Court of Justice. But my advice to the radios will be -

*“attension bomarse cout ser”*

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Prime Minister!

(6.40 p.m.)

**The Prime Minister:** M. le président, laissez-moi tout d'abord commenter sur le cinéma de l'honorable Arvind Boolell aujourd'hui. L'honorable Arvind Boolell était suspendu de la Chambre jusqu'à vendredi 19 Novembre 2021. Il aurait pu regagner son siège pour le *sitting* du mardi 23 novembre 2021. Le mardi 23 novembre, il est absent. Il ne vient pas à la Chambre et pourtant, M. le président, il a entré une affaire en Cour pour, enfin, *for whatever relief he is seeking before the court. The case is before the court* mais *at the end of the day, he was contesting his suspension; meaning that he wanted to be able to be in this House so that he could*

*represent his Constituency and people generally, to do his work.* Quand il n'est plus suspendu, il choisit de ne pas venir dans la Chambre.

Et en plus, ce n'est pas seulement mardi le 23 novembre 2021. On siège vendredi le 26 novembre 2021 et dans la liste, à l'agenda des travaux parlementaires, il y a le *Independent Broadcasting Authority (Amendment) Bill*, pour lequel il donne son nom comme intervenant. La liste est préparée en collaboration avec les deux *Whips* et son nom y figure sur cette liste. Même s'il n'était pas présent vendredi à 3 heures, on s'attendait à ce que l'honorable Arvind Boolell allait probablement venir, puisque je pense qu'il est un peu fatigué. Il doit se reposer et peut être arriver à l'heure à laquelle il devait intervenir, je crois qu'ici, de notre côté, en tout cas, on s'attendait à voir l'honorable Arvind Boolell faire son apparition comme il l'a fait aujourd'hui avec les applaudissements de l'Opposition. Arrivé son tour, M. le président, il ne vient pas. D'ailleurs, il n'est jamais venu le vendredi 26 Novembre 2021.

Et puis, enfin, je ne sais pas s'il passait du bon temps ailleurs et aujourd'hui, et maintenant, M. le président, il conteste. Lorsqu'il a perdu son tour, aujourd'hui il vient pour contester et pour dire : je dois intervenir. Et, M. le président, enfin, ce n'est pas une justification mais encore faut-il que, eu égard à cette Opposition qui se proclame d'être transparent, et qui clame de dire des vérités, j'aurais espéré que l'honorable Boolell aurait au moins dit pour quelle raison il n'est pas venu à deux *Sittings* de la Chambre. Bon, d'après mes renseignements, je crois qu'il faisait sa lune de miel mais tant mieux pour lui mais, M. le président, ce cinéma-là, ce cinéma aujourd'hui de l'Opposition et de tous les membres de l'Opposition, vous pouvez peut-être regarder ; je ne sais pas si le public, si la population peut voir ; tous les membres de l'Opposition ont suivi l'honorable Boolell dans sa contestation aujourd'hui. Voilà le genre d'Opposition que nous avons. En tout cas, M. le président, nous, nous avons un travail sérieux et je peux comprendre aussi que c'est la démocratie. Il y a ceux qui ne sont pas d'accord avec un tel projet de loi. C'est leur droit. Mais venez, venez-vous exprimer ici et surtout quand vous avez votre tour, vous sautez votre tour et vous commencez à faire un cinéma, je dirais, de très mauvais goût.

Mr Speaker, Sir, let me thank all the hon. Members who have taken the floor and contributed to the debate on this Bill. Mr Speaker, Sir, as I explained in my Second Reading Speech on Friday last, the only objective of this Bill is to revisit and revamp the legislation

regulating the broadcast media so as to enable the broadcast regulator to discharge its mandate more effectively in a fast changing media landscape.

Mr Speaker, Sir, Members from the opposing side have raised a great hue and cry over this Bill, both inside and outside the House. They have made all sorts of accusation and unwarranted vilifications of Government's intention behind this Bill and I have been listening to them very carefully and I must say that they have only been playing petty politics, as their arguments are not only untenable but they also betray their bad faith. Their agenda is simply and merely to oppose for the sake of opposing.

Anyway, Members from this side of the House have, in fact, already rebutted most of their arguments. Nevertheless, Mr Speaker, Sir, I would like to respond to points which were raised by some Members of the other side of the House as there is a need to set the record straight and to dispel the confusion that they have knowingly and deliberately created in the minds of our citizens.

Mr Speaker, Sir, let me first take the issue of administrative penalty. Although I expatiated lengthily on this issue on Friday last, citing several examples of similar provisions in foreign jurisdictions, we have heard several members from the Opposition criticising this proposal to empower the IBA, to impose administrative penalties. They have alleged, following their superficial and tenuous reckoning, that this proposal will suffocate and put to silence the private radios. Hon. Uteem, as usual, even tried to make believe, very surreptitiously, that the fine will be Rs500,000 in all cases, irrespective of the nature and gravity of the offence.

As a lawyer myself, Mr Speaker, Sir, I was expecting cogent interventions from lawyers on the other side of the House but I was baffled by their blatant demagogy and cheap politicking. The law is crystal clear and this has been said again today by the two previous interveners. The fine which may be imposed ranges, in fact, from, if I can say, Rs1 to Rs500,000. The proposed new Clause 29(5) of the Bill provides that, and I quote -

“An administrative penalty imposed under this Act shall not exceed Rs 500,000.”

And hon. Uteem and others were so engrossed in their negative and political stance that they missed it completely or shall I say that they deliberately chose to ignore it.

Mr Speaker, Sir, Sections 25 and 26 of the existing IBA Act allows the authority to suspend or revoke a licence, which in a sense is a more drastic measure whereby the licensee

would not be able to operate at all. The proposed new mechanism of an administrative penalty, which shall be in monetary terms, can in fact be a more lenient sanction as compared to the existing sanctions, which are revocation, variation, or suspension of licence.

Administrative penalties will in fact increase the range of sanctions that are available to the authority and will, in fit and proper case, be used as a substitute for suspension and allow the radio to continue its operation. It would defy logic if licensees would prefer their licence to be suspended rather than be given an administrative penalty which they can challenge before the Review Panel and the Supreme Court.

Mr Speaker, Sir, as I said previously, the concept of administrative penalty is not new in our jurisdiction. It already exists in other body of law, for example in the Bank of Mauritius Act and in the Financial Services Act. There are also a number of bodies that can themselves decide on a sanction. A few examples are –

- The Medical Council;
- The Professional Architects' Council, and
- The Pharmacy Council.

Mr Speaker, Sir, in any event, any decision of the IBA to impose an administrative penalty can be reviewed by a Review Panel and that decision of the Review Panel may itself be challenged before the Supreme Court by way of Judicial Review as provided for under Clause 30L of the Bill.

Mr Speaker, Sir, it has also been argued that the upper limit of the penalty is too high. The amount of the penalty needs to be put into perspective on the turnover of a radio. According to official figures, the highest turnover for the financial year ending June 2019 was Rs125,478,964. It is also important to highlight again that the maximum quantum of the administrative penalty that may be imposed is Rs500,000. The operative word here is maximum, which, of course, hon. Uteem deliberately and conveniently chose to omit.

Mr Speaker, Sir, the principle of proportionality pervades our jurisprudence and any penalty imposed must reflect the gravity of the breach committed by the licensee. If the

administrative penalty imposed is disproportionate, the Review Panel and, of course, the Supreme Court will provide justified redress.

So far, the power to impose administrative penalties has not been successfully challenged before the Supreme Court. In any case, in this Bill, as I said earlier, the power to impose such penalties is subject to a review mechanism. There is not only the Review Panel but also the possibility of seeking judicial redress at the Supreme Court by way of Judicial Review. Therefore, the Bill provides for adequate in-built safeguards in this respect.

Mr Speaker, Sir, several hon. Members from the other side of the House have, during their interventions, insinuated that this Government has a hidden agenda and that administrative penalties are being introduced by the Government as a further means to *museler les radios privées*.

Mr Speaker, Sir, in order to debunk their falsehood, I would like to inform the House that an attempt had been made in 2007, by the then Prime Minister, Dr. Navinchandra Ramgoolam, to amend the IBA Act to, *inter alia*, empower the IBA to impose what was then called “administrative pecuniary penalties”. In fact, a draft Bill had already been prepared. The Bill aimed at creating a new independent compliance institution called the Broadcasting Compliance Committee, which would replace the existing Compliance Committee, with enhanced powers generally to take remedial measures and to order payment of administrative fines in cases of breach of broadcasting licences, code of conduct, code of ethics and code of advertising practice as well as unfair treatment, infringement of privacy, vilification, amongst others. The Broadcasting Compliance Committee was being empowered to order a licensee to pay a financial penalty not exceeding Rs100,000, at that time, or such other amount as may be prescribed.

And this one is important, Mr Speaker, Sir. There was no provision for any appeal mechanism. The IBA (Amendment) Bill that had been prepared in 2007 made provisions for the appointment of the Chairperson and members of the proposed Broadcasting Compliance Committee to be made by the Prime Minister. The Bill also provided for the abolition of the existing Complaints Committee. And today these same people are, paradoxically and ironically, giving lessons about democracy and protection of freedom of expression. Mr Speaker, Sir, as I always do because I found out about all what was in preparation at that time and I am going to table the document so that everybody will see.

Mr Speaker, Sir, questions have also been raised by Opposition Members about the appointing procedure of the members of the proposed Broadcasting Review Panel and also about its independence. Mr Speaker, Sir, these hon. Members should have known better. There are so many appointments to constitutional and other statutory posts in the public sector that are made by the Prime Minister or on the advice or after consultation with him, but this has not raised any issue about the independence of these institutions.

Our Constitution is indeed replete with examples where the Prime Minister has a determining say in appointment to posts, much more important in nature, than the Review Panel. The Secretary to Cabinet, the Financial Secretary, the Commissioner of Police and Permanent Secretaries are all appointed by the Public Service Commission or the Disciplined Forces Service Commission, with the concurrence of the Prime Minister, which is mandatory in all these cases. The independence and impartiality of such appointees have never been called into question for that reason, except as I say, probably for Members of the Opposition. And, Mr Speaker, Sir, in the Opposition, I am happy that there is a former Prime Minister and there are so many other Members of the Opposition from the Labour Party, from the PMSD who have been in Government before. Have they ever questioned the fact that in all these cases I have mentioned, why is it that the Prime Minister is appointing or is advising or is being consulted in terms of appointment? *Non!* Never! When they were in Government, that was good. That was independent and today this is not independent! *Le peuple n'est pas dupe, M. le président.*

The nominations of the members of the Review Panel cannot, therefore, be said to be doubtful and partial for the mere reason that they are appointed by the Prime Minister.

Mr Speaker, Sir, the IBA's constitution, as provided in section 6 of the existing law, is a diverse one. The Chairperson is appointed by the President after consultation with both the Prime Minister and the Leader of the Opposition.

In the case of other regulators, the Chairperson of the FSC for example, is appointed by the Prime Minister only; the Governor of the Bank of Mauritius who is appointed by the President on the recommendation of the Prime Minister; we also have the Director General of the ICAC, who is appointed by the Prime Minister after consultation with the Leader of the Opposition, I must say under the amended section 19 of the Prevention of Corruption Act, and when was that introduced? In 2006! And what was this manner in which the Director General of

the ICAC was appointed at that time, prior to 2006? There was an Appointment Committee which was vested with the power to appoint the Director General. And we all know we had to get the concurrence of three people. So, for the Labour Party, I do not think its Members are in a position to give lesson with regard to independence in terms of nomination of people in certain position.

And it is also apposite for me to mention that the Chairperson of the proposed Broadcasting Review Panel should possess the same qualification as a Judge of the Supreme Court, that is, the Chairperson should be a Barrister of not less than five years' standing, and the two other members of the Panel shall have wide experience in the field of broadcasting policy and media issues. Moreover, the Bill further provides, and I quote, that - "the Review Panel shall, in the exercise of its functions not be subject to the direction or control of any other person or authority" and that proceedings before the Review Panel shall be regulated, and I quote, "in a manner which is consistent with the rules of natural justice and procedural fairness". Mr Speaker, Sir, no right-minded person would doubt or call into question the impartiality or independence of the Review Panel. And that is also subject at any time to review before the Supreme Court. So, these people, who are hearing and determining a case, will be minded that eventually this matter can end up before the Supreme Court.

A further safeguard is provided at Clause 30L, which provides that any party which is dissatisfied with a decision of the Review Panel, may apply to the Supreme Court for a judicial review of the decision. Our jurisdiction is replete with examples of Tribunals, Review Panels, whose decisions may be subsequently reviewed by the Supreme Court. This is an important bulwark against any sort of arbitrariness.

It is also noteworthy that, in line with the judgment of the case - because when I listened, especially to hon. Shakeel Mohamed, okay, he is fine, he has decided to address the House and to intervene on this Bill especially on legal matters, from the legal aspect. So, let me reply to him also. When we look at the case of *Mauritius Breweries v The Commissioner of Income Tax* [1996 SCJ 402], all the hearings of the Review Panel must be held in public, so as to comply with section 10(8) of the Constitution, unless otherwise decided by the Panel with the agreement of the parties.

I also heard criticisms about the composition of the Review Panel, which is said to be smaller in size compared to that of the existing Complaints Committee.

Mr Speaker, Sir, I did explain lengthily, on Friday last, the reasons behind the abolition of the Complaints Committee. I am not going to come back on that anymore. But I wish to point out that the Review Panel will have the possibility to co-opt persons with the required experience in the relevant field while dealing with any particular application for a review and any such co-opted person shall be deemed to be a member of the Review Panel for the purpose of that particular case.

Mr Speaker, Sir, much has also been said about the proposed reduction in the duration of a radio licence granted by the Authority from three years to one year. It has been argued in this House that a reduction in the duration of the radio licence, from three to one year, will have an adverse effect on business and investment in this sector and this will seriously impact on the operation of the private radios and of their employees. This argument is, to say the least, untenable and fallacious.

Mr Speaker, Sir, I wish to highlight the fact that most of the operational licences granted to operators by the different authorities are valid for a period of one year. Let me mention some examples of comparable licences which are valid for one year only –

- Freeport Certificates issued by EDB;
- 26 types of manufacturing/retailer licences issued by the Mauritius Revenue Authority;
- Licences issued by the Pharmacy Board to operate pharmaceutical manufacturing/wholesale/retail units; can you imagine pharmaceutical manufacturing plants?
- Licences to operate Medical Laboratory/private clinics;
- All licences granted by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping;
- All licences issued by the Ministry of Agro-Industry and Food Security;

- Dealer in imported second hand motor vehicle licence;
- Licence/permit for scrap metal;
- Trade licence for bunker fuel; can you imagine what sort of investment one has to make for such kind of operation?
- Licence of discharge of effluent in a wastewater system;
- Almost all licences/permit authorisation delivered by the Financial Services Commission;
- Private Security Service Provider Licence issued by the Mauritius Police Force;
- All Tourist Enterprise licences issued by the Tourism Authority;
- All licences issued by the Mauritius Ports Authority;
- 22 licences out of 23 issued by the Gambling Regulatory Authority; and,
- Motor Vehicles Dealers Licence, Petrol Service Station Licence, Conductors Licence issued by the National Land Transport Authority.

I can go on and on like this, Mr Speaker, Sir.

All these businesses, Mr Speaker, Sir, have been operating for so many years with a licence which is renewable on a yearly basis and there have not been any such case issues of predictability or investment or employment or career prospects in these sectors. Many of them relate to businesses which require significantly much more capital investment compared to the radios. So, I fail to see why such issues would arise in the radio broadcasting sector, as mentioned by Members on the Opposition.

Mr Speaker, Sir, an automatic renewal of a licence does not exist in law. It is for Parliament and for the Authority to decide when a licence ought to be renewed. If the IBA Act did not provide for 3 years renewal, of course, the Interpretation and General Clauses Act would apply and section 37A thereof provides as follows, and I quote –

“Where a licence, permit or authority is issued under an enactment, it shall at all times be subject to such terms and conditions as may be imposed whether at the time of issue or renewal or during its currency.”

Therefore, in laws where the duration of a licence is not prescribed, that condition may be changed anytime by the authority which issues the licence.

I said it also before, radio frequencies belong to the State, Mr Speaker, Sir, and are allocated by the State. Private radios labouring under the misapprehension that once allocated, these frequencies belong to the licensee. This is not true.

A licensee is not an owner but is a person who is granted a permission to use a resource which belongs to the State and it would seem that the Opposition is of the opinion that licensees of the Authority have become the owners of the frequencies allocated to them. In fact, the very word ‘licensee’ indicates the fact that these persons have been granted a temporary permission to use the airwaves which is a resource which belongs to the State.

Mr Speaker, Sir, the three private radios in Mauritius have been operating for over 19 years now and in accordance with their own application forms, they were expecting to make losses only for the first 3-4 years. After that period, they became and are still profitable and it is known that one of them now owns a building in central Port Louis. Another one has grown in size with many related companies and is probably bigger a business than the other two put together.

It is also noteworthy that, although radio frequencies are the property of the State, since 2001 the ICTA has not been charging any fee for allocating frequencies to radios.

Mr Speaker, Sir, some orators from the Opposition also raised concern, and wrongly accused the Government of having hidden agenda, over the proposal that, for the renewal of a radio licence, the Authority will be taking into account –

- any sanction imposed by the Authority on a licensee, and
- the past conduct of the licensee.

This provision is important, Mr Speaker, Sir, especially in the light of the amount of fake news circulating worldwide. It is also important to bear in mind that while section 12 of the Constitution provides for freedom of expression, such freedom is not absolute and is subject to limitations provided for in the same section. In the case of *Hosany v. The State* [2016 SCJ at page 501], it was stated that freedom of expression which is guaranteed under our Constitution constitutes one of the essential features of a democratic society. However, the exercise of such a right is not an absolute one but is subject to limitations laid down in the Constitution itself and which are designed to ensure that the exercise of such a right does not prejudice, and is subject to respect for, the rights and freedoms of others and the public interest.

The same principles were reiterated in the case of *Gordon-Gentil & Anor v Dayal J R* [2012 SCJ 144], and the Court added that section 12 does not give an absolute guarantee to the freedom of expression even with respect to press coverage of matters of serious public concern.

Mr Speaker, Sir, I believe it is fitting for me to quote here an extract of an article published in *5-Plus Dimanche* of 29 February 2004, which is of utmost relevance. In the said article, Me Ashok Radhakisson, the then Chairman of the Independent Broadcasting Authority, and now, one of the legal advisers of two private radios stated the following, and I quote –

“Nous pourrions aller très loin dans les sanctions s’il le faut” - dit Ashok Radhakisson, président de l’IBA »

Le Premier ministre, Paul Bérenger, a été clair dans sa déclaration lors de sa conférence de presse hier:

“Les dérapages en direct sur les radios privées sont dangereux et inacceptables.”

Le président de l’IBA a tenu les mêmes propos envers les responsables des radios privées hier matin. Au point, a dit le Premier ministre, où au Conseil des ministres, la question a été évoquée, et je cite –

« Nous nous sommes demandés si nous n’étions pas arrivés à un moment où il fallait “ban” (bannir) les émissions en direct sur les radios privées. La chose est dans le domaine du possible si les radios n’arrêtent pas avec leurs dérapages. »

La veille vendredi, au cours du conseil des ministres, le Premier ministre avait pris la décision de rencontrer bientôt les responsables des radios en compagnie des membres de l'IBA et du vice-Premier ministre.

Trois heures plus tôt, c'était au conseil d'administration de l'IBA de rencontrer les responsables des radios privées et un responsable de la MBC. Une rencontre qui a pris l'allure d'une mise en garde, à en croire la déclaration que nous a faite le président de l'IBA Ashok Radhakissoon. Je cite –

“Nous avons tenu à rencontrer les responsables des radios car nous sommes consternés par certaines émissions en direct. Nous leur avons fait plusieurs propositions, surtout par rapport à certains dérapages sur les radios privées. Nous avons évoqué les couvertures de certains sujets sensibles car nous ne voulons pas arriver à une situation sociale intenable sur fond de haine raciale.”

Les menaces cette fois sont précises.

“À l'IBA, nous sommes disposés à agir. Nous pourrions aller très loin avec des sanctions s'il le fallait. Nous proposons dans un premier temps d'arrêter momentanément des émissions en direct jusqu'à ce qu'on arrive à trouver une solution. Nous avons fait aussi d'autres propositions comme l'achat d'un équipement, le '*broadcast delay*', qui permet d'avoir un recul entre 8 et 20 secondes s'agissant des émissions en direct. Les responsables des radios ont eu une approche responsable”, affirme Ashok Radhakissoon qui revoit les responsables des radios privées demain, au siège de l'ICTA cette fois, pour écouter leurs propositions.”

Réactions –

Finlay Salesse, Radio One, et je cite –

“Il est inacceptable que l'IBA interdise les émissions en direct qui sont la respiration même d'une radio privée. À moins d'empêcher celle-ci d'avoir une vocation de service public. Certaines radios ont certainement des dispositions à prendre pour éviter tout dérapage. À Radio One, nos auditeurs ont le sens de la responsabilité. Il appartient aux journalistes-animateurs d'imposer les paramètres pour éviter les dérapages à l'antenne.

Nous avons toujours dit à Radio One que la liberté de parole ne suppose pas la liberté de dire n'importe quoi et nos auditeurs responsables l'ont compris depuis très longtemps. Au-delà d'une solidarité ou d'un esprit coopératif, il est utile de préciser que Radio One est hostile à toute censure mais que ceux qui sont coupables de dérapages doivent être sanctionnés."

Réactions –

Eshan Khodarbux et je cite –

"Nous avons écouté l'IBA. Maintenant, nous allons consulter nos hommes de loi. À la réunion du lundi à l'IBA, nous comptons faire des contre-propositions. Il ne faut pas que la liberté d'expression soit victime de cette situation de division et de subdivision de notre société créée par les hommes politiques eux-mêmes à travers le communalisme scientifique."

Vous pouvez imaginer à qui il est en train d'adresser cela, et je cite -

"Le débat démocratique doit continuer. Il ne faut pas détourner l'attention sur des sujets d'importance comme la réparation de la richesse économique, par exemple".

Nous notons que depuis quelque temps déjà, M. Bérenger conditionne l'opinion contre les radios privées, les éditorialistes et des caricaturistes. Lorsqu'on sait qu'il y a une loi restrictive en préparation, permettons-nous d'être méfiants à l'égard de la démarche du Premier ministre, c'est-à-dire, de l'honorable Paul Raymond Bérenger.

Réaction, Kris Caunhye (Top FM), et je cite –

"Il est tout à fait normal que chaque radio assume ses responsabilités selon le cahier des charges de l'IBA Act. C'est vrai qu'il est très difficile de savoir ce qui peut sortir d'une conversation lors d'une émission en direct. Il incombe au responsable d'une radio de prendre des mesures nécessaires, surtout en ce qu'il s'agit des sujets qui peuvent toucher à la religion. Notre société est quand même fragile. Des sujets qui touchent à la stabilité de notre nation ne devraient pas faire l'objet d'émissions en direct. Au niveau de Top FM, nous avons pris les dispositions nécessaires à travers un système qui permet de

passer les appels en léger différé. Je comprends la réaction du Premier ministre qui réagit fermement lorsqu'il y a des atteintes quand on traite des sujets sensibles.”

Mr Speaker, Sir, in an article which appeared in L'Hebdo Newspaper on 29 February 2004, it was reported that the then Prime Minister, hon. Paul Raymond Bérenger, had stated the following on abuses by private radios, and I quote, it is in creole and I have to quote what it is –

*“Couma mo pé dire c'est surtout banne radios privées. Fine éna banne dérapages en direct. Li inacceptable, li dangereux. Et à tel point ki dans conseil des ministres, en tant ki Premier Ministre responsable de Law and Order et de l'harmonie sociale dans le pays, mo fine pose la question si avec ça banne dérapage là, nou pas fine arrive ène stade cotte au nom de l'harmonie sociale et du law and order, nou pas bizin 'ban' complètement banne émission en direct lors banne radios privées...”*

*Nous fine considère la chose et la chose encore dans le domaine de banne possibilités si banne radios privées pas pou saisi et arrêter avec de telles dérapages. Nou pé prend avis légal et en attendant IBA fine rencontre banne responsable de banne radios et de la MBC aujourd'hui.*

*Le Conseil des ministres fine délègue moi-même et le vice-Premier ministre pou nou rencontre très vite banne responsable de trois radios privés en début de semaine de même que le président de l'IBA pour discuter de toute la question.”*

On 15 November 2013, in reply to a Private Notice Question from hon. Bérenger on the introduction of private television, the then Prime Minister, Dr. Navinchandra Ramgoolam, stated that we have to be careful on the content to be aired because, and I quote exactly what he said –

“we have seen what has happened with private radios, false news everyday, practically everyday, no fairness, no impartiality”.

And to a further question from hon. Bérenger, then Leader of the Opposition, as to whether the Prime Minister's Office was interfering in IBA matters and the issue of radio licences, the then Prime Minister, Dr. Navinchandra Ramgoolam, stated that he was not interfering in those matters, otherwise he would have closed all the private radios.

*(Interruptions)*

This is Hansard; this is on record, Mr Speaker, Sir. I have quoted this just to remind them of what, at one time hon. Bérenger who was Prime Minister, he, himself, was subjected. I am not criticising, I am not saying that he was not subjected to all these kinds of situation, but one way when he was Prime Minister, this is what happened. The other one – well, he is not in the House, but Leader of the Labour Party - as former Prime Minister, this is the situation he was facing. Both of them! But today, they are in the Opposition. Today, things have changed. Today, they have become the champions; they are the ones now defending all the *dérapages* and everything that can happen on these radios.

Mr Speaker, Sir, in any case, as I said, should a licensee feel aggrieved by the decision of the Authority not to renew its licence, he may apply to the Supreme Court for a review of that decision by way of Judicial Review. And they are making a lot of hue and cry. I have to respond to this because the debate has been that Top FM is being targeted. I am not the one to decide, it is for the IBA to decide. In fact, the licence of Top FM is coming for review, but let us assume, as I say, *je pèse bien mes mots là, ce n'est pas moi qui décide, mais allons supposer que l'IBA décide de ne pas* renew the licence. Now, forget about this law, forget about this amendment we are bringing to the IBA Act, let us talk about the situation now, itself. It is supposed to be renewed for three years? Let us assume the possibility that the IBA decides not to renew the licence. What happens? That is why I am saying that I have put forward all these arguments certainly not for Top FM, but is a way of regulating for all radios, whenever one has been at fault, there is a possibility of a sanction which is of lesser gravity than to suspend the licence or than to revoke the licence altogether or not to renew when it comes for renewal. And they are complaining. And the radios are complaining; they are saying, no let us stick to what is already available in the law; what is obtained in the law. So, it is better for one to be suspended, maybe for some time, not to be able to broadcast, instead of having a penalty, a fine. It is better for a licensee's licence to be revoked altogether instead of having to pay a fine? Or it is better for a licensee when it comes for renewal of the licence for his license not to be renewed instead of paying a fine? In case of fault, I am saying. There must be some logic!

Mr Speaker, Sir, there has been also a huge outcry from the Opposition about the supposed unconstitutionality of the Bill and of its alleged repressive nature. In regard to the unconstitutionality of the Bill, suffice it for me to remind that by virtue of section 45(1) of the Constitution, Parliament may, subject to the Constitution, make laws for the peace, order and good Government of Mauritius. Therefore, under the principle of separation of Powers, it is for Parliament to legislate and it is for the Court to interpret the law. And we are in a country where the rule of law prevails. Anyone who is dissatisfied with a decision may apply to the Supreme Court for constitutional redress. In this House, the expression “unconstitutional” is, in fact, being liberally used by the Opposition which, in the same breath, indirectly criticises the Supreme Court.

Some Members incorrectly stated that we are legislating against Top FM, when Top FM has a case of judicial review pending before the Supreme Court. Let me say, Mr Speaker, Sir, first of all, I speak as a lawyer, there is nothing in the Constitution which prevents the legislator from legislating when there are pending cases. Nothing! I think the little time I have practised at the Bar I have not come across such a law or such a case.

In fact, in the Judicial Review Case *Jeeawody V The Ministry of Industry and Others* [2020 SCJ 48], this argument has been put forward by hon. Mohamed. He himself he appeared as Counsel for the appellant in this case.

*(Interruptions)*

Maybe, he has forgotten.

The Regulations which were being challenged by way of Judicial Review, were revoked despite the fact that the case - listen to that - had already been heard and Judgement was pending and in that case, the Supreme Court found no issue with the fact that the legislator revoked Regulations when Judgement was pending and the case was set aside, Mr Speaker, Sir. And it is good. Well, hon. Mohamed is not here, but let me table it so that he can have a look. Maybe, it will refresh his memory in the case for which he himself appeared.

Mr Speaker, Sir, I must say that the point being made about the Bill being unconstitutional is, to me, untenable as none of them has indicated how it is unconstitutional. I have not seen any Section or any provision of the Constitution mentioned by them and which is

being contravened and by which Clause and which Clauses we are contravening specifically of the Constitution. The Supreme Court has provided for specific rules to challenge the constitutionality of any law and the rules are very clear and state that specific provisions of the Constitution must be referred to when challenging the constitutionality of any law. In fact, the Supreme Court (Constitutional Relief) Rules 2000 is very clear on that.

Well, I am not trying to make as if there is a case already before the Court. I am not taking any point of law, but I am so tempted to raise these issues, especially when I have heard all those lawyers from the other side putting forward their legal arguments.

Mr Speaker, Sir, freedom of expression is a fundamental freedom protected by Sections 3 and 12 of the Constitution of Mauritius and we all know that the media in Mauritius generally operates in a conducive environment, free of violence or coercion, with journalists free to exercise their profession. However, as the rule of law prevails, the media is subject to the general laws of Mauritius and these include laws relating to criminal defamation, contempt of court and the Independent Broadcasting Authority Act.

The local media has always enjoyed a tradition of freedom and pluralism. There are at present more than 40 dailies/weeklies/fortnightlies/monthlies in addition to the several online publications. As a matter of fact, the Government Information Service has been issuing Press Reporters Pass to journalists, photographers, reporters, editors and videographers upon request by the Chief Editors of media organisations. And, as at date, 478 such Press cards have been issued to the written press, online papers, private radios, the MBC/TV and to other press correspondents. Out of the 478 Press cards, 86 have been issued to private radios, and yet, Government is being accused of having an agenda to suppress the freedom of expression.

People have access to the media to express their views and have unrestricted exposure to different viewpoints. There is no official or unofficial censorship of the Press. There is also unrestricted access to the internet which is widely used. In any case, the proposed amendments do not touch Section 12 of the Constitution. So, I fail to understand how freedom of expression under the Constitution is being curtailed. They have been speaking about threat to freedom of expression in the course of a parliamentary debate which is being telecast live. Mr Speaker, Sir, what a paradox! And, do I need to remind them that private radios became a reality under the Government led by Sir Anerood Jugnauth in 2001? And do I also need to remind that live

telecast of the proceedings of the National Assembly is also an achievement of the MSM-led Government?

The House and the nation will also surely recall who postponed General Elections in this country and who restored them in 1982. The people of this country also recall who, in 2014, closed this National Assembly for 9 months here to work on a new Constitution and, supposedly, a power-sharing arrangement between two leaders. The Mauritian population is mature, intelligent and politically-astute as it has, both in 2014 and 2019, clinically separated the wheat from the chaff. Mr Speaker, Sir, we have no lessons to learn from the Labour Party or the PMSD when it comes to democracy and freedom of expression.

Mr Speaker, Sir, let me now come to the criticisms levelled by the Opposition against the provisions of Clause 5 of the Bill regarding the power being vested in the Director of the IBA to obtain, through a Judge in Chambers, relevant information needed by the Authority in the exercise of its statutory functions. But before coming to that, Mr Speaker, Sir, I would like to express my utter disappointment with and resentment at the irresponsible tenor of the statement of the Leader of Opposition in this House on Friday last, casting aspersion on the Judiciary, which was totally out of order and which should be condemned.

Let me remind him of the provision of Standing Order 40(5), and, I quote -

“The conduct of the President and the Vice-President of the Republic or the person performing the functions of the President’s Office, the Speaker, Members of the Assembly, Judges, Members of Statutory Commissions or other persons engaged in the administration of Justice shall not be raised except upon a substantive motion moved for that purpose; and in any amendment, question to a Minister, or remarks in a debate dealing with any other subject, reference to the conduct of the persons aforesaid shall be out of order.”

Mr Speaker, Sir, at this stage, I find it apt to quote the judgment of hon. Domah in the case of *Soornack Nandane V Le Mauricien Ltd & Others* [2013 SCJ 5], where the learned Judge, at paragraph 27 observed as follows in relation to protecting the integrity and reputation of our Judiciary, and the quote is as follows -

“It serves no one to lynch the Judiciary but to assist in consolidating it, if with constructive criticism. As Judges, we maintain a composure. We have to. We are bound by a *droit de réserve et de retenue*. Not out of unconcern but simply out of an

expectation that right-minded people will realize what is right and protect what is their pillar institution from wild and unfair attacks.

An impartial and independent Judiciary belongs to the people. It is in the interest of people to ensure that any comment made against it, is made responsibly. There are very little Judicial Officers who are able to do except by their own conduct and the quality of their decisions. They are helpless when unfair attacks rain upon them from outside. And a small island developing state is as vulnerable to being swamped by rumours and mass hysteria as by the climatic event of a tsunami.”

Mr Speaker, Sir, I may not always agree with judicial decisions, but I have never and will never attack or undermine the Judiciary. In case one does not agree with a decision, one has to exercise one’s right of appeal but one ought not to undermine our institutions for party-politicking or other purposes. Unfortunately, on the other side, it would seem that only the people who agree slavishly or blindly with them are “independent”. If one happens to hold any contrary view to theirs, one is not “independent” for them.

The hon. Leader of the Opposition has callously used Parliamentary immunity to attack the Judiciary while his son’s electoral petition has been heard and judgment has been reserved.

This follows attacks by the Opposition on the Electoral Commissioner and the Electoral Supervisory Commission and the latest instalment in undermining the credibility of our institutions is the attack on the Independent Broadcasting Authority.

The hon. Leader of the Opposition blows hot and cold. In his speech, he stated that Top FM’s alleged troubles started with the challenge it made, by way of Judicial Review, against the grant of 2 radio licences by the Independent Broadcasting Authority in 2017. These 2 radios were allegedly close to Government. However, the IBA revoked the licence of Planet FM in 2020 without the licensee ever having had any previous regulatory issues with the authority. So, I call upon Opposition Members to be responsible and fair in their criticisms and to show that they are not allergic to fair play.

But as far as I am concerned, let me say this loud and clear - I have more trust in our judiciary and other institutions than in this Opposition. Since 2019, they are still desperate and you know what is their only objective? What is their programme, if I can say so - it is to overthrow, by all means, a democratically elected Government and I understand that their

successive defeats and withdrawal of their electoral petitions are events that they are still having difficulties to come to terms with.

Mr Speaker, Sir, I was saying that some Members of the Opposition have accused Government of having ulterior motives behind the new power being conferred upon the IBA to obtain information through a Judge in Chambers. This provision is similar to the one in the Banking Act whereby bank records can only be obtained upon application to a Judge in Chambers if not provided voluntarily when requested by the authorities.

Such powers to seek information before the Judge in Chambers are also provided in the –

- (a) Medical Council Act, and
- (b) Dental Council Act.

Mr Speaker, Sir, contrary to what the Opposition wants to make believe, the proposed mechanism to obtain information by the IBA is, in no way, an attempt to gag the voice and the freedom of expression of our citizens. But it is important to bear in mind the dangers of misinformation and disinformation and the serious implications this may entail. The operative words in section 18A (1) are, and I quote –

“For the exercise by the Authority of its statutory functions.”

I have carefully perused the statutory functions of the IBA as well as the Bill and I found no link to journalists having to reveal their sources. I challenge anyone from the Opposition to enter a constitutional redress to try and argue this before the Supreme Court.

Mr Speaker, Sir, let me illustrate what 2007 IBA (Amendment) Bill provided for, in sharp contrast to this Bill, in relation to the powers of the authority to seek information. In Clause 22A, which was titled Renewal of Licence, Section 22A (2) reads as follows, and I quote

–

“The Authority may, for the purpose of deciding whether or not to renew the licence, require from the Applicant such information as it considers necessary.”

Mr Speaker, Sir, the Opposition must acknowledge that the 2007 Bill –

- (a) provided no judicial safeguard by way of the scrutiny of a Judge in Chambers, and
- (b) failed to limit the information which the Authority could require from a licensee in the discharge of its statutory functions.

We have, in this Bill, in Clause 18A provided for safeguards.

The proposed amendments, far from being a violation to the right of freedom of expression, as guaranteed by section 12 of the Constitution, provides for a detailed mechanism under Clause 18A of the Bill, whereby the Director may make an application to the Judge in Chambers for an order directing a person to disclose the evidence required and it is only where the latter is satisfied that the evidence, record, document or article, the disclosure of which is sought, is *bona fide* required by the authority in the discharge of its statutory functions that the Judge in Chambers will make an order. This requirement of *bona fide*, coupled with the control by the Judge in Chambers is the hallmark of the rule of law in our country so that any potential abuse or arbitrariness is removed from the equation.

Further, the point raised by hon. Shakeel Mohamed regarding an application being made *ex parte* or *inter partes* is irrelevant as the Judge in Chambers will assess the legality of the application before making any order. We know, we lawyers, we have been currently dealing with such kinds of situations and the Judge, of course, knows how to weigh the evidence that is before the Court either to grant an order or not to grant an order.

I must say, Mr Speaker, Sir, that as a lawyer, hon. Mohamed does not cease to surprise me. His argument that Section 22(4) of the Bill breaches the separation of powers is to me also devoid of any substance. He seemed to miss out that Section 22(4) is subject to Section 22(6) which defines judicial process as follows, and I quote—

“Judicial process does not include any order or direction by a Court prohibiting the enforcement of the sanction.”

The Bill therefore provides, under the proposed new Sections 22(4) and 22(6), that any sanction may be stayed if there is pending judicial process.

It has specifically been provided in the proposed new sections 22(4) and 22(6) that if there is an injunction or direction by the Court prohibiting the enforcement of a sanction, such sanction may not be applied. This cunning attempt to read section 22(4) in isolation by a law practitioner, Mr Speaker, Sir, is very disappointing, to say the least.

Mr Speaker, Sir, the separation of powers has not been encroached upon by this Bill, as any aggrieved licensee may seek an injunction to prohibit the enforcement of a sanction.

Mr Speaker, Sir, what have we not heard from the other side of the House in relation to Sections 22(4) and 22(6). Let us see what was being provided in the 2007 Bill. Allow me to read section 30B (3), and I quote –

“An appeal under sub-section 1(a) or (b) shall not have for effect a stay of the execution of the decision of the committee, unless the Supreme Court, or the Judge in Chambers, as the case may be, orders otherwise.”

Mr Speaker, Sir, this is exactly the type of mechanism that we are providing in this Bill.

Mr Speaker, Sir, the Leader of the Opposition and other Members have stated that the Bill is an *ad-hominem* response, targeted to persecute one particular radio, the licence of which is yet to be renewed.

Some basic legal principles have been ignored by Members of the other side of the House. The first point about legislation which is enacted by Parliament is that such legislation is made pursuant to section 45(1) of the Constitution which provides, and I quote, that “Subject to this Constitution, Parliament may make laws for the peace, order and good government of Mauritius.”

The second point is that pursuant to section 5(7) of the Interpretation and General Clauses Act, and I quote –

“The law shall be considered as always speaking, and where any matter or thing is expressed in the present tense, it shall be applied to the circumstances as they occur.”

To state that this law applies only to Top FM is tantamount to intellectual dishonesty.

I wish, for the record, to highlight that the licence of First Talk Ltd, that is, Wazaa FM expires on 17 December 2021. If the licence is renewed by the IBA, the one year renewal will also apply to it if this Bill is passed and comes into force. Therefore, it is intellectually dishonest to state that the reduction of the licence term from three years to one year applies only to Top FM.

Mr Speaker, Sir, in a judgment in the case of Federation of Civil Service And Other Unions & Others V State of Mauritius 2009 SCJ at page 214, the Supreme Court had this to say, and I quote -

“We must straightway say that *ad-hominem* legislation per se must not be struck down unless unconstitutional”.

However, the present Bill is neither *ad-hominem*, as it applies to all licensees, nor is it unconstitutional. By way of illustration, the case of Mahboob V the Government of Mauritius 1982 MR at page 135 is an example of “*Ad hominem*” legislation which was unconstitutional as Parliament enacted a law to deprive a person of the outcome of his judgment. Such is not the case with this Bill.

These allegations, therefore, do not hold water and are also misconceived inasmuch as the proposed amendments are designed to bring more transparency in the system by providing *inter alia* for the issue of a Code of Ethics, Code of Advertising Practice or such other Code as the Authority may determine, not for the sake of persecution or curbing the freedom of expression, but for bringing certainty in what sort of conduct is expected of all licensees and for the Regulator to monitor their conduct.

It is also highlighted that these Codes already exist and it is a condition of the licence issued by the IBA to any licensee that they have to comply with -

- (a) the laws of Mauritius, and
- (b) the IBA Act and its Codes.

Mr Speaker, Sir, with regard to the criticism levelled against the proposed increase in the penalties for offences under the Act, I would like to say that there is also nothing sinister in increasing a penalty, either in terms of fine or imprisonment, if, of course, the situation so demands. It is to be noted that the ‘new’ penalty is not a fixed one, meaning that it is only the maximum penalty imposed, and, therefore, whatever penalty is to be given to a body will be proportionate to the gravity of the contravention.

In any event, the fines provided are going to be subject to review by the Courts. The legislator is only providing for maximum fines. It will be up to the Courts to choose the appropriate fines. In case any person is dissatisfied with any fine, he may appeal to the Supreme Court.

Mr Speaker, Sir, we have had no meaningful contribution to the debates from the Opposition, except empty rhetoric and blatant demagoguery. They have wrongly accused Government of having ulterior motives, arguing that the Bill is targeted to one particular radio and that the Government is trying to clamp down on freedom of expression and free speech, that the Bill is unconstitutional, to mention but these. It is so obvious that this Opposition has not

been, and is not at ease to see how this Government has been transforming and modernising the country in the national interest and with a clear 2030 Vision.

Mr Speaker, Sir, these amendments to the IBA Act were long overdue as evidenced by the fact that a similar Bill had been drafted since 2007. As I have said previously, the IBA has an important role to play in maintaining a peaceful broadcasting environment by serving the best interest of all stakeholders in a fair, objective, and independent manner. Let me reassure the House that these amendments have as sole objective the revamping of the law so that it is tuned to present day realities and exigencies and enables the IBA to discharge its mandate in a more efficient and effective manner.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** So, you commend the Bill?

**The Prime Minister:** Yes.

*Question put and agreed to.*

*Bill read a second time and committed.*

### COMMITTEE STAGE

*(Mr Speaker in the Chair)*

*The Independent Broadcasting Authority (Amendment) Bill (No. XVIII of 2021) was considered and agreed to.*

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

**Mr X. L. Duval:** Mr Speaker, Sir, in terms of Standing Order 51, I would like to move for a division of votes. And I would also like, Mr Speaker, Sir, in view of the possibility or the probability that the Bill will be challenged as to constitutionality that the division of votes be organised in such a way that each Member votes individually so that we can see whether the 75%...

*(Interruptions)*

**Mr Speaker:** Wait!

**Mr X. L. Duval:** What is the problem with these guys?

**Mr Speaker:** No. Don't guide the Chair!

**Mr X. L. Duval:** What is their problem?

**An hon. Member:** You are the problem.

**Mr X. L. Duval:** *Ale koz dan radio do ta!*

**Mr Speaker:** Please!

**Mr X. L. Duval:** Therefore, in view of the probability that the Bill will be challenged in Court as to constitutionality, that each Member votes individually so that we know whether the 75% threshold has or has not been reached.

*(Interruptions)*

**Mr Mohamed:** May I also add something?

**Mr Speaker:** Do you have a point of order?

**Mr Mohamed:** It is not a point of order. It is a motion.

**Mr Speaker:** It is a motion, yes.

*(Interruptions)*

Yes, go ahead.

**Mr Mohamed:** In addition to what the Leader of the Opposition has said, to justify and to support what he has said, why a division of votes there should be ...

*(Interruptions)*

Am I allowed to speak or not?

**Mr Speaker:** But how can you...

**Mr Mohamed:** But I am not being allowed to speak, Mr Speaker, Sir.

*(Interruptions)*

**Mr Speaker:** Please, go ahead! Please!

**Mr Mohamed:** This particular Bill has a direct consequence on Section 8 of the Constitution, and Section 8(4) of the Constitution specifically states that in situations of this nature where substantial interests which are equate with property is, in fact, involved as far as deprivation of property is concerned, there is the need for a three quarters majority to be obtained for it to pass. That is why I also concur with the hon. Leader of the Opposition that a division of votes should be requested and why it is important, in line with Section 8(4) of the Constitution, that, the division of votes be asked for.

**Mr Speaker:** So, Standing Order 51(2) –

“If the Speaker or the Chairperson is of opinion that a division is unnecessarily claimed, he or she may, as soon as the division bells have ceased to ring, take the votes of the Assembly as follows: those who support, those who do not support.”

I will ask the Clerk to ring the bell.

*Division Bells were rung.*

Will those who support my decision rise in their places, please?

*Members rose in their places.*

**Members of the Opposition:** Shame! Shame!

**The Chairperson:** So, the majority rose in their places.

*The Ayes have it.*

*Motion defeated.*

**Members of the Opposition:** Shame! Shame!

*(Interruptions)*

**The Chairperson :** Order!

*(Interruptions)*

Order!

*(Interruptions)*

Order!

*(Interruptions)*

Hon. Patrick Assirvaden, I order you out!

*(Interruptions)*

**An hon. Member:** *Ala li koumense!*

*(Interruptions)*

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

**Mr Speaker:** Please be, seated!

*(Interruptions)*

**Mr Assirvaden:** *Oui! Sintetik! Sintetik!*

*(Interruptions)*

*Third Reading*

*On motion made and seconded the Independent Broadcasting Authority (Amendment) Bill (No. XVIII) was read a third time and passed.*

**Members of the Opposition:** No, no!

*(Interruptions)*

**Mr Speaker:** Hon. Members, I will suspend the Sitting for one hour.

*At 8.04 p.m., the Sitting was suspended.*

*On resuming at 9.38 p.m. with Mr Speaker in the Chair.*

**ANNOUNCEMENT**

**INDEPENDENT BROADCASTING AUTHORITY (AMENDMENT) BILL (NO. XVIII OF 2021) – MOTION DEFEATED**

**Mr Speaker:** Please, be seated!

Hon. Members, before I suspended the sitting, I had put the question to the House that the Independent Broadcasting Authority (Amendment) Bill (No. XVIII of 2021) be read a third time and passed.

The House responded, but it appears that I have not been heard declaring the Ayes have it.

For the purpose of record and Hansard, I now declare the Ayes have it. Thank you.

Hon. Toussaint!

(21.39)

*Second Reading*

**THE MAURITIUS RECREATION COUNCIL BILL**

**(NO. XVII OF 2021)**

*Order for Second Reading read.*

**The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint):** Mr Speaker, Sir, I move that the Mauritius Recreation Council Bill (No. XVII of 2021) be read a second time.

Mr Speaker, Sir, the House would recall that in November 2019, the subject of ‘Recreation’ was added to my Ministry’s portfolio. Consequently, the name of my Ministry was

changed from the Ministry of Youth and Sports, to the Ministry of Youth Empowerment, Sports and Recreation.

I would like to express my gratitude to the hon. Prime Minister for the trust placed in me and in my Ministry, for having assigned to me the responsibility of the new subject of Recreation. Since then, I endeavoured to drive this new responsibility to the best of my ability.

Therefore, this change of appellation was a golden opportunity for my Ministry to realign its strategic objectives with a view to offering new services, namely recreational activities to the population at large.

Indeed, Mr Speaker, Sir, this Government firmly believes that recreation enriches our lives, and is a key contributor to our physical, social and mental well-being. It strengthens family bonds and helps mitigate issues linked to the generation gap. In the words of the 19<sup>th</sup> Century American author, Edward Bellamy –

“If bread is the first necessity of life, recreation is a close second.”

Right at the outset, Mr Speaker, Sir, my Ministry decided to adopt a holistic approach, and the services of a consultancy firm was hired to prepare a National Policy Document on Recreation. The goals of the policy are to –

- (i) promote an active healthy lifestyle;
- (ii) ensure inclusiveness for all;
- (iii) connect people with nature;
- (iv) foster an enabling environment, and
- (v) ensure overall coordination, organisation, and delivery of activities.

Mr Speaker, Sir, one of the recommendations of the consultancy firm was the setting up of a Council. Additionally, mention has been made in the Budget Speech 2021/2022 that a Recreation Council be set up for the organisation of recreation programmes at national level.

Mr Speaker, Sir, the very purpose of my intervention tonight is to allow the House to take cognizance of the importance of the proposed Bill and the role that the Mauritius Recreation Council would have to play. The main object of the proposed Mauritius Recreation Council is to

promote and organise recreational activities for the benefit of the citizens of the Republic of Mauritius.

Amongst other things, the Mauritius Recreation Council would –

- (i) maintain effective communication with the public with regard to recreational activities;
- (ii) call for projects from the community in order to promote recreational activities;
- (iii) establish an annual plan and calendar for recreational activities;
- (iv) assist organisations involved in the promotion of recreational activities, and
- (v) advise the Minister on matters pertaining to recreation and recreational activities.

Mr Speaker, Sir, the Council shall be administered and managed by a Board, which shall comprise –

- (i) a Chairperson who would be appointed by the Minister;
- (ii) a representative of my Ministry;
- (iii) a representative of the Ministry responsible for the subject of education;
- (iv) a representative of the Ministry responsible for the subject of environment;
- (v) a representative of the Ministry responsible for the subject of finance;
- (vi) a representative of the Ministry responsible for the subject of gender;
- (vii) a representative of the Ministry responsible for the subject of tourism;
- (viii) a representative of the Ministry responsible for National Parks and Conservation Service;
- (ix) a representative from Business Mauritius, and
- (x) 4 other members who would be appointed by the Minister.

Moreover, the Board may co-opt any other person who may be of assistance in relation to any matter thereof.

Mr Speaker, Sir, as we can notice, by establishing the Mauritius Recreation Council, this Bill brings important changes and a paradigm shift in the way recreational activities would be organised.

Mr Speaker, Sir, in its desk review of recreation policies from across 11 different countries, regions or States (such as Canada, Ireland and Australia), the appointed consultancy

firm had observed that seven out of these 11 policies were focused on sports and active recreation. Based on the above, and with the recommendations of my Ministry's National Sports and Physical Activity Policy in mind, it should therefore come as no surprise that the activities and programmes that would be offered by the Mauritius Recreation Council would be geared towards active forms of recreation, with a particular emphasis on outdoor and water-based recreational activities. Not only would the Council give an opportunity to our citizens to discover the rich flora of our country, but more importantly it would also contribute towards this Government's goal in attaining its target of 35% of the population being physically active.

Mr Speaker, Sir, I, now, wish to come to the funding of the Mauritius Recreation Council. By virtue of section 13(2)(b) of the Bill, the Mauritius Recreation Council would be empowered to raise income from such other sources as approved by the Minister. For instance, the Council may seek sponsorships for activities that it would organise. What this means, Mr Speaker, Sir, is that we do not want this Council to rely solely on Government funds for its operation. We do not want this Council to be a burden for our fellow citizens.

M. le président, le *Mauritius Recreation Council* aura pour tâche de démocratiser et de vulgariser la pratique d'une activité récréative au sein de la population. *It will be the responsibility of this Council to ensure that recreational activities that were not easily accessible or affordable before can now be enjoyed by the whole population. Mr Speaker, Sir, one such activity, for example, is kayaking.* Il y a si peu de gens, à Maurice, qui ont plus à donner jusqu'ici aux activités liées au kayak alors que nous sommes une île.

Mr Speaker, Sir, the recreational activities organised by the Mauritius Recreation Council would cater for inclusiveness, and due consideration would be given to persons with disabilities.

*M. le président, il va sans dire que nos aînés ne seront pas en reste.* Opportunities would be given to our elderly to participate in the activities that are organised by the Council.

To conclude, Mr Speaker, Sir, allow me to quote John Wanamaker, a 19<sup>th</sup> Century American merchant, who is considered by some as a pioneer in marketing, who said, I quote –

“people who cannot find time for recreation are obliged sooner or later to find time for illness.”

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

**Mr Hurreeram seconded.**

**Mr Speaker:** Hon. Quirin!

(9.50 p.m.)

**Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière):** M. le président, avant d'entrer dans le vif du sujet concernant ce projet de loi, *the Mauritius Recreation Council Bill*, il serait important que nous nous posions quelque questions éminemment essentielles dans le cadre de ce débat. Notamment, M. le président, celle qui consiste à nous demander pourquoi en tant que parlementaires nous votons ou nous refusons d'adopter un texte de loi ? Selon une des nombreuses définitions disponibles sur Internet, un texte de loi est défini comme une prescription établie par l'autorité souveraine de l'État applicable à tous et définissant les droits et les devoirs de chacun.

J'aurais pu, M. le président, approfondir davantage la définition d'un texte de loi mais n'étant pas juriste, je vais me contenter de cette définition simple, claire et limpide et ce qui m'amène à dire que le texte de loi qui nous est proposé ce soir par l'honorable ministre de l'Autonomisation de la Jeunesse, des Sports et des Loisirs, soulève à mon avis plus interrogations qu'il n'apporte de solution au secteur des loisirs à Maurice.

M. le président, la notion de loisir, est en elle-même très vaste, je l'admets mais les spécialistes s'accordent néanmoins à dire que le loisir comprend trois dimensions possibles, à savoir le temps libre, l'activité et la liberté de choix. Le temps libre est le temps dont dispose une personne après s'être acquitté de ses obligations personnelles, familiales, sociales et civiques. Et les activités ici se réfèrent à la participation active d'une personne à l'une ou l'autre forme de loisir alors que la liberté de choix veut dire la possibilité qu'a une personne de pratiquer des activités qui lui plaisent et qui répondent à ses besoins de détente, de repos, de divertissement ou de développement selon ses goûts, habilités, aspirations ou ambitions. Hors, ce texte de loi, M. le président, ne vienne nullement proposer ou encadrer techniquement les activités récréatives à Maurice mais préconise plutôt la mise en place d'un *Council*, dont l'une des priorités, serait à mon avis, de caser certains proches du pouvoir. *Jobs for the boys and girls*, comme dirait l'autre.

En effet, ce dont nous sommes appelés à voter ce soir, M. le président, c'est la création d'un *Recreational Council* dont la mission, selon *l'Explanatory Memorandum*, serait entre autres, d'assister les organisations impliquées dans la promotion des activités récréatives et aussi de solliciter des appels à projets de la communauté pour promouvoir les activités récréatives.

De prime abord, je dirais que ce texte de loi, au même titre que *the Offshore Petroleum Bill*, vient comme un cheveu sur la soupe alors que notre pays passe par des moments les plus difficiles à cause de la pandémie liée à la COVID-19 et son incroyable taux de mortalité au sein de la population.

Je ne suis certainement pas contre une loi pour le secteur des loisirs mais je pense que pour l'heure le pays a besoin, M. le président, des actions, des décisions courageuses et importantes au lieu d'une loi pour un secteur inopérant en raison justement de la pandémie. Quelle ironie pourrait-on dire! La logique veut quand un texte de loi est proposé, pour un secteur en particulier, ce dernier est appelé à connaître une révolution et des changements profonds. Hors, M. le président, dans ce texte de loi, la seule chose qui est proposée, c'est la création d'un comité de 13 personnes dont la majorité, à savoir six, qui seront nommés par le ministre y compris le président. Selon ce texte de loi qui sera appelé à contrôler un secteur bien précis et très technique au vue du nombre de types de loisirs qui existent, il n'est cependant pas précisé si le président ou les cinq autres membres qui seront nommés par le ministre, doivent obligatoirement disposer des connaissances et de l'expérience dans le secteur des loisirs. Si le ministre avait vraiment la prétention de vouloir donner une nouvelle orientation au secteur des loisirs à Maurice, je pense qu'il aurait dû venir, d'une part avec un plan national et d'autre part inclure, dans ce conseil, des représentants des collectivités locales.

En effet, M. le président, je déplore ce manquement car nous savons que les municipalités, en particulier sont des partenaires privilégiés, sinon le moteur de développement dans le secteur des loisirs et cela, si elles sont bien gérées. Mes années passées au sein du Conseil Municipal de Beau Bassin-Rose-Hill, M. le président, m'amène à dire qu'il n'existe pas de meilleur moyen pour développer le secteur des loisirs qu'en donnant les moyens aux collectivités locales.

Mais là, M. le président, je parle du temps où il existait une véritable communion entre les citoyens et les Conseils Municipaux à travers les activités de loisirs au sein même de différents quartiers, des différentes villes. Aujourd'hui, nos villes sont moribondes avec une administration en décadence où les jeunes sont des laissés-pour-compte. Si l'honorable ministre veut bien corriger cette anomalie dans ce texte de loi, ce sera tout à son honneur. Autre anomalie à mon avis, dans ce texte de loi, M. le président, c'est la Section 6 (f) qui concerne les *functions and powers* de ce *Council*. J'aimerais bien savoir comment et pourquoi un Conseil qui est appelé à traiter avec des organisations qui opèrent dans le secteur des loisirs, va *buy, sell, mortgage or exchange any property* ou encore, *borrow money*, selon la Section 11 (5) (a) (ii).

La question est posée et là encore, j'espère que le ministre nous donnera plus de précision, tout comme concernant les organisations avec lesquelles le *Council* sera appelé à soutenir en vertu de la Section 6 du texte de loi. Est-ce des ONG, des clubs de jeunesse ou des quartiers, des individus, des fédérations sportives, des organisations multisports? Effectivement M. le président, certaines disciplines sportives comme la natation, la marche et le cyclisme entre autres, sont aussi pratiquées comme un sport de loisir. Ce sont des points qu'il faudra, je pense, que le ministre éclaircisse car pour l'heure, nous sommes dans le flou total. Je suis même d'avis que le ministre a raté une belle occasion avec ce texte de loi, de venir avec un projet visant à permettre à ceux qui évoluent professionnellement dans ce secteur, d'exercer leur métier dans un cadre sécurisé et durable.

M. le président, quand on parle d'activités récréatives à Maurice, on parle surtout d'un secteur qui se repose sur lui-même, sans cadre légal, avec une formation souvent sur l'Etat pour ses principaux animateurs et qui s'organise particulièrement dans le privé. Combien d'accidents ou d'incidents, des fois mortels, n'avons-nous pas noté ces dernières années, notamment dans la pratique de la tyrolienne, de la luge ou des personnes égarées lors des randonnées et qui mobilisent par la suite d'importantes équipes de recherche? On s'attendait, M. le président, à ce que le ministre utilise le temps de la Chambre à bon escient en proposant un *Mauritius Recreation Bill*, avec pour but de regrouper toutes les activités liées aux loisirs tout en proposant un encadrement et une formation appropriée et adaptée pour les jeunes qui s'engagent dans ce domaine au lieu de se contenter simplement d'un *Mauritius Recreation Council Bill*. D'autant

plus, M. le président, que le texte de loi donne une définition pour les moins hétéroclites du mot *recreation*, que je me permets de citer -

“A directed process of participation on a voluntary basis in any type of activity which contributes to societal growth and the enhancement of physical, social and mental well-being of an individual.”

M. le président, ce n'est un secret pour personne qu'à Maurice, il y a très peu d'activités liées aux loisirs qui sont organisées sur une base volontaire. Quasiment tous les secteurs de loisirs s'orientent autour des compagnies privées ou par le biais des individus qui se font rémunérer pour organiser une activité. M. le président, l'Article 1 de la Charte Internationale pour les Loisirs stipule et je cite -

« Toute personne a un droit élémentaire à des activités de loisirs qui sont en harmonie avec les normes et les valeurs sociales de sa société. Tous les gouvernements sont obligés de reconnaître et de protéger ce droit de leurs citoyens. »

Le fait de mettre en place un Conseil, M. le président, avec 13 personnes nommées par le ministre et ses différents collègues de Cabinet et qui plus est ne peut agir sans l'approbation au préalable du ministre est, à mon sens, contre-productif. D'autant plus, M. le président, dans la Constitution de ce Conseil, aucune place n'est faite pour un représentant des personnes handicapées.

Ces derniers, en tant que mauriciens à part entière, ont besoin de loisirs adaptés à leurs conditions physiques. J'espère qu'à son niveau, l'honorable ministre fera amende honorable et va inclure parmi ces nominés, un représentant des personnes vivant avec un handicap au sein de ce conseil. Toutefois, M. le président, nous savons tous comment cette histoire va se terminer. Depuis la reprise de l'Assemblée nationale, nous avons constaté par le biais des questions parlementaires de ce côté de la Chambre, comment des conseils d'administrations des institutions importantes, par exemple, le *Morne Heritage Trust Fund* ne fonctionne pas depuis des mois sans qu'il y ait une quelconque action ou réaction du ministère concerné. Le ministère que dirige l'honorable ministre Toussaint n'y échappe pas à cette règle. Pour preuve, M. le président, le ministre est venu confirmer, dans une réponse à une question parlementaire B/1018,

il y a deux semaines de cela, que le *National Council for Sports and Universities* dont le fonctionnement est quasi similaire avec le *Mauritius Recreation Council* ne fonctionne pas.

Depuis sa création en juillet 2017, rien que trois réunions ont été tenues, dont la dernière remonte au 10 février 2021 alors que R 500,000 des fonds publics ont été dépensées sans aucun résultat à ce jour. Même un calendrier provisoire n'a pu être élaboré pour ce conseil. De ce fait, M. le président, j'ai des doutes sur une éventuelle réussite du *Mauritius Recreation Council* car au risque de me répéter, je dirai que sa conception de départ ne répond pas aux besoins des jeunes en termes de loisirs.

Je tiens pour preuve l'échec constaté par le ministre lui-même dans la gestion des centres de jeunesse à Maurice. A la base, M. le président, ces centres devraient être ce qu'on appelle un *hub* de loisir pour les jeunes. Or, que voyons-nous aujourd'hui, M. le président ? Des centres amorphes, inexistantes, incapables de fonctionner et de surcroît, dans un état de décrépitude. Le plan de sauvetage annoncé dans le dernier budget, notamment la transformation de ces infrastructures en des Centres de jeunesse 2.0 se fait toujours attendre.

M. le président, pas plus tard que mardi dernier, le ministre n'a pas été en mesure dans sa réponse à une question parlementaire de nous dire quand ne serait-ce qu'un de ces centres 2.0 sera prêt à opérer. Pourtant, M. le président, si la démarche de cette loi est de faire participer les mauriciens aux activités de loisirs sur une base volontaire, on ne peut donc pas dissocier les centres de jeunesse du secteur des loisirs.

Si a fortiori, ce gouvernement était incapable, depuis 2015, de faire revivre les centres de jeunesse en proposant des activités dignes de ce nom pour attirer les jeunes, comment ce même gouvernement pourra-t-il demain gérer tout le secteur des loisirs ?

À notre niveau, si le ministre décide de retirer ce texte de loi et propose à la place un texte complet, un vrai *Mauritius Recreation Bill* qui englobera tous les secteurs de loisirs, en définissant les conditions dans lesquelles le monde récréatif est appelé à évoluer, nous pourrions alors soutenir ce projet de loi.

Le secteur récréatif a besoin d'être redynamisé afin qu'il soit efficace et porteur d'emploi pour les jeunes.

M. le président, pour terminer ce que nous propose aujourd'hui le ministre n'est ni plus ni moins qu'un texte de loi pour s'approprier, s'accaparer, sans partage ce secteur récréatif et le placer entre les mains des personnes qui n'ont sans doute pas l'expérience nécessaire.

Je vous remercie.

**Mr Speaker:** Thank you very much! I will now call upon the Deputy Speaker to take the Chair.

*At this stage, the Deputy Speaker took the Chair.*

**The Deputy Speaker:** Thank you very much. Please, be seated! Hon. Minister Mrs Koonjoo-Shah!

**The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah):** Mr Deputy Speaker, Sir, let me first of all, obviously congratulate the hon. Minister of Youth Empowerment, Sports and Recreation for introducing to the House the Mauritius Recreation Council Bill, which is in all fairness a farsighted and proactive Bill and why do I say that, Mr Deputy Speaker, Sir, having listened to the orator before me, hon. Quirin, one would think that everything, including projects, progress, economic recovery, everything should come to a standstill because of the pandemic.

*Au contraire*, this is the time when, as well as dealing with the pandemic, as well as dealing with the sanitary crisis, this is the time where much focus should be put on the whole well-being aspect. Especially, we should be taking away the focus from the organisational structure, which is clear that hon. Quirin is only assigning such a focus on the structure from a very political angle. I would very humbly invite the hon. Member to look beyond this political angle and see this Mauritius Recreation Council Bill, look at it, perceive it as a post-COVID, as a post-confinement innovative Bill that is coming at the right time to meet the needs of the population, who, we all know, have been isolated for quite a bit of time because of COVID-19, Mr Deputy Speaker, Sir. He was referring to this Bill being as *un cheveu sur la soupe*. He should try and look beyond the beautiful locks of the mover of the Bill! We have people who are taking very good care; be it on the sanitary aspect of the pandemic, be it on the economic recovery, both being dealt with by people with no hair actually! So, no *cheveux sur la soupe*.

Let us not diminish, Mr Deputy Speaker, Sir, the importance and timing of this Mauritius Recreation Council Bill. It is coming at the most apt time.

Mr Deputy Speaker, Sir, there is a popular saying that goes, all work and no play makes Jack a dull boy. This saying is even more applicable and true in today's fast pace and competitive world. Sports activities, recreation and leisure, all play an important role in the overall wellness of our community. Recreation activities improve the health, the well-being of individuals, contribute to the empowerment of individuals and promote the development of inclusive communities.

The Bill provides for the creation of a Council and this is not the first time that a Council is being created and manned and staffed and equipped with different members from different organisations and stakeholders. So, let us just not pretend that it is the first time that there are four independent members being appointed by the Minister.

The Council is here to be responsible for the promotion and organisation of recreational activities in Mauritius with a view to encourage all our citizens to participate on a regular, ongoing basis in leisure, cultural, sporting and recreational activities.

Mr Deputy Speaker, Sir, half of the population worldwide has been confined in their homes because of the pandemic. Lockdown restrictions and the fact that we had a drastic change in our daily routine had different effects on the physical activity and active recreations among our citizens. Post-COVID-19 physical activities promotions strategies must, and through this Bill, is targeting men, women, persons with disabilities, children, adolescents, both at home and in active neighbourhood so that there is an engagement in sports and recreational activities.

Mr Deputy Speaker, Sir, with this Bill, the Government is putting strong emphasis on our families to practice sports collectively. We are all aware and we all know the effect that the COVID-19 is having on our society.

Mr Deputy Speaker, Sir, Mauritius is, like mentioned by the mover of the Bill earlier on, surrounded by beautiful lagoons, but unfortunately, till now, most of the time it is tourists that are benefiting from watersport activities.

The Ministry of Sports on the previous regime was promoting competitive sports, which is very good but since our population is of foremost priority, this Government through this Bill will promote outdoor and water-based activities for all Mauritians.

Mr Deputy Speaker, Sir, the Council will enhance physical activities especially for the physical, mental and well-being on top of the health enhancing effects, recreational activities have many social benefits such as the development of our young people, dynamic population and even crime reduction.

The Council will be helping in synergising the array of different services to engage people in the community and among themselves so as to achieve a range of positive effects simultaneously.

Mr Deputy Speaker, Sir, secondary behaviours and many health related problems such as obesity, diabetes, high blood pressure, all raise the question how sports can be part of the solution. Researchers from the University of Gothenburg in Sweden have revealed that regular recreational activities boost up the brainpower of an individual, improving the blood flow to the brain which ultimately build new brain cells.

It is also proven by research, Mr Deputy Speaker, Sir, that recreational activities can delay or reduce the onset and progression of dementia and Alzheimer disease, which we notice unfortunately is on the rise with the ageing population of our country.

Mr Deputy Speaker, Sir, the vision of our hon. Prime Minister is always to encourage all citizens to fully participate in the socio-economic development of our country while at the same time building a healthier community. This Government is investing massively in projects to promote wellness in our community by investing in modern sports infrastructure across the island.

And Mr Deputy Speaker, Sir, allow me to seize this opportunity to express my thanks to the Government, to the Prime Minister, in particular to the Minister of Finance, who has allocated a budget of Rs220 m. for the revamping of existing Social Welfare Centres into Family and Community Centres.

Mr Deputy Speaker, Sir, we'll appreciate that children, couples and families that play together tend to stay together. A research from the University of Cambridge shows that for every minute of physical activity a mother engages in, her child is more likely to perform 10% more of that activity. Therefore, Mr Deputy Speaker, Sir, this Bill will strengthen family ties as the Council will need to come up with an annual plan... It is coming up. You were saying that there was no annual plan, hon. Quirin. And a calendar for recreational activities while maintaining an effective communication with the public with regard to these activities.

Mr Deputy Speaker, Sir, I also welcome the fact that a representative of my Ministry will sit as a member on the Board. The Social Welfare Division of my Ministry is responsible for the management of 57 Social Welfare Centres, and these have been at the service of the community for more than 50 years with an objective to further social upliftment, empowerment and integration of local communities.

Moreover, the Sugar Industry Labour Welfare Fund is a parastatal body under the aegis of my Ministry and it organises community-based programs in its 139 centres, which include social, cultural, recreational, leisure, educational and economic activities.

Mr Deputy Speaker, Sir, my Ministry commits itself to work together with the Ministry of Youth Empowerment, Sports and Recreation in the view of promoting and organising recreational activities in Mauritius.

To conclude, Mr Deputy Speaker, Sir, a healthy mind resides in a healthy body. This Government under the leadership of our Prime Minister, hon. Pravind Jugnauth remains fully committed to providing opportunities for physical activity, for sports and recreation to all. The Mauritius Recreation Council Bill is yet another concrete example that this Government remains committed to the welfare of all his citizens, and my colleague and friend, hon. Toussaint and the Prime Minister through this Bill have demonstrated and I quote the words of Benjamin Disraeli –

“The first duty of the statesman is the care of the public health.”

With these words, Mr Deputy Speaker, Sir, I thank you very much for your attention.

**The Deputy Speaker:** Thank you very much Minister. Hon. Richard Duval, please!

(10.15 p.m.)

**Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien):** *Thank you, Mr Deputy Speaker, Sir.* Merci de m'accorder la parole dans le cadre de ce débat de *Mauritius Recreation Council Bill* présenté par l'honorable ministre de la jeunesse et des sports et de l'autonomisation des jeunes et des loisirs.

Ce projet de loi, M. le président, qui selon le mémorandum explicatif veut donner une nouvelle orientation aux loisirs des jeunes, est présenté dans cette Chambre à un moment le plus sombre de l'histoire de ce pays malheureusement.

En effet comme dit l'adage, la jeunesse représente les piliers de toute une nation. Elle doit avoir en chaque opportunité qui se présente un défi mais aussi une chance de démontrer son potentiel et son engagement. Mais la jeunesse, M. le président, on veut la réduire en silence avec des lois qui ont été votées lors de ces deux dernières séances. Et on dit aussi que tout ce qui se fait pour la jeunesse, sans la jeunesse est contre la jeunesse. Oui, M. le président, après ce qui s'est passé aujourd'hui dans cette chambre, je me pose la question quelle est la véritable raison derrière ce projet de loi.

La présentation de ce texte de loi va se situer dans une période de grande précarité et là, M. le président, je dirais qu'il est triste de constater aujourd'hui que le gouvernement malgré les appels lancés de part et d'autres crampe sur sa décision.

M. le président, au début de mon intervention, je me suis posé la question pour savoir quels changements en profondeur de cette loi va apporter dans le secteur récréatif à Maurice. Fidèle à son habitude, *my very good friend*, mon ami, le ministre dans son intervention a été peu enclin à donner davantage d'explications malgré son sens théâtral d'expliquer les choses. Rien d'étonnant, le président, quand on sait que the *Mauritius Recreation Council Bill* qui n'a ni fond ni substance et c'est tout juste un texte qui vise à mettre en place un conseil avec des individus bien évidemment nommés par le ministre et ses autres collègues.

M. le président, depuis deux ans ce secteur récréatif à Maurice fonctionne au gré de la pandémie et la menace du nouveau variant appelé *Omicron*. J'attendais de ce fait de la part de l'honorable ministre qu'il vienne avec un projet de loi plus ambitieux et concret pour le secteur

récréatif à Maurice, une loi plus élaborée afin que des nouvelles avenues soient désormais accessibles aux jeunes mauriciens employés dans le secteur.

M. le président, ce texte de loi aurait dû être une occasion de redynamiser le secteur récréatif sur la base d'une participation volontaire. En effet, M. le président, le coût exorbitant des activités récréatifs à Maurice est une réalité. Or, cet aspect n'a jamais été pris en considération puisque la définition du mot « récréatif » dans le texte de loi est insignifiante dans le fond comme dans la forme. Beaucoup trop vaste, M. le président, pour avoir une réelle vision de ce que veut entreprendre l'honorable ministre.

Oui, M. le président, ce texte de loi est une occasion ratée de mettre en place une structure solide pour renforcer ce secteur car je suis convaincu, M. le président, que la loi aurait dû avoir une définition plus élargie du mot 'récréation' étant donné que les disciplines concernées sont nombreuses tout comme les conditions qui sont attachées à la pratique. En effet, la chasse, la pêche, la natation, le skateboard, le *hiking*, le camping, le pique-nique, l'exploration des grottes, les études de la nature, le cyclisme, l'équitation, y compris l'ornithologie entre autres sont considérés comme des activités récréatives.

Cette loi, M. le président, aurait pu être une opportunité de faire revivre les clubs de jeunesse qui autrefois étaient la fierté d'une région et qui aidaient les jeunes dans leur orientation future à ne pas se laisser piéger par des fléaux de société; la drogue qui fait déjà ravages chez nous. Je peux en dire autant pour les centres de jeunesse qui sont aujourd'hui plus des lieux abandonnés qu'un point de rencontre pour les jeunes. M. le président, ces centres sont amorphes, dont l'utilité même est remise en question.

Pour résumer, M. le président, le secteur de loisirs est un domaine très vaste où la nécessité d'avoir une loi dont l'objectif est de dessiner des contours futurs de ce secteur tout en prenant en considération la sécurité des participants et des personnes qui y sont engagées. Les autres intervenants me précédant l'ont aussi fait ressortir, ce projet de loi aurait pu être une occasion pour rechercher une collaboration plus large au lieu que ce *Council* se contentait, comme présenté dans la section 6(1), de travailler avec des organisations dont la nature même n'est pas définie par la loi. Je pense ici aux collectivités locales comme mon collègue l'a dit Précédemment, y compris les Conseils des villages qui sans aucun doute pourraient jouer un rôle

déterminant dans l'organisation du secteur récréatif mais ces instances ne se retrouvent malheureusement pas dans ce texte de loi. C'est vraiment dommage, en fait ce texte de loi telle qu'il a été rédigé pourrait laisser présager que cela servirait plutôt à servir les organisations qui ne bénéficient d'aucune aide financière des autorités concernées et le fait que la section 6 l'*Assistance by Council* n'ait pas de critères précis, cela donne l'impression qu'il pourrait servir à financer seulement les organisations qui ont une affinité avec le pouvoir en place.

Donc, je demanderai au ministre de spécifier clairement les critères ultérieurement. En somme, M. le président, cette loi a sans doute été élaborée pour satisfaire la demande de quelques individus. J'espère que pas comme cela a été souvent ici dans cette Chambre. Tout ce que nous pouvons souhaiter c'est qu'il y aura cette fois une exception. De ce côté de la Chambre, M. le président, nous maintenons que la jeunesse de ce pays a besoin d'un meilleur encadrement et le secteur récréatif peut y contribuer uniquement, M. le président, s'il est bien structuré et ce n'est pas la *Mauritius Recreation Council Bill* qui fait provision pour cela.

Je vous remercie, M. le président.

**The Deputy Speaker:** Thank you very much. Hon. Ramdhany, please!

(10.25 p.m.)

**Dr. A. Ramdhany (First Member for Grand' Baie & Poudre d'Or):** Mr Deputy Speaker, Sir, I am pleased to support the Mauritius Recreation Council Bill presented in this House by hon. Toussaint. I just wanted to reply in response to hon. Richard Duval, to add that I hope that Omicron variant of COVID-19 does not have symptoms such as negativity. With the portfolio Recreation, there was a need for a regulating body with regard to leisure activities especially when youth are concerned.

Mr Deputy Speaker, Sir, the main objective of this Bill is to establish a Council which shall be responsible for the promotion and organisation of the recreational activities in Mauritius. I will talk on the benefits, functions and I would provide some contributions to this Bill.

Mr Deputy Speaker, Sir, how will it benefit our youth? Physical activities have been well documented to provide an extensive account of physical, mental, social, economic and environmental health benefit. It will surely reduce the risk of chronic diseases such as diabetes,

high blood pressure, cardiac disease, some types of cancer and prevention of obesity in our youth. Furthermore, physical health will improve sleep quality, reduce risk of osteoporosis and treatment of anxiety. Mental health provides well documented facts on improved mood and improved concentration.

Mr Deputy Speaker, Sir, nowadays many of us are using mobiles to connect to a virtual world. In comparison to it, with physical activities, it will benefit our youth to increase social cohesion, connecting family and communities, creation of friendships, lesson in how to deal with winning and losing and reduction of unhealthy behaviour such as tobacco smoking, drugs and alcohol use. There are some important points on the economic benefits such as the possibility of creation of jobs in the recreational industry, attraction of tourism through active destination and active transport, reduction in household expenditure when choosing active transport and support for the local businesses when pedestrian and cyclist activities are increased.

The last but most essential benefit is environmental health whereby reducing air pollution and greenhouse gases through reduced cars on the road and reduced impact on the road infrastructure when short trip are walked or cycled instead of driven. It also improves local neighbourhood amenity when traffic is reduced.

Mr Deputy Speaker, Sir, the functions of the Council will be –

- (i) to maintain effective communication with the public with regard to recreational activity;
- (ii) call for projects from the community in order to promote recreational activities;
- (iii) to establish an annual plan and calendar for recreational activities which is a very crucial part in maintaining a regular recreational activity for our youth;
- (iv) to assist organisation involved in the promotion of recreational activities, and
- (v) lastly, advise the Minister on matters pertaining to recreational activities.

Mr Deputy Speaker, Sir, I would like to suggest some points –

1. For a high participation in these activities there should be collaboration between the Ministry of Youth Empowerment, Sports and Recreation and the Ministry of Communication and Technology. To promote places of upcoming recreational activities and our youth can place rendezvous through Apps.
2. Secondly, we should come up with a study on the existing gap of local sport facilities for our disabled children.
3. Develop a citywide walk and cycle plan to identify strategic routes and destinations across Mauritius.
4. In response to the development of the Local Government Infrastructural Plan and the Ministry of Environment, we should undertake a review of our public parks, and
5. lastly, pursue identified ecotourism opportunity related to sports.

Mr Deputy Speaker, Sir, I come from a traditional rural family and I have sensed the genuine apprehensions of parents whenever the youth in my locality would propose to explore some or go on some recreational places. We may not blame the parents for the resistance on their part in the absence of some approved structure-providing direction and assuming control and responsibility.

The Recreational Council Bill rightly aims at an approach participating in the design of recreational activities. A live communication line with the community in the design of recreational activities would have the benefit of an increased level of participation in the recreational activities.

It is also interesting to note that the Bill would be providing for assistance to recreational initiatives from different quarters. I would just like to enlighten the House on the different local sport facilities present in Constituency No. 6 Grand' Baie and Poudre d'Or. There are Mini soccer pitch are being implemented in Goodlands and Sottise. Beach Authority is implementing projects at Melville and Pointe aux Cannonier for our youth. NDU, with the help of the District Council, restored Belin football ground lights, and light works of volleyball pitch of Poudre d'Or, Goodlands and Roche Terre village will be undertaken.

Mr Deputy Speaker, Sir, the Recreational Council Bill will fill a policy gap with regard to organised and structured recreational activities. And, here, the Council would have the merit of helping the Ministry of Youth Empowerment, Sports and Recreation for the youth of the country.

I, therefore, commend the Bill and thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you. Hon. Mr Woochit, please!

(10.31 p.m.)

**Mr R. Woochit (Third Member for Pamplemousses & Triolet):** Mr Deputy Speaker, Sir, thank you for giving me the opportunity to contribute to the debate on the Mauritius Recreation Council Bill.

Mr Deputy Speaker, Sir, at the very outset, I would like to point out a fact which appears quite surprising and confusing. This is a fact that this Bill has been brought to Parliament by the hon. Minister of Youth Empowerment, Sports and Recreation. If we look at the definition of recreation at the definition section of the Bill, we see same has been defined as –

“a directed process of participation on a voluntary basis in any type of activity which contributes to societal growth and the enhancement of physical, social and mental well-being of an individual.”

Mr Deputy Speaker, Sir, it is my humble contention that this Bill should have been introduced by the Minister of Social Integration, Social Security and National Solidarity. Causing the Minister of Youth Empowerment, Sports and Recreation to introduce this Bill in the Parliament appears to be a blunder.

The second point, Mr Deputy Speaker, Sir, on which I would like to invite the attention of this august House, is the timing of the Bill. It is a secret to nobody that the world is facing a difficult period due to the COVID-19 pandemic, which is causing much pain, trouble and suffering to our people. Government institutions and law enforcement agencies have been stressing on the need to introduce social distancing as a mode of life. Everyday, we are told that we should not go out unless there is absolute necessity. Human grouping is being disallowed, discouraged and even controlled.

Mr Deputy Speaker, Sir, hardly some days back, the hon. Prime Minister made an address to the nation whereby he announced further sanitary restrictions in the wake of the increasing number of COVID-19 infection and deaths. Furthermore, stringent restriction has been imposed in respect of gathering in funerals, weddings and religious places. In this context, Mr Deputy Speaker, Sir, where more and more human restrictions are being imposed, what is the haste, what is the relevance, and what is the pertinence of this Bill? I will say that this Bill *tombe à une mauvais moment*. Instead of introducing this Bill, the Government should have been better advised to do important things, to initiate steps to alleviate the pain and the suffering of our nation, and also to save the life of our people.

The next thing which has drawn my attention is that this Government is creating an organisation which will be responsible for the promotion and organisation of recreational activities in Mauritius. Why do we need such an institution when we already have a Ministry of Youth Empowerment, Sports and Recreation, which is manned by a horde of Youth Officers and led by a Director of Sports? In addition, there exists the Mauritius Sports Council, which supports the Ministry of Youth Empowerment, Sports and Recreation in planning, coordinating and promoting recreational sports through financial, administrative and services assistance to sports federations and other related sports bodies. With all these set up, I do not believe that at this critical period when the focus is on fighting the deadly Corona virus, we need to have such an organisation which will cost millions to taxpayers and which is bound to become a white elephant.

Mr Deputy Speaker, Sir, according to section 3 (1) of the Bill, there will be a Mauritius Recreation Council, and according to section 7 (1) of the Bill, 13 persons will sit on the Board. Why do we need 13 Board members? It is well settled in management principles that the more people we have in a Committee the more difficult it becomes to take decisions. Therefore, I presume, Mr Deputy Speaker, Sir, that most of these Board members will be appointed on the basis of their political affinities as a reward for their loyalty towards the ruling party in power rather than on their competencies.

Furthermore, Mr Deputy Speaker, Sir, according to section 9 of the Bill, the Board may set up as many committees as it may to assist it in the discharge of its functions. Section 9 (2) stipulates as follows –

“A Committee shall consist of not less than 3 members and such other persons as may be co-opted by the Board.”

In addition, Mr Deputy Speaker, Sir, it goes without saying that the Council will have a secretariat and other employees. Just think about the millions of rupees that will be spent in terms of salaries and fees. Is this necessary, Mr Deputy Speaker, Sir? Does this Government have *un sens de priorité*? Mr Deputy Speaker, Sir, a democratic Republic which understands its significance and which does not want to be taxed as a Republic ‘*bananière*’ should refrain from setting up unnecessary institutions with the prime aim of pleasing its political followers.

Mr Deputy Speaker, Sir, I will set up further reasons as to why there is no need for such a Recreation Council. Section 50, paragraph (m) of the Local Government Act stipulates that Municipal and District Councils are responsible for the promotion of sports development and the organisation of sports activities. While paragraph (n) specifies that these local authorities are responsible for the provision of infrastructure for leisure and cultural activities to local inhabitants as well as for the organisation of leisure, welfare and cultural activities. In addition, there is a legal obligation under section 51 of the Local Government Act for Village Councils to be responsible for the organisation of sports, leisure and cultural activities.

Mr Deputy Speaker, Sir, football playground, mini soccer pitches and other infrastructure are already vested with local authorities for better organisation of football tournaments and other sports activities such as volleyball and petanque. The Association of District Councils, known as ADC and the Association of Urban Authorities of Mauritius (AUA) also contribute towards the organisation of welfare and sports activities in Mauritius. What is therefore the necessity to come forward with a Recreation Council when there already exists the required setup in terms of sports council with more than 40 federations, social welfare centres, youth centres, and 12 local authorities and their respective organisations, that is, the Village Councils which are duly empowered to provide recreational activities to our citizens? Any reasonable person will come to the conclusion that this Government has a hidden agenda in this endeavour.

Mr Deputy Speaker, Sir, the real motive of creating the Recreation Council is political. It would appear that this Government does not believe in the independence of institutions and try, at all costs, to dictate how our institutions should operate.

The recent events at the Mauritius Sports Council and in one District Council where the Chairman was arrested on frivolous charges are clear indications that this Government can go to any extent in controlling the functioning of our institutions.

Mr Deputy Speaker, Sir, in the light of the submission, one can only arrive at the conclusion that the Recreation Council will be mainly utilised for political purpose and not for recreational activities as spelt out in this Bill.

With these few words, Mr Deputy Speaker, Sir, I make an appeal to the hon. Minister to withdraw the Bill in the interest of the public.

*(Interruptions)*

**The Deputy Speaker:** Order! Order! Ambiance is good. Laughing at somebody's debate is not good.

Hon. Vikram Hurdooyal, please.

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

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

## ADJOURNMENT

**The Vice Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 07 December 2021 at 11.30 a.m.

**Mr Seeruttun seconded.**

*Question put and agreed to.*

**The Deputy Speaker:** The House stands adjourned. Specific matter! Hon. Dhunoo, please!

## MATTERS RAISED

### CWA - INCREASE WATER CAPACITY - CUREPIPE

**Mr S. Dhunoo (Third Member for Curepipe & Midlands):** Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, I have given notice to the hon. Minister of Energy and Public Utilities, hon. Georges Pierre Lesjongard, of the following matter and it reads as follows -

“Increase of the capacity of the Central Water Authority substation reservoir at 16<sup>ème</sup> Mille, Curepipe, in view of the increasing number of inhabitants.”

Mr Deputy Speaker, Sir, allow me to give a quick overview of my Constituency; Constituency No. 17 Curepipe/Midlands which comprises the Township of Curepipe and 3 villages namely; Dubreuil, Midlands and 16<sup>ème</sup> Mille. We have around 80,000 inhabitants and on average, the daily consumption of water amounts to 46,000 m<sup>3</sup>.

My specific matter before this House, this evening, Mr Deputy Speaker, Sir, is pertaining to the sub-station of reservoir at 16<sup>ème</sup> Mille, Curepipe. Mr Deputy Speaker, Sir, in 1954, with a view to having a dedicated sub-station for the regions of 16<sup>ème</sup> Mille and Midlands, a football pitch was converted to construct the 16<sup>ème</sup> Mille Reservoir. At that time, there was a population of 300 inhabitants in the region and the reservoir had the capacity of 700 m<sup>3</sup>. As at date, 67 years since its construction, the reservoir is still operational. However, the capacity has remained the same but the number of inhabitants has increased from 300 to 4,000 and when we couple with the village nearby like Midlands which is alimented from this sub-station, it amounts to nearly 7,000 people.

The drastic increase in the population is the result of mushrooming of the new settlement namely; *Morcellement Domah*, *Morcellement Soobany*, *Cité Anoushka*, *Résidence Mon Bois* and the most recent is the new built NHDC complex, NHDC Jacinthe.

Mr Deputy Speaker, Sir, in line with our vision to build 12,000 new houses, our Government has identified one spot in that specific region and a list of proposed sites are currently in the pipeline. Since 1954 the population has increased and with the infrastructural

development on our agenda, it will continue to increase in the coming years. Mr Deputy Speaker, Sir, Mauritius is a strong proponent of the sustainable development goals.

With regard to this specific matter, I would like to make reference to the Sustainable Development Goal No. 6, pertaining to access to water. One main challenge under this goal is that the rising population is leading to scarcity and making it difficult to match the demand of the population.

In view to address the challenges, one of the targets of this SDG is to work with key stakeholders to improve water resources management and distribution. A considerate rise in the number of inhabitants also implies a considerate increase in consumption. However, Mr Deputy Speaker, Sir, the capacity of our sub-station reservoir has remained the same. Therefore, it is very difficult to meet the demand with this limited supply. The inhabitants are currently facing very limited water supply and given the topography of the land, in some areas, they are even more affected.

In the light of above, it is of utmost importance that the capacity of the sub-station of 16<sup>ème</sup> Mille reservoir be upgraded to cater for the needs of the current and future inhabitants. I therefore request the hon. Georges Pierre Lesjongard to use his good office to mandate the CWA to work on the possibilities of increasing the capacity of the sub-station reservoir 16<sup>ème</sup> Mille which will, in turn, enable the increase of water supply in the region of 16<sup>ème</sup> Mille and Midlands. I also seize the opportunity to thank the hon. Minister and all his team from the CWA for all the works that they doing in the Constituency No.17 which, on behalf of the inhabitants, we are thankful to him and his good team.

I thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you very much. Hon. Minister, please.

**The Minister of Energy and Public Utilities (Mr G. Lesjongard):** Thank you Mr Deputy Speaker, Sir. With your permission, I would like to make a statement on the specific matter raised by hon. Dhunoo regarding increase of the capacity of the Central Water Authority reservoir at 16<sup>ème</sup> Mille, Curepipe, in view of the increasing number of inhabitants in that region.

In fact, Mr Deputy Speaker, Sir, this is the case for the past few years, there has been an increase in the number of consumers in that area and that has led to an increase in water consumption in the areas mentioned by the hon. Member.

I am informed by the Central Water Authority, Mr Deputy Speaker, Sir, that the reservoir at 16<sup>ème</sup> Mille, Curepipe is a very old stone-masonry reservoir of a capacity of only 340 m<sup>3</sup>. At the very outset, I would like to highlight, because this is important; even I ask the same question because of the capacity of the reservoir when I was preparing the reply with regard to this specific matter, to highlight that that this Reservoir acts as a buffer tank in supplying water to consumers while ensuring adequate pressure which is possible with the level of water in the reservoir. Like I said the reservoir is of a capacity of 340 m<sup>3</sup> and the 16<sup>ème</sup> Mille Reservoir receives some 1800 m<sup>3</sup> of water daily from La Brasserie Reservoir and serves around 1800 subscribers for the regions of 16<sup>ème</sup> Mille, Solesse, Midlands, Nouvelle France, Morc. Domah, Cité Anoushka and Morc. Ramphul.

These regions, Mr Deputy Speaker, Sir, are supplied with twelve hours of water supply, that is, from 03:00 a.m to 09:00 a.m and from 03:00 p.m to 09:00 p.m. The supply is through gravity and the pressure at consumers' premises is dictated by the level of water in the reservoir.

Mr Deputy Speaker, Sir, since the reservoir acts as a buffer tank and does not store water as such, it is not proposed to upgrade it or to construct a new one. However, Mr Deputy Speaker, Sir, in order to improve the water pressure in regions supplied by the 16<sup>ème</sup> Mille Reservoir, the CWA is envisaging to increase the volume of water by injecting 2500 m<sup>3</sup> of water instead of 1800 m<sup>3</sup> of water from La Brasserie Reservoir to 16<sup>ème</sup> Mille Reservoir.

Moreover, Mr Deputy Speaker, Sir, consumers will be encouraged through campaigns for the water tank grant scheme, subject to eligibility criteria to apply for a water tank and a domestic water pump also. This will cater for water supply to their households outside the hours of water supply by the CWA.

In the meantime, Mr Deputy Speaker, Sir, we are working on possibilities of increasing further the volume of water supplying those regions.

I thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you very much. Let me express my appreciation to hon. Dr. Boolell, hon. Fabrice David and hon. Juman for staying unlike the rest of the Opposition. Have a good night!

*At 10.53 p.m., the Assembly was, on its rising, adjourned to Tuesday 07 December 2021, at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### DR. MARCOS ORELLANA - UNITED NATIONS SPECIAL RAPPORTEUR - REPORT & FINDINGS

**(No. B/1235) 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 the light of the preliminary findings of Dr. Marcos Orellana, United Nations Special Rapporteur, on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, he will state if he still proposes to proceed with the enactment of the Offshore Petroleum Bill.

**Reply:** The Human Rights Council Resolution 45/17 was adopted on 06 October 2020 and it provides for a Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes.

The Human Rights Division of the Ministry of Foreign Affairs, Regional Integration and International Trade has informed that, in this context, a request was made by the Office of the United Nations High Commissioner for Human Rights for Dr. Marcos Orellana, Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, to effect a country visit to Mauritius, especially in the aftermath of the MV Wakashio Oil Spill.

The scope of the mandate of the Special Rapporteur includes extractive industries, particularly oil, gas and mining, labour conditions in manufacturing and agricultural sectors, consumer products, environmental emissions of hazardous substances from all sources, military activities, war and conflict and the disposal of waste. The Human Rights Council had also requested the Special Rapporteur to continue to provide detailed, up-to-date information on the

adverse consequences, for the full enjoyment of human rights, of managing and disposing of hazardous substances and wastes. This may include information on –

- (a) the adverse consequences for persons and groups in vulnerable situations, including indigenous peoples;
- (b) the science-policy interface as regard the risks associated with the lifecycle of hazardous substances and wastes, including the risks to the right of freedom of expression, which includes the freedom to seek, receive and impart information, and the right to enjoy the benefits of scientific progress;
- (c) the developments, gaps and shortcomings in the effectiveness of international regulatory mechanism concerning hazardous substances and wastes and their impact on the enjoyment of human rights, including with respect to emerging chemicals and waste management and disposal issues, and
- (d) human rights issues relating to all business enterprises, both transactional and other, regarding the environmentally sound management and disposal of hazardous substances and wastes.

Dr. Marcos Orellana was in Mauritius from Monday 25 to Friday 29 October 2021. During his visit, he held discussions with various stakeholders, namely officers from the Ministry of the Environment, Solid Waste Management and Climate Change, the Human Rights Division of the Ministry of Foreign Affairs, Regional Integration and International Trade, the Ministry of Energy and Public Utilities, the Ministry of Labour, Human Resources, Development and Training, the Ministry of Agro-Industry and Food Security, the Ministry of Health and Wellness, the Dangerous Chemical Control Board, the Radiation Safety and Nuclear Authority and the Commandant of the National Coast Guard. Dr. Marcos Orellana also met members of the National Human Rights Commission, parliamentarians, representatives of the NGOs and the Civil Society, academics, selected members of the Diplomatic Corps, namely the Ambassador of Japan, the Ambassador of France, the Chargé d’Affaires, Embassy of the United States of America as well as the representatives of UN agencies based in Mauritius. The Special Rapporteur also visited the Mare Chicose Landfill, the Mauritius Ports, the Interim Storage

Facility for Hazardous Wastes at La Chaumière as well as the Blue Bay Marine Park and other areas affected by the MV Wakashio Oil Spill.

The Human Rights Division of the Ministry of Foreign Affairs, Regional Integration and International Trade has also informed that a meeting was held on Friday 29 October 2021 at the Human Rights Division where all Government stakeholders were present along with the UN Resident Coordinator and the UNDP Representative. During that meeting, certain clarifications had already been provided to the Special Rapporteur. Moreover, relevant Ministries and Departments have been requested to provide additional information for onward transmission to Dr. Marcos Orellana by end of November 2021.

On Friday 29 October 2021 the Special Rapporteur released his end-of-visit statement and on Friday 12 November 2021, Government was apprised of the preliminary findings of Dr. Marcos Orellana following his recent visit to Mauritius. The Final Report of the Special Rapporteur will be presented during the fifty-first session of the Human Rights Council in September 2022. Prior to that date, a draft Report will be submitted to the Human Rights Division for views, comments and clarifications of the Government of Mauritius.

In the last paragraph under the heading climate change and human rights of his preliminary findings, Dr. Marcos Orellana states the following, as quoted –

“All this action on climate mitigation and adaptation, however, is directly contradicted by the new Offshore Petroleum Bill introduced to the National Assembly of Mauritius earlier this week. Oil exploration would only aggravate what is already an existential climate emergency that threatens to undermine the ability of humans to live on our planet earth. Mauritius as a small island state is already in the first line of climate vulnerability. Allowing for oil exploration in the knowledge of the climate emergency is akin to self-injury, and it is incompatible with the human rights obligations to respect and protect the rights to life, health, and a clean, safe, healthy and sustainable environment.”

The Offshore Petroleum Bill has been presented to the National Assembly on Tuesday 26 October 2021 to repeal a 50 year-old Petroleum Act so as to provide for a more modern and comprehensive legal and regulatory framework adapted to offshore petroleum activities in Mauritius. Government has presented a new and more appropriate regulatory régime for the

conduct of petroleum activities which is not only at par with environmental and safety commitments but also embraces international best practices and modern technology in this field.

It was clear that the Petroleum Act of 1970 was outdated and it no longer provided a suitable basis for the regulation of an active and modern petroleum sector in Mauritius. The 1970 Act has been practically dormant for decades and it would have been difficult for Mauritius, under such legislation, to embark into petroleum exploration activities that would constitute considerable regulatory risk for the Government and bear uncertainties for potential investors. The Petroleum Act 1970 does not explicitly make provisions for environmental considerations. Government seriously needs to adapt our legislations to effectively strengthen its environmental and safety requirements when it comes to petroleum activity. Government is doing so by providing an Environmental Code of Practice as well as Safety Code under which all activities are to be carried out.

Over and above the obligation to carry out an Environmental Impact Assessment, the Environmental Code of Practice shall provide further assurance for the sustainable management of the petroleum resources and marine environment of the maritime zones and includes –

- (a) protecting the marine environment and associated ecosystems, taking all appropriate measures to protect and preserve biological diversity and rare or fragile ecosystems, as well as species of wild fauna and flora and their habitats;
- (b) sustaining the potential of petroleum resources to meet the needs of future generations;
- (c) safeguarding the life-supporting capacity of the environment, and
- (d) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The Safety Code of Practice will ensure the safe, secure and sustainable conduct of petroleum activities while reducing all risk factors and include –

- (a) the maintenance of the integrity of the offshore installation;
- (b) securing the safety of operational personnel, and

(c) further protection to the marine environment.

This framework demonstrates the commitment of Government to revamp archaic laws by providing more robust and updated legislations, and this also reflects the proactive endeavours of my Government to shape an avant-garde nation.

According to information, Dr. Marcos Orellana has neither consulted the Department for Continental Shelf, Maritime Zones Administration and Exploration nor sought any clarifications about the Offshore Petroleum Bill. The Prime Minister's Office will, therefore, ensure that Government's views reach the Special Rapporteur through the Human Rights Division in due course prior to the submission of his final report.

The hon. Member had ample time to voice out her qualms about the Offshore Petroleum Bill during the debates of the Second Reading of the Bill on 26 October 2021. Any other Member of the House will have the opportunity to express his or her views during the debates.

## **2012 RULING OF THE UNITED NATIONS HUMAN RIGHTS COMMITTEE**

**(No. B/1236) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the 2012 Ruling of the United Nations Human Rights Committee regarding non-compliance by Mauritius with the International Covenant on Political and Civil Rights, he will state the measures Government proposes to take for the implementation thereof.

**Reply (Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade):** Further to the 2012 Ruling of the United Nations Human Rights Committee regarding non-compliance by Mauritius with the International Covenant on Political and Civil Rights, the Republic of Mauritius effected an amendment to the Constitution through the Constitutional (Declaration of Community) Temporary Act 2014. The Act made special provision regarding the declaration of a candidate as to his community, pending the subsuming of the Best Loser system in a different method of allocating additional seats, and the provisions thereof were applicable to the 2014 General Elections.

It did not however extend these provisions to the 2019 General Elections as these contained anomalies.

One major anomaly identified was that if several candidates belonging to a particular community do not declare their community during elections and are thereby returned as members of the National Assembly, there would be an “artificial” under representation of that community in the National Assembly, whereby with a view to ensuring a fair representation, the Electoral Supervisory Commission would have been under a mandatory legal obligation to allocate additional seats under the Best Loser System to unreturned candidates of that particular community. Consequently this would, in lieu of ensuring fair representation of every community in the National Assembly, create a situation whereby that particular community, because of it being “artificially” under represented, would, after allocation of additional seats, be over represented, and, at the same time, resulting in another community to be under represented. In such a situation, the whole exercise of designating additional seats will thus be falsified, thereby defeating the whole purpose of having a fair representation of all communities in the National Assembly.

The panacea, therefore, does not and cannot lie in piecemeal amendments to the Constitution of Mauritius. The Republic of Mauritius has also already explained that piecemeal amendments to the Constitution in order to remove the reference to the 1972 census in the First Schedule to the Constitution are not considered appropriate as neither would this achieve broad consensus nor would this contribute to meeting the objective of building a truly Mauritian Nation, an aim to which the Government of Mauritius stands fully and unreservedly committed to.

As regards the holistic reform of the electoral reform to reconsider the necessity of the community-based electoral system, the Republic of Mauritius has attempted to introduce the Constitution Amendment Bill No. XXII of 2018, which includes amendments to do away with the requirement for the mandatory declaration of community to which a candidate belongs to.

However, again, the debates on the Bill before the National Assembly only confirmed the deep sensitivity related to the abolishing of the Best Loser System within the Mauritian society. The tenor and nature of the debates in the National Assembly made it evident that the required majority to effect any constitutional amendment would not be obtained. Without in any way endorsing the merits of the Best Loser System, it is still viewed by many as a way to secure the

representation of minority communities in Parliament, and a reason for the continued political stability in a multi-cultural Mauritius.

Thus, despite sincere and genuine endeavours to have a national dialogue on this issue through the Constitution Amendment Bill No. XXII of 2018, the prevailing conjunctures within the National Assembly and Mauritius society made it impossible to bring holistic reforms of the electoral reform.

Notwithstanding the above and conjunctures permitting, the Republic of Mauritius stands committed to bringing an electoral reform, which will obtain widespread political and nationwide consensus whilst respecting the rights of all its citizens, including those of the authors of the complaint.

### **RODRIGUES - PEDO-PORNOGRAPHY ALLEGED CASES – INQUIRIES & ARRESTS**

**(No. B/1237) Mr J. Léopold (Second Member for Rodrigues)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the recent alleged cases of pedo-pornography in Rodrigues, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to where matters stand as to the inquiries initiated thereinto, indicating the progress made for the dismantling of the network in relation thereto and number of arrests effected in connection therewith, if any.

**Reply:** The Acting Commissioner of Police has informed that, following a case of larceny of mobile telephones reported on Saturday 24 July 2021 at Petit Gabriel Police Station in Rodrigues, a search was carried out on Monday 26 July 2021 at the place of one J.D.F., during which two mobile telephones, three hard disks, two lens, one camera and one laptop were secured. On preliminary examination of the mobile telephones, they were found to contain several obscene photos and video clips of paedophilic and pornographic nature.

The Acting Commissioner of Police has also informed that, on questioning, J.D.F. disclosed that he and his friends, namely J.S.A., N.J.A., and Miss N.G. were involved in the production of these video clips and images. He also confessed having later shared the posts/images on the internet/social media and among themselves. The three friends of J.D.F. admitted their involvement in the case.

Further enquiry was conducted into the matter as a result of which fifteen cases were disclosed. Twelve persons, including the four above named, were arrested and were provisionally charged before the Rodrigues Court. Nine of them were released on bail while the other three were remanded jail.

The Acting Commissioner of Police has further informed that as investigations revealed that the victims involved children, high priority was given to the cases. The Police spared no effort in tackling these cases despite the fact that borders were closed due to the COVID-19 pandemic. In fact, on Tuesday 10 August 2021, a special mission was undertaken by the Dornier aircraft to convey to Rodrigues a Police Medical Officer and an IT expert for the medical examination of the children and accused parties and also, to examine the mobile telephones.

Subsequently, on Saturday 28 August 2021, three other experts from the Police IT Unit and the Cybercrime Unit were dispatched to Rodrigues to support the Rodrigues CID team in the conduct of the investigation. They underwent a quarantine period of 14 days prior to the departure and after their mission, they returned to Mauritius on Monday 20 September 2021 with the exhibits secured for further examination. Due to the complex and cumbersome process of extracting forensic evidence from the exhibits, the report is still being awaited.

The Acting Commissioner of Police has also informed that the case is presently being enquired into by the CID Rodrigues Division and is being supported by the Central CID. At this stage of the enquiry, it is premature to say whether there is a network operating or otherwise. Notwithstanding this fact, the Police will leave no stone unturned to trace out other culprits, if any.

### **COVID-19 HIGH-LEVEL COMMITTEE - MEETINGS**

**(No. B/1238) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the High-Level Committee on COVID-19, he will state the number of meetings chaired by the hon. Deputy Prime Minister during his recent Actingship as Prime Minister, if any, and, if so, give details of the decisions taken in each meeting.

**Reply:** I proceeded on mission overseas on Saturday 30 October 2021 and came back to Mauritius on Thursday 11 November 2021. During that period, the Deputy Prime Minister acted as Prime Minister and chaired four meetings of the High-Level Committee on COVID-19.

I refer to the reply I made to a Private Notice Question on 06 April 2021 wherein I stated that the High-Level Committee on COVID-19, which was set up on 31 January 2020, is mandated by Cabinet to coordinate and monitor actions taken by Ministries, Departments and other stakeholders in relation to the response to the COVID-19 pandemic.

Cabinet normally meets on a weekly basis and takes note of the prevailing situation and also of the actions taken by concerned stakeholders. However, Cabinet may meet more often as and when required. The High-Level Committee may also take urgent policy decisions after required consultations, which are then ratified by Cabinet.

It would not be appropriate to disclose details of the meetings of the High-Level Committee as the High-Level Committee on COVID-19 is mandated to report to Cabinet.

### **COVID-19 PANDEMIC - MALAGASY COMMERCIAL FLIGHTS - SUSPENSION**

**(No. B/1239) 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 commercial flights from the Malagasy Republic to Mauritius, he will state if he has been informed that the Malagasy authorities have decided to cease same amid the current COVID-19 pandemic situation and, if so, indicate if other countries have signified their intention in the same direction.

**Reply:** The Malagasy Civil Aviation Authority had informed Air Mauritius on Friday 19 November 2021 that the Malagasy Government has imposed a suspension on commercial flights between Mauritius and Madagascar after Saturday 27 November 2021. The reason put forward for such suspension is to decrease the risk of spreading the COVID-19 pandemic in Madagascar.

The Malagasy Civil Aviation Authority has, on Monday 22 November 2021, also informed Air Mauritius that with regard to cargo flights, the two flights scheduled after Saturday 27 November 2021 shall not be considered as authorised. A new approbation procedure is being

worked out on the Malagasy side and Air Mauritius has been requested to wait for the issuance of the conclusion of this new procedure.

Following these decisions, the Mauritius Embassy in Madagascar held discussions with the Director General of the Malagasy Civil Aviation Authority, and, based on proposals made by the Country Manager of Air Mauritius, a request was made on Thursday 25 November 2021 for the application of flexibility measures after Saturday 27 November 2021 to allow –

- (i) passengers to travel from Madagascar to Mauritius;
- (ii) transit passengers to travel from Madagascar to Mauritius and vice versa without leaving the airport in Mauritius, and
- (iii) the operation of cargo flights from Mauritius to Madagascar and vice versa.

As at date, a reply has not yet been received from the Malagasy authorities.

It is to be noted that no other country has informed Mauritius of its intention to cease operation of commercial flights to Mauritius.

#### **DRUGS SEIZURE – INQUIRY & ARRESTS**

**(No. B/1240) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the seizure of 95 kgs of cocaine worth Rs1.4 billion found in a wheel loader on 10 July 2019, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto, indicating the number of arrests effected in connection therewith, if any, giving details thereof.

*(Withdrawn)*

#### **ILLEGAL MOTORCYCLE RACING**

**(No. B/1241) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to illegal motorcycle racing, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to the additional measures he proposes to take to address same, if any.

*(Withdrawn)*

**CITIZEN SUPPORT UNIT – COMPLAINTS RECEIVED**

– **AUG 2020 TO 30 NOV 2021**

**(No. B/1242) Mr K. Doolub (Third Member for Mahebourg & Plaine Magnien)**

asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Citizen Support Unit, he will, for the benefit of the House, obtain therefrom, information as to the number of complaints received thereat since August 2020 to date, indicating the outcome thereof.

*(Withdrawn)*

**MAURITIUS PORTS AUTHORITY – SEAFARER TRAINING PROGRAMME**

**(No. B/1243) Mr R. Wochit (Third Member for Pamplemousses & Triolet)** 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 batch of thirteen trainee seafarers who underwent three and a half years traineeship at the Mauritius Ports Authority, he will, for the benefit of the House, obtain from the Authority, information as to the sea time that they would require to possess to qualify as able seafarers.

**Reply:** The Mauritius Ports Authority has informed that with a view to addressing the acute shortage of qualified Seafarers on the labour market, the Authority in collaboration with the Mauritius Shipping Corporation Ltd, launched a Seafarer Training Programme, for training of a pool of candidates to be eventually qualified and secure employment as Able Seafarer (Deck) and Able Seafarer (Engine) in the local maritime industry. A Memorandum of Understanding was entered into between the Mauritius Ports Authority and the Mauritius Shipping Corporation Ltd. According to this MoU, the Corporation was required to provide sea-service to the Trainees.

Accordingly, following a recruitment and selection exercise carried out by the Mauritius Ports Authority in October 2018, 32 candidates were initially enlisted to undergo the Seafarer Training Programme, which comprised both theoretical training at the Mauritius Maritime Training Academy followed by relevant sea-time onboard sea-going vessels owned or operated by the Mauritius Shipping Corporation Limited.

The 32 candidates were re-grouped in two batches of 15 Trainees (Deck) and 17 Trainees (Engine). In order for the trainees to qualify as Able Seafarers (Deck) and Able Seafarers (Engine) respectively, the Mauritius Shipping Corporation Ltd was required to provide 12 months' sea-service for the Deck component and 6 months' sea-service for the Engine component onboard its vessels on their voyages to outer islands.

During the course of the Seafarer Training Programme, 8 Trainees dropped out as 7 had not succeeded in the basic seamanship examination and 1 had resigned from the traineeship. Another Trainee did not follow the practical training. Thus, 10 Trainees (Deck) and 13 Trainees (Engine) pursued with the Training Programme. After having successfully taken part in the examinations, all the 10 Trainees (Deck) and 13 Trainees (Engine) have obtained the Rating Forming Part of Navigational Watch and the Rating Forming Part of Engine Watch certificates respectively.

As holders of the Rating Forming Part of Navigational Watch and Rating Forming Part of Engine Watch Certificates respectively, the Trainees (Deck) needed an additional 12 months' sea-service whilst the Trainees (Engine) required an additional 6 months' sea-service in order to obtain their respective Able Seafarer (Deck) and Able Seafarer (Engine) certificates.

Accordingly, numerous requests were made to the Mauritius Shipping Corporation Ltd to provide the required sea-service so that the trainees could qualify as Able Seafarers. Given that there was no progress in this respect owing to the impact of the COVID-19 pandemic, the Mauritius Ports Authority decided in the meantime to offer a temporary placement to the 23 Trainee Seafarers at its Marine Department as from August 2020. This initiative was intended to provide the trainees with exposure in their respective fields.

Additionally, several requests have been made with major shipping lines for the trainees to embark on their vessels in order to secure the appropriate sea-service. However, the response from the shipping lines in that regard has not been conclusive.

In the meantime, the Mauritius Ports Authority recruited the 10 Trainees (Deck) as Trainee Seaman (Deck), which is provided in its organisational structure. With regard to the 13 Trainees (Engine), they are not eligible for employment as the Marine Engineering Unit of the Mauritius Ports Authority requires more experienced and competent Able Seafarer (Engine) reckoning at least three years' sea-service at entry level.

As all the avenues explored by the Mauritius Ports Authority to secure 6 months' sea-service for the 13 Trainees (Engine) had not been conclusive, they have been informed that their temporary placement would be discontinued as from end of November 2021. The 13 Trainees (Engine) are being encouraged to follow alternative capacity building programme involving short training courses in technical fields at recognised training institutions. In this respect, necessary budgetary provision has been made by the Mauritius Ports Authority.

### **COVID-19 - CÔTE D'OR SPORTS COMPLEX - HEALTHCARE CENTRE**

**(No. B/1268) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Health and Wellness whether, in regard to the prevailing COVID-19 pandemic with the Delta Variant situation, he will state if consideration will be given for the Côte d'Or Sports Complex to be converted into a COVID-19 Healthcare Centre for the admission of COVID-19 positive-tested asymptomatic patients who do not require hospitalization and, if not, why not.

**Reply:** I wish to inform the House that the Côte d'Or Sports Complex is not equipped with any medical or paramedical facility. It is a state-of-the-art sports complex, but it is not fitted with amenities and facilities befitting a medical facility.

Additionally, having a huge number of asymptomatic patients all under one roof in an open space facility is not a conducive environment for them to recover and will pose sanitary and privacy issues, amongst others.

Just like a flu or common cold, asymptomatic patients do not require hospitalisation and can be treated at home with basic medication, if the need arises, ample hydration and wholesome diet whilst taking all precautionary sanitary measures. This has been the practice worldwide since the beginning of the pandemic. The advantages of self-isolating at home, by far, outweigh the inconveniences of spending 10 days in a sports complex.

Moreover, extensive logistical support would be required to set the Côte d'Or Sports Complex into a COVID-19 Healthcare Centre for the admission of COVID-19 positive tested patients.

**BAMBOUS, MOKA, MAPOU, SOUILLAC & PAMPLEMOUSSES DISTRICT  
COURTS - RESTORATION**

(No. B/1269) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Arts and Cultural Heritage whether, in regard to the ancient buildings of undisputed historic, cultural and architectural significance which housed the Bambous, the Moka, the Mapou, the Souillac and the Pamplemousses District Courts, he will state if his Ministry or any other authority is envisaging the rehabilitation thereof.

**Reply:** I am informed by the National Heritage Fund (NHF), a parastatal body operating under the aegis of my Ministry, that the buildings housing the Bambous, Moka, Mapou, Souillac and the Pamplemousses District Courts are not listed as National Heritage under the National Heritage Fund Act. As such, the cultural significance of these buildings has not yet been assessed.

As per information obtained from the Acting Master and Registrar, the buildings which house the Bambous, Mapou, and Pamplemousses District Courts are vested in the Judiciary. While the Ex-Moka District Court is vested in the Prime Minister's Office, and the Souillac District Court is vested in the Ministry of Housing and Land Use Planning.

Even though these five buildings are not listed as National Heritage, I am apprised that prior to any pulling down, reconstruction or restoration works thereat, advice of the NHF is sought.

The Old Mapou and the Ex-Pamplemousses District Courts are in an abandoned state and the Judiciary does not have any project currently for the restoration of these buildings.

As for the Ex-Bambous District Court, the Judiciary has a project, thereat, for the construction of a new Court house and to pull down the existing building.

Taking into consideration that the existing building has a high historical value as assessed by the NHF, the latter has advised that this building be restored and rehabilitated and thereafter, integrated in the new Court House project. I am informed that this project has not yet been implemented.

With regard to the Ex-Moka District Court building which is vested in the Prime Minister's Office, I am informed by the NHF that the building has a high historical value.

Following the request of the Commissioner of Police in 2019 to pull down the existing building with the aim to construct a new administrative block for its headquarters, the NHF

Board informed the Police that the new design is not in conformity with the architectural aspect and the latter has been recommended to integrate the maximum possible historical features in the new construction.

As such, the Police intend to rehabilitate and restore the old building in order to comply with NHF recommendations. However, due to unavailability of funds, the implementation of this project has been kept in abeyance for the time being.

As for the Souillac District Court, I am informed that for the time being, there is no project for the restoration, thereof.

I am aware that these buildings are ancient and have historical and probably cultural significance. The NHF has been requested to assess the cultural significance of these buildings for potential designation as National Heritage. Once these assessments are completed, the state of these buildings will have to be assessed by the owners in view of restoration and rehabilitation.

#### **MAURITIUS SOCIETY FOR ANIMAL WELFARE – REPORTED CASES**

**(No. B/1270) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Attorney General, Minister of Agro-Industry and Food Security whether, in regard to the Mauritius Society for Animal Welfare, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the number of
  - (i) dogs presently sheltered thereat, indicating the daily cost for the caring thereof, and
  - (ii) reported cases of animal abuse thereat, if any, indicating if same are being inquired into and the outcome thereof.
- (b) euthanasia procedures available thereat, and
- (c) if consideration will be given for the implementation of the Humane Society International Strategic Plan to solve the stray dog problem in Mauritius.

*(Withdrawn)*

#### **PUBLIC TRANSPORT - COVID-19 PANDEMIC - MEASURES**

**(No. B/1272) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to public transport, he will state the measures put in place to prevent the proliferation of the COVID-19 pandemic amid the prevailing situation, indicating if consideration will be given for a review of the –

- (a) number of passengers allowed to travel in and out thereof at one point in time, and
- (b) regulations in force for disinfection of the public vehicles.

**Reply:** With regard to part (a) of the question, I am informed that the daily ridership in normal circumstances is around 465,000. However, with the closure of schools and Work from Home, the ridership is now estimated at 250,000 the more so that an appeal has been made to senior citizens to avoid travelling particularly during peak hours.

A meeting was held with representatives of bus employees on 17 November 2021 in order to discuss on measures for reinforcing sanitary protocols in buses. A meeting was also held with representatives of bus operators on 18 November 2021 so as to enhance the safe conveyance of passengers and to better protect employees of the public transport.

Thereafter, the different options and proposed measures for improving the safety of passengers and bus crews, including the re-introduction of physical distancing in buses were thoroughly assessed by the Ministry in consultation with the Ministry of Public Service, Administrative and Institutional Reforms, the Police and the National Land Transport Authority.

Several measures have been put in place for the purpose of reinforcing the safety of passengers and bus employees. In fact, these measures constitute an alternative to physical distancing which will not be appropriate for the following reasons –

- (a) bus operators do not have the required bus fleet to meet the demand for public transport services mainly during peak hours;
- (b) it would be prejudicial to the commuters who would turn up late at work in the morning and in the evening when returning home;
- (c) there would be shortfall in the revenue of bus operators due to the blocked seats, and
- (d) this would disrupt economic activities.

I would like to take the opportunity to make an appeal to passengers and bus employees to properly wear their face masks while being onboard public vehicles and to abide to the sanitary protocols as laid down in the Road Traffic (COVID-19 Sanitary Measures) Regulations 2021.

As it has further been observed that the flux of passengers commuting by buses occurs mainly during the morning and afternoon peaks, it is, instead recommended that measures aiming to flatten the peak demand be favoured so as to redistribute the ridership over a longer time span. However, no standing accommodation is allowed in buses.

Government has, therefore, agreed that the following measures be implemented –

- (i) the introduction of Flexitime across the Public Service in order to reduce the number of bus passengers, especially during peak hours. In that respect, I am made to understand that the Ministry of Public Service, Administrative and Institutional Reforms has already worked out the modalities for the introduction of flexible working arrangements where the first batch of officers would attend work at 8.30 a.m. and would leave at 2.30 p.m. while the second batch would start at 10.30 a.m. to end at 4.30 p.m.;
- (ii) an appeal be made to the private sector to implement a similar arrangement in private enterprises as well as encouraging more employees to Work from Home so that the peak demand is further flattened, and
- (iii) travel restrictions be applicable so that senior citizens aged 65 years and above, disabled persons as well as persons under the age of 18 do not travel in buses during the peak hours of 6.00 a.m. to 10.30 a.m. in the morning and from 2.30 p.m. to 5.30 p.m. in the evening except for the purpose of availing medical treatment and procuring medicine.

In view of the above travel restrictions, the Ministry of Health and Wellness has been requested to review, to the extent possible, the appointment mechanism in respect of outpatients so that senior citizens aged 65 years and above, disabled persons and persons under the age of 18 attend hospitals and health centres outside peak hours.

I have to add that at one point in time, physical distancing was indeed applicable in the public transport. However, with the resumption of economic activities, physical distancing ceased to be mandatory so as to allow passengers to avail buses to attend work. I also need to

point out that the implementation of physical distancing was carried out at a time where very few of our citizens were vaccinated. Moreover, I wish to highlight that even if physical distancing inside buses is not being envisaged, no standing accommodation shall be allowed in buses, as is the case presently, in accordance with the Road Traffic (COVID-19 Sanitary Measures) Regulations 2021.

With regard to part (b) of the question, by virtue of the Road Traffic (COVID 19 Sanitary Measures) Regulations 2021 which was promulgated on 30 March 2021, transport operators are already required to properly clean their vehicles prior to, and after, operation.

The above Regulations also enunciate measures to be complied by passengers in the public transport such as wearing of face masks as well as the obligations of transport operators in terms of making available hand sanitizers inside their vehicles and to, as far as reasonably practicable, keep the windows open so as to ensure adequate ventilation inside the buses. With a view to ensuring that commuters and transport operators abide to the provisions of the above Regulations, a request has been made to the Police to reinforce patrols at bus stops and bus stations and for enforcement purposes.

With a view to reinforcing sanitary measures in buses, the services of professional firms engaged in sanitisation activities would be enlisted so as to thoroughly clean buses in-between trips at bus stations and bus terminals. This would further consolidate and strengthen sanitary measures which are already in place in order to further enhance the safety of passengers and bus crews.

I am informed that necessary arrangements are being made by the Ministry to contract out the services of those cleaning agencies on an emergency basis in accordance with the provisions of the Public Procurement Act and I am made to understand that the cleaning exercise would be conducted for a period of some 15 days and that buses are thoroughly sanitised twice daily.

I have to reassure that the COVID-19 situation is closely being monitored by Government and the COVID-19 High-Level Committee is meeting regularly in order to take stock of the evolution of the COVID-19 in Mauritius and, if need be, additional measures would be taken so as to better protect commuters and employees of the transport industry.

**NATIONAL COVID-19 VACCINATION PROGRAMME FUND**

**(No. B/1273) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the contribution of Rs2 per litre on the price of Mogas and Gas Oil for the financing of COVID-19 Vaccines, he will, for the benefit of the House, obtain information as to the quantum of funds received in terms thereof as at to date, giving details of disbursements effected therefrom.

**Reply:** As at 24 February 2022, the total amount remitted to the National COVID-19 Vaccination Programme Fund since 01 July 2021 for Mogas and Gas Oil is Rs372,937,550. An amount of Rs216,884,968 is still due to be remitted to the National COVID-19 Vaccination Programme Fund.

**MAURITIUS INVESTMENT CORPORATION LTD -  
PUBLIC RELATIONS CONSULTANCY FIRM**

**(No. B/1274) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Mauritius Investment Corporation Ltd., he will, for the benefit of the House, obtain therefrom, information on the request for proposal of a Public Relations Consultancy firm to provide advice and support in its communication activities, indicating the –

- (a) number of applications received;
- (b) successful applicants/Consultancy firm, and
- (c) amount quoted therefor per year.

**Reply:** J'ai été informé par la *Mauritius Investment Corporation Ltd* que la société a lancé, le 20 septembre 2021, un appel d'offres pour contracter les services à Maurice d'une société de conseil en relations publiques ayant une renommée internationale. Et cela dans le but de fournir à la MIC des conseils stratégiques et un accompagnement dans ses activités de communication au niveau régional et international.

L'appel d'offres a été publié sur le site web de la *MIC*. La date et l'heure de clôture pour la soumission des propositions ont été fixées au 01 octobre 2021 à 16 heures.

La période prévue du contrat est d'une durée d'un an, renouvelable en cas d'exécution satisfaisante. Le devis devait être soumis pour une redevance mensuelle fixe.

En ce qui concerne la partie (a) de la question, à la date de clôture du 01 octobre 2021, seules deux propositions ont été reçues par la *MIC*.

Le conseil d'administration de la *MIC* n'a pas encore pris de décision concernant l'attribution du contrat.

En conséquence, les questions aux parties (b) et (c) ne se posent pas à ce stade de la procédure.

### **COMMERCIAL CENTRE, LA TOUR KOENIG – SYNDICS APPELLATION & RENOVATION**

**(No. B/1275) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the commercial centre found at La Tour Koenig, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., Information as to the present state thereof, indicating –

- (a) the appellations of the Syndics registered therewith, and
- (b) if any renovation thereof is being envisaged.

**Reply:** I am informed by the NHDC Ltd that the commercial centre adjoining the La Tour Koenig housing estate was constructed in 1997 and comprises, at present, 73 commercial slots.

I am further informed by the NHDC Ltd that though the building is structurally sound, regular maintenance works such as cleaning and painting are required. Compliance with provisions of the *Règlement de Copropriété* is an issue.

With regard to part (a), I am also informed by the NHDC Ltd that there is, *per se*, no *Syndicat des Copropriétaires* for La Tour Koenig commercial centre and that the NHDC Ltd has acted as *Administrateur Provisoire* up to March 2013, after which a Syndic was elected. The Syndic has, however, since then been inactive and the occupiers of the commercial slots have been irregular in regard to contribution to the Syndic fund. The Syndic has, therefore, not been able to undertake proper and regular maintenance of the commercial complex due to lack of

adequate funds. In view of the situation, I am informed that two of the co-owners of the commercial slots entered a case in the Supreme Court which, on 29 October 2021, has appointed Iliad Pamplemousses Ltd as *Administrateur Provisoire*. The Court has further granted the *Administrateur Provisoire* up to 29 December 2021 to appoint a Syndic and to fix the duration, remuneration and terms and conditions of the appointment of the Syndic. The NHDC Ltd has been requested to closely follow-up this matter.

In regard to part (b), the hon. Member will understand that, it will be the responsibility of the Syndic to, once appointed, look into all issues in accordance with its mandate including maintenance and renovation of the commercial centre.

I am given to understand that in the meantime, the NHDC Ltd is, with the assistance of relevant authorities, ensuring that action is being taken to maintain the yard of the La Tour Koenig commercial complex until the syndic is appointed.

#### **COMMUNITY HEALTH CENTRES – PROTOCOL - COVID-19**

**(No. B/1276) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to the Community Health Centres, he will state the protocol applicable thereat for the treatment of COVID-19 positive-tested patients.

*(Withdrawn)*

#### **SOCIAL HOUSING UNITS**

**(No. B/1277) 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 social housing units built by the National Housing Development Company Ltd., she will, for the benefit of the House, obtain from the National Empowerment Foundation, information as to the number of applications therefor received from households registered on the Social Register of Mauritius as at to date, indicating the –

- (a) number thereof presently available therefor and number thereof allocated and the locations thereof, and
- (b) time frame for allocation thereof.

*(Withdrawn)*

**MAURITIUS FOOTBALL ASSOCIATION - *PLAN DE RELANCE***

**(No. B/1278) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, he will state if he has taken cognizance of the *Plan de Relance* drafted by the Mauritius Football Association and, if so, give details thereof, indicating if his Ministry has given its approval for the implementation thereof and, if not, why not.

*(Withdrawn)*

**MAURITIUS FOOTBALL ASSOCIATION - FACT FINDING COMMITTEE –  
FINAL REPORT**

**(No. B/1279) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, he will state if his Ministry has received copy of the final report of the Fact Finding Committee set up by the Mauritius Football Association in connection with the alleged act of voyeurism which occurred at the Football House on or about 30 July 2021, in Trianon, and, if so, indicate the –

- (a) outcome thereof, and
- (b) actions taken in relation thereto, if any, and table copy thereof.

*(Withdrawn)*

**COVID-19 VACCINES – SERIOUS ILLNESSES & DEATHS**

**(No. B/1280) Mr R. Uteem (Second Member for Port Louis South and Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to COVID-19 vaccines, he will state the number of persons having either developed serious illnesses or died after vaccination, indicating in each case the nature of the illnesses developed and names of the vaccines administered.

*(Withdrawn)*

**SOCIAL REGISTER OF MAURITIUS - BENEFICIARIES - FREE OPTICAL  
GLASSES**

**(No. B/1281) 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 scheme for the provision of free optical glasses to persons on the Social Register of Mauritius aged up to 21 years old, she will state the –

- (a) number of applications received thereunder and approved, respectively, and
- (b) aggregate quantum of funds disbursed in relation thereto.

**Reply:** As regards part (a) of the question, the National Empowerment Foundation is in the process of launching Request for Proposal to retain the services of Optometrists, who will examine and supply glasses to SRM beneficiaries. The technical assistance of the Ministry of Health and Wellness is being obtained for the finalisation of the bidding documents for the services of Optometrists.

Concerning part (b) of the question, funds will be disbursed directly to the Optometrists upon receipt of invoices.

#### **VACOAS - NEW URBAN TERMINAL**

**(No. B/1283) Mr A. Ittoo (Third Member for Vacoas & Floréal)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the construction of a new urban terminal at Vacoas, he will state where matters stand, indicating the status of the –

- (a) actual market fair;
- (b) existing sellers, and
- (c) existing building.

*(Withdrawn)*

#### **COVID-19 HOTLINES 8924/4013060 SERVICES – OFFICERS**

**(No. B/1284) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to COVID-19 Hotlines 8924/4013060 services, he will state –

- (a) the number of officers attached thereto;
- (b) the number of complaints received by his Ministry for non-availability thereof, indicating the remedial measures taken in relation thereto, if any, and

- (d) if consideration will be given to render it compulsory for the officers responding calls to identify themselves to the callers.

*(Withdrawn)*

### **SAMU - INQUIRY**

**(No. B/1285) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to the SAMU, he will state if an inquiry has been initiated following a complaint made on 20 November 2021 by a Police Constable for alleged failure thereof to give assistance to a person in danger of death and, if not, why not.

*(Withdrawn)*

### **PUBLIC SECTOR & PRIVATE COMPANIES – ESTABLISHED PROTOCOL**

**(No. B/1286) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** ask the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the public sector and private companies, he will state the established protocol, if any, that management is required to follow when a staff member thereof is COVID-19 positive-tested, giving details thereof.

*(Withdrawn)*

### **CAP MALHEUREUX RELAY CENTER & OTHER SHELTERS - ONLINE SCHOOLING - PROTOCOL & MEASURES**

**(No. B/1287) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the Cap Malheureux Relay Center and other shelters falling under the purview of her Ministry, she will state if consideration has been given for the setting up of a protocol and measures to ensure online schooling thereat and, if so, give details thereof and, if not, why not.

*(Withdrawn)*

### **PURE HEAVEN SHELTER, VACOAS – OPERATIONAL DATE, MANAGEMENT & ALLEGED ILL-TREATMENT CASES REPORTED**

**(No. B/1288) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the Pure Heaven Shelter located in Vacoas, she will state –

- (a) the date of coming into operation thereof;
- (b) the number of –
  - (i) persons presently sheltered thereat, and
  - (ii) staff employed thereat, indicating the qualifications held, in each case, and
- (c) if any case of alleged ill-treatment reported to the Police has been relayed to her Ministry and, if so, indicate the actions taken in relation thereto.

*(Withdrawn)*

**MEDICINES - PRICE CONTROL/MONITORING & ESSENTIAL MEDICINES  
PURCHASE**

**(No. B/1290) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to medicines, he will state if he will consider –

- (a) liaising with the competent authorities to set up some form of price control/monitoring thereof, and
- (b) the possibility of requesting the State Trading Corporation to purchase some of the most essential medicines such as for COVID-19 and Diabetes treatments and provide some form of subsidy from the COVID-19 Fund therefor.

*(Withdrawn)*

**FILM “PRISONER OF PARADISE” - MONEY REFUNDED & GUARANTEED  
LOAN**

**(No. B/1291) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the film “Prisoner of Paradise”, he will, for the benefit of the House, obtain from the Economic Development Board, information as to –

- (a) the final sum of money refunded to the director/producer thereof under the Film Rebate Scheme, and
- (b) if Government/the Board guaranteed a loan of Rs90 m. at the State Bank of Mauritius Ltd. to the director/producer thereof, indicating if the loan was in Mauritian Rupees or in British pound sterling.

*(Withdrawn)*

**COVID-19 SOLIDARITY FUND - FUNDED PROJECTS -  
JAN 2021-NOV 2021**

**(No. B/1292) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the COVID-19 Solidarity Fund, he will, for the benefit of the House, obtain information as to the –

- (a) present balance thereof, and
- (b) projects that have been funded therefrom since January 2021 to date or earmarked for funding.

**Reply:** En ce qui concerne les fonds reçus par le *COVID-19 Solidarity Fund*, j’ai été informé que depuis sa création en mars 2020 jusqu’au 25 novembre 2021, le total des contributions reçues s’élève à 1,455,810,925 roupies.

Pour la même période, le Fonds a fourni une assistance financière s’élevant à 1,180,271,316 roupies.

Au 25 novembre 2021, le *COVID-19 Solidarity Fund* présente donc un solde de 275,539,609 roupies.

Les fonds ont été déboursés comme suit –

i. 149,2 millions de roupies pour contribuer au paiement de l'allocation spéciale aux *frontliners* à Maurice et à Rodrigues ;

ii. 360 millions de roupies pour le paiement de la subvention sur les biens essentiels et 140 millions de roupies affectés mais pas encore décaissés, ce qui portera le montant total sous ce poste à 500 millions de roupies ;

iii. 36 millions de roupies à 45 organisations non gouvernementales (ONG) pour mettre en œuvre des programmes liés à la Covid-19, tels que l'aide aux ménages vulnérables en termes de fourniture de denrées alimentaires et d'articles sanitaires de base, la fourniture d'un soutien logistique et de colis alimentaires aux étudiants nécessiteux et aux enfants handicapés qui suivent des cours de rattrapage, et la fourniture d'un abri à ceux qui n'en ont pas, entre autres ;

iv. 2,7 millions de roupies pour soutenir 539 individus affectés par la Covid-19. Chaque personne a reçu 5,100 roupies ;

v. 8,45 millions de roupies pour le paiement d'une allocation unique de 10,000 roupies à quelque 845 opérateurs de taxi autorisés à opérer à l'aéroport et dans les hôtels, afin de les aider à se préparer pleinement à l'ouverture des frontières ;

vi. 4 millions de roupies au ministère de la Santé et du Bien-être pour le nettoyage et la désinfection des lieux publics et des campagnes télévisées, radiophoniques, publicitaires et audiovisuelles liées à la Covid-19 ;

vii. 89,6 millions de roupies comme financement partiel du ministère du Tourisme pour couvrir les dépenses dans les hôtels utilisés à des fins de quarantaine pour le retour des

passagers qui avaient été bloqués à l'étranger en raison de la pandémie de la Covid-19 pendant la première phase de l'ouverture partielle des frontières, et

viii. 530 millions de roupies en tant que contribution au *National COVID-19 Vaccination Programme Fund* pour financer la mise en œuvre du *National COVID-19 Vaccination Programme*.

En ce qui concerne la partie (b) de la question concernant les projets dont le financement est prévu mais qui n'ont pas encore été payés, j'ai été informé que 3,7 millions de roupies ont été prévues pour un nouveau décaissement en faveur de 11 ONG, sous réserve de la réception d'un rapport satisfaisant du *National Social Inclusion Foundation (NSIF)*.

#### **COVID-19 PANDEMIC – RESERVOIRS – PICNICKING**

**(No. B/1293) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Energy and Public Utilities whether, in regard to our reservoirs, he will state if he has been informed of picnicking activities being carried out thereat and, if so, indicate if measures will be taken to implement the restrictive sanitary measures imposed at national level for the containment of the COVID-19 pandemic amid the prevailing situation thereat.

**Reply:** I am informed by the Water Resources Unit (WRU) that a number of reservoir sites fall under its purview, namely Mare aux Vacoas, La Nicolière, Piton du Milieu, La Ferme, Mare Longue, Midlands and Bagatelle.

I am further informed that Mare aux Vacoas, La Ferme, Midlands and Bagatelle reservoirs are under the surveillance of a private security firm.

Notwithstanding same and keeping in view the sanitary situation, the WRU has sought the collaboration of the Mauritius Police Force for the conduct of regular patrols at the above sites to discourage gatherings and other related activities.

### STATE LAND LEASE - HOUSING UNITS - CONSTRUCTION

**(No. B/1294) Mr A. Ameer Meea (Third 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 lease of State land for the construction of housing units to private local and foreign companies over the past two years, he will state the -

- (a) extent and location, and
- (b) project value thereof.

**Reply:** I am advised that my Ministry has, for the past two years, granted –

- (i) 1 lease to a private company for the construction of residential apartments through a duly established *Règlement de Copropriété* and their sale under *Vente en Etat Futur d’Achèvement* (VEFA), and
- (ii) 16 leases to the National Housing Development Co. Ltd (NHDC) for the construction of housing units.

In regard to part (a) of the question, I am informed that these leases have been granted over a total extent of land of approximately 49A in the Districts of Flacq, Grand Port, Pamplemousses, Plaines Wilhems, and Savanne.

As regards part (b) of the question, I am further informed that the total project value amounts to around Rs2.75 billion.

### COVID-19 - PUBLIC TRANSPORT - SANITARY MEASURES

**(No. B/1296) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to public transport, he will –

- (a) for the benefit of the House, obtain information as to the number of employees thereof having contracted COVID-19, indicating the number thereof having passed away after having contracted same, and

- (b) state if he is in presence of representations from the Union of Bus Industry Workers regarding actions to be initiated to protect the lives and ensure the safety of the bus transport workers and passengers, indicating the actions taken in relation thereto, if any.

**Reply:** I am informed by the Bus Operators that, as at 26 November 2021, there were 204 employees who have contracted the COVID-19; out of whom one passed away.

I wish to inform the House that following representations received from the Union of Bus Industry Workers and *Platform Travailleur Transport CNT*, a meeting was held with their representatives on 17 November 2021 in order to consider their grievances. Subsequently, a meeting was convened with bus operators on 18 November 2021 to further discuss the matter.

Thereafter, a working session was held on 21 November 2021 with officers of my Ministry, the Police, the National Land Transport Authority and with the Ministry of Public Service, Institutional and Administrative Reforms in order to reinforce sanitary measures in the public transport.

The main contention of the representatives of workers is to the effect that bus employees were working under apprehension in view of the increasing number of COVID-19 cases. They informed that for the period 01 October 2021 to 10 November 2021, there were 79 positive cases among the employees of the National Transport Corporation (NTC). They also reported that five employees of the National Transport Corporation passed away due to the COVID-19.

According to them the proximity of commuters inside the buses is a vector for the propagation of the pandemic in the country. The main plea of the bus industry employees is to reintroduce social distancing in buses until at least 13 December 2021 in order to limit the spread of the Covid-19 pandemic.

The NTC has informed that one of its employees has passed away due to the COVID-19 and has confirmed that 79 positive cases were registered. On their part, other bus operators informed that there are very few reported positive cases with zero death among their employees. According to them there is no evidence that the workers tested positive is due to no social distancing in buses.

In the event, social distancing is introduced, this would have to be extended to other licensed private and contract buses. Moreover, in order to mitigate loss of revenue due to the blocked seats, the bus operators have requested that they be compensated accordingly.

I wish to inform the House that in normal circumstances, there are 465,000 commuters travelling daily in some 1,800 buses. However, presently the number of commuters has reduced considerably to 250,000 daily in view of schools being closed and work from home which has been adopted by the public and private sectors.

However, in spite of the reduction in the number of passengers, the bus industry still faces considerable strain, especially during peak hours. As such, reintroducing social distancing in buses would decrease bus transport service by some 40% impacting heavily on the operation of all the other sectors of the economy and leading to a public outcry with people arriving late at work and also reaching home late in the afternoon.

The Ministry is therefore favouring an integrated approach with a package of measures to further encourage the commuters, in particular, employees of the private and public sectors to limit the use of public transport especially during peak hours in view of the prevailing sanitary conditions.

With a view to further reducing the number of commuters during peak hours, Government has agreed to the introduction of the Flexitime in the public service where officers would proceed to their workplace in two different time slots, that is, they will arrive at 08 30 hrs and 10 30 hrs and would leave at 14 30 hrs and 16 30 hrs respectively.

Moreover, the attention of bus operators has been drawn to the fact, that in line with the Road Traffic (COVID-19 Sanitary Measures) Regulations 2021, they should ensure that their buses are cleaned on a daily basis prior to and after operation, hand sanitisers are made available on board every bus and as far as practicable windows in every bus to be kept open, amongst others.

In addition, the NLTA has issued a Press communique informing the general public to strictly comply to sanitary measures when travelling in buses and light rail. An appeal is also being made to senior citizens and children to limit their travelling in public transport during peak

hours. A request has been made to Police to be more present at bus stops, bus shelters and light rail stations.

In addition to the above, the Ministry intends to come up with the disinfection of public buses in between trips at bus stations so as to reinforce sanitary measures which are already in place.

**CEB STAFF PENSION FUND – DIRECTIVES OF THE OMBUDSPERSON  
FOR FINANCIAL SERVICES - IMPLEMENTATION**

**(No. B/1297) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Financial Services and Good Governance whether, in regard to the directives of the Ombudsperson for Financial Services dated 28 October 2021 against the CEB Staff Pension Fund, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to where matters stand as to the implementation thereof.

**Reply:** I am informed by the Financial Services Commission that the CEB Staff Pension Fund has already implemented the directive of the Ombudsperson for Financial Services dated 28 October 2021.

**BANK OF MAURITIUS - UNSECURED LOANS - FOREIGN INVESTORS - INQUIRY**

**(No. B/1298) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the inquiries initiated by the Bank of Mauritius into the billions of rupees worth unsecured loans given to foreign investors from Dubai, namely, Mr C\*. and the Pabari Group, by a consortium of the main local banks, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to where matters stand, indicating the actions taken in relation thereto, if any.

**Reply:** La Banque de Maurice m'a informé qu'elle est tenue, en vertu de l'article 26 de la *Bank of Mauritius Act*, de préserver la confidentialité des informations recueillies dans l'exercice de ses fonctions.

Par conséquent, la Banque de Maurice ne peut divulguer les données relatives aux affaires d'une banque commerciale qu'elle régle et dont elle a obtenu des informations dans l'exercice de ses fonctions.

Ainsi, les informations relatives aux mesures prises par la Banque de Maurice sont confidentielles et leur divulgation est à la seule discrétion de la banque.

**COMPUTER EMERGENCY RESPONSE TEAM – COMPOSITION, DUTIES  
ASSIGNED & COLLABORATION WITH META**

**(No. B/1299) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Information Technology, Communication and Innovation whether, in regard to the Computer Emergency Response Team, he will state –

- (a) the composition thereof;
- (b) the duties assigned thereto, and
- (c) how the team proposes to collaborate with Meta.

*(Withdrawn)*

**TEN-YEAR SME MASTER PLAN – RECOMMENDATIONS**

**(No. B/1300) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the ten-year SME Master Plan, he will state where matters stand as to the implementation of the recommendations contained therein.

*(Withdrawn)*

**FINANCIAL NEED - MITIGATION AND ADAPTATION MEASURES**

**(No. B/1301) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the financial need of USD 6.5 billion for period 2021-2030 for the taking of

mitigation and adaptation measures by the Republic of Mauritius, he will give details of how same will be financed in the light of the non-materialisation of the pledge for funding from donor countries and agencies at and outside the COP26.

*(Withdrawn)*

### **DESROCHES STREET, PORT LOUIS – ROAD SIGNAGE**

**(No. B/1302) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to Desroches Street, in Port Louis, he will state if he will consider requesting the Municipal City Council of Port Louis to place appropriate road signage thereat.

**Reply (The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade):** The Traffic Management and Road Safety Unit (TMRSU) has conducted an on-site walk over survey for Desroches Street from its first Junction with Poudrière Street to its last junction with Monseigneur Leen Labourdonnais Road. The said road is on average 3 metres wide. It is a one-way in the direction of Marie Reine De La Paix.

The TMRSU has observed that there are 14 junctions whereby traffic signs of “One Way” E13b type and “NO ENTRY” C1 type to indicate the direction of traffic flow and traffic movement restrictions, are missing.

I am informed that recently resurfacing works together with the provision of new drains on both sides have been undertaken by the Community Development Division (former National Development Unit). Additionally, double yellow lines have been painted by the Community Development Division on both sides of the road to prevent on street parking. But no traffic signs have been reinstated thereat after the said works have been completed.

The maintenance and reinstatement of the above-mentioned traffic signs falls under the purview of the City Council of Port Louis. The latter has informed that the cost estimate for the fixing of the traffic signs at Desroches Street is around Rs144,000. I am informed by the City Council of Port Louis that the reinstatement of the traffic signs will be completed soon.

**COVID-19 - AMBULANCES - SAMU UNIT - HOSPITALS**

(No. B/1303) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the number of ambulances at the disposal of the Sir Seewoosagur Ramgoolam National Hospital, the Souillac Hospital, the Jawharlall Nehru Hospital, the Dr Bruno Cheong Hospital and the Poudre d'Or Hospital therefor, respectively, indicating the –

- (a) equipment available therein, and
- (b) number thereof attached to the SAMU Unit for the ENT Hospital.

*(Withdrawn)*

**FIRE OUTBREAK - CRAFT MARKET, CAUDAN WATERFRONT**

(No. B/1304) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the fire outbreak in the Craft Market in the Caudan Waterfront, he will, for the benefit of the House, obtain information as to –

- (a) if the building was –
  - (i) issued with a fire certificate;
  - (ii) in conformity with the existing legislation and Mauritius Fire and Rescue Service guidelines, and
  - (iii) equipped with fire prevention, fighting and fire detective devices, and
- (b) why the step ladder lorry was not used.

*(Withdrawn)*

**COVID-19 - VACCINES - MOGAS AND GASOIL DIESEL -  
FUNDS COLLECTED**

(No. B/1305) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Finance, Economic Planning and Development whether, in regard to the levy of Rs2.00 per litre on Mogas and Gasoil diesel for the purchase of COVID-19 vaccines, he will, for the benefit of the House, obtain information as to the quantum of funds collected since the application thereof to date, indicating the quantum thereof used to purchase COVID-19 vaccines.

*(Withdrawn)*

### **EXTENSION VILLAGE HALL - MIDLANDS**

**(No. B/1307) Mr S. Dhunoo (Third Member for Curepipe & Midlands)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the extension of the village hall of Midlands, he will, for the benefit of the House, obtain information as to where matters stand.

**Reply:** I am informed by the District Council of Grand Port that an amount of Rs400,000 has been earmarked in this Financial Year 2021/2022 under Local Development Projects: Construction and Upgrading of Amenities for the proposed extension of the Midlands Village Hall.

The project consists of the construction of a kitchen and has reached the design stage. Bids are expected to be launched within two weeks and works are expected to start by end January of 2022 and be completed by the end of June 2022.

### **PRIMARY SCHOOLS - LIST OF STUDENTS - FOUR ZONES**

**(No. B/1308) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the primary schools, she will table the list thereof with a population of less than 120 students in each of the four zones, indicating the number of –

- (a) students grade-wise, and
- (b) Grade 1 students who have sought admission for the 2022 intake thereat, in each case.

*(Withdrawn)*

### **OVERSEAS TREATMENT SCHEME**

**(No. B/1309) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Health and Wellness whether, in regard to the Overseas Treatment Scheme, he will –

- (a) table the number of patients having benefitted therefrom since June 2021 to date, indicating the country where treatment was sought;
- (b) give details of the type of surgery or treatment required and financial help granted by the State, and
- (c) state the financial support, if any, provided to patients requiring a second or subsequent treatment or surgery.

*(Withdrawn)*

**COVID-19 SOLIDARITY FUND – BENEFICIARIES – PURPOSE – FUNDS  
COLLECTED & DISBURSED**

**(No. B/1310) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the COVID-19 Solidarity Fund, he will, for the benefit of the House, obtain information as to the quantum of funds collected therein as at to date, indicating the –

- (a) number of beneficiaries thereunder;
- (b) purpose thereof, and
- (c) quantum of funds disbursed.

*(Withdrawn)*

**PUBLIC OFFICERS - WORK FROM HOME SCHEME**

**(No. B/1311) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the Work from Home Scheme, he will state the –

- (a) percentage of civil servants who, since May 2021 to date, have switched thereto, and
- (b) Ministries and/or departments where the implementation thereof is not possible, indicating the reasons therefor.

**Reply:** I wish to inform the House that, since May 2021, only 9% out of the 14,000 public officers in the non-essential sectors are working from home in 23 Ministries/Departments.

As regards part (b) of the question, I wish to highlight that work from home is not applicable to essential sectors like the Ministry of Health and Wellness, Disciplined Forces and the Meteorological Services as they provide critical services and are required to operate round the clock. Moreover, work from home is not applicable to officers working on shift, staggered hours or on a roster basis.

Furthermore, in the context of the new sanitary restrictions imposed by Government to contain the spread of COVID-19, the Secretary to Cabinet and Head of the Civil Service issued a Circular on 12 November 2021 requesting Supervising Officers to encourage officers of their Ministries/Departments to work from home.

The work from home culture is gradually gaining momentum in the Public Sector and will sooner or later form part of the new pattern of work.

#### **NEW TEACHING HOSPITAL, FLACQ – CONSTRUCTION**

**(No. B/1312) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of Health and Wellness whether, in regard to the construction of the New Teaching Hospital in Flacq, he will state the scope of works thereof, indicating the –

- (a) estimated cost thereof;
- (b) name of the bidders;
- (c) start and completion dates thereof, and
- (d) work progress thereof.

*(Withdrawn)*

#### **NATIONAL LAND TRANSPORT AUTHORITY APPEAL COMMITTEE – CHAIRPERSON – MEETINGS - JAN. TO OCT. 2021**

**(No. B/1313) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the National Land Transport Authority Appeal Committee, he will, for the benefit of the House, obtain information as to the –

- (a) name of the Chairperson thereof, indicating his date of appointment;

- (b) frequency of meetings held, indicating the number thereof, since January to October 2021
  - (i) chaired by the Chairperson, and
  - (ii) postponed, and
- (c) number of cases lodged thereat, indicating the outcome thereof in each case.

*(Withdrawn)*

#### **ROAD DEVELOPMENT AUTHORITY – EASTERN HIGHWAY PROJECT**

**(M4)**

**(No. B/1314) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of National Infrastructure and Community Development whether, in regard to the Eastern Highway Project (M4), he will, for the benefit of the House, obtain from the Road Development Authority, information as to where matters stand as to the implementation thereof.

*(Withdrawn)*

#### **BLUE BAY ARENA – CONSTRUCTION**

**(No. B/1315) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the proposed construction of the Blue Bay Arena as announced in the Budget Speech 2021-2022, he will state where matters stand.

*(Withdrawn)*

#### **HIGH-LEVEL COMMITTEE – GENDER-BASED VIOLENCE –**

**ELIMINATION**

**(No. B/1316) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the implementation of the recommendations made by the High-Level Committee on the Elimination of Gender-based Violence, she will state where matters stand.

*(Withdrawn)*

#### **COVID-19 - SUPERMARKETS & PUBLIC TRANSPORTS - MEASURES**

**(No. B/1317) Mr R. Wochit (Third Member for Pamplémousses & Triolet)** asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the steps taken by his Ministry to contain the transmission thereof in supermarkets and public transports island-wide.

**Reply:** In order to contain the spread of the COVID-19 disease in public areas such as supermarkets and public transports, my Ministry has, in collaboration with the concerned authorities, devised specific sanitary protocols.

Accordingly, the National Land Transport Authority had issued a Communiqué on 19 November 2021 to inform all persons travelling in public buses and in the light rails have to strictly comply to the sanitary measures, namely –

- to wear a protective mask over his nose and mouth at any bus stop, bus shelter, bus and light rail stations and onboard of any bus and light rail;
- to regularly use hand sanitizers;
- no standing while travelling in public buses;
- to adhere to crowd management and physical distancing at bus stops, bus stands and bus and light rail stations, and
- as far as is reasonably practicable, keep the windows in every bus open.

Failure to comply to the wearing of protective face mask, adhering to crowd management and physical distancing at bus stops, bus stands and bus and light rail stations and threatening, molesting, hindering or obstructing an employee of the land transport in the exercise of his duties, would entail a fine not exceeding Rs50,000 and an imprisonment for a term not exceeding 2 years, in line with the Road Traffic (COVID-19 sanitary measures) Regulations 2021.

Moreover, the National Land Transport Authority made a special appeal to senior citizens and children to limit their travelling in public transport, unless absolutely necessary, particularly during peak hours from 6.00 a.m. to 10.00 a.m. and 2.30 p.m. to 8.00 p.m. on week days.

Safe stores are of paramount importance given that supermarkets are the most commonly visited places during this pandemic. Without proper safety and protection at stores, the risk of contagion increases. The Ministry of Commerce and Consumer Protection works in close collaboration with the Mauritius Chamber of Commerce and Industry (MCCI) to ensure that retail outlets are observing the prevailing sanitary protocols in order to contain the transmission of COVID-19 such as the checking of temperature, wearing of masks, social distancing, sanitisation of trolleys, amongst others. These measures will not only provide better safety for members of the public and the workers but also help to keep supermarkets safe for everyone in the face of COVID-19.

### **COVID-19 PANDEMIC – SUPPLY TEACHERS – FINANCIAL SUPPORT**

**(No. B/1318) Mr R. Woochit (Third Member for Pamplemousses & Triolet)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the supply teachers, she will state the steps taken by her Ministry to provide financial support thereto amid the COVID-19 pandemic.

**Reply:** My Ministry usually enlists the services of Supply Teachers, under delegated powers from the Public Service Commission, for both the primary and secondary education sub-sectors, as a contingency measure to palliate the shortage of Educators as may be required.

As per the terms and conditions of such enlistment, Supply Teachers are remunerated at approved monthly rates on a pro-rata basis over the period during which they actually work.

I wish to inform the House that following the closure of schools since 10 November 2021, Supply Teachers have also been called upon to dispense courses on a distance mode to students till 17 December 2021, that is, until the end of the second term for primary and secondary schools.

In this context, Supply Teachers who were in post and whose services would be required up to 17 December 2021 would be paid their salary as well as bonus on a pro-rata basis (as applicable).

It is worth highlighting that, in accordance with paragraph 16.1.5 of the PRB Report 2021, Supply Teachers who are not in employment on 31 December 2021, will still be paid the

end-of-year bonus on a pro-rata basis subject to having served for at least six months in a calendar year.

I also wish to add that due to the pandemic last year, Supply Teachers were exceptionally paid their salary.

### **COVID-19 - FUND ALLOCATION - LOCAL AUTHORITIES**

**(No. B/1319) Mr R. Wochit (Third Member for Pamplemousses & Triolet)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the proposed allocation of funds to the local authorities amid the COVID-19 pandemic, he will state –

- (a) how the quantum of funds to be allocated to each local authority has been calculated, and
- (b) if guidance has been issued on how the additional funding should be spent.

**Reply:** The COVID-19 pandemic has triggered the deepest economic recession in nearly a century, threatening health, disrupting economic activity whereby global output contracted significantly. It was in these circumstances that budget for the Financial Year 2021-2022 was prepared.

Consequently, on 16 March 2021, the Ministry of Finance, Economic Planning and Development had requested the formulation of budget proposals from respective Ministries, Departments and local authorities with focus on reducing recurrent expenditure by 25% compared to the voted provisions for Financial Year 2020-2021.

It is in this context that my Ministry therefore requested local authorities to formulate their budget estimates for the Financial Year 2021-2022.

With regard to part (a) of the question, to determine the fair allocation of funds to local authorities in the circumstances already highlighted, my Ministry carried out an in-depth analysis their respective estimates, based on the criteria laid down at Section 83 of the Local Government Act which are -

- (a) human resource needs;

- (b) the special needs of the area falling under the jurisdiction of the particular Council in terms of accelerated development;
- (c) the possibility of the Council to increase its revenue by way of any local rates, fees or charges;
- (d) the opportunities for the development of business, industry and commerce within the area of the Council;
- (e) the state of public finance and of the economy of Mauritius in general, and
- (f) the services that had to be provided and measures that had to be taken to combat the pandemic, including, hygienic sanitary conditions in their various localities.

Although, the guideline was to reduce recurrent expenditure by 25%, after this thorough exercise, the budget of local authorities was increased to Rs3.3 billion for this Financial Year as compared to the Rs3.2 billion allocated for the Financial Year 2020-2021.

This has been achieved whilst market stall holders were exempted from payment of market fees during the period markets were closed due to the pandemic, exemption from payment of trade fees under Rs5,000 was maintained.

With respect to part (b) of the question, local authorities have been advised to -

- (i) implement projects and schemes that have high impact on growth and job creation;
- (ii) review processes and procedures to ensure effective and timely implementation of projects, and improvement in service delivery;
- (iii) address issues raised by the Director of Audit with regard to wastage and other unproductive expenditure, and
- (iv) review their operations to enhance their revenue raising capacity and contain expenditure.