



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 26 JULY 2022

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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

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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 22 of 2022

Sitting of Tuesday 26 July 2022

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

The National Anthem was played

(Mr Speaker in the Chair)

PAPERS LAID

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

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

The Certificate of Urgency in respect of the Finance (Miscellaneous Provisions) Bill (No. XIV of 2022). (In Original)

B. Ministry of Finance, Economic Planning and Development

(a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Revenue Authority for the year ended 30 June 2021.

(b) The Gambling Regulatory Authority Appeal Committee Regulations 2022. (Government Notice No. 186 of 2022)

C. Ministry of Financial Services and Good Governance

The Financial Intelligence and Anti-Money Laundering Act (Amendment of Schedule) Regulations 2022. (Government Notice No. 185 of 2022)

D. Ministry of National Infrastructure and Community Development

The Annual Report and Report of the Director of Audit on the Financial Statements of the Road Development Authority for the year ended 30 June 2021.

E. Ministry of Labour, Human Resource Development and Training**Ministry of Commerce and Consumer Protection**

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 17) Regulations 2022. (Government Notice No. 187 of 2022)

F. Ministry of Arts and Cultural Heritage

The Annual Report and Report of the Director of Audit on the Financial Statements of the Marathi Speaking Union for the year ended 30 June 2020.

ORAL ANSWERS TO QUESTIONS**AGALEGA – CONSTRUCTION – ESTIMATED COST**

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) 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 islands of Agalega, he will give a list of the facilities constructed or in the process of construction thereat since year 2019, excluding community projects, indicating the –

- (a) full estimated cost of construction to completion;
- (b) estimated total annual cost of maintenance once operational, stating who will bear same, and
- (c) number of operational staff required and of which nationality.

The Prime Minister: Mr Speaker, Sir, for far too long in the past Agalega was relegated to the status of poor parent and even the Outer Islands Development Corporation in the earlier days did not concentrate on its infrastructural development needs. The runway in Agalega which was constructed in the year 1984/1985 was in a very bad condition. The landing and take-off of the Dornier aircraft became a challenging exercise as it posed serious risks both for the aircraft and its passengers and crew. With each landing and take-off of the Dornier, the runway sustained considerable damage so much so that a decision had to be taken by the National Coast Guard to limit, as far as possible, flying to Agalega only for urgent medical evacuation. Some remedial works were carried out in 1989 to resurface the airstrip, but, regrettably, the bitumen materials used did not adhere to the surface and, over time, it started to peel off again.

Since 2003, several attempts had been made to upgrade the airstrip in Agalega, but these had not been successful. Access by sea to Agalega is also severely constrained owing to inadequate infrastructure and facilities. As a consequence, operational difficulties for loading and unloading of goods and embarkation and disembarkation of passengers resulted in delays and huge additional financial costs.

In view thereof, and with a view to improving and modernising air connectivity in Agalega, it became imperative that a project for the construction of a new runway in Agalega be

implemented. Moreover, the existing jetty in Agalega also had to be improved for proper and safer embarking and disembarking of passengers and goods.

The possibility of the Indian Government providing assistance to upgrade the airstrip in Agalega had been raised with the Indian authorities on several occasions since 2005.

It was as far back as March 2014 that the Indian authorities proposed that the Government of Mauritius could consider preparing a detailed project report for the infrastructural works in Agalega and setting up a Joint Monitoring Committee. The Indian side also agreed to consider deputing relevant technical experts, as and when required, to assist in the preparation of the detailed project report up to the final implementation of the project. In August 2014, three Indian technical experts proceeded to Agalega for the preparation of a comprehensive work plan for the implementation of the projects.

Subsequently, both sides finalised a Memorandum of Understanding and the then Government approved the Memorandum of Understanding on 31 October 2014. The MoU was signed during the visit of H.E. Shri Narendra Modi, Prime Minister of the Republic of India, to Mauritius in March 2015. A copy of the Memorandum of Understanding was laid on the Table of the National Assembly on 31 March 2015 during the reply made to the Private Notice Question on Agalega.

Mr Speaker, Sir, I wish to point out again in no uncertain terms that both the Memorandum of Understanding and the Agreement signed between the Government of Mauritius and the Government of India satisfied the principles of mutual benefit as well as that of being in strict compliance with the sacrosanct principles of sovereignty and territorial integrity.

Mr Speaker, Sir, as I have already stated on several occasions in this House, there are two main projects that are currently being implemented in the island of Agalega, namely the construction of a new airstrip and a jetty. The projects are being executed by AFCONS Ltd. and are being entirely financed by the Government of India.

The new runway will be of 3 kilometres in length and 60 metres wide in the north-south orientation, parallel to the existing runway. The associated infrastructure will comprise an air

traffic control tower, passenger terminal building, aircraft hangar and runway lighting, amongst others. It will be an all-weather concrete runway with capabilities for day and night operations.

As regards the new jetty, it will have a berthing face of 255 metres in length. The jetty will have associated infrastructure for providing services such as fresh water, fire fighting, electricity, and crane.

Mr Speaker, Sir, I am informed that 88% of civil works related to the new airstrip project have been completed. The remaining civil works are likely to be completed by September 2022. However, the works on associated infrastructure, such as Air Traffic Control Tower, Passenger Terminal Building, Aircraft Hangar and Electrical Substation were severely affected due to lack of mobilisation of specialised manpower resulting from the COVID-19 pandemic. Building works for the associated infrastructure are likely to be completed by January 2023, while Communication and Air Traffic Control equipment installation and commissioning are expected to be completed by June 2023.

Mr Speaker, Sir, in regard to the jetty, I am informed that around 80% of civil works have been completed so far. However, considering the adverse weather conditions in the first quarter of this year and the prevailing harsh sea conditions, the civil works have suffered important delays and are now expected to be completed by December 2022. Works related to the associated infrastructure for the jetty project have also been impacted by shortage of workers and are now due to be completed by April or May 2023.

Mr Speaker, Sir, with regard to part (a) of the Question, as I stated earlier, the new airstrip and the jetty projects and their associated infrastructure are entirely financed by the Government of India. I am informed that the tendered cost to AFCONS was Indian Rupees 1,914 crores, amounting to approximately MUR 8.8 billion.

Mr Speaker, Sir, with regard to part (b) of the Question, I am informed that it is premature at this stage to come up with an estimated total annual cost of maintenance as the project is still at implementation stage. Once implemented, the infrastructure will remain the property of the Republic of Mauritius. However, the cost for maintenance, operation and functioning will be borne by the Government of Mauritius with the support of the Government of India.

Mr Speaker, Sir, with regard to part (c) of the Question, it is also premature at this stage to determine the number of operational staff that will be required. However, in regard to staffing, except for scarcity areas necessitating foreign expertise or unavailability of adequately qualified local human resource, the facilities will be manned by Mauritian personnel and will be under the overall control of the Mauritian authorities.

Mr Speaker, Sir, as I have stated on several occasions in this House, the Agreement signed with the Government of India on the infrastructural projects in Agalega is intended only for the implementation of measures to promote, protect, and safeguard our maritime security needs in the following areas, amongst others –

- (i) surveillance and monitoring of our vast EEZ of 2.3 million square kilometres;
- (ii) counter-piracy, counter-terrorism, counter-narcotics and human trafficking;
- (iii) controlling poaching; and illegal, unreported and unregulated fishing;
- (iv) provision of hydrographic services;
- (v) promoting economic development, including blue economy initiatives;
- (vi) emergency response, including search and rescue;
- (vii) marine pollution response, and
- (viii) Humanitarian Assistance and Disaster relief activities.

Mr Speaker, Sir, the infrastructural developments projects currently underway on the Island will also go a long way towards improving the standard of living of our Agalean brothers and sisters as it will generate significant economic activities on the Island.

Mr Speaker, Sir, I seize this opportunity to once again gratefully acknowledge the precious support and assistance that the Government of the Republic of India has constantly been extending to Mauritius.

Mr Speaker, Sir, I wish to reiterate what I stated in my reply to the PNQ on 18 May 2021. In fact, I stated that, as for Rodrigues, where development has been spearheaded and accelerated every time the MSM has been leading the Government, we are putting Agalega on the path of development and progress with the assistance of India. We want development to reach every single part of our territory since our people remain at the heart of our development goals. We

also stand committed to develop the islands of the Chagos Archipelago once we are able to exercise our full sovereign rights on the islands as determined by the United Nations, the International Court of Justice and the United Nations Convention on the Law of the Sea.

Thank you.

Mr X. L. Duval: Mr Prime Minister, let us look at the facts. There was a Memorandum of Understanding in 2015. This Memorandum of Understanding includes a confidentiality clause, but, nevertheless, was tabled in Parliament. This Memorandum of Understanding was for a project worth Rs800 m. – already highly increased from the original Rs300 m. that Mauritius had planned to spend on connectivity. So, we are moved from Rs800 m. in 2015 to nearly Rs9 billion that he is saying, at the old dollar rate, and now with COVID, etc., we are talking about Rs13 billion or more that the Indian taxpayer is putting in this facility at Agalega. So, the first thing I am going to ask: since we have an outdated Memorandum of Understanding, what is the objection now, to file all the addendums to this, especially since the then Minister of Foreign Affairs of India has stated publicly that India has no objection to full publicity being given to this project and its implications for national sovereignty of Mauritius – I am adding the last bit.

The Prime Minister: Mr Speaker, Sir, we are giving full information with regard to the two projects; and not only today, but also if we look at the number of PNQs, PQs that have been asked in this National Assembly, and every time, on each occasion, we have provided all the information requested by the Opposition. Apart from that, there have also been public statements made by myself, by members of the Government, by other people who are, in one way or another, concerned with this project, and we have, therefore, been operating in full transparency, and giving all the details.

Now, the hon. Leader of the Opposition is asking: why is it that the agreement is not being made public? Again let me say there are some agreements that are made public because the two parties have to agree on making and rendering them public. There are some agreements whereby the two parties agree that they will not be made public – this is one of them – and this is not the first time that this is happening. We have had this situation in the past, I think, and if the hon. Leader of the Opposition will recall, he had been a member of a Labour/PMSD Government during which period there were certain occasions where agreements have been signed with a foreign country and, in this very House, numerous questions had been asked about these

agreements – I do not want to mention any agreement in particular – but, systematically, the answer had been that there is a confidentiality clause in a particular agreement and, therefore, it cannot be made public, and cannot even be tabled in this House.

I am not saying that what was right for you when you were in Government is wrong now. We go according to the same principle. And that is why this is not made public.

Mr X. L. Duval: I would like to remind the Prime Minister that the Indian Minister of Foreign Affairs stated in Mauritius that the Republic of India has no objection to all this being made public. Then, given that that has been made publicly, what is the objection of the Republic of Mauritius to making this public?

The Prime Minister: Mr Speaker, Sir, first of all, I am not aware of this statement that the hon. Leader of the Opposition is referring to. Of course, I shall check because I am not aware of this statement; I shall check and I shall find out. But, Mr Speaker, Sir, I shall not comment on something of which I am not aware, but what I shall say is what I am aware of. We have discussed; I have discussed with India on this issue and both countries have agreed that there is a confidentiality clause in the agreement and, therefore, it is not going to be made public. That is what I can say, and I maintain what I am saying; I have discussed with India; I have discussed with the Prime Minister of India. I hope you do not doubt my word!

(Interruptions)

Mr X. L. Duval: I doubt your word! I doubt every word that you say!

(Interruptions)

Mr Speaker: Order!

Mr X. L. Duval: I doubt every word that you say!

Mr Speaker: Order!

Mr X. L. Duval: Mr Speaker, Sir, I would like to ask the hon. Prime Minister this question: India, the Indian taxpayers are going to spend 24 billion Indian rupees on Agalega and this is why we need to know the cost because the more you spend, the more you want in return. That is why these taxpayers and the Republic of Mauritius have a right to know the cost of the

facility that a foreign country is putting on our territory and what are the *contreparties* that are being given to this, Mr Speaker, Sir.

Mr Speaker, Sir, he is saying not to doubt his words. Is he going to make us believe that we are spending Rs14 billion Mauritian rupees just to stop illegal fishing? To stop what? Human trafficking? What is it again? Drug smuggling? We cannot even build a fishing port in Mauritius. We are going to spend Rs14 billion of grant money – I grant you that – on these? Does he honestly believe that this is the project and it is to improve the lives of the Agaleans? Half of North Island has now been taken by this - not a jetty; it is a full-scale port like the Mauritius Container Terminal, but a bit smaller, and it is not an airstrip, it is a 3 kilometre runway with quarters. You do not mention quarters for staff; you do not mention all the other facilities that are there, and the two huge hangars - the aircraft hangars that have been built! I have the pictures here if you doubt my word, which I hope you will not.

The Prime Minister: Mr Speaker, Sir, let us see what has been our experience with regard to the development of Rodrigues. The airstrip that has been built has served us for a long time, and, because of major developments in Rodrigues, there is an urgent need to have a new airstrip in order to accommodate bigger aircrafts, aircrafts much bigger than the ATR 72, I think.

My Government started discussing with financial international institutions and with the European Union in order to see how we can get their support in order to implement this new project, that is, to lengthen the airstrip in Rodrigues. I do not want to go into the details of Rodrigues because this question is about Agalega, but I only want to mention the experience that we have in relation to airstrip.

ny billions of rupees we are...

Mr X. L. Duval: Four billion.

The Prime Minister: Not four, more than that! No, more than Rs4 billion. I can tell you more than Rs4 billion.

Mr Speaker: Do not discuss about this!

The Prime Minister: Well, he is not agreeing.

Anyway, but even then, Rs4 billion just to lengthen the airstrip of Rodrigues in order to enable the landing of new aircrafts. But, this is not yet concluded because we are still discussing, and by the time that the project...

Mr X. L. Duval: Can you stick to the question?

The Prime Minister: You want to answer the question yourself? I am answering! Did I interrupt you when you were putting your question?

Mr X. L. Duval: You are talking about Rodrigues!

The Prime Minister: But, Mr Speaker, Sir...

Mr Speaker: What is going on?

The Prime Minister: Am I...

(Interruptions)

Mr Speaker: Let the Prime Minister reply!

(Interruptions)

The Prime Minister: Can I be allowed to answer the question without any interruption?

Mr Speaker: Please go ahead!

The Prime Minister: Yes, if I can, then I shall continue. Mr Speaker, Sir, that is why I say that we now have a vision. We have a vision for Agalega. The vision is, of course, very different from the vision of the former Labour-PMSD Government!

(Interruptions)

Mr Speaker: This is not in order!

(Interruptions)

Please!

(Interruptions)

This is not in order!

(Interruptions)

This is not in order!

(Interruptions)

An hon. Member: *Nanye pa ti pe kapav avoye la-bas!*

(Interruptions)

The Prime Minister: They have a short-term vision. We have a long-term vision; a very long-term vision! That is why, instead of repairing the airstrip or constructing an airstrip which is going to accommodate Dornier or ATR 72 and the likes, we have agreed with India that we build an airstrip that will, in fact, in the future, accommodate planes like B737-900, Airbus 321, similar to what we want to do for Rodrigues.

This is what we call future planning, because we want to develop Agalega. Agalega will be developed, you just wait and see! Instead, Mr Speaker, Sir, this...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: The financing of this project is being given free by the Government of India. Instead of being grateful to India, look at what kind of comments we are having!

(Interruptions)

Hon. Members: Shame!

(Interruptions)

The Prime Minister: Mr Speaker, Sir, I heard the hon. Leader of the Opposition saying...

(Interruptions)

Yes, I am answering your question! You put two questions in one! Let me answer!

(Interruptions)

Mr X. L. Duval: You are talking about Rodrigues!

(Interruptions)

The Prime Minister: Let me answer!

(Interruptions)

Mr Speaker: Wait!

The Prime Minister: You talked about *contrepartie*. You talked about *contrepartie*, let me answer!

(Interruptions)

Mr Mohamed: *Dir to koleg Jo!*

Mr Speaker: You do not have the floor!

Mr Mohamed: Okay, sorry.

(Interruptions)

The Prime Minister: The hon. Leader of the Opposition is saying India is financing it for so much, and there must be a *contrepartie*. Let me give another example: the Metro Express, the biggest infrastructural land transport project that we have, and I must say thanks to the Government of India for the network from Port Louis to Curepipe, for which they have given us half of the money as grant money! Half of the money for free!

The Opposition has been criticising this project initially and again! But now it sees what the people who started to travel think of it. Now Opposition Members are cooling down, Mr Speaker, Sir.

(Interruptions)

Probably the Leader of the Opposition will say what is the *contrepartie* because they are giving us grant money to implement this project. You will see! In the future, you will see the *contrepartie!* You will see what the *contrepartie* really is so that, I am sure, you will not be able to even talk about the *contrepartie!*

Mr X. L. Duval: Mr Speaker, Sir, you will note that I have only asked two supplementary questions so far. The *contrepartie* for the Metro Express - maybe the Prime Minister was not there - is the double taxation agreement, my friend! He should know that! That

is the *contrepartie*. This is why I am asking you. You have just confirmed my point; what is the *contrepartie*!

Now, I am going to ask the Prime Minister, these are two huge aircraft hangars; huge, able to take the biggest civil or military planes - two. He did not put that in his answer; two. What are these hangars going to be used for? Because there are only 1.3 million people in Mauritius! There are smaller hangars than this. Look in your notes!

The Prime Minister: Mr Speaker, Sir, I am informed that actually what is being built is one hanger and one shelter for parking of the likes of Boeing 737-900 and Airbus 321 type of aircraft. This is my information. The passenger terminal that is being built will also be able to accommodate and service, I am informed, about 50 passengers capacity.

Mr X. L. Duval: Mr Speaker, Sir, we are not fools! Boeing 737 that the Prime Minister is mentioning is, in fact, a Poseidon P81, which is the same as a Boeing 737. It is an anti-submarine warfare aircraft, it carries missiles. And that is the Boeing 737 that is going to be parked under these hangars!

Mr Mohamed: Shame!

Mr X. L. Duval: It belongs to the Indian army, Mr Speaker, Sir!

(Interruptions)

Mr Mohamed: I said 'shame'!

Mr Speaker: Order!

Mr Mohamed: I can say 'shame'!

Mr Speaker: You do not have the floor!

Mr Mohamed: I can say 'shame'!

Mr Speaker: You do not have the floor!

(Interruptions)

Mr Mohamed: 'Shame' is parliamentary!

Mr Speaker: You do not have the floor! Either you accept my ruling, or you walk out from the Chamber!

Mr Mohamed: What choice do I have? I do not have a choice, do I?

Mr Speaker: Thank you very much! Please, Leader of the Opposition!

Mr X. L. Duval: Yes, I will continue.

Mr Mohamed: *Nanye pa kav dir!*

Mr X. L. Duval: So, this is for B737-P81 aircraft. You can read the international press if you do not know what your civil servants are telling you. Why are these tunnels being built under the jetty? Why? Would you want to have a jetty? Big jetty, maybe as big as this room, and you have tunnels under the jetty. For what? What do you have to hide that is going to be unloaded from the ships? Or you will tell me that you do not know either! What are these tunnels for? Go and check whether there will not be in six months' time Indian Army B737 Poseidon Aircraft and Indian troops. I am not saying that it is right or it is wrong! But what I am saying is that in the name of sovereignty of this Parliament and sovereignty of our nation, the Prime Minister has no right, no right at all to hide this sort of information from the inhabitants of Agalega and from the inhabitants of Mauritius. You have no right, Prime Minister! We are a sovereign Parliament and we are a sovereign country; and in six months' time, we will know, as you say, exactly. And you want us to believe that it is what? Air Mauritius is going to put the few aircrafts that it has there?

The Prime Minister: After the show of the Leader of the Opposition, he has the right to use his time for making a cinema and making a show. And saying that we are building now a parking for submarine - this is what I understood, ...

Mr X. L. Duval: Not submarine!

The Prime Minister: ...a parking for submarine; anti-submarine, whatever it is at the jetty.

Mr X. L. Duval: Boeing 707!

The Prime Minister: Boeing! On the jetty, there is going to be Boeing now. Okay!

(Interruptions)

You never know, Mr Speaker, Sir, with the advance of technology, maybe in the future, there can be such kind of equipment. But I am informed that the development, that is, the construction

that is being done at the jetty, it is a duct for jetty services; there is no tunnel. I do not know what he has been mentioning because he has been using some technical terms, about to house submarine or whatever it is. Nothing of that sort; and services like electrification, I am informed. But, anyway, I have never been made aware of any such kind of construction for such submarine and what have you, Mr Speaker, Sir.

Mr X. L. Duval: Mr Speaker, Sir, nobody mentioned submarine.

Mr Speaker: Time is over by 3 minutes!

The Table has been advised that PQs B/938, B/940, B/944, and B/945 have been withdrawn. Prime Minister's Question Time! Hon. Dhunoo!

DR. NAVINCHANDRA RAMGOOLAM - COVID-19 TREATMENT - CLAIMED COMMISSION

(No. B/925) **Mr S. Dhunoo (Third Member for Curepipe & Midlands)** 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 allegation of commission claimed for his transportation by private jet to India for treatment against COVID-19 made by the former Prime Minister, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been initiated thereinto and, if so, where matters stand.

(Interruptions)

Mr Speaker: Order! No comments!

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that no complaint has been filed by Dr. Navinchandra Ramgoolam, former Prime Minister, or by any

other person for that matter, concerning the alleged claim for commission in connection with his medical evacuation to India in September last. Therefore, the question of initiating an inquiry by the Police does not arise.

Mr Speaker, Sir, since the former Prime Minister has, during a Press Conference held on 08 July 2022, made allegations about commissions being claimed on his medical evacuation to India, I would like to remind the House of the chronology of events leading to his medical evacuation, in order to set the records straight.

Mr Speaker, Sir, as I stated in my reply to Parliamentary Question B/713 and Parliamentary Question B/722 on 05 July 2022, a request for financial assistance was made on 06 September 2021 by Mr Dhaneshwar Damry, for and on behalf of Dr. Navinchandra Ramgoolam, former Prime Minister, and the Labour Party, for the Government to make an advance to meet the cost of an urgent medical evacuation of Dr. Ramgoolam to Delhi by a medical air-ambulance. Mr Damry also informed that the services of a local company, the Kaluha Holding Ltd., had been secured for the hiring of a medical air-ambulance for the air-lifting of Dr. Ramgoolam from Mauritius to Delhi.

Mr Speaker, Sir, in view of the fact that the patient is a former Prime Minister and was reportedly in critical conditions, I had personally ensured that the request was dealt with promptly and diligently. In fact, contrary to what Dr. Ramgoolam has stated at his Press Conference, I never phoned him personally while he was admitted at Wellkin Hospital. It is, in fact, his wife who phoned me, seeking Government assistance, as the Labour Party members had so far failed...

Hon. Members: Shame!

Mr Speaker: Order!

Hon. Members: Shame! Shame!

Mr Speaker: Order! What is this?

(Interruptions)

Order! Order, this is not...

An hon. Member: Shame!

Mr Speaker: This is...

(Interruptions)

Please! Please!

Dr. Gungapersad: Shame!

Mr Speaker: Please!

Dr. Gungapersad: Shame! Shame!

Mr Speaker: Order!

Dr. Gungapersad: Shame!

Mr Speaker: Order!

(Interruptions)

Order!

(Interruptions)

Order, please!

(Interruptions)

An hon. Member: *Ki order, order?*

Mr Speaker: Order!

An hon. Member: *Ki order?*

Mr Speaker: Order!

An hon. Member: Shame!

An hon. Member: Cheap!

Dr. Gungapersad: Cheap!

Mr Speaker: Order, please! If you don't accept to be in order, then, you have to walk out from the Chamber!

(Interruptions)

Okay. Last warning! Order!

The Prime Minister: So, let me repeat again, because maybe with the noise, some Members could not have heard me properly.

Mr Mohamed: A point of order, Sir. Point of order. The hon. Prime Minister is taking this really sadistic pleasure of referring to a third party...

(Interruptions)

Mr Speaker: No, no, no!

Mr Mohamed: Let me finish!

Mr Speaker: Wait, wait, wait! I am on my feet! Wait! Number one, 'sadistic' or whatever, you withdraw that word, and then, put your point of order!

Mr Mohamed: I withdraw the word 'sadistic' that he was attempting to; I withdraw it, since you ruled.

Mr Speaker: Now, your point of order!

Mr Mohamed: So, now, my point of order is that it is against Standing Orders to make reference to any person who is not a member of this House, and that is what he is doing, against Standing Orders. Because he is not entitled according to Standing Orders to make reference to anything that happened outside this House when it concerns someone who is not a member of this House. And, on top of it, the wife of a former Prime Minister, that he cheaply hides behind.

Mr Speaker: You made your point of order!

Dr. Gungapersad: Cheap!

Mr Mohamed: *Zom twa ta!*

Mr Speaker: You made your point of order!

(Interruptions)

So, now, you are out of order! You are...

(Interruptions)

Please, you are out of order!

(Interruptions)

Order! Both sides of the House!

Dr. Gungapersad: Cheap!

Mr Speaker: Order!

(Interruptions)

Mr Mohamed: *Bezer!*

Mr Speaker: Please!

Mr Mohamed: I withdraw?

Mr Speaker: Withdraw from the House!

Mr Mohamed: No worries! *Ban bezer!*

Mr Speaker: Withdraw from the House!

Mr Mohamed: *To ene bezer mem!*

Mr Speaker: Oh, then, I am naming you!

(Interruptions)

I am naming you!

Mr Mohamed: He is someone who likes hiding behind...

Mr Speaker: I am naming you!

(Interruptions)

You have no right to stand here!

(Interruptions)

You have no right to stand here! Please, Serjeant-at-Arms! Serjeant-at-Arms!

(Interruptions)

Serjeant-at-Arms! You have no right to stand here!

An hon. Member: Cheap!

Mr Speaker: Serjeant-at-Arms, do your work!

(Interruptions)

Do your work, Serjeant-at-Arms!

(Interruptions)

Do your work, Serjeant-at-Arms!

Dr. Gungapersad: Cheap! I am saying, cheap!

Mr Speaker: I am naming you!

(Interruptions)

I am naming you, MP Gungapersad!

An hon. Member: *Pren twa met twa deor la!*

An hon. Member: *Bachara!*

Mr Speaker: You are being named!

(Interruptions)

You are being named!

An hon. Member: *Sort la ale do!*

(Interruptions)

The Prime Minister: So, may I...

(Interruptions)

Mr Speaker: Order!

Mr Assirvaden: On a point of order, Mr Speaker, Sir. On a point of order. *J'ai entendu l'honorable Nuckcheddy traiter l'honorable Mahen Gungapersad de 'bachara'. Je demande qu'il retire ses propos.*

Mr Speaker: Hon. Nuckcheddy, if this is true, then, withdraw the words!

Mr Nuckcheddy: Mr Speaker, Sir, I never said that word.

Mr Assirvaden: Il l'a dit!

(Interruptions)

An hon. Member: *La honte!*

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order! Order! I will review!

(Interruptions)

I will review!

(Interruptions)

Order! Order! Hon. Quirin!

Hon. Nuckcheddy, once again, if you have said it, withdraw!

Mr Nuckcheddy: No, I did not say 'bachara'. I said 'kloun'.

An hon. Member: *Menteur!*

(Interruptions)

Mr Speaker: Wait!

Mr Bhagwan: *To ene menteur ta!*

Mr Nuckcheddy: *Ki menteur? Twa ki menteur!*

Mr Speaker: Hon. Bhagwan!

Mr Nuckcheddy: *To fek vini ta!*

Mr Speaker: Hon. Nuckcheddy! I will review the transcript and if ever you have said so, you will have to apologise and withdraw it.

Now continue!

The Prime Minister: Mr Speaker, Sir, I was saying in fact, contrary to what Dr. Ramgoolam has stated at his Press Conference, I have never phoned him personally while he was admitted at Wellkin Hospital. It is, in fact, his wife who phoned me, seeking ...

(Interruptions)

Mr Speaker: I found nothing wrong in that! This is a precision! Please, Please! The Prime Minister has the floor. Let him give his reply!

(Interruptions)

The Prime Minister has the floor. Let him give his reply!

(Interruptions)

Yes! I know, I know! Continue, please!

The Prime Minister: I need...

(Interruptions)

Dr. Boolell: But we are waiting for your ruling on this matter!

Mr Speaker: I have already said! You are absent minded! I said...

Dr. Boolell: You are absent minded!

Mr Speaker: No! Come on!

Mr Bérenger: *Mind li pena!*

An hon. Member: Withdraw!

Mr Speaker: What are you talking about?

Mr Assirvaden: Mais demandez au Premier ministre...

(Interruptions)

C'est pas possible!

Mr Speaker: The Prime Minister is making the precision that he did not call the former Prime Minister. It was, in fact, the wife of the former Prime Minister who called him to ask assistance. And there is nothing wrong!

(Interruptions)

There is nothing out of the Standing Orders here! I am maintaining it is in order! I am maintaining it! And this is my ruling!

An hon. Member: *Li ti telephone Navin li mem! Li meme ti telephone Navin!*

(Interruptions)

Mr Speaker: Order! You don't have the floor! You don't have the floor there! You are obstructing the proceeding of the House! Dr. Aumeer and hon. Juman! Please, either you keep quiet or you walk out!

Mr Bérenger: *Ki walk out? Met dimoune dehors, après ou dir walk out!*

Mr Speaker: You keep quiet! You keep quiet! You keep quiet! Hon. Dr. Aumeer and hon. Juman, either you keep quiet on this issue or you walk out from the Chamber! Now you continue!

The Prime Minister: So, Mr Speaker, Sir, I was saying that I never phoned Dr. Ramgoolam personally while he was admitted at Wellkin Hospital. It is, in fact, his wife who phoned me seeking Government assistance as the Labour Party members had so far failed to organise the urgent medical evacuation of Dr. Ramgoolam.

(Interruptions)

An hon. Member: La honte!

Mr Speaker: Order! Order, both sides of the House! Order, both sides of the House! There has been a question put; there should be a reply and let the Prime Minister reply.

The Prime Minister: So, I was saying that she sought the assistance of the Government as the Labour Party members had so far failed to organise the urgent medical evacuation of Dr. Ramgoolam.

Mr Speaker, Sir, thereafter, I personally called at Wellkin Hospital to take stock of the situation and I even had a meeting with the medical team in the presence of certain prominent members of the Labour Party, namely hon. Assirvaden, hon. Dr. Boolell,...

Mr Assirvaden: Non, faux! *Mo pa ti labas ! Faux, faux !*

(Interruptions)

The Prime Minister: Hon. Dr. Aumeer ...

Mr Assirvaden: Faux ! Complètement faux, le Premier ministre ment !

The Prime Minister: You were there.

Mr Assirvaden: Le Premier ministre ment, il ment. Je n'ai jamais été là-bas. Faux!

Mr Speaker: You wait, I am on my feet!

(Interruptions)

I am on my feet!

(Interruptions)

Mr Assirvaden: Il ment !

Mr Speaker: I am on my feet!

So, I am ordering you out. I am ordering you out! Hon. Patrick Assirvaden, I am ordering you out!

(Interruptions)

I am ordering you out! Sergeant-at-arms!

(Interruptions)

Sergeant-at-arms!

(Interruptions)

Sergeant-at-arms, I am ordering him out!

Mr Assirvaden: Mais le Premier ministre ment !

Mr Speaker: Non, non!

(Interruptions)

Mr Assirvaden: ... le Premier ministre ment !

(Interruptions)

Il est un menteur!

Mr Speaker: I am naming you!

(Interruptions)

I am naming you! I am naming you!

Mr Assirvaden: Je n'ai jamais été là-bas !

Mr Speaker: Sergeant-at-arms!

Mr Assirvaden: Jamais, c'est faux !

Mr Speaker: Sergeant-at-arms! Sergeant-at-arms!

Mr Assirvaden: C'est faux, je n'ai jamais été là-bas !

Mr Speaker: Sergeant-at-arms!

(Interruptions)

I am suspending the Sitting.

An hon. Member: La honte!

Mr Assirvaden: Jamais, c'est faux !

At 12.19 p.m., the Sitting was suspended.

On resuming at 12.25 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Prime Minister, you may continue with your reply!

The Prime Minister: Mr Speaker, Sir, I was saying that I attended, therefore, the Wellkin Hospital, and...

Dr. Aumeer: Mr Speaker, Sir, I have a point of order, please!

Mr Ramful: I have one! Mr Speaker, Sir, the hon. Prime Minister is referring to a press statement that was made by the former Prime Minister. Under section 22(1) (l) of the Standing Orders, it is provided that –

“Every question, including supplementary questions, shall conform to the following rules –

- (l) a question shall not be asked whether statements in the press or of private individuals or unofficial bodies are accurate;”

And the hon. Prime Minister is ...

(Interruptions)

Mr Speaker: May I take over?

Mr Ramful: Yes.

Mr Speaker: May I help you?

Mr Ramful: Yes.

Mr Speaker: May I help you to understand?

Mr Ramful: Yes, sure.

Mr Speaker: What you are quoting is totally irrelevant. Please, stop there! Prime Minister, continue!

Dr. Aumeer: I have a point of order, please.

Mr Speaker: Are you sure?

Dr. Aumeer: Yes!

An hon. Member: *Pa pe les repon!*

Dr. Aumeer: I seek your guidance, Mr Speaker, Sir. I was one of those people who were present on that particular day and on all those days.

(Interruptions)

Let me say that hon. Patrick Assirvaden was never there!

(Interruptions)

Mr Speaker: I am on my feet, and listen to my guidance!

An hon. Member: This is not a point of order.

Mr Speaker: The accuracy is irrelevant! Please, continue!

The Prime Minister: Mr Speaker, Sir, I was saying, therefore, that I had a meeting with the medical team in the presence of certain members of the Labour Party. I mentioned hon. Assirvaden, hon. Dr. Boolell, hon. Dr. Aumeer, hon. Shakeel Mohamed and Mr Damry.

I subsequently gave instructions for the request to be processed immediately. Arrangements were made with the Ministry of Finance, Economic Planning and Development for the amount claimed by Kaluha Holding Ltd. to be advanced so as to enable the company to proceed with the evacuation exercise. Consequently, with the approval of the Ministry of Finance, Economic Planning and Development, an Advanced Account was opened in the name of the Secretary to Cabinet and Head of the Civil Service for effecting payment for the hiring of the air ambulance.

Mr Speaker, Sir, arrangements were made urgently and in all good faith for payment to be effected, by the State Bank of Mauritius Ltd., through Kaluha Holding Ltd., for the medical evacuation exercise.

On the same day, that is, on 06 September 2021, Mr Damry sent another email to express his appreciation for the assistance extended and confirmed his undertaking to reimburse Government all payments advanced in favour of Dr. Ramgoolam.

Later on that same day, the Secretary to Cabinet and Head of the Civil Service also officially informed Mr Damry that payment had already been effected to Kaluha Holding Ltd., through the State Bank of Mauritius Ltd. Mr Damry was, at the same time, reminded of his undertaking to reimburse the amount so advanced.

The financial assistance had been extended on the clear undertaking by Mr Damry that he would reimburse the amount so advanced. The total amount involved in the medical evacuation stands at USD 156,675. It was clear right from the beginning that the total cost of the medical evacuation would be around that figure.

Mr Speaker, Sir, I must say that arrangements were also made for our High Commission in New Delhi to extend all necessary assistance to Dr. Ramgoolam during his treatment and recovery in India.

Mr Speaker, Sir, nearly two months after the medical evacuation, there was no attempt by Mr Damry or by the Labour Party to reimburse the amount advanced. Consequently, an email was addressed to Mr Damry on 28 October 2021 by my Office requesting him to effect the reimbursement, in accordance with his undertaking, by end of November 2021. As there was no response, a reminder was sent to Mr Damry on 10 December 2021, with a renewed request to reimburse the amount by 15 December 2021. Mr Damry still failed to effect the reimbursement.

A first meeting was convened on 29 December 2021 at the Prime Minister's Office during which Mr Damry, who was accompanied by Mr S. Faugoo, agreed to effect the reimbursement, provided details of the different expenses were communicated to him by Kaluha Holding Ltd. Mr Damry still did not reimburse the amount in spite of the fact that Kaluha Holding Ltd. did subsequently provide to him all the details.

A second meeting was convened by the Secretary to Cabinet and Head of Civil Service on 02 March 2022 during which Mr Damry, who was again accompanied by Mr S. Faugoo, reiterated his agreement to effect the reimbursement within a week, after agreeing with Kaluha Holding Ltd. and the State Bank of Mauritius Ltd. on the exact amount to be refunded. Mr Damry still failed to effect the refund in spite of the fact that Kaluha Holding Ltd. had already submitted to him the details of the expenses incurred.

Following consultation with the Attorney General's Office, a letter was sent to Mr Damry on 20 May 2022, wherein he was again called upon to refund the amount, which now stands at USD 156,675.77, within a week, failing which the Prime Minister's Office would envisage recovery through legal means and take such other actions as it may be advised.

Mr Speaker, Sir, following my reply on 05 July 2022, both Mr Damry and Dr. Ramgoolam have alleged, in the media, that commissions are being claimed on the cost of the medical evacuation of the latter.

Mr Speaker, Sir, let me provide to the House a breakdown of the expenses, which, as I stated earlier, amounted to a total of USD 156,675.77, as follows –

	USD
(i) Payment to Spice Jet for the Medical Evacuation Flight	126,390.57
(ii) Air Ticket for Mr Dhaneshwar Damry	2,600.00
(iii) Ground Handling charges	8,000.00
(iv) Flight Planning and Clearances	2,000.00
(v) Travel Insurance for Dr. N. Ramgoolam and Dr. Das	179.70
(vi) General COVID-19 Medical Cover for Dr. N. Ramgoolam	3,726.44
(vii) Ground 2 Air – Flight Despatch & Pax Handling at SSR International Airport	950.00
(viii) KALUHA AERO Ltd. Administrative fee	1,200.00
(ix) KALUHA Holding Ltd. (KAL) Service Fee	5,600.00
(x) Part Payment and Interest paid on Credit Card in September 2021 by KALUHA Holding Ltd	4,957.75
(xi) 240 days Interest on Overdraft facilitated by SBM	823.81
(xii) SBM Bank Transfer Charges (Local and International)	247.50

Mr Speaker, Sir, this is the only claim sent to Mr Damry which they have, so far, failed to settle. There is no indication of any commission, as alleged by them.

Mr Speaker: Hon. Dhunoo!

Mr Dhunoo: Thank you, Mr Speaker, Sir. Thank you, hon. Prime Minister for being a caring Government and helping the former Prime Minister in this difficult time. Can the hon. Prime Minister state the reason why Air Mauritius could not airlift the former Prime Minister for his treatment in India?

The Prime Minister: We did, in fact, discuss with Air Mauritius initially before all this. In fact, there was a flight that was leaving for Mumbai and we made arrangements for the flight to be preponed, as there was an urgent situation, and Dr. Ramgoolam had to be evacuated. So, we discussed with the doctors, they told us that there was a number of arrangements that had to be made in-flight, for example, for carrying oxygen. But, unfortunately, because of certain rules and regulations, it was not possible to do so and that is when, in fact, I personally talked to the High Commissioner of the Republic of India. In fact, I saw certain Press articles I must say, blaming the Government; that it was Government's fault that we could not charter a plane, when it was not so. In fact, it was left for the Labour Party to do the needful; they themselves told us that they were doing the needful, but, as I have stated, nothing had been done. I then discussed the matter with the High Commissioner of India following which we made the arrangements and SpiceJet was thus chartered to convey Dr. Ramgoolam to India.

Mr Dhunoo: Thank you, Mr Speaker, Sir. In his reply, the hon. Prime Minister mentioned the sum and amount that had to be reimbursed. Can he state whether any member of the Labour Party has publicly taken the undertaking to reimburse the amount due to the airlifting of the former Prime Minister to India?

The Prime Minister: In fact, some of the members of the Labour Party, for example, hon. Assirvaden himself, on 07 September, had made public statements. This was reported, and I quote what he said –

«Son transfert jusqu'au *All India Institute of Medical Sciences* coûtera - lui-même il le dit - 154,540 dollars, une note qui sera payée par le Parti travailliste.»

Et je cite exactement les paroles qu'il dit en créole –

« *Ce claire ki nounn signe undertaking, le Parti travailliste, ki nou pou payé sa tretman ki Dr. Ramgoolam pe al fer deor. A la fin du zour, ce nou ki pou payé.* »

I shall not quote again. He has made several statements, Mr Speaker, Sir. I am not going to quote everything. But since we saw today the misbehaviour of hon. Shakeel Mohamed, this is what another hon. Member, Shakeel Mohamed himself said –

« Tout ce que le gouvernement, à ce jour si mo pa trompé c'est à peu près 150,000 dollars, sa langazman la a été pris. C'est à la demande du Parti travailliste, nou finn dir ki nou anvi rembourse tout cela parski mo finn dir ou kifer. Parski en ce moment, à l'île Maurice, nou pe pass par bann moman très très difcil du point de vue économique, du point de vue santé, du point de vue sanitaire, sociale et nou pa pansé ki li enn bon lidé mem kan nou finn pran la décision, nou finn approche le gouvernement, nou finn dir le Dr. Joomaye nou anvi payé et li finn dir lerla : 'okay pena problem, pena oken problem'. »

(Interruptions)

I am quoting just one of the statements from the hon. Member, but there are others.

(Interruptions)

Mr X. L. Duval: Can I have a supplementary question? Yes, I have the mic! I have the mic! Good!

I wanted to ask the Prime Minister whether he will submit the call log – you have a call log as a Prime Minister – to show that it was an incoming call on that particular day. Because I have it from Dr. Navin Ramgoolam that I may ask you this question; to produce the call log to show that it is an incoming call from the lady you have mentioned rather than an outgoing call. Will you, therefore, agree to submit to this House a call log?

The Prime Minister: Mr Speaker, Sir ...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, I hope the hon. Leader of the Opposition does not want me to give an account of what has happened. I think it is shameful. You know why I decided to relate exactly what has happened? Because I must say it is really sad. Let us put politics aside. We put politics aside. It was a situation wherein Dr. Ramgoolam had to be

evacuated urgently. And I do not want to say the number of times when I spoke to his wife and what has been said. I shall not disclose that because already when I am saying that she talked to me is creating lots of 'haha' there. But if I say what has been the tenure of our conversation, I think they will be even more ashamed of what they have been doing. And, therefore, Mr Speaker, Sir, I maintain what I have said and, of course, I am not going to disclose the tenor of our conversation.

Mr X. L. Duval: Mr Speaker, Sir, since I have a question...

Mr Speaker: No, wait, wait! Wait a minute! Wait a minute!

The Table has been advised that PQ B/933 has been withdrawn. Time over! Questions to other Ministers!

The Table has been advised that PQ B/986 will be replied by Dr. the hon. Minister of Health and Wellness. I call hon. Wochit!

FOND DU SAC BRANCH ROAD - TRIOLET BY-PASS ROUNDABOUT - UPGRADING

(No. B/946) Mr R. Wochit (Third Member for Pamplémousses & Triolet) asked the Minister of National Infrastructure and Community Development whether, in regard to the upgrading of the Fond du Sac Branch Road, at the level of the Triolet by-pass roundabout, to Fond Du Sac Village, he will state if –

- (a) a survey was carried out prior to the award of the contract therefor and, if not, why not, and
- (b) consideration will be given for the resurfacing and widening thereof and, if so, when.

Mr Hurreeram: Mr Speaker, Sir, I am informed by the Road Development Authority that the Triolet-Fond Du Sac link road B166 is a classified road of a length of 3.2 km starting at the roundabout on the Terre Rouge-Triolet-Grand Baie A4 at Triolet passing through the roundabout at the end of the Triolet bypass A16 and which ends on the Plaine des Papayes Road B11 at Fond du Sac. I believe the hon. Member is referring to this part of the road as the Fond du Sac Branch Road.

Mr Speaker, Sir, accordingly, with respect to part (a) of the question, I am informed that no contract has been awarded for the upgrading of the Triolet-Fond Du Sac link road B166. The question of a survey prior to award of a contract which does not exist, in fact, therefore, does not arise.

With regard to part (b) of question, during its routine inspection and surveys, the RDA has observed that the B166 road is in good condition. Besides the volume of traffic which comprises mainly local traffic between the two villages, that is, Triolet and Fond du Sac, is relatively low. At this stage, therefore, there is no need for the resurfacing or widening of the road.

However, in the context of the preparation of the National Road Strategic Network, the RDA will also conduct a detailed survey in that region. If the widening of the road will be required in the future, appropriate and acquisition procedures if needed and which is a lengthy exercise could be looked into.

Thank you.

Mr Woochit: Thank you, Mr Speaker, Sir. If a survey will be conducted over there, you would surely encounter some trees which have narrowed the said road and at the same time obstructed the flow of vehicles. For the safety of every vehicle user, can the hon. Minister liaise with his department and the forestry department to remove these trees and widen the road and whether his department will speed up the resurfacing over there? I have some pictures which show the dangers encountered over there.

Mr Hurreeram: Mr Speaker, Sir, on 24 August 2020, my hon. colleagues, Avinash Teeluck and PPS Dr. Anjiv Ramdhany held a meeting at the District Council of Pamplémousses where, in fact, it was question of some damages that are occurring at some parts of the road because of the activities of the stone crusher company that is there. In fact, it was the Eastern Stone Crusher Ltd and the road was heavily damaged and thanks to my colleague, Dr. Ramdhany (PPS), needful was done for that stretch to be repaired and we have placed in there a signage that only 12 ton vehicles can circulate on that road to avoid any future damage.

As I have already said in my reply, the survey conducted so that the road is actually in good condition and does not require any widening and it is mainly used between those two

villages. If there is any request from any private company for their activities, may they put them through the competent authorities and we will consider accordingly.

Mr Woochit: These photos will show the good roads over there.

(Interruptions)

I will table these photos for the ease of the Minister and the only request that I have is to speed up the resurfacing over there because it is not good for the safety of the users. I only want to speed up the resurfacing over there. Thank you.

Mr Hurreeram: Once again, Mr Speaker, Sir, I will go by the recommendation of my hon. colleague, the PPS Dr. Ramdhany and the engineers of the RDA who are professionals, they are engineers. I go by their advice, they have recommended that there is no resurfacing required at this stage, so, I will request my hon. colleague PPS to kindly look into and advise accordingly.

Thank you.

Mr Speaker: Hon. Dr. Boolell!

INDIAN OCEAN – INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE

(No. B/947) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the Indian Ocean, he will state if the UN Intergovernmental Panel on Climate Change has made estimates of heat waves therein and, if so, give details thereof.

Mr Ramano: Mr Speaker, Sir, the Intergovernmental Panel on Climate Change, commonly known as the IPCC, was established in 1988 and it is the United Nations body for providing policy makers with regular scientific assessments on the current state of knowledge of the science of climate change, the social and economic impact of climate change and potential response strategies and elements for inclusion in a possible future International Convention on Climate Change.

Created jointly by the World Meteorological Organisation and the United Nations Environment Programme, the IPCC provides parties to the United Nations Framework Convention on Climate Change with scientific information that can be used to develop climate policies. The IPCC has three working groups –

- 1) The IPCC Working Group One aims at assessing the physical scientific basis of the climate system and climate change;
- 2) The IPCC Working Group Two assesses the vulnerability of socio economic and natural systems to climate change, negative and positive consequences of climate change and options for adapting to it, and
- 3) the IPCC Working Group Three focuses on climate change mitigation, assessing methods for reducing greenhouse gas emissions and removing greenhouse gases from the atmosphere.

So far, there has been six assessment cycles of the IPCC. For each cycle, reports are produced for the three working groups over a period of six to seven years. For the six assessment cycles covering the period of 2014 to 2023, in addition to the three working group reports, three special reports have also been published as follows- in 2016 the Climate Change and Land Report and the Ocean and Cryosphere Report, and in 2018 the Changing Climate Global Warming of 1.5°C Report.

A synthesis report for the six cycles is under preparation and is expected to be published by early next year. This report would comprise findings from the three working groups' reports and the three special reports.

According to the last report of the Working Group One on the physical science basis, many regions throughout the world are projected to experience an increase in the probability of compound events. In particular, concurrent heat waves and droughts are likely to become more frequent. The frequency and intensity of hot extremes will continue to increase and those of cold extremes will continue to decrease at global and continental scales and in nearly all inhabited regions with increasing global warming levels. This will be the case even if global warming is stabilised at 1.5°C.

The said report further states that relative to present day conditions, changes in the intensity of extremes would be at least doubled at 2°C and quadrupled at 3°C of global warming compared to changes of 1.5°C of global warming. The number of hot days and hot nights and the length frequency and/or intensity of warm spells or heat waves will increase over most land areas. The report does not, however, give specific details on heat waves for different regions but

it mentions that the surface of the Indian Ocean has warmed faster than the global average. The above observations are in line with those of the Mauritius Meteorological Services which claim that the mean annual temperature has warmed by about 1.39°C in the last 70 years. That is, from 1951 to 2020 and the average temperatures at all stations are rising at the rate of about 0.19°C per decade.

Night temperatures have warmed faster than day temperatures involving an increase of 1.47°C and 1.35°C, respectively. As per the National Aeronautics and Space Administration, the global annual average temperature, abnormally, for 2021, was 0.85°C.

Based on guidance from the World Meteorological Organisation, the Mauritius Meteorological Services adopted the definition of occurrence of warm spells over the Republic of Mauritius, as follows –

“Warm spell is said to occur when on five consecutive days, the daily maximum temperature over an island exceeds the average maximum temperature by 2°C.”

This situation is considered as an extreme event. Analysis of the number of warm days and warm nights for the period of 1950 to 2020, with observations from the Aeronautical Meteorological Station located at the Sir Seewoosagur Ramgoolam International Airport, indicates that the number of warm days and warm nights are on an increasing trend.

A concept note for a National Adaptation Plan for the health sector under the Green Climate Fund Readiness Support has been finalised in 2021. The main outcomes of the National Adaptation Plan would include vulnerability and adaptation assessment to develop contextual and evidence-based adaptation strategies, capacity among healthcare personnel to improve surveillance, and early warning systems for climate sensitive diseases. The project concept note is under consideration at the level of Green Climate Fund.

The rising trend in the frequency and intensity of heat waves is only one of the visible aspects of climate change. As a Small Island Developing State, Mauritius is highly vulnerable to the adverse impacts of climate change, including an increase in flood and drought events, landslides, severe tropical cyclones, storms, tidal surges, and sea level rise.

Sea level rise has been observed to be accelerating in the last decade, at an average rate of 5.6mm per year, compared to the global value of 3.4mm per year.

In addition to our efforts to reduce our greenhouse gas emissions, my Ministry has also initiated a series of measures to adapt to the adverse impacts of climate change. The list of measures was provided in reply to PQ B/1096 at the sitting of the National Assembly of 16 November 2021.

Dr. Boolell: Thank you very much. The Minister has given an extensive reply. Can I ask the Minister whether there is proper coordination in respect of our National Adaptation Programme together with countries in the region, whether these issues are raised and have been discussed at the level of the Indian Ocean Rim, the *Commission de l'Océan Indien* and the SADC? Where does Mauritius position itself in relation to the ongoing discussions?

Mr Ramano: M. le président, je dois dire que tout l'aspect du *climate change* et les effets du *climate change* font l'objet des discussions au niveau de la COI, au niveau de la SADC, et aussi au niveau des *SIDS islands*. Je dois dire que ce sont avant tout des sujets prioritaires, et cela fait partie de notre obligation à nous en tant que petit État insulaire de venir de l'avant avec notre *Nationally Determined Contribution*, qui a été soumis l'année dernière au mois d'octobre, où nous sommes venus de l'avant avec toute une série de mesures en ce qui concerne la mitigation et aussi des mesures d'adaptation.

Mr Speaker: Any supplementary? So, at this stage, I suspend the Sitting for one and a half hour!

At 12.57 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!

BUILDING & CIVIL ENGINEERING CO. LTD – REDUNDANT WORKERS

(No. B/948) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the workers of the Building & Civil Engineering Co. Ltd., he will state the number thereof being presently made redundant, indicating the –

- (a) number thereof who are foreign nationals, and

- (b) actions, if any, taken by his Ministry for the –
- (i) payment of the compensation thereto for loss of employment, and
 - (ii) redeployment thereof.

Mr Callichurn: Mr Speaker, Sir, on the basis of the information submitted to my Ministry, I am informed that, around mid-May 2022, Building & Civil Engineering Co. Ltd (BCE), has, in view of its financial situation applied to the Mauritius Investment Corporation Limited (MIC) for financial assistance. BCE was informed during the second week of July 2022 that the Board of MIC has not approved the application. Subsequently, on 15 July 2022 the Directors of BCE passed resolutions, pursuant to section 137 of the Insolvency Act, to appoint Messrs M.O., A. J., and R. M. as accredited provisional liquidators to undertake a creditors voluntary winding-up in accordance with the Insolvency Act 2009. The joint provisional liquidators will proceed to the liquidation of the company.

Mr Speaker, Sir, I am also informed that BCE has a labour force of 517 workers. On 19 July 2022, the provisional liquidators gave notice of termination of employment to 466 workers as from 22 August 2022 and to 45 others as from 30 September 2022. Six local workers have, however, not been given any notice of termination as their services will still be required in connection with the winding-up of the company.

Mr Speaker Sir, with regard to part (a) of the question, I am informed that, out of the 511 workers who were made redundant, 153 are foreign nationals, as follows -

- Bangladeshi - 111
- Indian - 41
- South African - 1

Mr Speaker, Sir, section 72 of the Workers' Rights Act provides, *inter alia*, that -

- (i) An employer intending to reduce its workforce or close down his enterprise shall first notify and negotiate with the recognized trade union or the representatives of workers where there is no recognized trade union.

- (ii) An employer shall give notice of intended reduction or closing down to the Redundancy Board where there is no agreement with the representatives of workers or where there has been no negotiation.
- (iii) An employer shall not reduce or close down his enterprise during the prescribed period unless the employer has made an application to seek financial assistance from the specified institutions and the application has not been approved.
- (iv) A worker may apply to the Redundancy Board for an order to claim reinstatement or severance allowance for unjustified termination of employment.
- (v) The Supervising Officer may, at the request of any of the parties, provide a conciliation service to assist them in the negotiation with a view to reach an agreement.

Mr Speaker Sir, with regard to payment of remuneration in cases of insolvency, section 40 of the Workers' Rights Act provides for -

- (i) payment of remuneration up to Rs50,000 to all workers, including foreign nationals, which includes basic wage for not more than 3 preceding months, wages in lieu of notice and end-of-year bonus, and
- (ii) payment of gratuity on retirement to local workers where contributions have not been made to the PRGF.

Mr Speaker Sir, as regards parts b(i) and (ii) of the question, I am informed that a tripartite meeting was held at my Ministry on 20 July 2022, at the request of the *Confédération des Travailleurs des Secteurs Publique et Prive (CTSP)*, which is the sole representative to defend the legal rights of workers in the construction industry and for conducting collective bargaining.

The *CTSP* and the liquidators agreed on the following, in the presence of officers of my Ministry –

- (i) All the workers, including foreign nationals, would be guaranteed the payment of their wages up to the end of their notice period that is 22 August and 30 September 2022, as the case may be.

- (ii) Payment of wages for the month of July 2022 would be effected at the end of July 2022.
- (iii) For those workers whose notice period would expire on 22 August 2022 or 30 September 2022, payment of wages would be effected on their last date of employment.
- (iv) For those workers who would be recruited by another employer before the end of July 2022 or after the end of July 2022, they would be guaranteed payment of their wages at the end of July 2022 and the amount for period ending 22 August 2022 or 30 September 2022 on 10 September 2022 or 30 September 2022 respectively.
- (v) All redundant workers would make an application to my Ministry for payment of their end-of-year bonus 2022 from the Wage Guarantee Fund Account (WGFA) in view of the fact that the liquidators do not have the necessary funds to pay same. In order to ensure timely action regarding payment of the end-of-year bonus, a special desk would be set up at the level of my Ministry.
- (vi) Gratuity on retirement would be paid from the wage guarantee fund account to local workers attaining their retirement age of 55.
- (vii) Other claims such as refund of outstanding annual leaves 2022 would have to be made to the liquidators by way of proof of claim.
- (viii) And lastly, the liquidators would pay any unpaid PRGF contributions to the Mauritius Revenue Authority from the date of entry of the workers to 31 January 2022 from the proceeds after the realisation of assets of the company in accordance with the ranking order of the Fourth Schedule of the Insolvency Act.

I wish to highlight that PRGF contributions have been made to the MRA as from February 2022 in accordance with the provision of the Workers' Rights Act (Portable Retirement Gratuity Fund) (Amendment) Regulation 2020.

- (ix) Also, a job fair was organised on 21 and 22 July 2022 at the head office of the company at Bambous to facilitate the redeployment of all redundant workers. 30

companies have expressed their interest to participate in the job fair and the outcome is being awaited.

- (x) As regards migrant workers who would not wish to be redeployed, the liquidators will bear the cost of their repatriation.

Mr Speaker, Sir, I am informed that the Redundancy Board has not received any application to claim severance allowance for unjustified termination of employment from the redundant employees of BCE under Section 72(8) of the Workers' Rights Act as at close of business on 25 July 2022, that is, yesterday. That was yesterday.

I am also informed that according to the existing agreement between the workers and BCE, the foreign nationals are entitled to a compensation of one day's basic wage per month of service with effect from their date of entry up to 23 October 2019, that prior to coming into force of the Workers' Rights Act on 24 October 2019.

Furthermore, the foreign nationals are entitled on expiry of their contract of employment or work permit or on termination of employment to the refund of all contributions paid in their favour to the National Pension Fund as at August 2020 under section 23B (1) of the National Pension Act. They are also entitled to payment of a lump sum in respect of contributions made to the National Savings Fund under Section 2(b) (vii) of the National Savings Fund Act.

Mr Speaker, Sir, my Ministry is following up the matter and will ensure that all dues in line with the provision of the Workers' Rights Act are paid to the workers of BCE as per the commitment taken by the liquidators.

Mr Uteem: Thank you for this very comprehensive answer. May I know from the hon. Minister whether, the workers would be entitled to any severance allowance for unjustified termination because he has mentioned only the payment for salaries and gratuity but nothing about payment which will take into consideration *temps de service* of these workers?

Mr Calichurn: Mr Speaker, Sir, the company has been closed down following financial difficulties. So, the question of unjustified termination does not arise. If they wish to do so, they can eventually report the matter to the Redundancy Board and it will be for the Redundancy Board to determine whether there has been any sort of unjustified termination in this particular matter.

Mr Uteem: Will consideration be given for the Ministry by regulation to amend the Fourth Schedule of the Insolvency Act so that any amount due to workers beyond Rs50,000 rank ahead of amount due to banks and holders of fixed charge because at the moment, it is *pari passu* with the bankers.

Mr Callichurn: Mr Speaker, Sir, the hon. Member would appreciate that the last amendment that was brought was by this Government, by myself as Minister of Labour, and the ranking in terms of payment of dues, that is, the compensation and all regarding past services were at the bottom of the scale. So, we brought it now. Priority of payment to creditors, that is, first comes to paying the cost of liquidators and secondly, wages and salary due to employees. That amendment was done in 2019. So, consideration may be given but there are extensive consultations which have to be carried out in order to achieve this purpose.

Mr Armance: Thank you, Mr Speaker, Sir. Regarding the Mauritian workers, may I know from the Minister whether, the workers will be eligible for the Workfare Programme and if yes, will you ensure a special desk for the application and the process of the payment because you will understand that all these workers have their family to entertain and the process for Workfare Programme take months?

Mr Callichurn: Of course, Mr Speaker, Sir. They are entitled as per the law to the Workfare Programme, but our priority is to redeploy these workers. And if they are able to secure a job, it is better for them prior than to be added on Workfare Programme where there is no guarantee of what will happen eventually. Our priority for the moment is their redeployment in reputable companies.

Mr Speaker: Dr. Aumeer! MP Mrs Navarre-Marie!

SAINT BARTHOLOMEW'S COLLEGE - INJURED STUDENT - INQUIRY

(No. B/950) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the incident which occurred at the Saint Bartholomew's College on Tuesday 28 June 2022 wherein a student was severely injured, she will state if an inquiry has been carried out thereinto and, if so, indicate the outcome thereof.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed by the Private Secondary Education Authority that on Tuesday 28 June 2022, an incident involving three students took place at Saint Bartholomew's College during the afternoon small break. Following a fight which broke in the school corridor, staff of the school intervened to stop them. The three students were rusticated. The responsible parties of the three students were informed of the incident. The student who was assaulted and injured was taken to the Jeetoo Hospital for treatment by his responsible party who, later on the same day, reported the matter to the police.

Mr Speaker, Sir, I am further informed that on 29 June 2022, the *Brigade pour la Protection de la Famille* met the injured student and his responsible party. They were sensitised on the consequences of antisocial behaviour and were requested to attend the mediation to be carried out with the students at the school in presence of their respective parents. However, they declined to participate in that meeting. They were subsequently referred to the psychologist of the CDU and on the same day, the *Brigade pour la Protection de la Famille* proceeded to Saint Bartholomew's College where a working session was held in relation to the above incident. The matter was referred to the Probation and Aftercare Services by virtue of Section 50 of the Children's Act 2020.

Mr Speaker, Sir, an educational psychologist from the Ministry effected a school visit on 04 July 2022 to meet the students. My Ministry has been informed that the injured student has sought transfer to another school and the PSEA had convened the parents for procedures regarding the transfer of their ward on 12 July 2022. The responsible parties informed that their ward was already receiving psychological help from the CDU and the transfer procedures were completed on 21 July 2022. Counselling sessions with all three students and their responsible parties have been scheduled on Monday 25 July and Tuesday 26 July 2022. Sensitisation sessions have been scheduled at the school for the students.

Mrs Navarre-Marie: Merci. La ministre, pourrait-elle nous donner les raisons pour lesquelles la direction de l'école n'a pas cru bon d'appeler le SAMU alors que l'enfant saignait abondamment ?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am informed that the parents were informed and the parents had told the school that they would come and pick up the student immediately.

Mr Uteem: I just listened to the hon. Minister. The person happens to be in my Constituency. The parents are in my constituency, and I can assure the hon. Vice-Prime Minister that the school took around half an hour to 40 minutes to contact the parents. So, in the meantime for 40 minutes, the child was bleeding profusely. May I know from the hon. Vice-Prime Minister whether there is a protocol which is there to be followed by all secondary schools in case of brutality or injured student in a college?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am informed that various schools have various protocols. At the time of admission, there is an agreement made by parents and the school management as to what to do; some parents would prefer their children to be sent to clinic, others to hospitals, and some parents prefer to comment pick their children themselves. In that particular case, I have been informed that the parents informed the college management that they would be taking the student straightaway to hospital. This is the information that I have.

Mr Speaker: Hon. Mrs Mayotte!

Mrs Mayotte: Thank you Mr Speaker, Sir. Can the hon. Vice-Prime Minister state whether the perpetrators are still at same school, and if so, are they being monitored by any psychologists?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the National Educational Counselling services of the Ministry will continue to follow the students and try to see how best to help them so as to develop the right attitude in school.

Mr Speaker: Mrs Luchmun Roy!

Mrs Luchmun Roy: It has already been canvassed. Thank you, Mr Speaker, Sir.

Mr Osman Mahomed: Can I ask the hon. Vice-Prime Minister whether as a consequence of this very sad happening, the two boys have had to change schools?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, what happened is that one of the children, in fact the one who was assaulted, has requested for a transfer. Normally, in cases of quarrel within school, we do not normally ask students to be transferred because we need to help them

build up their character and self-esteem ensuring that they can cope in such situations. But in this particular case, the parents insisted to get the children transferred. So, they went to the PSEA, and this was done.

Mr Osman Mahomed: Both families?

Mrs Dookun-Luchoomun: Pardon? Now, if the parents request for transfer, we cannot do much. I have been told that the injured student had requested for transfer.

LA VIGIE-LA MARIE-BEAUX SONGES LINK ROADS – IMPLEMENTATION

(No. B/951) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of National Infrastructure and Community Development whether, in regard to the link road between La Vigie and the West of the country, he will state –

- (a) the expected completion date of the first segment thereof between La Vigie and La Marie, and
- (b) when the two segments, that is, between La Marie and Beaux Songes and La Vigie to the West will be implemented.

Mr Hurreeram: Mr Speaker, Sir, the existing road networks linking the southern and central regions of the island with the western part are currently operating beyond capacity, and are thus afflicted by heavy traffic congestion. In addition, the number of residents in the region of Flic-en-Flac is still increasing rapidly, and the economy activities related to the tourist industry and real estate developments have also expanded significantly over the last decade.

Accordingly, Mr Speaker, Sir, with a view to alleviating the traffic congestion in these regions on one hand, and addressing safety issues in the event of any other incident thereat, being given that there is only one access to Flic-en-Flac village, Government through the Road Development Authority, intends to implement the East-West connector comprising the implementation of the following three projects –

- (i) La Vigie - La Brasserie - Beaux Songes Link Road (Phase 1) which starts from Motorway M1 at La Vigie, crosses the Phoenix-Plaisance Road(A10) at 16ème Mille, and ends at La Marie (B102) at La Marie;

- (ii) La Vigie - La Brasserie - Beaux Songes Link Road (Phase 2) which starts from La Marie Road (B102) at La Marie, passes through Henrietta, Holyrood and ends at Pierrefonds. This new road will also link the Palma Road (B2) and the Phoenix Beaux Songes Road (B130), and
- (iii) The Flic-en-Flac Bypass from Pierrefonds round about to Flic-en-Flac.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the RDA that the works in respect to the first project, that is, from La Vigie to La Marie, have started on 10 February 2021, and the progress of works is at 41% as at date. The project is expected to be completed in September 2023.

As regards part (b) of the question, I am informed that the second project from La Marie to Pierrefonds is presently a procurement stage, and will be awarded shortly. The works are expected to start in September 2022 and would be completed in September 2024, that is, after a construction period of 24 months.

Mr Speaker, Sir, as regards the project with the segment starting from Pierrefonds to Flic-en-Flac, same will be implemented in collaboration with Medine Ltd. under the 50:50 Smart City Cost Sharing Policy Scheme, whereby Medine Ltd. will contribute 50% of the land required for the project and 50% of the project cost in kind, that is, in terms of land. The agreement is presently being finalised.

I am further informed that the RDA, in collaboration with Medine Ltd., has already completed the detailed engineering design of the project. The procurement exercise would be launched shortly, and the works are expected to start in April 2023 and will be completed in April 2025, that is, a construction period of 24 months. Thank you, Mr Speaker, Sir.

Mr Bodha: I have two supplementary questions. May I ask the hon. Minister who carried the geotechnical tests for the segment between La Marie and La Vigie?

Mr Hurreeram: Mr Speaker, Sir, there was a consultant on this project, and the geotechnical tests were carried out by the consultant namely, if I am not mistaken, it should be Luxconsult. Thank you.

Mr Bodha: Thank you. May I ask whether there has been any costs overrun on that segment so far; the 41% which have already been completed?

Mr Hurreeram: No, Mr Speaker, Sir. There have not been any costs overrun so far.

Mr Speaker: Next question!

GRAND RIVER NORTH WEST – AQUADUCT RENOVATION

(No. B/952) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Arts and Cultural Heritage whether, in regard to the Aquaduct at the Grand River North West, he will state if the renovation thereof is being envisaged and, if so, give details thereof and, if not, why not.

Mr Teeluck: Mr Speaker, Sir, with regard to the Aquaduct at the Grand River North West, I am informed by the National Heritage Fund that in 1985, the Aquaduct was listed as a national monument under the National Monuments Act 1985, and it was thereafter designated in 2003 as a national heritage under the National Heritage Fund Act.

The Aquaduct which was built in the late 80s and 90s centuries to supply the capital and the port with fresh running water is now, unfortunately, in a high-risk area prone to soil erosion, rockfall and slope failure. Several site visits have been carried out by the officers of the NHF, Ministry of Environment, Solid Waste Management and Climate Change, Ministry of Housing and Land Use Planning, the City Council of Port Louis, Natural Disaster and Risk Reduction Management Centre and the Land Drainage Authority with a view to finding a sustainable solution to address the problem of flooding, landslide and soil erosion which affect the region of Canal Dayot during heavy rainfall.

However, as at date, as per my information, there has not been any project to restore or rehabilitate the canal. Mr Speaker, Sir, as it is a national heritage and is of cultural and historical significance for having supplied fresh water to the capital and the port in the 19th century, and is one of the oldest heritages in the region of Grand River North West, the NHF is working on the Terms of Reference for the enlistment of consultancy services for the carrying out of an in-depth structural survey on the canal prior to any restoration or rehabilitation.

Mr Armance: Before I ask the question, Mr Speaker, Sir, I will table a copy of a picture of the Aquaduct as at yesterday, and it talks by itself to see what is the state in which it has been abandoned by the Ministry. Now, I refer to the letter that was sent to the Minister dated 17 July 2022 by *SOS Patrimoine en Péril*, to which the Minister was copied as well as the Ministry. I

would like him to tell me whether there has been a request for a detailed assessment and a detailed structural assessment report to find solutions to monuments in Grande Rivière namely, the Aquaduct as well in Canal Dayot, whether he has taken cognizance of this letter, and if he will do the assessment?

Mr Teeluck: Yes, I have taken cognizance of the letter. Mr Speaker, Sir, as mentioned, several site visits have been conducted with various stakeholders and there is this enlistment of a Consultant which is being envisaged and the terms of reference are presently being worked on.

Mr Armance: Has the Ministry got any specific budget this year for the renovation works? Since you are appointing a Consultant now, do you have in mind any project that you may envisage in this region because despite it is in a high risk flood region, it is still a national heritage, *un patrimoine national*. *Donc, quel est le projet que le ministère a en tête?*

Mr Teeluck: It is difficult for us to foresee any projects but, of course, it will be restoration, rehabilitation. But the step to any restoration project would be to conduct a survey and this is presently being done with the terms of reference being worked on. So, it is a matter of taking it phase-wise.

Mr Armance: As a matter of good faith, hon. Minister, it is mentioned in the same correspondence, that is, the second correspondence that you never replied. Would you, please, reply to this letter earmarking your project, your intention to come forward with whatever you just mentioned in Parliament today? Thank you.

Mr Teeluck: Noted, Mr Speaker, Sir.

Ms J. Bérenger: Rather than proceeding with projects in isolation, does the Minister agree that it would be wiser for the concerned Ministry to put in place a holistic plan for the conservation of the numerous heritage assets in this region?

Mr Teeluck: No answer.

Mr Speaker: No answer?

An hon. Member: Shame!

Mr Speaker: Next question, hon. Ramful!

**INTERNATIONAL MONETARY FUND – STAFF REPORT – PROPOSED
AMENDMENTS**

(No. B/953) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, following the recommendations made by the International Monetary Fund in its Staff Report for the 2022 Article IV Consultation, he will state if he will consider introducing proposed amendments to the existing legislation with a view to –

- (a) supporting the independence and policy credibility of the central bank consistent with best international practices, and
- (b) relinquishing the ownership of the Mauritius Investment Corporation Ltd.

Dr. Padayachy: M. le président, en ce qui concerne la partie (a) de la question, comme la Chambre le sait, dans le Discours du Budget 2021-2022, il a été annoncé qu'un nouveau *Bank of Mauritius Bill* et *Banking Bill* seraient sous peu introduits, en adéquation avec les meilleures pratiques internationales et tenant en compte la pandémie. À cet égard, j'ai été informé que la Banque de Maurice travaille activement sur les deux nouveaux projets de loi. La banque mène d'ailleurs des consultations avec le FMI sur la rédaction de ces projets de loi.

La législation relative à la banque centrale reviendra en détail sur le mandat de la Banque de Maurice et les pouvoirs spécifiques dont elle dispose pour atteindre ses objectifs, notamment en matière de politique monétaire, de création des conditions favorables au développement économique et de stabilité financière, y compris au niveau macro-prudentiel.

En outre, la Banque de Maurice est en train de remanier son cadre de politique monétaire, avec l'appui du FMI, afin de renforcer encore davantage l'efficacité de sa politique monétaire. J'ai été informé que la stratégie de la Banque sera axée sur un certain nombre d'éléments opérationnels et stratégiques clés, tels qu'une cible d'inflation définie et flexible qui ancrera les anticipations d'inflation et permettra une plus grande clarté sur le mécanisme des interventions de change. Les principales caractéristiques du nouveau cadre seront intégrées dans la nouvelle législation.

M. le président, concernant la partie (b) de la question, alors que les recommandations du FMI sont dument prises en considération, les autorités restent souveraines et indépendantes dans

leurs prises de décisions. Depuis sa création en mai 2020, je tiens à rappeler que la MIC a grandement contribué à préserver l'emploi et sauvegarder la stabilité financière du pays alors que nous traversons la pire crise de notre histoire.

D'ailleurs, je tiens à rapporter les propos de l'administrateur du FMI pour Maurice qui était sur place pas plus tard que la semaine dernière. Après son entretien avec le Premier Ministre, l'administrateur a déclaré que Maurice a réussi à faire face à la Covid-19 et que les décisions prises par le gouvernement mauricien, notamment la création de la MIC, sont justifiables.

Ces mesures, a-t-il précisé, ont grandement aidé à préserver l'emploi, en particulier dans le secteur du tourisme. Au sortie de la pandémie, la MIC est maintenant appelée à jouer un rôle prépondérant dans le développement et la modernisation de Maurice et de son économie. La banque centrale s'est en effet dotée, à travers la création de la MIC, d'un portefeuille d'investissement local qui cadre avec son mandat de promouvoir un développement économique ordonné et équilibré.

Je rappelle que la MIC est une société d'investissement générant des bénéfices, ce qui *in fine*, renforce encore davantage le capital et l'indépendance de la Banque centrale. L'orientation de la MIC est et reste la création de richesse pour les Mauriciens. Ainsi, la décision de la Banque de Maurice de conserver sa filiale d'investissement sur le plan local est prise dans l'intérêt suprême du pays.

Mr Ramful: Thank you, hon. Minister. I can see from paragraph 24 of the IMF report that the Government of Mauritius has given the undertaking that by June this year they were supposed to submit to the IMF for consultation a draft Bill of the new BOM Act. May I know from the hon. Minister whether this has been done?

Dr. Padayachy: M. le président, nous travaillons continuellement sur le *draft Bill*. Il est vrai que ce n'est pas encore finalisé mais je peux le dire dans les semaines à venir nous allons faire le nécessaire. Je sais que la Banque de Maurice est en train de travailler continuellement, je le dis directement avec le FMI. Nous, au niveau de l'autorité, nous allons prendre connaissance des dispositions de cette nouvelle loi quand ce sera rédigé. Donc, la banque de Maurice est en train de faire directement avec le FMI, c'est comme cela qu'on a travaillé dans le passé. La

Banque de Maurice ne va pas passer par Maurice pour envoyer au FMI, elle va envoyer directement.

Mr Ramful: My second supplementary is with regard to paragraph 22 of the IMF report wherein the IMF has recommended that the amendments to the new Bill should prohibit any future direct financing to non-banks, for example, to the Government as well as it should also prohibit quasi financial fiscal activities like the setting up of the MIC for example.

Now, may I know from the hon. Minister whether these amendments are going to cover those aspects and prevent any future financing from the Bank of Mauritius to Government?

Dr. Padayachy: M. le président, je vais répondre directement à la question posée par l'honorable membre. Avant de répondre à cette question, je tiens à repréciser encore une fois le contexte quand on avait fait ce transfert. Ne vous inquiétez pas, je vais vous donner la réponse parce que j'ai souvent remarqué qu'ici on met souvent en doute ce que nous avons fait en 2020. Nous pouvons ne pas être d'accord mais je me rappelle très bien qu'à l'époque on était tous d'accord sur la situation où on était en train de se diriger, de la situation économique catastrophique qui s'annonçait devant nous.

Aujourd'hui, j'ai vu, nous entendons très bien certaines recommandations par rapport à ce que nous avons fait en 2020. Je tiens à préciser, M. le président, si vous me le permettez, je vais vous donner quelques chiffres. Vous savez, je suis un économiste, j'aime bien donner quelques chiffres et après - je vois l'honorable membre, donnez-moi quelques secondes, cela ne va pas prendre beaucoup de temps - je vais répondre à votre question. Je sais très bien ce que vous avez répondu. La réponse va être très simple, cela va être un oui ou un non. Je vais vous dire oui ou non mais premièrement je voudrais parler de cela.

On était avec un PIB de 500 milliards en 2018, 511 milliards en 2019, 448 milliards en 2020. Donc, ce qu'on a perdu, on aurait dû être à genoux, avec presque 22 % de taux de chômage et une série de faillites qui allait entraîner encore plus de chômage.

Maintenant, on est dans la pente ascendante. Nous sommes en train de reprendre. Nous avons fait 480 milliards en 2021, plus de 20 milliards en dessous de ce qu'on avait fait en 2019. C'est pour 2022 que nous allons pouvoir dépasser le PIB de 2019. Cela veut dire que les deux dernières années ; 2020 et 2021, ça a été des années de crise parce que pour la première fois,

depuis quarante ans, nous n'avons pas pu dépasser continuellement le PIB qu'on avait fait l'année auparavant.

Donc, nous avons utilisé *MIC*, nous sommes partis vers des politiques non-conventionnelles, mais même l'administrateur du FMI reconnaît que nous avons fait, nous avons choisi ces politiques pour pouvoir sortir de la crise.

Maintenant, pour répondre à votre question, M. l'honorable membre, bien sûr, nous n'allons plus choisir d'adopter des politiques non-conventionnelles parce que nous sommes en train de *rebuild* notre résilience avec la montée de la croissance économique qui va nous permettre de construire et de consolider notre *Resilience Fund* pour la prochaine crise. Merci, M. le président.

Mr Speaker: You have one more? That would be the last one!

Mr Ramful: Now, if the hon. Minister has said that he is not going in the future to take money from the *BOM* but then, the IMF Report also says that the presence of those two Deputy Governors on the Board of the *MIC* amounts to conflict of interest, clear conflict of interest. Now, why is the hon. Minister not taking the appropriate measures to relinquish ownership of the *MIC*?

Dr. Padayachy: M. le président, encore une fois, nous, ici, nous écoutons, nous prenons connaissance des recommandations mais nous appliquons ce qui nous convient pour le développement économique de Maurice. Donc, vous êtes en train de nous dire d'enlever *MIC*, de renoncer à *MIC*. C'est quelque chose que je laisserai le soin à l'honorable membre quand un jour, peut-être à la Saint-Glinglin quand il sera de nouveau au pouvoir, il pourra, à ce moment-là, *relinquish* ; il fera une demande au gouverneur. Nous, de ce côté de la Chambre, je laisse la politique monétaire, la politique, le management de la Banque Centrale au gouverneur. C'est lui qui a pris cette décision ; la Banque de Maurice a pris cette décision de créer le *MIC* et c'était dans l'intérêt du pays. Ils ont décidé de maintenir ; ils maintiennent *MIC*.

(Interruptions)

Mr Speaker: What is happening? Have you finished, Minister of Finance? No, no!

(Interruptions)

So, the question has been sufficiently canvassed! We move to the next question! Hon. Richard Duval!

COVID-19 - CASES & DEATHS - 01 JUNE-JULY 2022 -

CONTROL MEASURES

(No. B/954) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to COVID-19, he will state the –

- (a) number of persons tested positive therewith since 01 June 2022 to date, indicating the number of deaths attributed thereto, and
- (b) additional measures taken, if any, by his Ministry to control same.

Dr. Jagutpal: Mr Speaker, Sir, in reply to part (a) of the question, since 01 June 2022 to 21 July 2022, 14,751 persons were tested positive for COVID-19, out of which 12 deaths were attributed to COVID-19.

In reply to part (b) of the question, concerning additional measures to be taken, the Public Health Unit of my Ministry regularly makes situational analysis based on international scenarios and local reports on COVID-19, namely, vaccination status of the population, testing capacity, emerging variants, adherence to sanitary measures enforced, available treatment as well as number of cases detected, hospitalisation and deaths.

Mr Speaker, Sir, several countries across the world have reduced, if not eliminated, all public and sanitary measures. All these countries are even facing an uprise in the reported number of COVID-19 cases and deaths. However, these countries did not revert back to the previous sanitary precautions.

Similarly, in Mauritius, it has been observed that the weekly number of reported positive cases has increased. However, it should be pointed out that hospitalisation due to COVID-19 and relative deaths have not increased. In light of these factors, coupled with a high vaccination status, no additional measure is being envisaged for the time being.

Mr R. Duval: Can the hon. Minister give a breakdown of how many have been tested with the PCR Test, and how many with the Rapid Antigen Test?

Dr. Jagutpal: Mr Speaker, Sir, I will table the information on a weekly basis.

Mr Armance: Thank you, Mr Speaker, Sir. Hon. Minister, will you please, confirm to the House whether, when doing the computation of the figures, are you taking into account both PCR tests and Antigen tests?

Dr. Jagutpal: Yes, Mr Speaker, Sir. These figures that I have just given are both for the Rapid Antigen Tests and the PCR Tests.

Mr Speaker: Hon. Mrs Luchmun Roy!

Mrs Luchmun Roy: Thank you, Mr Speaker, Sir. Can the hon. Minister give further details pertaining to the profile of the patients who passed away during the last two months? Thank you.

Dr. Jagutpal: Yes, Mr Speaker, Sir. During the last two months, as at 25 July 2022, 14 deaths attributed to COVID-19 have been recorded. All were above 60 years of age and with multiple comorbidities. Here, I would like to express my sincere and deepest condolences to the families bereaved. Among the 14 deaths recorded, 7 were not vaccinated, 6 were vaccinated and 1 case is still under investigation.

Mr Juman: Thank you. Can the hon. Minister inform the House on the number of persons tested positive from Agalega during the last five days?

Dr. Jagutpal: Mr Speaker, Sir, so far, from the figures that I have, it is around 25. 25 persons have been tested positive in Agalega and all of them, if I am not mistaken, are all asymptomatic.

Mr Speaker: Next question, hon. Dhunoo!

CLASSIFIED ROADS – NUMBER & CRITERIA

(No. B/955) **Mr S. Dhunoo (Third Member for Curepipe & Midlands)** asked the Minister of National Infrastructure and Community Development whether, in regard to the classified roads, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the –

- (a) number thereof, and
- (b) criteria for the conversion of a road into a classified one.

Mr Hurreeram: Mr Speaker, Sir, the total road network all over the island is estimated at around 2,400 km, out of which, some 1,350 km fall under the purview of the Road Development Authority. These roads are listed under the Roads Act and the Motorways and Main Roads (Amendment) Regulations. The remaining roads fall under the jurisdiction of the respective local authorities.

Mr Speaker, Sir, the roads for which the RDA is responsible are classified in three categories, namely, the Motorway, the 'A' roads and the 'B' roads. The 'A' roads were initially mainly those linking Port Louis to other parts of the island such as, the A1 Road linking Port Louis to St Jean or the A2 Road linking the capital to Central Flacq. However, with time and with improvement in the road network management, the 'A' roads are those which have better characteristics than 'B' roads in terms of width, horizontal and vertical geometries.

As regards the 'B' roads, they are those which usually link important conurbations such as B1 Road linking Ebène to Réduit or B2 Road linking La Louise to Palma and Beaux Songes.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that the number of classified roads are as follows –

- 3 dual carriageways classified as Motorways: M1, M2, M3 over a total length of about 104 km;
- 21 roads classified as 'A' roads over a total length of around 242 km, and
- 174 roads classified as 'B' roads for a total length of some 1,004 km.

As regard to part (b) of the question, I am advised that the following main technical criteria are considered prior to classifying a road –

- (i) the characteristic of the existing road and the acceptable horizontal and vertical alignment;
- (ii) the volume and type of traffic using such road, and
- (iii) the level of upgradability of the existing road to 'A' or 'B' with provision of amenities such as footpaths and drains, among others. 'A' and 'B' roads generally should have a minimum width of around 6 meters.

Thank you, Mr Speaker, Sir.

Mr Dhunoo: Thank you, Mr Speaker, Sir, I have three supplementary. Will the Minister consider conducting a survey in order to identify roads that can be included in the list of classified roads?

Mr Hurreeram: Mr Speaker, Sir, currently with the upgrading and the amount of works that are being done around the island, the upgrading of several roads, I should thank the Minister of Finance, Economic Planning and Development and the Prime Minister for providing us the required funds. *L'île Maurice est un chantier, on est en train de revoir* the whole network of roads. We have a Road Master Plan coming for which we will plan, not for the 10-20 years ahead, but we are planning for the hundred years to come. So, yes, this is a constant process. We will eventually try to see what are the roads under those very specific criteria so as we can upgrade them. Thank you.

Mr Dhunoo: Thank you, Mr Speaker, Sir. Thank you to the Minister for the good work that he is doing in the constituency and around Mauritius. Can the Minister consider the classification of roads of Berthaud, Les Casernes and Frederic Bonnefin?

Mr Hurreeram: As the hon. Member is aware, we are currently upgrading the Berthaud Avenue, and we have already resurfaced quite some length of the Berthaud Avenue from Curepipe up to Floreal. This is under way. From the station of the CEB, we are trying to enlarge that road because as it is now, it is pretty narrow. But I think once the upgrading is done, it has been widened and has been resurfaced, given that this can be a bypass, I understand for those travelling from lower Plaines Wilhems towards Curepipe, I think, yes, we can eventually consider, but of course, under the guidance of my engineers of the RDA.

Mr Dhunoo: A last supplementary. We thank the Minister again for all the hard work that he is doing in Curepipe.

(Interruptions)

What is your problem? Can I put my question?

Mr Hurreeram: Lee Kuan Yew sa!

Mr Dhunoo: I think I have the floor; I can put my question. Is speed a criterion for classification of 'A' and 'B' roads? If yes, will the Minister consider upgrading the classification of road B6 from Wooton roundabout to Flacq from 'B' road to an 'A' road?

Mr Hurreeram: Mr Speaker, Sir, the hon. Member will appreciate that there are quite a few technical details that we will need to consider before replying to this, but I promise to personally look into it. Eventually with his support, we can see what can be done so as we can upgrade. Thank you.

Mr Osman Mahomed: Thank you. The hon. Minister mentioned that for a road to be considered as classified, horizontal and vertical, geometry is important, and for inclusion as well. Otherwise, the road is vested in the local authorities. Can I ask him whether from now onwards will it be a policy of Government for every new road that is being constructed that RDA will have an overview of those roads so as to have them included as classified roads?

Mr Hurreeram: No, Mr Speaker, Sir, I think we do respect our local authorities and we do also give them the chance to work *et assumer leurs responsabilités vis-à-vis le pays*. This is purely undermining the competencies at the level of our local authorities. We already have so much on our plate, and we are constructing new roads like, for instance, I just replied to hon. Bodha, the link road from the centre of the island to the West. So, these are also being taken care by the RDA. Now, RDA cannot come and taken the road all over the island.

Eventually, may be, if we have the required finance, we can, but this entails much more than just taking the road and upgrading them. I think each component of different authorities needs to take their responsibility for a proper road network in the island. Thank you.

LIVERPOOL FOOTBALL CLUB – CONTRACT & QUANTUM PAID

(No. B/956) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to contract of £7,500,000 (approximately Rs400 m.) signed in 2020 with Liverpool Football Club (LFC) as an official tourism and economic development partner, he will, for the benefit of the House, obtain from the Mauritius Tourism Promotion Authority (MTPA), information as to the quantum thereof paid, as at date indicating –

- (a) when the contract will come to an end, and
- (b) if the MTPA is considering renewing the said contract and, if so, give the reasons therefor.

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): Mr Speaker, Sir, I am informed by the Mauritius Tourism Promotion Authority that an amount of £1.5 m. has been disbursed to the Liverpool Football Club to date.

As regards part (a) of the question, the contract is valid until 30 June 2024, or the expiry of the season 2023-2024, whichever comes later.

Mr Speaker, Sir, in so far as the last part of the question is concerned, the House may wish to note that since the contract is valid until 30 June 2024, or the expiry of season 2023-2024, it is premature at this stage to consider renewing the said contract.

Mr Quirin: M. le président, par rapport à la somme qui a été dépensée par rapport au contrat qui a été signé entre *Liverpool Football Club* et la *MTPA*, peut-on savoir durant les années passées ce que le pays a bénéficié par rapport à cette somme qui a été dépensée par rapport au contrat qui a été signé entre *Liverpool Football Club* et la *MTPA* ?

Mr Teeluck : Mr Speaker, Sir, the hon. Member will appreciate that I might not have these information, and kindly requesting if the question could be put to the substantive Minister for more information.

Mr Quirin: J'ai un certain nombre de questions encore, peut être deux questions. Mais si l'honorable ministre n'est pas en mesure de répondre, je préfère ne pas les poser.

Mr Teeluck : Allez-y, si j'ai les éléments de réponses, bien sûr.

Mr Quirin: Donc, je vais demander au ministre par rapport à l'affiche publicitaire qui a été visible à *Anfield Road* lors des matches de *Liverpool Football Club* à domicile, effectivement, peut-on savoir combien de fois par match cette affiche a été visible, et pendant combien de secondes par match, vu la somme qui a été dépensée, peut-on savoir si cela nous a permis quand même d'avoir un retour sur l'investissement ?

Mr Teeluck : Mr Speaker, Sir, what I can state to the House is that the Liverpool Football Club, with a fan based of 451 million supporters around the world, some 18 million of them of high network individual can be targeted as our main tourist market. We are talking about a large population of supporters when it comes to Liverpool Football Club. Out of these 18 million supporters, 36% are estimated to choose a brand that partner with Liverpool Football Club for their holidays and for investment opportunities.

I can go on with the list of other advantages or statistics that can prove that *il y a un retour sur l'investissement par rapport à ce contrat qu'on a conclu avec Liverpool Football Club*, Mr Speaker, Sir.

Mr Armance: Mr Speaker, Sir, the Minister confirmed that £1.5 m. has been spent and already paid, can I know the terms and schedules of payment regarding this contract up to 2024?

Mr Teeluck: The first payment, as I mentioned, was £1.5 m. upon signature of the contract in July 2020, and the second payment of £2.5 m. is due in July 2022. Invoice for the second payment was submitted on 20 July 2022 to the Ministry of Finance, Economic Planning and Development for consideration, and payment to be effected under the National Resilience Fund is expected by the end of July 2022. The third payment, of course, £2.5 m. is due in July 2023.

Mr Speaker: Last question!

Mr Uteem: The hon. Minister has just mentioned the branding of Liverpool Football Club. Doesn't he agree that on the one hand, if he associates Mauritius with Liverpool, that will definitely put off all supporters who do not support Liverpool and, therefore, Mauritius should be adopting a neutral stand rather than identifying itself to Liverpool?

Mr Teeluck: Mr Speaker, Sir, we might seek recommendations from hon. Members of other teams that we might conclude agreements, but the statistics show that with the performance of the Liverpool Football Club during the past few seasons, there can be no other better team to conclude for our marketing, Mr Speaker, Sir.

Mr Speaker: Next question, MP Quirin!

COVID-19 NATIONAL VACCINATION PROGRAMME – SECOND BOOSTER DOSE

(No. B/957) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to the COVID-19 National Vaccination Programme, he will state the –

- (a) number of second booster doses administered thereunder as at to date;
- (b) if same is ongoing and, if so, give details thereof and, if not, why not;

- (c) number of COVID-19 vaccines presently available, indicating the types and date of expiry thereof, and
- (d) preparedness of his Ministry in the light of the recent increase of COVID-19 positive cases.

Dr. Jagutpal: Mr Speaker, Sir, in reply to part (a) of the question, I am informed that as at 20 July 2022, 11,070 persons had already been administered a 2nd booster dose.

Mr Speaker, Sir, in reply to part (b) of the question, I wish to reassure the House that the vaccination campaign for the 2nd booster dose is still ongoing at 16 different sites. Persons aged 59 years and above as well as those at risk and suffering from comorbidities are recommended to get their booster dose of COVID-19 vaccine so as to further protect them, especially during the winter season.

Mr Speaker, Sir, in reply to part (c) of the question, I am informed that as at 21 July 2022, there was a total of 792,386 COVID-19 vaccines in stock, out of which –

- (i) 68,296 doses of Sinopharm vaccines out of which 8,296 doses will expire in June 2023 and 60,000 doses in August 2023;
- (ii) 115,250 doses of Johnson & Johnson, out of which 4,630 doses will expire in December 2022/January 2023 and 110,620 doses in August 2023;
- (iii) 298,440 doses of Pfizer, out of which 2,400 doses will expire in August 2022, 203,580 doses in end of July 2022 and 92,460 doses in September 2022;
- (iv) 119,520 doses of Moderna vaccines, out of which 500 doses will expire in August 2022 and 119,020 doses will expire in August 2022, and
- (v) 190,880 doses of Paediatric Pfizer vaccines, out of which 1,930 doses will expire in August/September 2022 and 188,950 doses in September 2022.

Mr Speaker, Sir, with regard to part (d) of the question, I have already elaborated on the recent increase of COVID-19 positive cases and factors considered for any sanitary measures in my reply to PQ B/954.

Mr Quirin: M. le président, nous constatons qu'il y a une recrudescence de cas de la Covid-19 en ce moment. Peut-on savoir de l'honorable ministre quelles sont les mesures que son

ministère compte prendre afin d'inciter plus de Mauriciens à se faire administrer la deuxième *booster dose* ?

Dr. Jagutpal: Mr Speaker, Sir, as per the recommendation of the Vaccination Committee, as at now, the second booster dose is recommended for those above 60 years and those with comorbidities. So, this has been a campaign since the last three to four months to recommend those who are eligible for the second dose to get vaccinated. So, now, we are in a situation where we have many persons above 60 years or with comorbidities who have been infected. And now, as per the definition of those who are infected, they are eligible for a second booster dose after four months or within six months. So, we have to see this aspect of those who have already been infected recently and they have already done the booster dose. We will need some time for them to get their second booster dose.

Mr Quirin: L'honorable ministre, peut-il nous dire si son ministère a procédé à une certaine évaluation du coût des vaccins qui vont être expirés bientôt ou si son ministère envisage de les remettre à certains pays qui sont en difficulté, comme il l'avait préconisé à un certain moment. Surtout là, je vois qu'il y a plus de 60 000 vaccins de Sinopharm, entre autres, qu'on n'utilise plus.

Dr. Jagutpal: Yes, Mr Speaker, Sir, for the donation to other countries, I will just give a brief outline. Government has already donated to –

- Zimbabwe - 60,000 doses in November last year;
- Rwanda - 50,000 doses in November;
- Tanzania - 150,000 doses;
- Uganda - 150,000 doses, and
- Namibia - 150,000 doses.

So, already this process of donation is ongoing. The offer has already been made through the Ministry of Foreign Affairs and, obviously, once the country will accept those vaccines, we are going to proceed with the donation.

Mr Armance: In terms of preparedness by the Ministry in light of the recent increase in cases, will the Ministry consider providing the health centres with vaccination facility? I mean

all the health centres because now it is centralised in hospitals and in certain health centres. Will he consider extending it in the regional health centres?

Dr. Jagutpal: Yes, Mr Speaker Sir, obviously, because the demand has gone down for the last one month and approximately 200 persons are coming up to the vaccination centres for vaccination, that is why we have again centralised the vaccination centres. Now, in light of the Vaccination Committee recommendation, if ever this vaccination will be eligible to other categories, we can get them their second booster dose. Obviously, we will work again with the vaccination team as to whether we should be more focused on having mobile teams going to the different regions. For example, now that *les centres communautaires* are all open and we have the old-age association, from there we can do their vaccination, targeted one, and that would be appropriate especially for the elderly. So, the Ministry is working on this with the Ministry of Social Security.

Mr Bhagwan: Can the Minister inform us - with the recent cases in Agalega - whether there are sufficient vaccines in Agalega and what is his Ministry planning with regard to Agalega?

Dr. Jagutpal: Yes, Mr Speaker, Sir. In fact, for Agalega, we have already conducted the vaccination in September and October last year with the booster dose also. As far as I remember, there are some 1,200 workers in Agalega plus 300 Agaleans. So, we have already conducted vaccination for around 1,300 Agaleans and the workers. They have already been vaccinated. And then, we do have the preparedness plan on how to do the testing, what to do in case we get emergencies, how many medical teams are already posted over there for the testing and for the treatment as well.

Mr Speaker: MP Abbas Mamode!

PUBLIC HOSPITALS - FOOD WASTAGE

(No. B/958) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to food wastage in public hospitals, he will state the measures being envisaged to reduce same.

Dr. Jagutpal: Mr Speaker, Sir, all public hospitals have a Catering Unit which provides meals to patients who are admitted thereat. Catering Units operate from 06 30 hours to 17 30

hours on a daily basis and all inpatients are provided with breakfast, lunch and dinner. Meals are prepared based on dietary recommendations from the Chief Nutritionist. In addition, meals are also provided to officers working after normal working hours and who are entitled to same.

Mr Speaker, Sir, I am informed that food wastage in public hospitals is mainly due to the following reasons –

1. During visiting hours, relatives bring along meals for inpatients and thus meals which have already been ordered and prepared by the Catering Unit are not eaten by the patients.
2. It is common that a patient's condition may suddenly deteriorate requiring the treating doctor to keep the patient fasting for medical reasons, for diagnostic tests or even surgical procedures.
3. Upon improvement of a patient's condition following treatment administration, the treating doctor discharges the patient prior to meal service.
4. Many times, meals prepared for patients are not eaten as sick patients often lose appetite, leading to a considerable amount of left over foods.
5. Some patients are often not willing to receive hospital meals at the time of service despite their request to be provided with same during the preparation of diet sheet by ward managers or charge nurses.

Mr Speaker Sir, reducing food wastage is on the agenda of my Ministry given the associated financial and environmental impacts. A number of measures have been put in place by my Ministry to ensure minimal food wastage at the level of all public hospitals. These measures are as follows –

- a diet sheet comprising the number of patients in a specific ward, their preferences for meal, number of meals required depending on admission and discharge, type of meals depending on health status of patient and any other dietary requirement is submitted on a daily basis to the Catering Unit to ensure that the number of meals prepared strictly meet with the requirements of the patients in each ward.

- All meals are prepared and distributed according to portion sizes recommended by the Chief Nutritionist. For example, the portion of chicken or fish per meal for one patient is around 150grams.
- All nursing staff at the level of wards are fully aware of the dietary requirements and choices of each patient and the number of meals served is closely monitored by the Nursing Staff who also encourage patients as far as possible to finish their meals.
- All staff working after normal working hours and who are entitled to meals are required to fill in a meal request form which is certified by their Head of Department prior to obtaining their meal.

Mr Speaker, Sir, in spite of the above measures put in place, food wastage is around 5% to 10% in public hospitals. To further limit food wastage and improve the quality of the catering service, my Ministry is envisaging to serve food packs to patients. Each food pack will comprise a container divided into 4 to 5 compartments for the different foods.

The food packs will be conveyed in heated trolleys from the Catering Unit of the hospital to the wards and patients can consume their meal as and when they feel hungry. By implementing this novel measure, my Ministry will encourage patients to consume hospital meals thereby bringing food wastage in public hospitals to a minimum.

Thank you.

Mr Abbas Mamode: Can the hon. Minister state whether normally patients are being asked in the morning if they would opt for meal brought by close ones during visiting hours? Is there a protocol? Is there something being asked in the morning?

Dr. Jagutpal: Yes, Mr Speaker, Sir, as I have already stated in my reply, the nursing officers at the level of wards are fully aware of the number of meals that has to be prepared for each ward but, there are factors such as their patients may be discharged or patients. So, there are factors that they will not be able to assess in the morning but the exercise regarding the number of meals to be prepared based on the number of admissions that we do in the morning; this is daily monitored by the nursing officers.

Mr Osman Mahomed: Thank you. Will the measures that the hon. Minister take henceforth, cater for the fact that by the time the meal is served at 5 p.m. after visiting hours, up to normal dinner time of most Mauritians, 7 to 8 p.m., the food gets cold and hence not appealing for people to eat – an issue which I have raised with him in the past – will that cater for this issue?

Dr. Jagutpal: Yes, that is why, Mr Speaker, Sir, we are coming with the packed food. The packed food will be already packed in the catering unit and it will be kept in heated trolleys. So the patient can have this food at his time of convenience. This will again reduce the wastage of food. This will be implemented, hopefully by end of this year or the beginning of next year and we are envisaging to implement this on a pilot basis, for example, we will start it with the children's ward first and with the post-maternity ward – we understand that for women who have delivered, it would be good to have a nicely packed meal. So, this is what we are working on and hopefully, by the end of this year or beginning of next year, we can start it by these wards - the children ward and the post-maternity ward.

Mr Speaker: Next, hon. Dr. Boolell!

Dr. Boolell: Thank you very much. May I ask the Minister whether the services to provide packed food will be contracted out or delivered by the catering unit?

Dr. Jagutpal: Mr Speaker, Sir, the services will be delivered by the catering unit but they will require a training first. So, the MIH will provide training to the staff working in the catering unit on how to do the packing of these foods so that this can be distributed to patients and it will be done by the catering unit itself.

Mr Speaker: Dr. Aumeer!

HEALTHCARE PERSONNEL – DRUNK ON DUTY – COMPLAINTS & DISCIPLINARY ACTIONS

(No. B/959) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the healthcare personnel of the public sector, he will state the number of complaints received over the past three years of members thereof found drunk whilst on duty, indicating the number of cases thereof in which disciplinary actions have been taken.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that there were seven cases of healthcare personnel found drunk whilst on duty for the last three years. There are three cases at Jeetoo Hospital, one case at Victoria Hospital, one case at Jawaharlal Nehru Hospital (JNH) and two cases at Sir Seewoosagur Ramgoolam National Hospital (SSRN).

At Jeetoo Hospital, one Ambulance Driver was involved in a case of road accident and the matter was reported to the Police. The Ambulance Driver was sentenced to pay a fine and he was disqualified to drive all types of motor vehicles. The Officer has already retired from the service. One Health Records Clerk was found drunk on duty and the case was reported to the Senior Health Records Officer. The Health Records Clerk is now regular at work and there is no adverse report against him. The third case is of a doctor who was scheduled to work at Quartier Militaire Area Health Centre (AHC). He arrived late at his place of work and was reported of smelling of alcohol. The incident was reported to the Duty Manager and an inquiry is ongoing in the case.

At Victoria Hospital, there is one case of an Ambulance Driver who attended duty under the influence of alcohol. A letter of caution has been issued by the Regional Health Director to the Ambulance Driver.

At Jawaharlal Nehru Hospital, a complaint was received against one Ambulance Driver who was driving under the influence of alcohol. In this context, a Board of Enquiry was set up at the level of the regional hospital and it was recommended that the conduct of the Ambulance Driver be monitored by the Supervisor, Operations Support Services and any shortcoming should be reported to the HR section of JNH for appropriate measures.

At SSRN Hospital, there was one Health Care Assistant who was drunk during his night duty and an enquiry committee has been set up to look into the matter. There was also one General Worker who was under the influence of alcohol, and a letter was issued against him. Thank you.

Dr. Aumeer: The Minister just mentioned about a recent case of a doctor who worked at Quartier Militaire and who was suspected of being drunk. Can I ask the hon. Minister reasons as to why he was not asked to take time off until a proper enquiry is being conducted and appropriate measures be taken in the interest of the public and his safety, but rather he has been transferred to Jeetoo Hospital to work in a high risk department such as surgery?

Dr. Jagutpal: Mr Speaker, Sir, there is an enquiry on this patient, and I am not in a position at this time of enquiry to provide further information about this doctor who has been found drunk or smelled of alcohol at a place of work. So, we will wait for the report. At the same time, whether this is in order to take an action before a report will come up, the Human Resource Section has to give those elements about whether this can be done or not. But, at this time, I do not have this information, and I am not in a position to comment on this when an enquiry is ongoing.

Dr. Aumeer: Thank you. Alcoholism is a serious condition that affects many professionals in all walks of life. Does his Ministry have a Psycho-Counselling and Support Unit for its medical and paramedical employees, and if not, whether he will consider setting one up?

Dr. Jagutpal: Mr Speaker, Sir, well, to reply to this question, this will apply to all public officers, even to officers working in the private sector whether somebody who is having a problem with alcohol – we call it harmful drinking – how do we first assess harmful drinking and how we should implement any recommendation or any action to be taken on this. For the time being, it is very difficult for me to comment on this issue.

Dr. Aumeer: The Minister himself being a doctor, can I ask him during on call hours, can the Minister enlighten us as to who, during emergency hours on call between 5 p.m. till the next morning 9 a.m., can prevent a drunken doctor from performing surgery? Because many a time, the whistle-blower finds himself at the receiving end of some punitive actions by people around, and there have been cases before. Thank you.

Dr. Jagutpal: Mr Speaker, Sir, the hon. Member being a surgeon himself, he should at least provide me with some details of those drunken surgeons who do take the risk of doing an operation. He should have given me this information. Obviously, as a Psychiatrist, I will be able to look after that.

Dr. Aumeer: He was even promoted as a Consultant!

Mr Speaker: Next question!

OBESE & OVERWEIGHT CHILDREN – PERCENTAGES – 2014 TO JULY 2022

(No. B/960) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to obese and overweight

children, he will state the percentages thereof in Mauritius since the year 2014 to date, indicating

–

- (a) the percentages thereof suffering from diabetes, and
- (b) if consideration will be given for the banning of advertising of high fat, salt or sugar (HFSS) food or drink products directed towards children.

Dr. Jagutpal: Mr Speaker, Sir, as per the last National Nutrition Survey carried out in 2012, 9.9% of children aged between 5 to 11 years, were found to be obese. With regard to children aged 13 to 17 years, the Global School Based Survey carried out in 2017 in collaboration with Centres for Disease Control and Prevention has revealed that 9.1% of adolescents were obese, and another 15.7% were overweight.

I wish to inform the House that my Ministry is currently carrying out the National Nutrition Survey 2022 from 23 July to 10 August 2022. The main objective of this survey is to study food consumption patterns and assess the nutritional status of the population with a view to address diet and nutrition related health problems, and non-communicable diseases in the country. Children 5-11 years old will be included in this survey.

With regard to part (a) of the question, information is available for type I diabetes children who are being treated in our government hospitals, and the number of new cases of type I diabetes diagnosed among children and adolescents for the period 2014 till June 2022 is 121.

Mr Speaker, Sir, with regard to part (b) of the question, I wish to inform the House that saturated fat in specific foods is regulated in the current Food Regulations 1999. It is worth to note that the Food (Sale of Food on Premises of Educational Institutions) Regulations 2009, Schedule (Regulation 3) already makes provision for food which may be sold on the educational institutions campus which is in force as from 2010.

Furthermore, I wish to highlight that in the forthcoming Food Regulations under the Food Act, which are under preparation, trans-fatty acids will also be regulated at not more than 1% on a fat weight basis. Salt will also be regulated in the new Food Regulations.

Moreover, a Nutrient Profile Model in Mauritius is underway. This model will be used as a tool for banning of advertising of high fat, salt and sugar (HFSS) food or drink products directed towards children.

The nutrient profile is a scientific method for categorising food and beverage items according to their nutritional composition. It provides a method of differentiating between foods and non-alcoholic beverages that are admissible in a healthy diet from those that are unhealthy, notably those foods that may contribute to consumption of excess energy, saturated fats, trans-fats, sugars and salt.

The World Health Organisation (WHO) has adopted nutrient profiling as a useful tool to define foods whose marketing should be restricted as part of the implementation of the recommendations endorsed by the World Health Assembly on the marketing of foods to children.

A regional Nutrient Profile Model has already been developed for the African countries by WHO. Technical assistance of the World Health Organisation has been enlisted for the Mauritius Nutrient Profile Model that is underway. Thank you, Mr Speaker, Sir.

Mrs Foo Kune-Bacha: Merci. Suite à la réponse de l'honorable ministre, on peut conclure que le taux d'enfants en situation de surpoids et d'obésité est alarmant. C'est un fait que de manger sain et équilibré coûte plus cher, et de surcroît, le contexte actuel de la diminution du pouvoir d'achat accentue le problème de malbouffe. Quelle est donc la stratégie de son ministère pour encourager l'alimentation saine et aussi pour décourager les mauvaises habitudes alimentaires, particulièrement chez les enfants ?

Dr. Jagutpal: Mr Speaker, Sir, we are all concerned with obesity and with the pattern on food. That is why, in my reply, I have stated we are doing the National Nutrition Survey which is very important. Also, the Food Act that will be coming into force, especially foods that I have mentioned with trans-fats and all that, how to limit it especially for children.

So, all this will be coming soon. And also, with the Food Standard Agency, all these information will be given to anybody, whichever food you wish to have, you can always get the information there. It is very important to have this nutrient profile model for Mauritius so that we can know what is the nutrient profile for any individual. So, all these are actions already taken.

Now, what I will probably request all Members of this House is to promote healthy eating and healthy habits. We all have to be role models in promoting such activities. The Prime Minister is doing it, through regularly participating...

(Interruptions)

Yes, the Prime Minister is doing it - I will maintain - through regularly participating in physical activities, which is very important so that we can, at the same time, eat healthily and have a healthy lifestyle. For promotion of activities, I will also welcome you all. We all participate so that we can also send the right signal; the right information to the population. Because only by having regulations and information and not acting as role models, we will keep on having the percentage of obesity, especially among the young generation, it will keep on rising.

Mrs Foo Kune-Bacha: Permettez-moi d'abord de faire une suggestion et puis je vais poser ma deuxième question supplémentaire. J'aimerais suggérer à l'honorable ministre que les produits emballés qui sont riches en sucre, sel et gras saturés soient munis d'étiquettes de mise en garde pour aider les consommateurs à réaliser le choix alimentaire plus conscient. Ça c'est une suggestion. Et ma deuxième question est de demander à l'honorable ministre s'il y a eu une étude pour connaître le fardeau économique sur le système de santé relatif au coût des maladies associées aux habitudes alimentaires malsaines ?

Dr. Jagutpal: Hon. Member, thank you very much. This is a very valid suggestion, on all the food packets that we have, to highlight, especially the amount of sugars or salt in there. So, yes, this will be coming in the Food Regulations that we will come up with soon because the Consultant is still working on that. And concerning the second part of your question ?

Mrs Foo Kune-Bacha: Une étude sur le fardeau économique sur le système de santé relatif au coût des maladies associées aux habitudes alimentaires malsaines.

Dr. Jagutpal: Mr Speaker, Sir, we will soon be receiving the Non-Communicable Disease survey. So, we will see what the report of that NCD survey is because this NCD survey is being done recently; and the report is expected in the coming days or probably by next week. So, based on this NCD survey and with this nutrition survey, we can plan, we see what is the different strategies that we have to adopt, especially about what you are mentioning. You are perfectly right.

Mrs Luchmun Roy: Thank you, Mr Speaker, Sir. In his reply, the hon. Minister mentioned about healthy lifestyle and he even mentioned about physical activities. For a fact, we know that the Minister of Sports is laying much emphasis on what is called, physical activities. But, can he inform the House whether his Ministry is coming forward with maybe some kind of an Action Plan, especially for children in order to promote physical activities? Thank you.

Dr. Jagutpal: Yes, Mr Speaker, Sir, let me first congratulate the Minister of Sports. Through the Mauritius Sports Council, in collaboration with the Ministry of Education and the Ministry of Health, we have been working together, especially to foster this culture of community sports and physical activities, for promoting sports for everybody, even for patients.

Recently, Active Mauritius has come up with a new design, that is, prescription of a physical activity for patients suffering from NCD. So, these have recently been launched, I think, six months ago, again on a pilot basis, to see how physical activity can promote in the well-being, especially instead of depending only on medication when it concerns non-communicable diseases. So, all these sensitisation programmes at the policy level have been worked out together with the Mauritius Sports Council, the Ministry of Health and the Ministry of Education.

Mr Speaker: Next question!

COVID-19 VACCINES – CURRENT STOCK, EXPIRY DATES & FUTURE CONSIGNMENT

(No. B/961) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the COVID-19 vaccines, he will state -

- (a) the number thereof currently in stock, indicating the number thereof due to expire by end July and August 2022, respectively, and
- (b) if any future consignment thereof is expected through the COVAX Facility.

Dr. Jagutpal: Mr Speaker, Sir, in reply to part (a) of the question, I wish to point out that the information pertaining to the stock and expiry dates of COVID-19 vaccines has already been addressed in PQ B/957.

Mr Speaker, Sir, in regard to part (b) of the question, Mr Speaker, Sir, I am informed that in accordance with the Commitment Agreement signed with the COVAX Facility, there is an outstanding balance of 406,400 doses of COVID-19 vaccines.

A request was made in March 2022 for cancellation of the outstanding balance and various proposals were submitted by the COVAX Facility for consideration -

- (i) purchase of all outstanding doses which would amount to some USD 3,454,400;
- (ii) substitute out the products that we are to receive for different available products, and
- (iii) terminate the Commitment Agreement in return for payment of an exit price.

Mr Speaker, Sir, following perusal of the above proposals, our Mission in Geneva was requested to liaise with the COVAX Facility to consider providing us with other vaccines and/or pharmaceutical products in lieu of the COVID-19 Vaccines. However, on 07 July 2022, the COVAX Facility has, now, informed that Option 2, that is, substitution of products would no longer be applicable.

The other two proposals are being considered by the Vaccination Coordination Committee in consultation with the State Law Office as to the way forward.

Mr Juman: Hon. Minister, with regard to the expired vaccines or which will be expired in July and August, we have more than 400,000 doses which will be expired. Can we know the cost of these vaccines, especially if we can get the cost of Pfizer vaccines?

Dr. Jagutpal: Mr Speaker, Sir, for the other vaccines, if I will just go back to what has been said, the Moderna vaccines were a donation from the French Ministry of Health and the Pfizer vaccines also were donated by the US Government, that is, the paediatric Pfizer vaccines. And it is only the Pfizer vaccines that we have purchased. So, I do not have the information about the cost price but I am going to table this information. As far as those vaccines that we have now in stock, I will have to compile the figures and I will table that information.

Mr Juman: Hon. Minister, thank you. Is it true that the COVAX Facility informed the Ministry that even if we do not take delivery of the 406,000 doses, we will have to bear the costs?

Dr. Jagutpal: Mr Speaker, Sir, as I have already said, there were three proposals made by the COVAX Facility. One is to purchase the outstanding doses; the other one is to terminate the commitment agreement in return for a payment of an exit price of USD 812,800. So, these are the two and we are going to take a decision as to which one we will take, and then, we will go ahead. So, it is not a question of we do not have any agreement with COVAX Facility. Our Mission in Geneva is working on that to see if ever we can have another option.

Mr Juman: Hon. Minister, despite having 300,000 doses of Pfizer, why are we restricting the age limit to 40 years plus when we have such a stock of Pfizer vaccines?

Dr. Jagutpal: We are waiting for the recommendation of the Vaccination Committee. Most likely we will be having the Vaccination Committee because the Vaccination Committee is also getting the information from WHO, through other countries, how they are managing, what are the recommendation for a fourth dose, especially in a context now where many people have already been exposed to COVID-19 or to the variant. So, let us get the recommendation of the Vaccination Committee and then surely the Ministry will abide accordingly.

Mr Speaker: Next question!

CASINO DE MAURICE, CUREPIPE - MR. D. N - SEXUAL HARASSMENT

(No. B/962) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the ladies' staff members who complained against Mr. D. N., Human Resource Director at the Casino de Maurice, Curepipe, for sexual harassment, he will state if he is in presence of representations to the effect that they are subjected to undue pressure, including insulting comments and foul language and, if so, indicate the actions taken, if any, by his Ministry in relation thereto and, if not, why not.

Mr Callichurn: Mr Speaker, Sir, let me, at the outset, point out that, Section 114 of the Workers' Rights Act, which deals with 'Violence at Work', provides for, amongst others, that NO person shall harass a worker, sexually or otherwise, in the course of or as a result of his work.

Under the same Section, that is, 114, 'harassment' is defined as including any unwarranted conduct towards a worker, whether verbal, non-verbal, visual, psychological or

physical, based on, amongst others, age, sex and gender, which occurs in circumstances where a reasonable person would consider the conduct as harassment of the worker. Furthermore, it is also provided that, any person who is convicted under this section is liable to a fine not exceeding Rs100,000 and to imprisonment for a term not exceeding 5 years.

Mr Speaker, Sir, I am informed that representations have been received at my Ministry as follows –

On 01 April 2022, one Secretary, Mrs H. T., registered a case of sexual harassment at the Curepipe Labour Office, against Mr D.N., Human Resource and Administrative Manager of the group of casinos falling under the State Investment Corporation Ltd, including the Casino de Maurice. A full statement was recorded from her on the same day for investigation. On 07 April 2022, the Secretary informed the Labour Office over the phone that she had also reported her complaint of harassment to the Police on 05 April 2022. She was accordingly requested to call at Curepipe Labour Office on 08 April 2022 to confirm her stand in writing. As she did not attend the Labour Office on 08 April 2022, she was convened for 20 April 2022 by way of a registered letter. On that day, she attended the Curepipe Labour Office and gave a statement confirming that she had also registered a complaint of sexual harassment, on 05 April 2022, at Curepipe Police Station. She further stated that Mr D. N. was arrested on 07 April this year and was released on bail on the same day.

In the statement given to the Curepipe Labour Office on 20 April 2022, she also informed that the Police recorded a statement from her and from her witness on 14 April 2022. She further indicated that Mr D. N. has been suspended from work with effect from 16 April this year. In view of the fact that the complainant had also referred the case to the Police on her own free will, the Curepipe Labour Office wrote to the Police on three occasions, that is, on 27 April 2022, 17 May 2022 and 22 June 2022 to enquire into the status of the case.

Mr Speaker, Sir, I am further informed that, on 04 April 2022, two cleaners namely Mrs W. B. and Mrs P. B. of the Casino de Maurice, called at the Curepipe Labour Office to register complaints of sexual harassment against Mr D. N. They, however, informed the Labour Office, in a statement recorded on the same day that they had already retained the services of a Counsel to proceed further with their case. They accordingly opted to withdraw their complaints lodged before the Curepipe Labour Office.

Mr Speaker, Sir, regarding the case of Mrs H. T., an enquiry carried out on 09 May 2022 by the officers of the Curepipe Labour Office at the Casino de Maurice, revealed that Mr D. N. has been suspended from work pending the completion of an internal enquiry being carried out by an independent lawyer appointed by the State Investment Corporation Ltd. I am informed that, as at date, Mr D. N. is still suspended from work.

Mr Speaker, Sir, on 01 July 2022, officers of my Ministry called at the Curepipe Police Station where they were informed that the above three employees had registered cases of sexual harassment against Mr D. N. and statements from the plaintiffs were recorded by the Police. They were also informed that Mr D. N. was consequently arrested on 07 April this year and released on bail on the same day. The officers of my Ministry were further informed that enquiry in respect of the three cases has been completed and the matter would be referred to the Director of Public Prosecution (DPP) for advice.

Mr Speaker Sir, on 01 July 2022 itself, the three employees called at the Curepipe Labour Office and in a written statement informed that they would await the DPP's stand on this matter and the intervention of the Labour Office, would be sought, should the need arise.

On 14 July 2022, officers of my Ministry contacted the Curepipe Police Station again and were informed that the 3 cases have already been referred to the DPP on 06 July 2022 for advice.

Mr Speaker, Sir, regarding whether the complainants have made any representation to my Ministry to the effect that they are subjected to undue pressure including insulting comments and foul language, I am informed of the following –

- (a) In a letter dated 09 June 2022 received at my Ministry on Friday 10 June 2022 and co-signed by the two cleaners, complaints were made to the effect that one Mr V. B., recently promoted in the maintenance department, was continuously harassing them and the level of harassment increased after they had lodged the criminal case against Mr D. N. at Curepipe Police Station on 05 April 2022, and
- (b) In the same letter, one of the two cleaners complained that she got a punitive transfer from Casino de Maurice, Curepipe, to Le Grand Casino du Domaine, Pailles, while the other cleaner stated that new working hours from 09h00 to 17h00 were being imposed on her as from June 2022 and this was causing hardship to her

as she had to take the bus to travel back home in the evening. Previously, her working hours were from 07h00 to 15h00.

Mr Speaker, Sir, on Monday 13 June 2022, the new cases reported by both employees were raised with the management of SIC Ltd and an appointment was confirmed with the latter on 17 June 2022 to enquire into the matter.

On 17 June 2022, in the course of a meeting that my officers had with the Management of the State Investment Corporation Ltd, my officers were informed that remedial action has been taken in both cases, that is, in the case of Mrs W B. who was then posted back to the Casino de Maurice at Curepipe and the working hours of Mrs P. B. was reverted back as it was previously.

Furthermore, a commitment was taken by the management to change the reporting line of both employees. As at follow-up to the commitment taken by the management of the SIC, my Ministry contacted both employees on 30 June 2022, and both confirmed that necessary remedial actions have been taken. In addition, it has also been confirmed that both cleaners are no longer reporting to Mr V. B. since 01 July. My Ministry is closely monitoring the situation.

Mr Speaker, Sir, I am also informed that since then my Ministry has received no other complaint from either Mrs H. T. or Mrs W. B. or Mrs P. B. of the *Casino de Maurice* as regard to undue pressure, insulting comments and foul language.

Mr Speaker, Sir, let me reassure the House and the hon. Member that my Ministry is fully committed to providing all the necessary support to the alleged victims of harassment and will not condone in any manner whatsoever such wrongful act and doing towards any of the workers of *Casino de Maurice*.

Mr Quirin: M. le président, d'après les informations qui me sont parvenues, ce n'est pas la première fois que le dénommé D. N. se retrouve au centre d'un scandale de la sorte impliquant des employés du casino. De ce fait, l'honorable ministre, peut-il nous dire si concernant ces dames qui ont subi des agressions sexuelles et verbales par la suite par certains employés proches de D. N., est-ce que ces dames ont reçu ou reçoivent un soutien psychologique de façon à les permettre de continuer à exercer leur travail dans des conditions plus ou moins sereines ?

Mr Callichurn: Mr Speaker, Sir, I have just mentioned it in my reply that my officers are monitoring the situation and are in constant communication with the management to ensure that the workers are being properly treated.

Mr Quirin: M. le président, afin de protéger l'ensemble des employées féminines du Casino de Maurice, et aussi pour mettre fin à toutes les formes de pression et d'agressions verbales, ne serait-il pas plus sage que le Casino de Maurice prenne les mesures qui s'imposent, c'est-à-dire mettre fin au contrat de D. N. ?

Mr Callichurn: Unfortunately, Mr Speaker, Sir, I cannot speak on behalf of the management of SIC. This is a decision which they will have to take.

Mr Speaker: The Table has been advised that PQs B/972, B/985, B/981, B/965, B/991, B/969, B/973, and B/984 have been withdrawn.

Time is over by 3 minutes!

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.

ANNOUNCEMENT

HON. SHAKEEL MOHAMED - S.O. 48 - NAMING

Mr Speaker: Hon. Members, I name the hon. First Member for Port Louis Maritime and Port Louis East, Mr Shakeel Mohamed, under the Standing Order 48 for disregarding the authority of the Chair and for persistently and willfully obstructing the business of the Assembly by abusing its rules.

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. First Member for Port Louis Maritime and Port Louis East, Mr Shakeel Mohamed, I beg under Standing Order 17(3), to take the time of the House for urgent business.

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

The motion was, on question put, agreed to.

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

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

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. First Member for Port Louis Maritime and Port Louis East, Mr Shakeel Mohamed, I beg to move that the hon. First Member for Port Louis Maritime and Port Louis East, Mr Shakeel Mohamed, be suspended from the service of the Assembly for today's Sitting and the next five Sittings unless apologies are tendered to the House.

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

The motion was, on question put, agreed to.

ANNOUNCEMENT

HON. DR. MAHEND GUNGAPERSAD – S.O. 48 - NAMING

Mr Speaker: Hon. Members, I name the hon. Second Member for Grand'Baie & Poudre d'Or, Dr. Mahend Gungapersad, under Standing Order 48 for disregarding the authority of the Chair and for persistently and willfully obstructing the business of the Assembly by abusing its rules.

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Second Member for Grand'Baie & Poudre d'Or, Dr. Mahend Gungapersad, I beg under Standing Order 17(3), to take the time of the House for urgent business.

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

The motion was, on question put, agreed to.

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

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

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Second Member for Grand'Baie & Poudre d'Or, Dr. Mahend Gungapersad, I beg to move that the hon. Second Member for Grand'Baie & Poudre d'Or, Dr. Mahend Gungapersad, be suspended from the service of the Assembly for today's Sitting and the next four Sittings unless apologies are tendered to the House.

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

The motion was, on question put, agreed to.

ANNOUNCEMENT

HON. PATRICK GERVAIS ASSIRVADEN – S.O. 48 - NAMING

Mr Speaker: Hon. Members, I name the hon. Second Member for La Caverne & Phoenix, Mr Patrick Gervais Assirvaden, under Standing Order 48 for disregarding the authority of the Chair and for persistently and willfully obstructing the business of the Assembly by abusing its rules.

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Second Member for La Caverne & Phoenix, Mr Patrick Gervais Assirvaden, I beg under Standing Order 17(3), to take the time of the House for urgent business.

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

The motion was, on question put, agreed to.

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

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

The motion was, on question put, agreed to.

The Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Second Member for La Caverne & Phoenix, Mr Patrick Gervais Assirvaden, I beg to move that the hon. Second Member for La Caverne & Phoenix, Mr Patrick Gervais Assirvaden, be suspended from the service of the Assembly for today's Sitting and the next four Sittings unless apologies are tendered to the House.

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

The motion was, on question put, agreed to.

PUBLIC BILLS

First Reading

On motion made and seconded the Finance (Miscellaneous Provisions) Bill 2022 (No. XIV of 2022) was read a first time.

Second Reading

THE IMMIGRATION BILL

(NO. XII OF 2022)

Order read for resuming adjourned debate on the Immigration Bill (No. XII of 2022).

Question again proposed.

Mr Speaker: Next Speaker!

(4.33 p.m.)

Dr. A. Ramdhany (First Member for Grand’Baie & Poudre d’Or): Mr Speaker, Sir, thank you for the opportunity to contribute to the debate on this important Bill.

Mr Speaker, Sir, at the very outset let me congratulate the hon. Prime Minister for bringing this Bill to the House and for the commendable work and efforts that he is putting in to improve the legal framework in our island and our national security.

The main object of this Bill is to consolidate and strengthen the law with regard to the admission, and stay, of non-citizens in Mauritius. The Immigration Act 1970 has served its time after going through multiple amendments to cater for the ever-changing immigration scene and it has now become necessary to enact a more simplified and efficient immigration legislation.

Mr Speaker, Sir, as a country, we welcome the benefits that migrants bring to our industries, educational institutions and communities. We know that most migrants are here lawfully and benefit our country but some are not. They enter the country illegally, overstay their permission to be here, work illegally, undercutting the resident labour market, contribute to overcrowded housing and damage social cohesion. It is true that the bad apple immigration stories often drown out the positive ones, The challenge for both Government and Parliament is to implement policies which strike the right balance, keeping the door open to those who have something to contribute, while maintaining a firm response against those who abuse our hospitality.

Immigration is an issue of significant concern to the public. This Government remains committed to reducing net migration. We have tightened the immigration routes where abuse was rife, strengthened the system of granting students permission to enter or stay in Mauritius, reformed the investment routes and so on. These reforms are not just reducing volumes; rather, they have changed the character of migration to Mauritius. The Bill will not undermine those important achievements; it will support them. The Bill does not make Mauritius a less attractive destination for legal migrants. Instead, it is about stopping abuses and making illegal migrants easier to remove. By dealing firmly with those who harm our country, it allows us to continue to welcome those who will bring benefits.

Mr Speaker, Sir, with the economic expansion of Mauritius and its pursuit to become a high income economy, the Mauritian Government is promoting openness to foreign investors, talents, know-how and retirees. Foreign nationals may opt to invest, work, live or retire in Mauritius through various avenues, namely, the Occupation Permit, the Residence Permit, the Young Professional Occupation Permit or the Permanent Residence Permit.

My address to the House will be threefold, Mr Speaker, Sir, namely,

- (a) Safeguards against marriage of convenience;
- (b) Consolidating the legal framework, and
- (c) The importance of the Bill for the economy.

Mr Speaker, Sir, allow me to refer to a case of the Supreme Court *Sing V v. Registrar of Civil Status* [2017] SCJ 135 which is a vivid example of a sham marriage. The Supreme Court stated the following, I quote –

“I am satisfied that all the features highlighted above cumulatively tend to show that the application was dubious and the applicant was trying to get married by any means to a Mauritian citizen in order to obtain the status of a resident of Mauritius pursuant to section 5(1)(c) of the Immigration Act. The decision of the respondent has not been shown, in the light of the evidence on record, to be illegal, unreasonable or unfair.”

Our law does not particularly deal with sham marriage but instead lays down the conditions for a non-citizen to marry a citizen of Mauritius in the relevant provisions of Part IV of Civil Status Act requiring strict compliance with these conditions since a non-citizen automatically acquire the status of resident of Mauritius by virtue of being a spouse of a citizen of Mauritius. The Civil Status Act accordingly provides for the publication of a proposed civil marriage by a non-citizen. Once published, any person who has any ground to object to the celebration may in turn lodge notice of objection of the proposed marriage with the Registrar of Civil Status. It is at this stage that the authorities can intervene to prevent a marriage of convenience.

The present legislation, as compared to the Immigration Act 1970, makes new provisions to prevent situations where a non-citizen marries a citizen for the sole purpose of obtaining a residence permit to stay in Mauritius. A non-citizen spouse will not outright be eligible for a residence permit. The marriage between the non-citizen and the citizen will have to be a civil

marriage and the non-citizen spouse will, in lieu, obtain a temporary residence permit to stay in Mauritius for a period of two years and, after that period, the non-citizen spouse will be eligible to apply for a residence permit. The Immigration Department will be empowered to investigate into whether the marriage between a non-citizen and a citizen is a marriage of convenience, and if it is established to the satisfaction of the Immigration Department that the marriage is a marriage of convenience, the non-citizen will obtain a residence permit.

Now, Mr Speaker, Sir, the Bill makes provision for the stringent conditions to be adhered to where the marriage between a non-citizen and a citizen is celebrated outside Mauritius for the issuing of temporary residence permit. Furthermore, to enable other relevant authorities to conduct appropriate checks on non-citizens, the Civil Status Act is being amended to provide that a marriage between a non-citizen and a citizen will now be celebrated in Mauritius after 30 days of the publication of the marriage, instead of the current 10 days. In addition, the Mauritian Citizenship Act is being amended to provide that henceforth when a non-citizen is married to a citizen intends to be registered as a citizen of Mauritius, he will, four years after having been issued with a residence permit, be eligible to make an application to be registered as a citizen of Mauritius. These novel additions, Mr Speaker, Sir, will bolster our existing legal framework and ensure that convenience marriages are deterred by increasing the timeline in the different stages explained above.

Mr Speaker, Sir, recently we witnessed lots of misinformation surrounding the lawful removal of Mr Peter Uricek, a Slovakian national from the Mauritian territory by Slovakian authorities on Tuesday, 26 April 2022. At the time of his lawful removal from the Mauritian territory on Tuesday 26, Peter Uricek was the object of an Interpol Red Notice. He was a fugitive wanted for prosecution and was, in terms of the Red Notice reported armed and dangerous.

Mr Speaker, Sir, to deal with such situation even better other consequential amendments have been rendered necessary to the Deportation Act, the Economic Development Board Act, the Non-citizen (Employment Restriction) Act, the Non-Citizen (Property Restriction) Act and the Passports Act, so as to align these enactments with the new legislation.

Allow me, Mr Speaker, Sir, to briefly address comments made in Press by an Opposition MP, with regard to consequential amendments being brought to Mauritius Citizenship Act, more precisely to section 11. I am not a lawyer, Mr Speaker, Sir, but a simple reading of the existing

section 11 clearly shows that provisions to deprive a person who has acquired citizenship by registration or naturalisation under specific circumstances are part of the Act. The Member of Parliament, as usual, portrayed this amendment in dramatic fashion just to mislead the population in believing that the amendment is being done with ulterior motives and all this for political mileage.

Mr Speaker, Sir, the new subsection already contains its safeguards in as much as the Minister can only make use of it if he has reliable information and is satisfied that it is in the interest of the defence, public safety or public order.

Mr Speaker, Sir, to reassure the House and the population, let me make a parallel between the powers of the DPP. The DPP is empowered to discontinue proceedings at any point in time. There is no legal obligation on the DPP to give reason when discontinuing proceedings and it is within his discretion whether to do so or not - Case Mohit J v The Director of Public Prosecutions [2007 SCJ 97]. However, the decision of the DPP is reviewable.

Mr Speaker, Sir, the consequential amendment will facilitate the function of enforcement authorities in ensuring that people on our island are here legally and if not, necessary action can be taken swiftly to deal with illegal or legal immigrants or criminals. The economic impact of migration is often driven by ill-informed perceptions which, in turn, can lead to public antagonism towards immigrants commonly known as expats. These negative views risk jeopardising efforts to adapt migration policies to the new economic and demographic challenges facing a small island state like Mauritius where human capital plays a pivotal role in its existence.

Like many nations, migration is a feature of social and economic life of Mauritius but the profile of migrants' population varies considerably. In part, this is because of the variety of source of migration including demographic, geographic and economic. Migrant workers to Mauritius make important contribution to the labour market, involves high and low skill occupations. Over the past ten years, immigrants represent 17% of the increase in the work force of the country. The bulk of workforce is employed in textile, construction, fish processing and retail sectors. In all these areas, immigrants are filling labour needs by taking up jobs regarded by domestic workers as unattractive or lacking career prospects. Migrants contribute more in taxes and social contribution than they receive in individual benefits. The impact is highest in the

middle management and senior positions where immigrants provide an estimated net benefit of about 1% of the GDP to the public purse. Employment is the single most important determinant of migrants' net fiscal contribution, particularly in countries with generous welfare state.

Most immigrants after all do not come for social benefits but to find work and to improve their life and those of their families. The effect of migration is twofold –

- (i) Migration has a demographic impact not only by increasing the size of the population but also by changing the age pyramid of Mauritius.
- (ii) Migrants arrive with skills and abilities and so supplement the stock of human capital of the island.

Mauritius has been rather astute in its immigration policy and employment law, one that has created a fine balance between boosting local businesses and also attracting foreign talents.

Mr Speaker, Sir, this Bill will enhance the immigration scene by providing the right legal framework and standard required to face the challenge lying ahead. Let me end by saying, Mr Speaker, Sir, that this Government is continuing with its vision to upgrade the lifestyle and protection of its citizens. This Bill is another step in the right direction and is the evidence of the visionary approach of the hon. Prime Minister to ensure that the development of Mauritius is being done in line with the international standards.

Thank you, Mr Speaker, Sir.

(4.48 p.m.)

Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West): D'abord, je déplore le fait qu'un tel projet de loi n'ai pas été circulé suffisamment avant la première lecture pour permettre aux mauriciens en général de connaître les motivations du gouvernement.

Un tel projet de loi suscite des interrogations et de la méfiance. D'autant plus que des pouvoirs accrus sont prévus, sont octroyés au Premier ministre. Quels sont les objectifs de ce projet de loi? L'objet de ce projet de loi serait de prévenir les mariages de convenance entre *a citizen and a non-citizen* et comment prévenir de tels mariages? Ce projet de loi prévoit d'octroyer un permis de résidence deux ans après un mariage pour le citoyen étranger ou la citoyenne étrangère et des pouvoirs sont délégués au chef de l'immigration.

Ce projet de loi prévoit également d’octroyer des pouvoirs discrétionnaires au Premier ministre pour déchoir la nationalité mauricienne à une personne sans devoir en donner les raisons et sans aucun recours d’appel à cette personne. En effet, différentes dispositions de ce projet de loi prêtent à interrogations. À savoir, le *consequential amendment* au paragraphe 39 qui propose d’amender le *Mauritius Citizenship Act* et se lit comme suit –

“The Minister may, in his absolute discretion and without giving any reason, deprive any person of his citizenship of Mauritius, if he has reliable information and is satisfied that it is in the interest of defence, public safety or public order.”

Cette section est contraire à l’article 15 de la Convention des Nations Unies sur les droits humains –

“No one shall be arbitrarily deprived of his nationality.”

La section est également contraire à l’article 7 de ‘*The African Charter on Human and People’s Rights*’ qui dit ceci –

“Every individual shall have the right to have his cause heard. This comprises the right to an appeal to competent national organs against acts of violating his fundamental rights.”

Effectivement, il n’y a aucun recours d’appel à cette décision arbitraire du Premier ministre. Cette section est rétrograde et dangereuse et doit être amendée.

Autre point, cette loi, le projet de loi, fait provision de la possibilité de délégation de pouvoirs conférée par le Premier ministre au directeur de l’immigration –

“The Minister may, for the purposes of this Act, delegate his powers to the Supervising Officer of the Ministry and to the Director-General of Immigration.”

‘*May delegate*’ voudrait dire qu’il n’est pas obligé de déléguer. *It is not mandatory*. Tous les pouvoirs seront conférés au Premier ministre. Il y aura sans nul doute des cas *where discretionary powers may be used and this may leave the doors opened to tyranny or abusive use of power by the Prime Minister*. Cette loi, encore une fois, je le dit, est dangereuse et arbitraire.

Le MMM s’est longtemps battu pour que le conjoint étranger ayant épousé une Mauricienne puisse rester à Maurice, cela pour rétablir les droits des Mauriciennes ayant épousé un étranger. On se souviendra qu’avant 1983 lorsqu’un Mauricien épouse une étrangère, cette

dernière a automatiquement le statut de résidente permanente alors que tel n'était pas le cas pour l'étranger qui épouse une Mauricienne. L'étranger ne devient pas automatiquement résident mauricien. Et cette situation était une discrimination flagrante vis-à-vis de la Mauricienne. Le MMM a, donc, combattu cette discrimination. Madame Cziffra, alors figure de proue du MMM, et un groupe de femmes avaient ainsi constitué un front pour présenter au Comité des droits humains à Genève une plainte contre cette législation discriminatoire, à savoir *the Immigration Act and the Deportation Act* de 1970, et elles ont gagné leur cause. C'était le début d'un changement et d'une nouvelle ère pour les femmes de ce pays.

Et, aujourd'hui, grâce au MMM, en vertu de l'article 5(1) (c) de la loi sur l'immigration, un non citoyen qui épouse une citoyenne de Maurice obtient automatiquement le statut de résident. Les présentes dispositions prévoient deux ans pour obtenir un permis de résidence permanente après le mariage entre *a citizen and a non-citizen*. C'est une épée de Damoclès sur la tête de ceux et celles concernés. Attendre deux ans pour un permis de résident, c'est l'incertitude. Cette situation risque de causer des ruptures de couples et un traumatisme aux enfants qui sont entre-temps issus de ce mariage.

Ce nouveau projet de loi est en recul et est une mauvaise évolution sur le plan législatif depuis 1983. La loi n'est pas statique certes, mais elle se doit d'évoluer dans la bonne direction. L'État devrait être prudent quand il s'agit des familles et surtout quand il y a des enfants. Même si les enfants et les parents sont réunis éventuellement, les effets de cette politique de séparation des familles sont durables. Le traumatisme de cette séparation aura un impact dévastateur.

On se souviendra qu'en 2019, ce gouvernement est venu avec des amendements à l'*Immigration (Amendment) Act*. Il y a eu des dénonciations de la manière de faire du gouvernement. Ce dernier refusait l'autorisation à M. Patrick Hofman, citoyen belge, alors pilote d'*Air Mauritius*, de convoler en justes noces avec une Mauricienne.

Dans son intervention sur le projet d'amendement de 2019, l'actuel ministre des Affaires étrangères, alors sur le banc de l'opposition, brandissait une lettre adressée à M. Hofman par le *PMO*, laquelle lettre se lisait comme suit –

“As a non-citizen of Mauritius, you are trying to marry a citizen of Mauritius for the sole purpose to automatically acquire the status of resident.”

Et, le député de commenter cette décision dans ce sens, je cite –

« Est-ce que la raison a été l'absence à son poste de travail et sa décision de ne pas piloter un vol ? Il avait produit un certificat médical à son employeur, mais cette décision, que nous le voulions ou non, semble être une sanction et non une décision administrative. Je veux dire la décision de lui refuser la possibilité de se marier à Maurice. »

Et, le même député pose la question suivante Premier ministre, je cite –

« (...) est-ce que cette demande d'autorisation pour son mariage civil n'était pas un moyen déguisé, d'empêcher Monsieur Hofman la possibilité d'acquérir la nationalité mauricienne ? »

La population se souvient également du cas de la Sri Lankaise, Madame Medagama, expulsée du pays alors qu'elle était enceinte de huit mois et était sur le point d'accoucher alors même qu'il y avait une injonction intérimaire du juge Ahnee. Cette expulsion et les critiques du Premier ministre d'alors provoquent la démission du juge. On ne sait pas ce qui est advenu de l'enfant, s'il a pu être réuni avec son géniteur.

Les dispositions de ce projet de loi vont à l'encontre des conventions internationales et régionales auxquelles nous sommes signataires : *the UN Charter, the African Charter for Human Rights and the Rights of the People, the African Charter on the Rights of the Child*, et va à l'encontre même de l'article 15 (1) de notre Constitution qui se lit comme suit –

“No person shall be deprived of his freedom of movement, and for the purposes of this section, that freedom means the right to move freely throughout Mauritius, the right to reside in any part of Mauritius, the right to enter Mauritius, the right to leave Mauritius and immunity from expulsion from Mauritius.”

L'esprit de ce projet de loi est également contraire au principe de *best interest of the child* de notre *Children's Act*. Et dans chacun de ces traités, l'arbitraire est la pierre de touche, *touchstone*, de ce qui est considéré comme une ingérence illégale dans la famille.

Il est un fait que les mariages impliquant des citoyens d'un pays et un non citoyen sont de plus en plus courants aujourd'hui. Il est un fait également qu'il existe des faux mariages, des mariages blancs ou des mariages de convenance. Il existe déjà des provisions légales à de telles situations. Si le mariage n'a pas marché et il y a eu divorce, le citoyen étranger est déporté six

mois après que le divorce ait été prononcé. La loi est claire. La section 6(2) de *the Immigration (Amendment) Act* stipule –

“Where a person has acquired his status of resident, he shall cease subject to subsection (6) of this section to be a resident 6 months after the termination of the marriage to the citizen.”

Il y a en effet des cas où des individus contractent des mariages de convenance afin de faciliter l’entrée et le séjour d’étrangers à Maurice. Ce problème a toujours existé et continuera d’exister. Mais est-ce que l’on connaît les statistiques y relatives ? Est-ce qu’il y a eu une recrudescence de cas où les non citoyens ont utilisé le mariage comme seul but d’obtenir un permis de résidence permanent ? Sur quoi se base-t-on pour affirmer qu’il y a abus ? Si abus il y a, il faut s’attaquer aux problèmes en amont.

Aujourd’hui, les informations sur une personne sont facilement accessibles. *From a click of the mouse*, on peut avoir toutes les informations que l’on recherche sur une personne. On peut le faire à travers un certificat de moralité issue de son pays d’origine à travers Interpol, à travers les services de l’ambassade. La communication est tellement facile et les informations accessibles très rapidement.

C’est pourquoi tout le monde a été surpris dans le cas du Slovaque Uricek. En réponse à une question parlementaire, le Premier ministre avait répondu que le gouvernement avait vérifié les informations sur cette personne notoire, mais rien n’a été trouvé. Il a fallu que les autorités slovaques, elles-mêmes, adressent une communication au gouvernement mauricien. Et c’est à partir de là que le gouvernement a su que cette personne était recherchée dans son pays. Alors qu’il suffisait de s’enquérir auprès des autorités slovaques. Si les autorités, dites compétentes, à Maurice avaient la volonté nécessaire, les informations requises auraient facilement pu être obtenues.

L’article 36 du projet de loi définit un mariage de convenance –

““Marriage of convenience” means a marriage between a non-citizen and a citizen orchestrated for the sole purpose of the non-citizen obtaining a residence permit.”

Il incombera à un département de l’immigration de mener une enquête pour déterminer si le mariage entre un *non-citizen* et un *citizen* est un mariage de convenance. S’il est établi à la

satisfaction du département de l'immigration que le mariage n'est pas un mariage de complaisance, le non-citoyen obtiendra un permis de séjour. Mais comment prouver si le mariage est un mariage de convenance ? Difficile à prouver. Quelle est le *knowledge* ou l'expertise du département de l'immigration pour déterminer si un mariage est un mariage de convenance ? Est-ce qu'un directeur de l'immigration a les connaissances et l'expertise ou l'habileté nécessaire pour déterminer si un mariage est un mariage de convenance ? Là aussi, on sent l'abus.

Le directeur de l'immigration ne sera-t-il pas que le *rubberstamp* du Premier ministre ? Pourquoi ne pas instituer un *Board*, un panel d'experts, *an Independent and Impartial Body* pour déterminer s'il y a mariage de convenance ou pas ? Et le *burden of proof* devra être sur ce département, sur cet *Independent and Impartial Body*.

Dans l'affaire opposant Salovska et le Secrétaire d'État au Département de la Cour Suprême au Royaume-Uni en 2017 confirme que *the burden of proof* incombe au ministère de l'intérieur de prouver l'existence d'un mariage de convenance. The standard of proof is *the balance of probabilities*.

Pour terminer, ce projet de loi est un recul et n'aura pour résultat que des ruptures de mariages *bona fide*, des éclatements de familles et le chamboulement dans la vie des enfants. Le gouvernement se doit de revoir sa copie, un tel projet aurait dû être circulé et permettre à la population d'en débattre. De toute façon, il n'y a aucune urgence à moins qu'il y ait agenda caché. Trop de pouvoirs ne peuvent être octroyés à une seule personne. *Power corrupts and absolute power corrupts absolutely*.

J'en ai terminé. Merci!

Mr Speaker: Hon. Minister Mrs Koonjoo-Shah!

(5.06 p.m.)

The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah): Mr Speaker, Sir, I would like to start my intervention by commending the hon. Prime Minister for coming up with the present Bill, that is, the Immigration Bill, which in my opinion is a very progressive piece of legislation.

Mr Speaker, Sir, the Immigration Act of 1970 has been amended not less than twenty-five times in fifty-two years and this is a clear indication of how dynamic migration in Mauritius is, in fact, as it is throughout the world. As the world is becoming a global village, migration is becoming a salient feature of a more interconnected world. While encouraging mobility, it is equally important to have the proper legal framework to ensure a holistic approach in securing safe and orderly practices which will ultimately be beneficial for all in building resilience of individuals and communities.

The Immigration Bill is a pre-requisite for Mauritius in protecting our borders from the illegal movement of people, and *de facto*, from drugs and contraband, while at the same time, promoting lawful entry and exit, which is essential to our country's security, economic prosperity, and territorial sovereignty.

Mr Speaker, Sir, I am proud that this Bill is being brought to the House by this Government and by no other than the Prime Minister himself, hon. Pravind Kumar Jugnauth, who, I will remind the House is responsible for our Republic's national security and territorial integrity portfolios.

Mr Speaker, Sir, the early growth and the historical development of the Mauritian population was, in fact, characterised by immigration. Mauritius does not have an indigenous population and we are mainly descendants of Indian indentured labourers, Chinese traders and African slaves. Even back then, there was the need to promote, to protect and to plan for the safe growth of the population and this already brings a preamble to the Immigration Bill being debated, today, in this House.

Mr Speaker, Sir, the Immigration Bill has the primary objective of consolidating and strengthening the law with regard to the admission, and the stay of non-citizens in Mauritius. The major benefits of this new Bill would be the harmonization of other Acts such as the Deportation Act, the Economic Development Board Act, the Non-Citizens (Employment Restriction) Act, the Non-Citizens (Property Restriction) Act and the Passports Act.

The starting point, when we talk about immigration is that, in order for a non-citizen to enter Mauritius, he must have the correct authorisation. In this respect, Mr Speaker, Sir, there are several types of permits in Mauritius including but not limited to, residence permit, permanent residence permit, occupation permit, family occupation permit and so on and so forth.

Mr Speaker, Sir, this Bill identifies the key challenges of migration today, it brings stability and security to the country. Contractual Migrant workers are playing a crucial role in our economy, more particularly, in the manufacturing, construction and tourism sectors. One should remember that it is not necessarily due to a shortage of skilled Mauritian workers but because of the increase in the standard of living of our country and this makes Mauritius a desirable and an attractive place to live and work.

Therefore, Mr Speaker, Sir, increasingly, investors are bringing in foreign labour. Their expertise, skills and their efficiency at work are an essential value for the economy of our island in achieving our growth target.

Mr Speaker, Sir, Mauritius, through this Government, together with the Economic Development Board and other key stakeholders, has been developing planned and well-managed immigration programmes with a number of friendly countries. One such programme happens to be with the Government of Quebec in Canada which was initiated in 2019. Furthermore, several Memoranda of Understanding have been signed with countries such as the United Arab Emirates, the Republic of Seychelles, the Nepal, the State of Qatar, the People's Republic of China and so on. Such agreements ensure that all the rights of migrant workers are respected right from the recruitment stage, throughout their stay and until their return to their home country.

Mr Speaker, Sir, hon. Dr. Boolell stated in his intervention, he voiced out his qualms and concerns about marriages of convenience or sham marriages. As compared to the one of 1970, this Bill caters for new provisions to precisely prevent such situations where a non-citizen marries a citizen for the sole purpose of obtaining a residence permit in Mauritius. I am certain that hon. Dr. Boolell is very well aware that in the past, we have had situations where non-citizens tried to curtail the law and abuse the system for the sole purpose of acquiring the status of a resident by contracting such fake marriages. In many cases, some of these non-citizens, at the time of contracting a marriage in Mauritius, were already married in their country of origin; some contracted a marriage in Mauritius, then divorced within one or two years and then moved into another marital relationship within six months only to enable them to continue to stay in Mauritius.

These people, Mr Speaker, Sir, got married with one intention only and that is to secure a Mauritian citizenship. Even worst, Mr Speaker, Sir, quite often after obtaining their citizenship permit, these people ultimately file for a divorce and leave their Mauritian spouse to marry somebody from their own country of origin. And this Bill is here to put a final end to such vicious circles.

Mr Speaker, Sir, what is regrettable is that many young women fall victim of such crooked and ill-intentioned individuals. To avoid these unfortunate situations, it is therefore provided in the Immigration Bill that a non-citizen spouse will not outright be eligible for a residence permit. The marriage between a non-citizen and a citizen will have to be a civil marriage and the non-citizen spouse will, in lieu, obtain a temporary residence permit to stay in Mauritius for a period of 2 years and after that period, that non-citizen spouse will be eligible to apply for a residence permit.

I do agree, Mr Speaker, Sir, with hon. Dr. Boolell who pointed out that sham marriages are quite different from broken marriages and that is why, Mr Speaker, Sir, capacity building of stakeholders who are involved in the immigration process is of extreme importance. As a key authority, the Immigration Department will be further empowered to investigate into whether the marriage between a non-citizen and a Mauritian citizen is that of convenience, and if it is established to the satisfaction of the Immigration Department that the marriage is not a marriage of convenience, then the non-citizen will obtain a residence permit.

Allow me to emphasise, Mr Speaker, Sir, that this Bill will enable relevant authorities to conduct appropriate checks on a non-citizen. The Civil Status Act is being amended to further provide that a marriage between a non-citizen and a citizen will now be celebrated in Mauritius after 30 days of the publication of the marriage, instead of the current 10 days. It will also serve as a landmark in the region when it comes to immigration.

Mr Speaker, Sir, with your permission, I will address a concern raised by hon. Uteem during his intervention. Our law, Mr Speaker, Sir, through the Protection from Domestic Violence Act, provides the legal basis for the protection of migrants who are victims of domestic violence. My Ministry further provides children who are victims of trafficking or violence with immediate and long-term protective and support services through the Child Protection Services Unit of my Ministry. Besides the Child Development Unit outstations across the island, there are

Drop-in-Centres at Port Louis and the Residential Care at Grande Rivière North West that also provide protective and support services to children victims of trafficking.

To allay the fears of both hon. Uteem and hon. Navarre-Marie with regard to the best interests of the child, I wish to reassure the House that of course the best interests of the child is paramount according to the Section 4 of the Children's Act, but in the spirit of the laws, we shall not allow any person, irrespective of being a Mauritian, a citizen or a foreigner, to use our children as a shield just to flout other existing legislations. The Immigration Bill is not being brought with the objective to discriminate, to expel or to deprive people of their citizenship for frivolous reasons. It is here to regulate and ensure safe practices. This Bill is being brought to ascertain that no one abuses the law to disrupt the socio-political landscape of our Island, a landscape which we all - well probably not us all but at least the real patriots - we all cherish this socio-political landscape. We look and we work towards safeguarding this landscape.

Hon. Navarre-Marie mentioned Mr Hofman in her intervention. I would very kindly ask the Member to revisit the intentions of that individual. They were not good intentions at all.

Mr Speaker, Sir, as the Minister of Gender Equality and Family Welfare, I note with satisfaction that under this Bill, children of non-citizens who hold a valid work and residence permit will still have access to all levels of education under the same conditions as our Mauritian citizens and for permanent residents and their spouses who hold an occupation or work permit, they will have access to our labour market, thus promoting gender equality and equal treatment for all.

Mr Speaker, Sir, the history of human migration has made Mauritius ethnically diverse as we are all aware. On one hand, we have the reality of an ageing population and on the other hand, we have a wider spectrum of economic pillars. Therefore, Mr Speaker, Sir, we cannot exclude the contribution of migrants in the equation of our economic development. This Bill, is, in this context, simplifying the current legislation in a clear, precise and straightforward manner.

Mr Speaker, Sir, concerns have been raised with regard to the powers of the Prime Minister to deprive a person of a Mauritian citizenship. This power, Mr Speaker, Sir, is not an absolute one. Such a power and discretion will be used only if the Prime Minister has reasonable grounds to believe that it is in the best interests of defence, public safety, public order, public morality or public health to do so. Mr Speaker, Sir, in practice, this means that based on the

information that will be provided to the Prime Minister by competent authorities, the Prime Minister who, I remind the House very humbly, is also the Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity. He will have the legal right to take a specific and a well-informed action at the right moment and always in the best interest of our Republic. This is the evidentiary threshold under the Immigration Bill and therefore, it would be wrong to allude that such a power is absolute and will be applied upon baseless grounds.

Mr Speaker Sir, to conclude, allow me to once again congratulate the hon. Prime Minister for his farsightedness and for taking the bold initiative in bringing a piece of legislation that propels our country closer to international standards and fulfilling migrants' rights while at the same time, protecting our citizens, in particular our children, young girls and women by preventing malicious and ill-intentioned foreigners from taking advantage of our citizens and preventing abuse of our immigration framework. This Government, our Prime Minister has the primary mandate to protect our territory and our citizens.

Long live the Republic of Mauritius! I thank you all for your attention.

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

At 5.21 p.m., the Sitting was suspended.

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

The Deputy Speaker: Thank you very much. Please be seated!

Hon. Lobine!

(5.55 p.m.)

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Deputy Speaker, Sir.

Mr Deputy Speaker, Sir, with regard to this Bill, if we have a look at paragraph 4, 5 and 6 of the Explanatory Memorandum, it has summarised the whole Bill, that is, there has been no major changes being brought to conditions upon which residence permits, for example, or permit for a retired non-citizen, permanent residence permit, occupation permit, short-term occupation permit and family occupation permit were granted under the current law. Same remains. The

only change that is being brought is with regard to a resident where in non-citizen marries a citizen that is being reviewed.

Mr Deputy Speaker, Sir, I have been listening to most of the speakers with regard to this Bill. Debates have been passionate, and indeed, the subject matter is one that requires considerable and serious consideration both in this august Assembly, but most importantly, amongst our people and the civil society at large. It is a fact, Mr Deputy Speaker, Sir, that since independence and the advent of the Immigration Act in 1970 and proclaimed in 1973, we have been adopting a rather rigid approach to immigration. Over the years, at least on 20 occasions, Mr Deputy Speaker, Sir, the 1970 Act has been amended.

Mr Deputy Speaker, Sir, yes, there is a need for a comprehensive and up-to-date legal framework on the issue of immigration, but whether we should continue to adopt the same structure and mindset with regard to immigration, Mr Deputy Speaker, Sir, is a debate in itself not just in Mauritius, but worldwide. Mr Deputy Speaker, Sir, we are day by day becoming more intolerant, selfish as a nation, if I may say so, Mr Deputy Speaker, Sir; selfish as a world, forgetting that the whole world was populated through migration.

Mr Deputy Speaker, Sir, since the beginning of time, people have been on the move. Migration is a fundamental and enduring part of our story as human beings. It has expanded our horizons and opportunities and it has united us as a global family.

We, citizens of this country, all Members of this House, Mr Deputy Speaker, Sir, we are the descendants of immigrants. I will not go into the history of our country and how it was populated, but it suffices to say that Mauritius is a land of immigrants, Mr Deputy Speaker, Sir. Our ancestors came as settlers, as colonisers, as slaves, as indentured labourers, as traders. And Mr Deputy Speaker, Sir, it is my humble view that as a country, as a nation, it would have been in the spirit of fairness and the right to information that this Bill, instead of being brought with a Certificate of Urgency before this august Assembly, same ought to have been disseminated further, first and foremost, amongst the population. We should ask our people as to their views concerning this Bill. We should have informed them as to the implications of this Bill when it will be enacted. We should also provide our people with a roadmap as to our future immigration policy in the years to come.

Yet, this is not the case with this Bill, Mr Deputy Speaker, Sir. The civil society has not been afforded with the opportunity to have working sessions, brainstorming on this Bill, and this is something that is not in order on such an important piece of legislation.

In his intervention, the hon. Prime Minister has not provided us with much detail as to statistics that will back up the necessity and relevance of all new provisions and clauses being introduced in this Bill. We ought to know, for example, what is the situation with regard to illegal immigrants, prohibited immigrants, and also the number of marriages of convenience that we have witnessed so far to enable this House and the population to weigh the gravity, if any, of the situation with regard to marriage of convenience.

Mr Deputy Speaker, Sir, the hon. Prime Minister has laid much emphasis on the fact that this Bill will tackle this allegedly burning issue of marriage of convenience. Let me, Mr Deputy Speaker, Sir, with your permission go on this subject matter with regard to marriage of convenience, which I humbly feel has motivated the very basics of bringing this Bill before this House.

According to media reports and as per my information, Mr Deputy Speaker, Sir, marriages of convenience, or what we call sham marriages, we have got some 15 to 20 cases involving Africans and European nationals that are being investigated. They involve foreign workers who have overstayed their work permit, and fake students who have entered Mauritius on student visas and whose visas have now expired. But what is a marriage of convenience and how do we define it for legal purposes Mr Deputy Speaker, Sir?

True it is that our law, as it is, does not specifically deal with sham marriages, but instead lays down the conditions for a non-citizen to marry a citizen of Mauritius in the relevant provisions of the Civil Status Act. It is required amongst others, Mr Deputy Speaker, Sir, that strict compliance with these conditions since a non-citizen automatically acquires the status of a resident of Mauritius by virtue of being a spouse of a Mauritian citizen, the Civil Status Act accordingly provides for the publication of a proposed civil marriage by a non-citizen. Once published, any person who has any ground to object to the celebration may in turn lodge a notice of objection of the proposed marriage with the Registrar of Civil Status. It is at this stage that the authorities can intervene to prevent a marriage of convenience. If the genuineness of the

proposed marriage is suspected, the Home Affairs Division of the Prime Minister's Office will lodge a notice of objection to the proposed marriage with the Registrar of Civil Status.

Mr Deputy Speaker, Sir, for the sake of clarity I shall cite the case of *Vikram Sing v. Registrar of Civil Status & Ors* - it is a 2017 Supreme Court judgement case - as an example. The applicant in this case, Mr Vikram Sing, a non-citizen had made a publication of his proposed marriage to a citizen of Mauritius in August 2016. The Home Affairs Division of the Prime Minister's Office suspected the genuineness of the marriage and had raised an objection to the effect that as a non-citizen he was trying by all means to marry a Mauritian citizen for the sole purpose to acquire automatically the status of resident. The Judge-in- Chambers upheld the decision of the Registrar, taking into account the fairness of the hearing before the Registrar. The Judge ruled implicitly, Mr Deputy Speaker, Sir, that the sole purpose of the marriage was one of convenience to enable the appellant to acquire the status of resident and that meaning of sole purpose, Mr Deputy Speaker, Sir, was canvassed in the UK Supreme Court case of *Sadovska* that was cited by hon. Navarre-Marie earlier.

In that case, Mr Deputy Speaker, Sir, one Miss *Sadovska* who had lived and worked in UK lawfully for several years had intended to marry one Mr *Malik*, a Pakistani citizen who was unlawfully staying in UK since his student visa had expired for some years. In compliance with the law, they published their intention of the proposed marriage. On the day they went to the Registrar's office to get married, they were both questioned by the UK immigration authorities and arrested on the grounds that the marriage was one of convenience. In other words, in line with the EU Directives 2004/38/EC which was applicable to UK as a Member State of Europe at that time, the marriage was contracted for the sole purpose of enjoying the right of free movement and residence in UK under the Directive that someone would not have otherwise.

That was the decision of the Immigration Tribunal. So, in the UK, Mr Deputy Speaker, Sir, we have a tribunal for cases with regard to immigration and this issue of sole purpose should not literally be taken but rather as meaning that the objective to obtain the right of entry and residence must be predominant purpose of the abusive conduct. So, this was the rationale of this particular case. And the second point that they made was that a marriage cannot be considered as a marriage of convenience simply because it brings an immigration advantage or indeed any

other advantage. And again, as cited by hon. Mrs Navarre-Marie, the onus of proof is on he who asserts must prove and in this case it was for the authorities to prove their case.

Why have I taken these two cases, Mr Deputy Speaker, Sir? Because, as it stands, Mr Deputy Speaker, Sir, our legal system is robust enough to deal with marriage of convenience. We have got our Supreme Court, we can refer cases before the Judge-in-Chambers and this new Bill will in no case improve or tackle the situation as it stands. Those people who will try to engage in marriage of convenience, if they have this in mind, will just now go on a pause mode for two years. Each one of them in the couple, living their life and will act after all the legal safeguards are met.

So, what is of paramount importance, Mr Deputy Speaker, Sir, is our system of justice should be complemented with an efficient Civil Status Office and a proactive immigration office. Those two institutions should be properly staffed and be provided with all the necessary facilities to operate and as from a legal perspective, Mr Deputy Speaker, Sir, it should not escape the vigilance of our authorities that a marriage of convenience is arguably a conspiracy contrary to Section 109 of the Criminal Code (Supplementary) Act as it entails an agreement between two persons to commit a wrongful act which is against public order whilst the non-citizen is likely to face a deportation, his/her local accomplice may well have to answer to a charge of conspiracy before our Court. So, Mr Deputy Speaker, Sir, our existing laws are available and efficient enough to deal with marriage of convenience.

Mr Deputy Speaker, Sir, another issue that is of concern to me in this Bill is what most of our hon. friends from this side of the House have been saying. It concerns amendment being brought to Section 11 of the Mauritius Citizenship Act. Hon. Members from this side of the House have lengthily canvassed this proposed amendment. Hon. Uteem raised pertinent issues with regard to this amendment going against the principle of preventing a non-citizen from being stateless in breach of international conventions. The introduction of a new subsection 8, Mr Deputy Speaker, Sir, that will give the hon. Prime Minister absolute discretion and without giving any reason, deprive any person of his citizenship of Mauritius if he has reliable information and is satisfied that it is in the interest of defence, public safety or public order, it goes against the spirit of accountability, Mr Deputy Speaker, Sir. The more so that it stands that

the existing provisions embedded in Section 11 of this Act already provide the hon. Prime Minister with wide powers.

What is lacking in this amendment, Mr Deputy Speaker, Sir, is a check and balance mechanism. At a time when we are advocating for a more concerted approach on issues of national security amongst others, I am of the view that hon. Members of this august Assembly should be empowered and there should be a creation of a Home Affairs Committee as is the case in the UK for instance. This Committee should be a cross-party committee of MPs responsible for scrutinizing the work of the Home Affairs Division of the PMO and its associated departments. It should, amongst others, examine Government policy, spending and the laws in areas including immigration, national security and policing.

And, a note of conclusion, Mr Deputy Speaker, Sir, I will invite Members of this august Assembly to take note of the recent revelation made in a documentary on the BBC with regard to Sir Mo Farah. Hon. Members will recall that he is one of Britain's greatest ever athletes having won as much as four Olympic gold medals for Great Britain. In recognition to his outstanding contribution to the field of sports and athletics, he was knighted and was bestowed upon with the prestigious title of Sir. He is now called Sir Mo Farah. Astonishingly, Mr Deputy Speaker, Sir, he recently revealed that the truth is that his name is not even Mo Farah. He revealed that he was born as Hussein Abdi Kahin in Somali land and that he is an illegal immigrant smuggled into the UK by traffickers when he was nine years old. He was brought here under a false identity to work as a servant in the United Kingdom. He says and I quote –

“Now, at the age of 39, I must say the truth. The truth is I am not what you think I am and now whatever the cost, I need to tell my real story.”

And, he went on and related how he became an illegal immigrant and how he struggled to become where he is now.

Fortunately there, Mr Deputy Speaker, Sir, the Home Office has adopted a fair approach and no actions whatsoever have been taken against him and Sir Mo Farah stays on as a proud British citizen. How many such cases we have around the world and even in Mauritius, Mr Deputy Speaker, Sir, where people who have stayed in a country as illegal immigrants have later moved on to make the nation where he/she is living proud.

Mr Deputy Speaker, Sir, I have a liberal approach to immigration. I am of the view that as a land of immigrants, having no borders, having already existed legal framework to tackle all types of illegal practices related to immigration, instead of this Bill adopting a restrictive approach, there ought to have a proper and widespread debate for the adoption of a National Immigration Policy for the next 30 years before coming up with an appropriate piece of legislation that will have a broader perspective to immigration.

I must also remind this House, Mr Deputy Speaker, Sir, that research on the net fiscal impact of immigration - I have listened to Hon. Dr. Ramdhany with regard to impact on our economy - shows that immigrants contribute significantly more in taxes than the benefits and services they receive in return. According to the World Bank, Mr Deputy Speaker, Sir, increase in immigration by margin equal to 3% of the workforce in developed countries would generate global economic gains of USD 366 billion. Some economists, Mr Deputy Speaker, Sir, predict that if borders were completely open and workers were allowed to go where they please, of course, in an ideal world - we are not in an ideal world - it would produce gains as high as 39 trillion dollars for the world economy over 25 years. Mr Deputy Speaker, Sir, I thus invite hon. Members to have an open mind approach to immigration as we are all immigrants on this planet earth.

I thank you for your attention, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Mrs Luchmun Roy!

(6.15 p.m.)

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you, Mr Deputy Speaker, Sir. It is indeed an honour for me to take a call and to support this Immigration Bill.

Mr Deputy Speaker, Sir, much has been said in all quarters - media, radio talk shows, newspapers, the political spectrums, amongst others. However, Mr Deputy Speaker, Sir, as I lend my voice to this piece of legislation, presented by the hon. Prime Minister to this House, I call upon the good faith of my colleagues from the other side of the House.

I have been listening to the former Member, hon. Lobine, who mentioned about liberal approach, open-minded approach. But on the same side of the House, there were some Members

who have made this debate around one single individual, Peter Uricek, who was actually deported.

Allow me here to put a few questions to those Members of the Opposition who took the floor and personalised the debates as they had their client or clients of their friends involved in illicit activities. Let me refresh the memories of some friends on the other side. During an answer from the Prime Minister on 10 May 2022, where the hon. Reza Uteem put a question with regard to that said person, the hon. Prime Minister mentioned in his answer,—

“Mr Speaker, Sir, as I said, Mr P. U. was wanted in Slovakia for establishing, masterminding and supporting a criminal group, and also for the illicit manufacture, possession and trafficking in narcotics and psychotropic substances, poisons or precursors. I have also informed the House about the outcome of this case.”

So, my question to Members on the other side of the House who have tried to personalise the debate, trying to make the public at large feel that this Bill has been brought specially to work towards that person, I think they are getting it wrong because this person who was here in Mauritius wanted to have the Mauritian nationality. So, I think this is an example, why we should come forward with this Immigration Bill.

Mr Deputy Speaker, Sir, I shall not be too long but my speech would dwell upon the main object of the Bill which clearly dissipates any doubt, if so ever. The very main object of this Bill is to consolidate and strengthen the law with regard to the admission and stay of non-citizens in Mauritius. *Et non pas, ‘si pa get figir, si pa pe kontan figir, you go away’*. This is what has been said in this august Assembly. Well, it speaks a lot about what type of policymakers they shall be but thank God they are on the other side of the House *sinon boukou figir pa ti pou pase*.

Anyways, coming to the essence of the Bill, Mr Deputy Speaker, Sir, as I mentioned, we are talking about strengthening and consolidating an Immigration Act which exists since 1970s, where some of us were not even born. And this Act which dates far back made provision for a limited category of non-citizens to be admitted and stay in Mauritius. And, since then, as mentioned by my colleagues, the Act has been amended several times to make place for retired citizens, investors and non-citizens as well as young professionals.

Immigration on a worldwide basis has become an ever increasing problem. Immigration is a cornerstone of any government's long-term goal in respect of economic transformation. Our focus on families, young, old and our national identity revolves around immigration. The new global environment has increased competition for skilled migrants and there is a greater need to ensure that Mauritius is secure.

With such facilities come some serious issues which this Bill comes to address. This Bill does a number of things which I will highlight with some key issues in it. Mr Deputy Speaker, Sir, the very first issue is the marriage of convenience which has become an alarming phenomenon, not only in Mauritius, but across the globe. People are getting married for their own benefits and to get the papers and to be naturalised. As a responsible Government, we had the urgency to address this issue.

The legislation brought in this House clearly makes new provisions to avoid situations such as –

- (i) a non-citizen marries a citizen only for the sake of obtaining a resident permit to stay in the paradise island of Mauritius;
- (ii) the marriage between the non-citizen and the citizen should be a civil marriage, and the non-citizen will have obtained a temporary residence permit to stay in Mauritius, and
- (iii) following the two years, the non-citizen will be eligible for a residence permit.

Furthermore, this Bill also clearly provides support to non-citizens, who for any reason medical, business or any other reasonable purpose had to travel abroad, but for one year has been under the same conjugal roof in Mauritius.

Another element which is believed to be very important, which we need to lay emphasis in this new legislation, would empower the Immigration Officer. We have been discussing about the power given to the Prime Minister but I could not hear Members of the Opposition mentioning about empowering the Immigration Officer who will have the ability to investigate into the problem of marriage of convenience. Part V of the Bill states clearly, powers of the Immigration Officer –

- (i) Section 21 - Non-citizen minors admitted to Mauritius;

- (ii) Section 22 - Examination by immigration officer;
- (iii) Section 23 - Powers to refuse admission to Mauritius;
- (iv) Section 24 - Inspection, and
- (v) Section 25 - Powers of arrest, detention and investigation.

All lies upon the Immigration Officer.

Mr Deputy Speaker, Sir, the aim of this Bill is to modernise and future-proof our immigration legislation which dates far back to the 1970s. As a responsible Government, it is vital that we have legislation to allow us to protect the security of our citizens. This Bill clearly brings a fair and balanced way of managing the immigration issues which is a global issue.

To conclude, Mr Deputy Speaker, Sir, I do not want to unduly delay the passage into law of this very important piece of legislation but I add my congratulations to those who have been involved into drafting such an important Bill, and especially to the Prime Minister for bringing such an important Bill into the House.

In view to safeguard the interests and well-being of our citizens, protecting them from being exploited, it is therefore important to consolidate and strengthen our Immigration Bill with such a robust Bill. I therefore extend my full support to the Prime Minister and to this Bill.

Thank you very much for your attention.

The Deputy Speaker: Thank you very much. Short and precise! Hon. Dr. Aumeer!

(6.22 p.m.)

Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central): Thank you Mr Deputy Speaker, Sir. My intervention this afternoon on the Immigration Bill will not be a long one, save and except that I wish to highlight certain contentious and somewhat alarming provisions which I have come across when going through the Bill.

Mr Deputy Speaker, Sir, the Bill has two major components. Firstly, the issue of marriage of convenience to obtain a residence permit as well as the marriage between a citizen and a non-citizen and its subsequent application for a resident permit, and secondly, the very consequential amendments to the Deportation Act, the EDB Act, the Mauritius Citizenship Act, and the Passports Act.

Mr Deputy Speaker, Sir, there is no doubt that our legislation needs to be tighter and it comes to the so-called couple having resort to marriage of convenience, and surely such practices which have been used by so many in different countries across the globe, have compelled immigration authorities across the globe to make new provisions to deter and prevent such scams where the sole aim - and I repeat the sole aim - is to circumvent the rule of entry, obtain a permit of residence and abuse the welfare state of the country.

Mr Deputy Speaker, Sir, however, one has to be cautious though where there are many perfectly genuine marriages, which may bring some immigration advantage to one or both parties involved depending on where at the material time they wish to make their home of residence and that, obviously, does not make it a scam marriage.

Mr Deputy Speaker, Sir, people marry for a variety of reasons and many genuine couples who might not otherwise marry do so in order to be able to stay with their loved ones in the country. It is therefore extremely important to define whether the sole purpose is to gain an immigration advantage, or whether the sole aim is to circumvent the rules of entry of residence. The issue is between what was the intention: was it a sole purpose or a sole aim? I hope that amendments to the law will clarify this issue as to the detection of genuine, or what we would call a marriage of convenience.

Mr Deputy Speaker, Sir, let me come straight to the other points. The Immigration Bill is not only brought to bring certain amendment or amendments to the existing legislation. The Bill also seeks to revamp the whole landscape in terms of citizenship and the regulation of all permits which are normally issued by the Executive and the so-called independent authorities and which may have dire consequences.

Mr Deputy Speaker, Sir, one of the components of this Bill which has attracted a lot of discussions either from this side of the House and members extra parliamentary from learned counsel and lawyers is at section 39(4)(f) where the new subsection would be added to the Mauritian Citizenship Act where, I note the following –

“(…) absolute discretion and without giving any reason deprive any person of his citizenship of Mauritius if the Prime Minister or the Minister of Internal Affairs has reliable information and is satisfied that it is in the interest of defence, public safety or public order.”

Mr Deputy Speaker, Sir, as much as certain provisions are needed clearly, one must bear in mind that the new Bill ought to be in line with the basic tenants of good governance. The decision of a person's citizenship should not rest within the sole discretion of the master of the day and whoever be the master of the day, today, tomorrow or in the years to come.

Mr Deputy Speaker, Sir, if we now go to the Mauritian Citizenship Act of 1968, which the Bill seeks to amend and I have just read it out, one would be aware and note the various safeguards which have been put in place prior to such a drastic decision being taken, the more so to be taken by one individual.

Mr Deputy Speaker, Sir, for example, it used to be the case that before an order to deprive any person of its citizenship is taken, there is a statutory requirement that that person is afforded –

- (a) a right to an inquiry;
- (b) a notice to be served on him, and
- (c) an inquiry and a report to a Committee appointed by him for that purpose.

Those were surely surety measures to ensure that a fair and non-abusive decision was taken, but not solely based on personal views and opinions.

Mr Deputy Speaker, Sir, what does that mean now? It means simply that such a decision to deprive a person of its citizenship should not be left solely at the discretion of one person in the present case, the Minister of Defence, Home Affairs and External Communications. There used to be various safeguards, which I have just mentioned, such that an order to deprive a person of his or her citizenship is not used in an abusive manner.

Mr Deputy Speaker, Sir, I will just relate as an example a very telling case that happened in the United Kingdom. Only five years ago, a young girl at the age of 15 named, well known, Shamima Begum, decided to leave the United Kingdom - she is a citizen, born and bred - decided to flee to Syria to join an infamous organisation - I insist for reasons unknown to many - but decided that were her dreams. She wanted to live her life. Unfortunately, the whole dream fell apart, and she decided to come back to the United Kingdom in 2017 with an unborn child at that time.

Mr Deputy Speaker, Sir, why I am relating that? At that material time in 2019, the Secretary to Home Affairs, Mr Sajid Javid, decided to strip her of her citizenship. And what happened next? She was allowed to pursue her request to come back to England to defend her case, and in July 2019, she even went to the Court of Appeal where she was given the right to come back to the UK and to fight her case of citizenship. However, the judiciary in this particular country also allowed the government of the United Kingdom to contest the ruling of the Court of Appeal and it went to the Supreme Court.

Mr Deputy Speaker, Sir, in the Supreme Court, the Home Office appealed to the Supreme Court to reconsider the Court of Appeal's judgment on the basis of significant national security risk and the ruling was very simple. The President of the Supreme Court said that the government was entitled to prevent Miss Begum to return to the UK on the basis of national security threat and terrorism. What I am trying to point out is that there is a clear demarcation between the Executive and the Judiciary. Whoever felt aggrieved at that time was given opportunities, there were safeguards, there were avenues to contest, and surety measures to make sure she had a fair trial and a fair decision be implemented against her.

Mr Deputy Speaker, Sir, not long ago here in Mauritius, we have seen the mess where one P. U. (Peter Uricek) was deported in a somewhat surprising manner and which even necessitated rectification, clarification communiqué from the office of the Prime Minister to reassure the population of their acts and doings of the Government. But, Mr Deputy Speaker, Sir, only last week, we have seen that the Director of Public Prosecutions took the decision to proceed with a criminal contempt trial against the Passport and Immigration Office and the Civil Aviation due to judge's order not being respected.

We are not condoning that such infamous individual, as said by Mrs Luchmun Roy who just spoke before me, that this guy was masterminding drug trafficking, was involved in heavy drug businesses and so on. We were not the one who allowed him a red carpet through the Economic Development Board to come to this country. The checks and balances were poor and one has to accept that remedial approaches had to be taken in this manner.

Mr Deputy Speaker, Sir, the fact that a communiqué had to be issued in that sense gives an indication of the manner in which the so called deportation had been handled. The other case, Mr Deputy Speaker, Sir, is of Patrick Hofman, whereby he was deported and subsequently

reported as a prohibited immigrant because it was believed he has caused great harm to the National Aviation, Air Mauritius industry and also making subjective remarks.

Let us not forget the Sri Lankan lady who was heavily pregnant of six months and she was deported in circumstances we all know about. These were very subjective decisions.

Mr Deputy Speaker, Sir, one must take lessons of the former President of France, Mr Hollande, who tried at some point in time to change the Constitution to expel terrorists from mainland France, and he met with such opposition and upheaval in the country that he had to backfire and thereby stayed as it is.

Mr Deputy Speaker, Sir, I will now come to the Bill itself particularly subsection 8(4)(c), where I note that the Minister of Defence, Home Affairs and External Communications may issue a residence permit to a non-citizen where the non-citizen is in the opinion of the Minister a fit and proper person to become resident.

Mr Deputy Speaker, Sir, the granting of a residence permit to a non-citizen is something one must be very cautious. On what criteria would the Minister determine that the non-citizen is a fit and proper person?

Should I not remind the House of that infamous businessman where one senior hon. gentleman, sitting on the other side of the House, who has even acted as Prime Minister said that he looked into the eyes of the businessman and was convinced that he was a genuine person. The subsequent trials of that gentleman in the Central Criminal Investigation Court in Portugal only a couple of months ago, says it all. I would say to my dear learned friend on the other side who just spoke before me – *boukou figir pa ti pou kapav pase si nou ti au pouvoir*. Truly, that businessman would have never had set foot here.

Mr Deputy Speaker, Sir, amendments and new provisions in the Bill must not and should not be the means to use one's authority/power against individual citizens who oppose and challenge the Government in place and acting upon one's discretion under the covert of national security risk or threat to strip them of their citizenship, but, particularly, if it happens to the offspring of the foreign national. The constitutional rights of children born out of couples by national, that is, one parent being a foreign national, and the obtention of a Mauritian nationality must be guaranteed.

Mr Deputy Speaker, Sir, lastly, I would like to comment on section 12 of the Bill which relates to the occupational permits. I have not seen any provisions which give the power to the relevant authorities to carry out any checks or enquiries in relation to an applicant for an occupation permit. I again have to refer to the case of Mr Uricek where an occupation permit of three years was granted to him after alleged verifications were carried out on the controversial list of Passport and Immigration Office, the Interpol database and World-Check. And to find out, there was only an international arrest against him in May 2020. And again, he has been a notorious drug trafficker and only three years later we realize this guy had to be deported. There is a way of doing it because the way the Mauritian authorities have acted smacks clear amateurism.

Mr Deputy Speaker, Sir, this sort of shortcoming and amateurism should not repeat itself as it puts at risk the population at large and forget the reputation of our country. It is, therefore, in my humble view that this new Bill must contain provisions to the effect and empower officers of the Director of Immigration to be able to verify all the averments of applicants who wish to obtain and benefit an occupation permit. The alleged occupation with the intent to undertake must be thoroughly verified and the Bill must be amended to include those powers.

Finally, Mr Deputy Speaker, Sir, I note with satisfaction that the period of notice for marriages between non-citizens and citizens has been extended from 10 days to 30 days, which I hope is made in the view to allow the more thorough checks and enquiries to be carried out on non-citizens to ensure that the marriage is not simply a routine to obtain citizenship in Mauritius. I further note that a non-citizen will not *de facto* acquire citizenship the moment he or she is married to a Mauritian citizen. This is also a step forward to prevent *le mariage blanc* like it is referred in French.

To conclude, Mr Deputy Speaker, Sir, I can only hope that my suggestion and positive criticisms will be taken on board by the Executive as this is above political partisan. Thank you.

The Deputy Speaker: Thank you very much. Hon. Dhunoo!

(6.37 p.m.)

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Deputy Speaker, Sir.

Listening to the orator speaking before me, I don't think he has read why we are making this amendment. If we had in the past this legislation, it wouldn't have been the case for P.U. Do you understand that when P. U. entered Mauritius, you said that no regular checks were done, but you should know also that the Economic Development Board used the World-Check and all relevant checks that have been done; he was not condemned at the time. This is important to know. Because when the Government of Mauritius was made aware of the international arrest, the Attorney General's Office and the Prime Minister's Office acted promptly, and this is why this gentleman is no longer in this country.

When we are bringing amendments to this Act today, many things have been said about this Mauritius Citizenship Act by hon. Uteem, by yourself, the Member who spoke before me. But why are we doing it? It is important to understand that. If tomorrow we have a terrorist in this country, we know that in the past there is the law, you can also go towards the Supreme Court because it is in our Constitution. But now, if the Prime Minister gets information on a terrorist, he will write to him and tell him: "I am going to prohibit you from being in this country because I suspect you to be a terrorist." And he will go to the Court. By that time, Mauritius *pou fini exploze; li met enn bom, li fini eklate*. We need to act promptly but the law is still here. Even if he is repealed from his citizenship, he can still use the Supreme Court. This is not what the Opposition has been telling.

And this reminds me, in 2019, reading Hansard, the Opposition was using the same tactics and saying the same thing that we are giving too much powers to the Prime Minister. *C'est un point qui a suscité beaucoup de débats. C'est la discrétion conférée au Premier ministre*. And here, I would like to quote hon. Ivan Collendavelloo from Hansard in 2019, during the same Immigration Act –

« Je suis tenté de dire si un Premier ministre, on ne nous donne pas une discrétion, mais à qui on va donner de discrétion ? Le Premier ministre reçoit une information et quand il lit cette information, il se dit que cette personne raisonnablement sera indésirable. Cela a mené à des excès de commentaires, tel que, à partir de maintenant, on devrait s'adresser à l'honorable Pravind Jugnauth comme Sa Majesté, puisqu'à partir de maintenant il faudrait avoir sa permission avant de se marier à un ou une étranger/étrangère. Où est-

ce qu'on va chercher ça dans ce texte ? Il faut avoir un esprit véritablement tordu pour trouver ça. »

We have a Prime Minister who has been democratically elected by the people of the Republic of Mauritius. And here, we, on this side of the House, we have full confidence in his judgment. And we know hon. Dhunoo is not going to give the Prime Minister information about a foreigner or someone who is coming here. It is about intelligence! What are we talking? We are talking about intelligence, Mr Deputy Speaker, Sir. And we have intelligence between our partner countries. This is how we are going to proceed, Mr Deputy Speaker, Sir.

M. le président, Maurice est classée parmi les 21 pays considérés comme “*Full Democracy*” par le Rapport 2021 d’*Economist Intelligence Unit*. Parmi les 21 pays ! Nous sommes le seul pays en Afrique parmi les 21 qui sont dans ce rapport comme “*Full Democracy*”. Vous allez voir que quand l’Opposition fait une manifestation, ils sont autorisés mais ils vont dire que nous sommes dans la dictature. C’est tout le temps comme ça. Depuis que nous sommes là, on entend ça - le Premier ministre est un dictateur, le gouvernement est dictateur et nous sommes en train de donner trop de pouvoir au Premier ministre maintenant dans ce texte de loi pour qu’il puisse revoir les *citizenships*. L’honorable Lobine a parlé et il a demandé des statistiques. Moi aussi, je voudrais des statistiques du Premier ministre.

Depuis l’Immigration Act de 2019, combien de *prohibited immigrants have there been* ? On a parlé, on a dit que - il y avait l’honorable Uteem qui était inquiet par rapport aux membres des deux côtés de la Chambre qui sont mariés à des étrangers. Mais on a aussi dit que demain, le Premier ministre pourra se servir de cette loi pour faire de la vengeance politique. Mais combien d’honorables membres qui sont mariés à des étrangers ici, ont été *prohibited immigrants* ? Moi je voudrais savoir ça du Premier ministre. Mais non, nous sommes en train de les accueillir parce que comme nous l’avons dit et comme nous le savons nous aussi, oui, *we are in a land of immigrants, I agree*, parce que Maurice a été créé et nous avons des gens qui y sont venus de toutes les coins du monde. Et aujourd’hui, on vient nous dire que le Premier ministre va se servir de ce pouvoir pour faire du tort à des époux/épouses des membres de l’Opposition – je ne sais pas où on va chercher ces arguments-là.

Ici, qu'est-ce qu'on fait ? Nous sommes en train de les encourager d'investir et de faire du business aussi. Si vous allez voir, nous n'avons bloqué personne, M. le président de la Chambre.

Coming to the Act, like everyone has said, in 1970, the Act was complex but simplified legislation was required. And this enactment of this new Bill is warmly welcomed since the present Immigration Act dates back to 1970 and it has been amended more than 20 times. The result is that you have a legislation which was complex and difficult to understand; the new piece of legislation is easy to read, making it a good marketing tool for investors and is in line with the spirit of openness.

Comme on le dit, il fallait revoir la politique nationale de l'immigration parce que dans les années 2000, Maurice s'ouvre au monde et il y a la migration circulaire. Les mauriciens vont vivre ailleurs et les étrangers sont invités de venir travailler à l'île Maurice. Et nous avons vu aussi que c'est une question de pouvoir balancer ; d'abord de la nécessité de protéger la liberté de mouvement, les droits fondamentaux, les droits de la famille, d'être toujours réuni mais aussi les droits de l'État de se protéger contre des personnes, des *prohibited immigrants* qualifiés dans ce texte de loi par rapport aux activités qu'ils sont en train de faire parce que nous devons protéger nos citoyens et aussi notre petite île Maurice – petit état insulaire, *Small Island Development State*. Il faut le faire, M. le président.

Mais aussi, quand on parle de prohibition of marriage of convenience, the main aim of the new piece of legislation is to prohibit marriage of convenience – les mariages orchestrés – for the sole purpose of obtaining residence permit. To this end, the law is being strengthened so that a non-citizen is not outright eligible for residence permit. The concept of a temporary residence permit is being introduced, thus a non-citizen spouse who is civilly married obtains a permit, allowing the spouse to stay for a period of two years. It is only after this period of two years that the spouse will be entitled to apply for a residence permit which is good. But when listening to hon. Lobine, when we look at the European Convention on Human Rights and also which reflects in the international government on human rights, so when you see the number of applications that has been made religiously to the European Court of Human Rights under Article 8, many cases for spouse visa are refused on the ground of national security and the ground of public morality.

Mr Deputy Speaker, Sir, the law had to be amended in England and Wales so as to ensure a number of immigration regulations were amended so as to secure their border. And that is why even the structure of the Foreign Office and the Home Office they had to implement, introduced another special branch in UK Border Agency. Now it is not the Home Office that deals with it, it is the UK Border Agency.

Mais, M. le président, il y a aussi on a parlé, on a pris l'exemple de l'Angleterre, mais en Angleterre aussi on peut *repeal* le *citizenship* ; en France aussi on le fait. Mais pourquoi pas l'île Maurice ? Si nous avons des immigrants qui ont fait des actes qui sont, comme on dit des terroristes, des gens qui sont illicites, des *drug dealers*, *drug traffickers*? On doit protéger notre pays ! C'est pour cela que nous apportons cet amendement au Parlement aujourd'hui.

Mais je voulais aussi répondre à l'honorable Boolell. L'honorable Boolell avait dit, M. le président, dans son intervention, *let me quote* –

“Mr Deputy Speaker, Sir, the MSM regime is very cruel, and I can refer to a battalion of cases to show it is impervious or insensitive to human rights issues. The case of a Belgian pilot married to a Mauritian citizen is a classic case of what it means to be a victim of unfettered powers conferred upon the Minister or Prime Minister. And on 16 April 2019, amendment to the Immigration Act of 1970 was passed to make the pilot [I think many used this example] Mr P. Hofman, a prohibited immigrant in virtue of Section 8(1) (m). There was also the case of a Sri Lankan lady who was more than seven months pregnant – ring a bell; she was dumped on a flight to Sri Lanka, and the decision was taken despite a favourable ruling given by the Supreme Court to stay action. That is the MSM culture, devoid of human feelings and indifferent to the rule of law. The MSM bends the rule to serve its purpose. Money talks indeed!”

M. le président, si nous avons quelqu'un à qui nous avons donné un *residence permit*, il est en train de faire du désordre à *Air Mauritius* et nous coûte, à l'État et à la compagnie nationale ; nous avons dans quel état est le Paille en Queue aujourd'hui, mais je ne vois pas pourquoi le Premier ministre n'agirait pas ! Il doit agir parce qu'on doit protéger notre pays et aussi la compagnie nationale. Mais venant au cas de la sri lankaise, je suis allé voir par rapport au cas que l'honorable Dr. Boolell avait mentionné. Il avait mentionné le cas de M. Jogee – il avait mentionné ça. Il avait cité le cas de Jogee et Medagama. Je ne suis pas un homme de loi

comme l'honorable Uteem, l'honorable Lobine ou même d'autres mais je vais citer ce que j'ai lu dans le jugement. Jogee vient précisément établir ce que tout le monde vient dire. Je ne vais pas relire tout ce qu'il y a ; M. Jogee avait entré une application ; sa femme était une sri lankaise, enceinte de huit mois, menacée de déportation. Ils vont devant le juge et demandent de suspendre l'ordre. Le juge, contrairement à ce que l'honorable membre a dit, n'avait jamais donné une injonction ; il avait refusé l'injonction. Le jugement est devant moi ; il a demandé à l'État de venir s'expliquer. L'État se prévalant de cette petite faille, avait pris Madame Jogee et l'avait mise sur le premier avion et l'avait renvoyé quelque part. Le juge Ahnee se prévalant de ce que le *Home Secretary* avait fait subir dans une affaire quelque temps auparavant dans l'affaire de *M. v Home Office*, avait à cette époque, été trouvé coupable d'outrage et se prévalant de ça, se dit, *I quote, Mr Deputy Speaker Sir –*

« Je demande au *DPP* d'examiner si dans le cas du Premier ministre d'alors, feu Sir Anerood Jugnauth, nommé dans le jugement, le gouvernement, le Commissaire de Police et n'avait pas été coupable d'outrage à la cour ».

Mais ce que l'honorable Dr. Boolell ne nous dit pas, ce que personne ne dit, ce qui paraît dans le jugement aussi, c'est que M. Jogee, celui qui avait fait l'affidavit et avait présenté la demande en cours, n'était pas M. Jogee, le mari de Madame Medagama. C'était un faux ! C'était l'amant de cette dame. Et feu Sir Gaëtan Duval qui été son avocat n'était pas à Maurice quand tout cela est arrivé, quand il débarque à Maurice et en sachant tout cela, il va voir le juge Ahnee, qui lui, se retire de cette affaire et ne veut pas avoir à des faussaires.

Il se retire de l'affaire ! Et le juge nomme Hawoldar d'office ainsi que d'autres avoués pour paraître d'office pour ce M. Jogee. La police capte M. Jogee, bien sûr, et va chercher le véritable M. Jogee.

Ms Anquetil: Non, mais franchement !

(Interruptions)

The Deputy Speaker: Order!

Mr Dhunoo: Le véritable M. Jogee dit: oui, j'avais épousé cette femme, parce que j'étais fou amoureux d'elle, et elle faisait semblant d'être amoureuse de moi uniquement pour avoir la

nationalité. Mais, au fait, elle avait un autre amant avec qui elle vivait et avec qui elle attendait un enfant.

(Interruptions)

C'est la vérité ! Quand le véritable Jogee vient devant le juge et dit : M. le juge, je suis le premier à demander la déportation de cette dame - ma femme. Et, c'est comme ça ! Le juge Ahnee ne démissionne pas parce que la dame a été déportée ; il démissionne parce que le *DPP* et lui tombent en désaccord avec le chef juge et le *DPP* d'alors. C'est pour cela qu'il avait pris sa retraite, et non pas pour ces choses burlesques que nous avons entendues. L'honorable Dr. Boolell, il faut dire la vérité, comme c'était dans le jugement, pas en partie. On doit tout dire !

M. le président, je voulais aussi en venir par rapport: in this Bill, the immigration officers are being empowered to investigate whether a marriage between a non-citizen and a citizen is a marriage of convenience. The Civil Status Act is also being amended to provide that a marriage between a non-citizen and a citizen will now be celebrated in Mauritius after 30 days of the publication of the marriage instead of 10 days. This is being done to give to the relevant authorities adequate time so that they may conduct appropriate checks. These measures will ensure that there are no marriages of convenience and that Mauritius grants residency only to deserving people who meet criteria set out in the law. It is important for us to preserve the good repute of Mauritius.

With regard to young professionals, we have talked a lot and it is recognised that businesses lack the required labour force to enable them to prosper and grow. We have a skill mismatch. This is true, Mr Deputy Speaker, Sir. For this reason, we welcome the fact that the field of activity under which young professionals may apply for a young professional permit which will enable them to work and reside in Mauritius is being increased to include fields such as architecture and design, communication and media, creative industry, engineering, logistic and supply chain, travel and tourism. This is an important measure to support our businesses.

The importance of good repute of Mauritius – I have stated it earlier – Mr Deputy Speaker, Sir, that we are reviewing the sentences to a fine not exceeding Rs1 m. and a term not exceeding 12 months of imprisonment to five years, showing the commitment and determination to send a strong signal that breaches of Immigration Act will not be treated with leniency. We talked about transactional ownership also. The Immigration Act is also being amended so that a

residential property acquired by more than one non-citizen be eligible to apply for status of residency provided that the investment by each non-citizen exceeds USD375,000.

The Non-Citizen Property Restriction Act, by way of consequential amendment, is being amended to allow non-citizens who are residents to purchase property outside existing schemes as long as the purchase price is not less than USD350,000. Thus, holders of temporary residence permits, permanent residence, occupation and short term occupation, family occupation will be allowed to acquire property other than residential property situated on a *Pas Géométriques*, bare land or serviced land exceeding 1.5 *arpents*, standalone residential property constructed on land exceeding 1.5 *arpents*.

To conclude, Mr Deputy Speaker, Sir, I would like to commend the Prime Minister and the team who has worked on this Bill. We are here to protect our citizens and protect our country in the best way. We, on this side of the House, we are in for this Bill.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. Hon. Bodha, please!

(6.58 p.m.)

Mr N. Bodha (Second Member for Vacoas & Floréal): Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, we are a land of immigrants, this has been said. We are no longer a land of immigration, I am thinking of Australia or Canada, but we are a land of migrant workers where we had tens of thousands of workers with a temporary stay in Mauritius. So, we are a land where we allow some immigration according to our national interest for purposes like investment, retiree residents, self-employed, professionals, and young professionals. These categories are clearly set, and we have been opening our economy and our country since 2005 where the scheme of occupation permit was launched.

In fact, it combined for the first time the resident permit and the work permit in one document, and it introduced the concept of silent agreement which is still being valid in this law.

Mr Deputy Speaker, Sir, in the 1990s, I was the Chairperson of the Work Permit Committee when massive import of labour was introduced in the wake of a dynamic and very vibrant textile sector. Before that, a work permit would take more than six months, but the idea was to make things faster so that the vibrant textile industry could have the workers which it

needed. Today, the occupation permit can be obtained with the silent agreement within 5 days. What is clear, Mr Deputy Speaker, Sir, is that the Prime Minister and the Prime Minister's Office want to cure certain loopholes and abuses in the legislation of today, but I am convinced that the amendments are too autocratic; contrary to the UN Conventions, contrary to UN Charters, contrary to the African Charters, my colleagues on this side of the House have mentioned these issues. The amendments, the new Bill raises constitutional issues such as discrimination and the right to a legal remedy against the absolute discretion which the Bill gives to the Prime Minister.

The first thing that I would like to say, Mr Deputy Speaker, Sir, is that when it relates to deprivation of status of resident in Clause 18, we are given a list where the Minister, that is, the Prime Minister is satisfied, when he is satisfied, he can deprive somebody of his status of resident. In subsection 2, we have this famous sentence which has been criticised all the way, not only in this Assembly, but outside as well by eminent lawyers and the public in general, which says –

“(2) Notwithstanding subsection (1) ...”

Where you have the categories where the Prime Minister can deprive the resident.

“where the Minister is satisfied that it is in the public interest to do so, he may, in his absolute discretion, deprive a non-citizen of his status of resident.”

I am proposing that we remove the word ‘absolute’ and we can keep the word ‘discretion,’ but we all know that discretion by a Prime Minister or the Prime Minister's Office or any institution has to be used judiciously and not as a punishment. An unfettered discretion cannot be allowed in a democratic society, Mr Deputy Speaker, Sir.

I am also astounded by the fact that the word ‘Minister’, that is, the Prime Minister is mentioned 59 times in this Bill. And in all cases, you have the criteria...

(Interruptions)

The Deputy Speaker: Order! Continue!

Mr Bodha: We have the criteria where the law can be applied, and, then, we have the situation where notwithstanding those criteria, the Prime Minister can use his discretion. I am going to take a few examples. But before that, I would like to go back to 1977, where the Human Rights Committee raised the issue of Mauritius where Mauritian women said that there was a

discrimination because their spouse could not stay in Mauritius and had to apply for a residence permit. There was a convention, then, Mr Deputy Speaker, Sir, which said that, the wife has the legal duty and the moral obligation to be with her husband. So, if a Mauritian lady was getting married to a non-citizen, she had to accompany the non-citizen to his place of residence. So, the Mauritian wife could not stay in Mauritius and had to accompany the husband, and the husband could not stay in Mauritius because he had to go to his country of abode. And this is what the Committee said, the Committee of the United Nations found out, Mr Deputy Speaker, Sir –

“(…) that any discrimination on the ground of sex within Mauritian legislation without sufficient justification was tantamount to a violation of articles 2 and 3 in conjunction with article 17, as well as direct violations of article 25 and 23 of the UN Charter.”

So, the Committee recommended that Mauritius adjusts the provisions of the Immigration Amendment Act 1977 and the Deportation Act and had to implement its obligations to prevent sex discrimination in its laws and regulations, Mr Deputy Speaker, Sir.

Now, let me come to the legislation, Mr Deputy Speaker, Sir. We have the introduction of the temporary residence permit where a spouse of a Mauritian citizen is given a permit for 2 years after getting married. Hon. Mrs Navarre-Marie raised this issue of how this can affect the future of a family. How a spouse of a Mauritian citizen does not know whether he or she will be given the opportunity to stay in the country after 2 years? And being given the status of a temporary resident, when they have to have a family, take loans, build up their future. And if somebody, a non-citizen gets married to a citizen of Mauritius and they decide to live in Mauritius, what does that mean? It means that, that person has decided to make Mauritius the land where he or she was to have a future. So, I am totally against this temporary residence permit of 2 years. And, then, they have to wait for another 2 years to be able to apply for a residence permit which can later become a permanent residence permit.

Now, let me go to Clause 5, where we can restrict on admission or remaining in Mauritius. Notwithstanding this Act, no one shall be admitted to Mauritius, whilst being in Mauritius, remain where –

- “(a) person who suffers from an infectious, a contagious or a communicable disease;
- (b) a person who has been convicted”

We can prove this.

- “(c) a prostitute or a person who lives on the earnings of a prostitute, or a person who is reasonably suspected as coming to Mauritius for any immoral purpose;
- (d) an habitual beggar or a vagrant;
- (e) a person who is, or is likely to become, a charge on public funds;
- (f) a person who is a chronic alcoholic;
- (g) a person who is a drug addict or is reasonably suspected of engaging in drug trafficking;”

Then, you have the other classes where you have the issue of subversive activity and terrorism. Now, according to the law, these criteria will apply to somebody who wants to enter the country at the Airport or somebody who is in the country and wants to have a permit. How in practice this is going to be implemented, Mr Deputy Speaker, Sir?

Now, I continue, then, we come to the section (k) where a person who, from information or advice which in the opinion of the Minister, that is, the Prime Minister, is reliable information or advice, and is likely to be an undesirable inhabitant. How do we define reliable information, advice and we decide on the possibility of that person to stay in Mauritius or to be evicted from Mauritius? I have been in the Prime Minister’s Office, Mr Deputy Speaker, Sir, and I can tell you that you have many anonymous letters from aggrieved citizens or non-citizens writing all sorts of stories just because they have a personal problem with a citizen or a non-citizen. When will the Prime Minister have time to check whether the information or the advice - and the information has to be reliable - which proves that the person is undesirable? But these words in law, what do they mean? How do we apply them? And when we say that, then, we can have absolute discretion?

Mr Deputy Speaker, Sir, then, you have a person or a class of person where, again, in the opinion of the Prime Minister, is reliable information. Where is the due diligence done? Or advice, again, is likely to be prejudicial to the interest of defence, public safety, public order, public morality or public health. This is a blanket. And when you have a blanket together with absolute discretion, you know that you can do whatever you like, Mr Deputy Speaker, Sir.

And, again, in the end, section (n), any other person who, from information, again, reliable source, advice has been conducting himself in a manner prejudicial to the peace, defence, public safety, public order, public morality, public health, security or good governance of Mauritius. But this is too broad an umbrella, and I think that - that is where I said - we have to remove this issue of absolute discretion.

Then, again, you have all the criteria they cannot enter, they cannot remain but notwithstanding subsection (1), that is, all the criteria, the Minister may on such conditions as he may impose, authorise in writing, under his hand and under the hand of a person designated by him, a non-citizen to be admitted in Mauritius, or to remain in Mauritius. At the end of the day, *c'est la discrétion du roi* to stay or not to stay, to enter or not to enter! That is why I am saying, Mr Deputy Speaker, Sir, that this is too much, too much of powers.

Now you have the eligibility to follow a residence permit and again here we have the Integrated Resort Scheme, Real Estate Scheme, Investment Home Scheme, Property Development Scheme and again we come to the sum of USD375,000 but again here, later I will say, the due diligence exercise in many cases have been flawed. I am not going to talk about the individual cases which have been mentioned on both sides of the House but the due diligence exercise by the EDB, in many cases has been flawed - source of funds. So, what I am saying, in fact, is that strict laws and absolute discretion is not the solution.

I will now come back to this residence permit, where you are given the different categories and again it relates to USD375,000 and then in the end again, all these criteria do not matter. If he is a student in Mauritius, he is in actual attendance and in college but the Prime Minister can allow him to have a residence permit if he is such person or he belongs to such class of persons as the Prime Minister deems fit and proper. How do we define the fit and proper? Who is fit and who is proper to stay and not to stay, Mr Deputy Speaker, Sir? Again, we come to this issue of discretion, Mr Deputy Speaker, Sir, and we come again, where on application is made under subsection (2) the non-citizen meets the requirements of this Act, the Director General of Immigration may, with the approval of the Prime Minister issue the non-citizen with a residence permit or if he does not meet the requirements of the Act, then Director-General of Immigration shall reject the application.

However, notwithstanding this section, the Prime Minister may issue a residence permit to a non-citizen where the non-citizen is in the opinion of the Minister, a fit and proper person to become a resident. So, we have a set of criteria that at the end of the day we do not apply the set of criteria because then the Prime Minister has the absolute discretion to say yes or to say no.

Mr Deputy Speaker, Sir, let me now come to the Permanent Residence Scheme where you have the holder of a residence permit as a retiree or an occupation permit, he can apply for the Permanent Resident Scheme and the Permanent Resident Scheme is for a period of 20 years.

I have only two minutes? I am sorry, Mr Deputy Speaker, Sir.

Well, then before concluding, I have to conclude, is the issue of occupation permit, this silent agreement system where the Director of Immigration shall, on receipt of an application, immediately issue an acknowledgement of receipt and within five working days if nothing is done with the silent agreement, that person will be given an occupation permit and we know the flaws. We know what has happened in the past. So what I am proposing, Mr Deputy Speaker, Sir, is that the issue of strict laws, absolute discretion to the Prime Minister is not the solution.

We have to reinforce our institutions but that is another big problem, for example, the EDB, the FIU, we should have the due diligence, we should have the image of a country, Mr Deputy Speaker, Sir. We cannot have the image of a country where the Prime Minister decides who is going to come in and who is going to stay and who is going to be evicted and the Ministry of Labour has to have a proper due diligence exercise before the tens of thousands of migrant workers are coming to Mauritius. We know how the job contractors work? We know what is happening at the Ministry. How did they get the permit?

So, Mr Deputy Speaker, Sir, I am going to end by saying this – we have to remove the word ‘absolute discretion’. The Bill tarnishes the image of Mauritius as a land of promise, be it for the investor, be it for the student, be it for the young professionals.

We want to be a Mauritius which is a welcoming hub. This is our future and we should have the mechanism to be able to see to it who comes in, who stays, who can make Mauritius a land of promise and where he can start a new life but it is not with strict laws and absolute discretion to the Prime Minister that we can do this. Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. The Speaker shall resume the Chair.

At this stage, Mr Speaker took the Chair.

Mr Speaker: Please be seated.

Hon. Teeluck!

(7.20 p.m.)

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): Thank you, Mr Speaker, Sir. The debates around the Immigration Bill, *surtout les discours venant des bancs de l'Opposition*, appear to be a *bis repetita* of speeches made by the Opposition in 2019 when the Immigration Amendment Bill was introduced. Of course, say for hon. Bodha, who was at that time sitting on this side and who supported the philosophy of the Immigration Amendment Bill and surprisingly today, he strongly opposed. *Lin aler tou.*

(Interruptions)

Mr Speaker: You continue!

Mr Teeluck: I think he was aware that I was going to refer to his speech. Mr Speaker, Sir, a lot has been said and though some Members have had reservations as to why the Government is coming forward with the new Immigration Bill, Mr Speaker, Sir, it is clear as lengthily debated already that the 1970 Act was amended, need to be revamped and there is a need to bring a new provision to adopt with the new immigration realities. So many countries are tightening their immigration policies. Countries like France, England, Australia, New Zealand which previously had lenient immigration policies are today tightening their laws.

Mr Speaker, Sir, our country has historically been a land of settlement and today we have plenty of foreigners either working or studying in the country and as the Prime Minister rightly mentioned; as regards marriage of convenience, the problem does not lie in the marriage but in the intention of the non-citizen whose main aim is to continue to reside in the country using as cover, his residence permit as spouse. Some ill-intention persons have gone that far by marrying Mauritian citizens for the sole purpose of obtaining a residence permit to stay in the country. When facing restrictions, these foreigners invite citizens abroad and have recourse to a civil marriage in their country of residence.

Hence, it is our duty as a responsible Government to put an end to such abuse and it is apposite to highlight that Mauritius today is host to almost 30,000 foreigners, either workers or

students and Mauritius, Mr Speaker, Sir, is a jurisdiction which has all positive parameters to attract foreigners and therefore it is even more important for us to ensure that we have the legal means to secure our borders and to secure the population from unscrupulous persons to settle in our country.

Mr Speaker, Sir, I wish to come straight to one point which has been criticised a lot by the Opposition. The amendment being brought to the Mauritius Citizenship Act namely, subsection 8 where –

“(...) the Minister may, in his absolute discretion and without giving any reason, deprive any person of his citizenship of Mauritius, if he has reliable information and is satisfied that it is in the interest of defence, public safety or public order.”

Here, Mr Speaker, Sir, the same arguments of absolute discretion or arbitrary powers being given to the Prime Minister from the Opposition.

Firstly, Mr Speaker, Sir, if we go through the provision, this provision does not actually give the Prime Minister any absolute discretion. It does impose certain conditions under which the Prime Minister can activate this provision, that is, he has to have reliable information and he has to be satisfied that it is in the best interest of the defence or public safety or public order. These have to be met before this provision is actually activated and thereon, action is taken for deprivation of any citizenship.

Mr Speaker, Sir, the question is: what if tomorrow the Prime Minister does receive information that someone within our territory is a drug dealer, or is a sex offender, or is a terrorist? Of course, being the Prime Minister, so many information is relayed to him. We rely on intelligence; this is how the country works. If the Prime Minister receives such information that there is someone who has committed sexual assault in his country of origin and he is in our country, what do we do, Mr Speaker, Sir, as a responsible Government? As a caring Prime Minister, what does the Prime Minister do? So, the Prime Minister should, as the law presently provides, serve a notice to that person, state the grounds to that person. Until then, the person is being free within our territory, and for instance, the sex offender - leaving all our children; leaving my daughter, for instance, - prey to that person.

I think today the world we are living in, it is important if we mean business, if we mean to protect the population, if we want to protect the population, if we want to protect our borders, we need strong provisions in our law to ensure that action is taken when it needs to be taken. If there is intelligence that there are such persons within our territory, it is only right and only legitimate that the Prime Minister activates this provision and kicks that person out of the territory. This is how these persons should be treated. Our land, our paradise has been secured and we live by our culture - the Mauritian culture that has gone from generation to generation.

Today, there is globalisation. Today, we are opening borders. Today, we have many foreigners within our territory. But that does not mean that we need to tolerate, or we need to host people that can be a threat either to national security, or to public order. This is very important for all of us to understand. We are not only politicians, we are not only elected Members of the Parliament; we are also responsible citizens and we need today to make a distinction, *ce discernement entre cette personne* to whom we can serve a notice and state the grounds and say: okay, we are depriving you of your citizenship, and that other category of person where he needs to be kicked out - I say it again, Mr Speaker, Sir, - out of the territory as soon as we have intelligence, as soon as we have information that the person does not deserve to be in our territory. So, amending the Mauritius Citizenship Act by introducing this new provision is only legitimate in the present context we are living.

Mr Speaker, Sir, it is nothing new about this section. *Allons faire référence* to England, the UK. Under the British Nationality Act, the Secretary of State may by order deprive a person of a citizenship status. The Secretary of State may by order deprive him of that status if the Secretary of State is satisfied that the deprivation of citizenship is conducive to public good. This type of legislation, this type of provision is already existing in the British Nationality Act. There is nothing new to it. When it comes to public good, when it comes to public order, we need to take the right action.

So, there is no room to come to this House with lengthy speeches and arguments talking about democracy, abuse, or absolute discretion and all. Let me remind everyone that we have an index which is the Democracy Index 2021. Mauritius is ranked among the 21 countries which are categorised as a “full democracy.” So, we are still, on a worldwide scale, recognised as a full democracy though whatever is being stated by the Opposition or by people outside this House

who have ill intention and political motivation just to say that everything that is being done by the Government is not right. Every single thing being done by the Government is never right! Everything is being *soit politisé, soit des attaques personnelles*. We are seeing it every day, Mr Speaker, Sir. We are seeing it on the radio, in the press. Today, *on diabolise le gouvernement. Quelqu'un vient à la radio*, he comes with a statement, he comes with a piece of paper, he says everything he wants and we start pointing fingers. We need to know. *Je le redis, l'on doit faire ce discernement entre la responsabilité du gouvernement*, the national security of a country, and then, *la démagogie*, Mr Speaker, Sir. It is important.

This Government, Mr Speaker, Sir, means business. It has a roadmap, it has a programme, and it has been proceeding step-by-step along that roadmap, along that programme. Of course, in the middle came COVID-19, but that also has been tackled seriously, diligently and responsibly. We are still doing the work that has been mandated, that has been trusted upon us by the people of this country, and we will continue with our work. *Aujourd'hui, venir avec des mensonges, venir avec de la démagogie*, come in the press or the radio and saying whatever you want, *comme le Premier ministre le dit, l'avenir est très proche et va révéler la vérité et va éclairer la population, sur tout ce qu'on entend autour de nous aujourd'hui*.

At that time, Mr Speaker, Sir, the Opposition that is grabbing the leg of that one person who is claiming to be the saviour and the hero of this country, when the time will come, they will have to stick their heads in holes and hide in shame! Mr Speaker, Sir, that day will come very soon, where we will know who is responsible, who is working in the best interests of the country, and who is protecting national security of this country. And that is none other than the Prime Minister, Pravind Kumar Jugnauth, Mr Speaker, Sir!

Mr Speaker, Sir, I think, I have said what needed to be said about the point of, *allons dire point de discorde par rapport à ce projet de loi qu'à mon sens a été l'objet de beaucoup, beaucoup de débats*. So, I am nearly done, Mr Speaker, Sir. The only thing is that today I reiterate the fact that we need to have a very strong, rigid and well framed legislation to allow us not only to control the ins and outs of foreigners within our territory but also to ensure the security of our population, and ensure that people who are admitted to the country are people who will not disturb public order and will not disturb national security.

I am done, Mr Speaker, Sir. Thank you so much.

Mr Speaker: Hon. Prime Minister!

(7.34 p.m.)

The Prime Minister: Mr Speaker, Sir, I have been very attentive to the lengthy debate...

(Interruptions)

(At this stage, Members of the Opposition left the Chamber)

Ah, now, they are all going!

(Interruptions)

Al manz bondié!

(Interruptions)

Mr Speaker: Order!

The Prime Minister: *Al manz bondié aster!*

Mr Speaker: Order!

(Interruptions)

The Prime Minister: *Non, twa to pou al fer macarena twa!*

(Interruptions)

Alé! Kass paké!

An hon. Member: *Li pe al manz macaroni!*

The Prime Minister: What a shame! Look at this Opposition!

Hon. Members: Shame! Shame!

(Interruptions)

Mr Speaker: Order!

(Interruptions)

The Prime Minister: They have intervened...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, they have intervened in the debate and I am prepared to reply to them. I thought at least those who have intervened could have remained in this House to listen to my arguments. But look at them! It is empty House on the Opposition! *C'est une Opposition avec le lion, le coq, le requin moustache et les corbeaux !*

Anyway, Mr Speaker, Sir, I can tell the House this is no distraction to me! No distraction to me! I am focused! And I can tell you, Mr Speaker, Sir, that I will assume my responsibility to the hilt!

I have been very attentive to the lengthy debates by both sides of the House on this very important Bill which has, in fact, consolidated all the changes brought since its enactment in 1970 and has, at the same time, brought some pertinent amendments to address practical problems encountered throughout its implementation. And it is high time for a new legislation to meet the emerging challenges posed and to alleviate the pains endured by many of our citizens by ill-intentioned non-citizens.

Allow me to take this opportunity to thank all the hon. Members who have intervened and brought their contributions to the Immigration Bill which I have presented last week.

Mr Speaker, Sir, let me start by saying that, in fact, Members of the Government side have replied to almost all issues raised by Members of the Opposition. However, I would like to shed some more light on some few issues which may, if at all, still be shady. Before I make my comments on the points raised by the Opposition, I would like to highlight the main objectives of the Bill which are, amongst others, to consolidate and strengthen the existing Immigration Act which was enacted more than 50 years back as well as to address suspected cases of marriages of convenience which are on the increasing trend.

It is a fact that fast developing countries with growing economies tend to have an influx of foreign nationals seeking permanent settlement thereat by various means. Mauritius has not been spared of this phenomenon. It is unfortunate that some of our citizens have been lured and abused by foreign nationals just for the sake of having permanent residence through the sacred bond of marriage.

As the Prime Minister of this country, I cannot remain insensitive to the difficult situations faced by our citizens who become victims of marriage of convenience, and I am thus duty-bound to take appropriate measures with a view to addressing such problematic issues and preventing unscrupulous non-citizens from luring our fellow citizens for the sole purpose of obtaining the status of resident to enable them to continue to stay in our country.

Apart from introducing a two-year temporary residence permit for non-citizen spouses, consequential amendments are being brought to the Civil Status Act to provide that no marriage between a non-citizen and a Mauritian citizen would be celebrated in Mauritius before the expiry of a period of 30 days instead of the current 10 days, starting on the first day of the publication. This measure will enable relevant authorities to conduct appropriate checks on the non-citizen.

Furthermore, other consequential changes are also being brought to the Mauritius Citizenship Act. Henceforth, a non-citizen who is married to a citizen and who intends to be registered as a citizen of Mauritius would be eligible to apply for the registration four years after having been issued with a residence permit as spouse. An aggregate period of residence of at least four years in Mauritius for both spouses would be considered, that is, the period of temporary residence would be considered when assessing applications for Mauritian citizenship.

Mr Speaker, Sir, let me make a few remarks on what I heard from hon. Members.

First of all, I must say that this Bill has been prepared in the best interest of our citizens. The primary motive of my Government has always been that of placing people in the forefront of policies which affect them. In fact, my speech during the debates of the second reading of the Immigration (Amendment) Bill in 2019 bears testimony that I did inform the House that the existing Immigration Act needs a complete review along with other related legislations such as the Civil Status Act, the Mauritius Citizenship Act, and the Deportation Act. And to that effect, the different legislations were being examined in a holistic manner. Moreover, my Government had signified its intention to review the legislation relating to immigration matters in our Government Programme 2020-2024.

Mr Speaker, Sir, during the past days, I have closely followed and listened to the comments aired by some people, on the radio and social media and in this august Assembly. While it is good that citizens show interest in the amendments being brought through this Bill, I am, however, surprised by some frivolous comments tending to the misconception that a

Mauritian-born citizen can be deprived of his citizenship. I wish to emphasise that section 22 of the Constitution of the Republic stipulates that, and I quote –

“Every person born in Mauritius after 11 March 1968 shall become a citizen of Mauritius at the date of his birth:”

This is subject to either of his parents being a citizen of Mauritius.

Mr Speaker, Sir, let me, therefore, at the outset, point out that there is no provision in the Mauritius Citizenship Act or any other legislation to deprive Mauritians born in Mauritius of their Mauritian citizenship. The Act has, since its proclamation, been regulating the stay and grant of Mauritian citizenship to non-citizens. Hence, the new provisions will only affect persons who have acquired their Mauritian citizenship through registration or naturalisation. The adverse comments made by some people to influence public opinion are, therefore, erroneous, ill-intended, and misleading.

Mr Speaker, Sir, I am also disappointed by the comments made by hon. Uteem who has supposedly analysed the proposals made with, as he says, a *loupe*. He has seen that we are depriving Mauritians of their citizenship. I would advise him to increase the magnifying power of his lens to read the other parts of the Bill where, in fact, we are doing the contrary of what he is saying, by repealing unjust provisions under sections 5, 9 and 14 of the Act, which impose that a person should first renounce his citizenship of origin to acquire Mauritian citizenship while, in fact, Mauritius allows citizens to hold more than one nationality, and this would have been the case, Mr Speaker, Sir, incidentally of Dr. Navin Ramgoolam.

Mr Speaker, Sir, the repealed provision has addressed an anomaly where the risk of a person becoming stateless is more apparent and more likely to happen, contrary to international conventions. My Government is correcting these unfair provisions.

Mr Speaker, Sir, I would also like to reassure the House and the population at large that under section 11(3)(b), section 11(4)(b) and section 12(1)(b) of the Mauritius Citizenship Act, the Minister shall not deprive any person of his citizenship of Mauritius where it appears to him that the person would become stateless. These are the assurances and safeguards provided by the law to prevent rendering a person stateless for whatever reason, albeit being a non-citizen.

In fact, the proposal to deprive persons of their Mauritian citizenship is targeted against those foreigners who have acquired Mauritian citizenship through fake marriages and those dubious persons, that is, criminals and fugitives such as Peter Uricek, whom the Slovak authorities took care of in April 2022. The same Peter Uricek was planning to marry a Mauritian citizen to be able to live permanently in Mauritius. Just imagine what would have happened if he had already married the Mauritian and had already acquired the Mauritian citizenship. We would not have been able to hand him to the Slovak authorities.

This is the type of persons we are targeting, and whom the hon. Uteem fiercely defended in this august Assembly itself. That shows the true face, I mean the true face...

(Interruptions)

...of the Opposition.

Mr Speaker, Sir, by amending section 11 of the Mauritius Citizenship Act, it is specifically these types of situations that we intend to prevent.

Mr Speaker, Sir, hon. Uteem evoked international conventions and gave the impression that we were not aligned to Article 15(1) of the Universal Declaration of Human Rights, which stipulates that, and I quote –

“(1) Everyone has the right to a nationality.”

And Article 15(2) which stipulates, and I quote –

“(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.”

These are fully enshrined in our Domestic Law.

In fact, Mr Speaker, Sir, all persons born from Mauritian parents on our soil acquire Mauritian nationality *de facto*. There is presently no reported nor any recorded case of stateless persons in Mauritius, either by birth or by the application of the law.

With regard to the 1954 UN Convention relating to the status of stateless persons, I find it surprising that it is only now that hon. Uteem is finding that we have not ratified the Convention. After 68 years! But, as we say, it is never too late.

Mr Speaker, Sir, it is true that the African Union Convention governing the specific aspect of refugees' problems in Africa, and which Mauritius signed as far back as 1969, has still not been ratified. This is so because we have reservations on some Articles regarding refugees and asylum seekers, wherein there may be serious legal and immigration implications for the country. Mauritius has, in the past, adhered to various other instruments on nationality. However, for the Republic of Mauritius, being a Small Island Developing State and a densely populated country with limited resources, we cannot for obvious reasons ratify all international and regional Conventions regarding nationality and statelessness. Still, our laws contain many provisions on nationality derived from international instruments, and I must say some are even more favourable than actual provisions prevailing in many countries.

Mr Speaker, Sir, the reputation of Mauritius cannot be disputed as a fair and democratic country abiding by human rights on the African continent and at international level. In fact, in the year 2021, Mauritius received an A-Grade following an assessment made by the office of the United Nations High Commissioner for Human Rights, Human Rights Committee, for the implementation of recommendations of the legal obligation of States parties that have ratified the International Covenant on Civil and Political Rights linked to the treatment of asylum seekers, refugees, and stateless persons. What more testimony can we expect?

Mr Speaker, Sir, some people have been making much noise these days about the discretionary powers of the Minister. This is not a new provision and neither a new concept. In many laws, such discretionary powers are prevalent, and since long in Mauritius as well as in other jurisdictions.

Mr Speaker, Sir, nationality is one of the most important sovereign components of a country and is considered as a human right. However, some people are increasingly having resort to all sorts of manoeuvres, either through marriages of convenience or under other schemes, to circumvent the law for the sole purpose of residing in Mauritius and acquiring Mauritian nationality. It is, therefore, my responsibility as Prime Minister to ensure that this sovereign aspect is not used by ill-intended and unscrupulous persons or even criminals to hide in Mauritius and to commit other crimes under the cover of being Mauritian nationals.

Mr Speaker, Sir, hon. Uteem had, in his speech, gone on with this argument on 'absolute discretion'. I heard another Member today talking about absolute discretion; he even said that we

should remove it. If he had been serious, he should have been in Parliament to move for an amendment to remove it! Where is he? But they say that we should remove this absolute discretion by mentioning that the Immigration (Amendment) Bill in 2019 was aimed towards giving the Prime Minister an absolute power to deprive a resident of his status of resident, and referred to section 6(1) of the Act. Let me inform the House that the Immigration (Amendment) Bill 2019 did, at no time, amend section 6(1). In fact, the hon. Member should not mislead the House.

Section 6(1) of the Act existed since long; even at the time when former Prime Ministers were in power. The existing and the same provision at section 6(1) has been included in this Bill at section 18(2).

In fact, I must say, Mr Speaker, Sir, if the hon. Member had taken the time to study the new Bill with his *loupe* and the existing Act, he would have certainly noted that several provisions of the existing Immigration Act have been kept as they are in the new Bill. The Bill has only consolidated and realigned all the provisions and amendments to make the legislation simpler. The same argument applies to the criteria for fit and proper person.

Now, again, Mr Speaker, Sir, I think hon. Uteem has very little argument on this present Bill. That is why, time and again, he focused on amendments made to the Immigration Act in 2019. He mentioned that in 2019 the Prime Minister was given power to declare as prohibited immigrant any foreigner who, in his opinion, was likely to be prejudicial to the interest of defence, public safety, public order, public morality or public health. I do not want to repeat the arguments of 2019, but let me inform the House, because it is good to know, that the amendments were made taking into account best international practices concerning immigration legislation.

I informed the House earlier that immigration issues are not only the concern of our country but also that of several countries, including developed countries, and that is why we have adopted their respective legislation to new challenges that are posed by growing cross-border mobility of persons.

In fact, during the debates on the Immigration (Amendment) Bill of 2019, I did take examples of legislation in some other countries. For instance, in Singapore, and let me mention again, where section 8 defined prohibited immigrants as, and I quote –

“ Any person who, in consequence of information received from any source or from any government through official or diplomatic channels, is considered by the Minister to be an undesirable immigrant;”

Approximately a similar provision.

I also cited the example of New Zealand, where according to its legislation, and I quote –

“Certain other persons not eligible for visa or entry permission”, include where

“the Minister has reason to believe -

- is, or is likely to be, a threat or risk to security; or
- is, or is likely to be, a threat or risk to public order; or
- is, or is likely to be, a threat or risk to the public interest;”

To add on, I also took the example of Norway where, and I quote –

“A foreign national may be rejected –

- (1) when it is necessary out of consideration for national security, public health, public order or international relations of Norway or another Schengen country.”

Mr Speaker, Sir, you will tell me why Singapore, Norway and New Zealand; why these countries? Well, let me say that we are proud to have, in fact, looked at their legislation and to have also been inspired by their legislation in order to enact same provisions here. That is why I say we have aligned our legislation with international best practices to address the challenges faced by growing movement of persons. I do not agree at all with the hon. Member that we are going backwards. Are these countries going backwards?

Mr Speaker, Sir, let me here inform the House that such provisions to deem foreigners as prohibited immigrants are seldom used; in fact, only in exceptional situations. And I hope, one of these days, if the Opposition will not dare to put a question, one Member from the Government will put a question asking where we have applied this provision in order to declare some people as prohibited immigrants, so that they will, then, exactly know in what kind of cases the Prime Minister has used this discretion.

Since 2019, only a few foreigners have been declared as prohibited immigrants on the basis of information received. Let me cite a few examples.

A Mauritian citizen informed the Passport and Immigration Office that she was rewarded a sum of Rs100,000 for her marriage and that her spouse was not living with her. They got married in Bangladesh. The Mauritian spouse was 57 years and the foreigner 34 years. In a statement, the foreigner acknowledged having given the Mauritian citizen a sum of money for the marriage to be able to stay in the country. On the basis of the facts and averments of the citizen and non-citizen, the latter was deprived of his status of resident.

In another case, two ex-Mauritian female spouses of a foreigner complained that their spouse had married them for the sole purpose of staying in the country. The foreigner sexually abused them, including forcing them to - I do not want to give details. The foreigner was also subjected to indecent behaviour towards his former in-laws. Furthermore, the ex-spouses were also victims of domestic violence.

It was also reported that the foreigner sexually abused a minor of 13 years and, as a consequence of this act, the minor delivered a baby. The said foreigner, then, applied to get civilly married to a third Mauritian citizen. Do you think that we should have allowed such a non-citizen to abuse yet another Mauritian female citizen, Mr Speaker, Sir?

An hon. Member: *Lopozision dir wi!*

The Prime Minister: These are the people they are defending!

Recently, whilst perusing documents submitted by a foreigner in relation to a proposed civil marriage to a citizen, it was observed that the foreigner was convicted on not less than 15 occasions, including for offences related to consumption and supply of drugs. When this Office raised an objection to the intended marriage, the foreigner did not turn up at the hearing. It was reported that he had left the country. In view of the serious nature of the offences and occurrences, as well as the risk that the foreigner would contract a civil marriage with a citizen abroad, he was declared a prohibited immigrant.

And needless to remind the House of the case of Mr Uricek, where, on the basis of reliable information to the effect that he was wanted in his country for, among others establishing, masterminding, and supporting a criminal group as well as for illicit manufacture,

for possession of, and trafficking in narcotics and psychotropic substances, poisons or precursors, he was accordingly deprived of his status of resident. To remind, he has already been sentenced to 22 years of imprisonment. And this is the kind of person that hon. Uteem has been vehemently defending in this National Assembly.

Mr Speaker, Sir, in his speech, the hon. Member mentioned that, according to section 20(4) of the Bill, the Prime Minister is given the power, in his absolute discretion, to cancel the visa of a non-citizen. I note that the hon. Member has cited only part of the section. In fact, the section reads as follows, and I quote –

“Where, in relation to the holder of a visa, the Minister –

- (a) is satisfied that it is in the public interest to do so; or
- (b) is of the opinion that the person is a prohibited immigrant,

he may, in his absolute discretion, cancel the visa and that person shall be a prohibited immigrant.”

Mr Speaker, Sir, in the event a holder of visa is declared a prohibited immigrant, on the basis of a valid reason, or where the Minister is satisfied that it is in the public interest to do so, should there not be a provision to cancel his visa? Should the person be allowed to continue to stay in the country? As I have stated, as head of a caring Government, I am duty-bound to act and take decisions.

I ask myself the question as to whether the hon. Member expects foreigners, who default the legal provisions of countries like the United Kingdom or the United States of America or Australia, to receive royal treatment. Look at what will happen in other countries? Can any foreigner allow himself to do anything he wants in these countries? In fact, the immigration laws are so strict in those countries that you can expect the foreigner to be deported right away without any right of appeal.

Regarding the issue of wide powers of the Director General of Immigration, raised by the hon. Member, I wish to inform the House that, presently, Immigration Officers, being Police Officers, already possess powers under the Police Act, as mentioned in section 25 of the Bill.

With this new Bill, additional powers are being bestowed upon Officers, namely to summon and to hear witnesses. This is a common practice in many other countries like South

Africa and the United Kingdom. And, in fact, to prove that a marriage is a marriage of convenience, the Immigration Officer needs to have evidence, be it primary or documentary.

Mr Speaker, Sir, as regards the appointment of the Director General, I again wish to point out that the hon. Member should have done his homework well. With regard to the appointment, the principle has remained the same; the only difference is in the definition. According to the Immigration Act 1970, and I quote –

““immigration officer” means the public officer designated as such by the Minister to carry out the provisions of this Act (...).”

And in the Immigration Bill, the Director General of Immigration has the same meaning.

As it has been the case, the appointed officer is a Police Officer and it will continue to be the case in the future unless, of course, we have another Minister who decides otherwise. I also wish to emphasise that the concept of Director General exists in several countries such as the United Kingdom and South Africa, and we are again aligning ourselves with international practices.

Mr Speaker, Sir, I think I have canvassed and clarified in detail the need for coming up with this Bill. I shall thus end by thanking all the intervening hon. Members for their contribution to the Bill. I would also like to thank the staff of my Office and the Attorney General’s Office for putting timeless efforts in finalising this Bill.

This initiative will yet mark another achievement of my Government in terms of honouring our engagement taken in our Government Programme 2020-2024.

With these words, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE IMMIGRATION BILL

(NO. XII OF 2022)

Clauses 1 to 38 ordered to stand part of the Bill.

Clause 39 (Consequential Amendments).

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

The Prime Minister: Mr Chairperson, I move for the following amendment in clause 39

–
“In clause 39(4), by adding the following new paragraph –

(g) in section 14, by repealing subsection (3).”

Amendment agreed to.

Clause 39, as amended, ordered to stand part of the Bill.

Clause 40 ordered to stand part of the Bill.

The schedule was agreed to.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed to.

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

Third Reading

On motion made and seconded, the Immigration Bill (No. XII of 2022) was read a third time and passed.

ADJOURNMENT

The Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Thursday 28 July 2022 at 3.00 p.m.

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: The House stands adjourned! Specific Matter, Adjournment! None! Thank you very much.

At 8.12 p.m., the Assembly was, on its rising, adjourned to Thursday 28 July 2022 at 3.00 p.m.

WRITTEN ANSWERS TO QUESTIONS

BAIE JACOTET - SAFE CABLE LANDING STATION - SURVEY

(No. B/933) Mr D. Ramful (First 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 security threat on Mauritius he invoked in relation to the survey carried out on the South Africa Far East (SAFE) Cable Landing Station of Baie Jacotet by a foreign technical team on Friday 15 April 2022, he will state –

- (a) the nature thereof and who informed him of same, and
- (b) when he discussed same with the Honourable Prime Minister of the Republic of India, indicating if the issues relate to marine security and security threats in the Indian Ocean.

(Withdrawn)

MR P. M., SENIOR ADVISER, PMO - BOARDS OF PUBLIC BODIES AND/OR STATE-OWNED COMPANIES

(No. B/938) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Mr P. M., Senior Advisor attached to his Office, he will state, since October 2021 to date, the number of Boards of public bodies and/or State-owned companies on which he is serving, indicating in each case the –

- (a) nomination date, and
- (b) monthly remuneration drawn.

(Withdrawn)

MR P. M. – AIRPORTS OF MAURITIUS LTD – CHAIRPERSON

(No. B/940) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister

for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Mr P. M., he will, for the benefit of the House, obtain from Airports of Mauritius Ltd., information as to the –

- (a) date of appointment thereof as Chairperson of the board thereof, and
- (b) terms and conditions of appointment, including, the monthly remuneration drawn and if he is entitled to an official car, indicating the type, date of purchase and total cost thereof.

(Withdrawn)

MR S. K. – DEATH – CCID INQUIRY & FINDINGS

(No. B/944) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the death of late Mr S. K. at Moka, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry carried out thereinto following the findings of the Magistrate of the District Court of Moka, indicating the number of statements recorded by the Central Crime Investigation Division, including if Mr Y. S. has been interrogated.

(Withdrawn)

MR D. N. S. W. – BOARD ICTA – APPOINTMENT & DURATION OF CONTRACT

(No. B/945) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Mr D. N. S. W., he will, for the benefit of the House, obtain from the Information Communication and Technologies Authority (ICTA), information as to the terms and conditions of appointment and duration of contract thereof, indicating the remuneration drawn as Chairperson of the –

- (a) ICTA, and
- (b) other sub-committees of the ICTA, if any.

(Withdrawn)

CASINO OF MAURITIUS, CUREPIPE – THEFT – INQUIRY

(No. B/965) Mr S. Dhunoo (Third Member for Curepipe & Midlands) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Casino of Mauritius in Curepipe, he will, for the benefit of the House, obtain from the State Investment Corporation Ltd., information as to if an inquiry has been initiated into the theft that occurred thereat, on or about 06 January 2022 and, if so, indicate where matters stand, indicating the actions taken in relation thereto, if any.

(Withdrawn)

YOUTH UNEMPLOYMENT – REMEDIAL ACTIONS

(No. B/969) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to youth unemployment, he will state the actions being taken by his Ministry in relation thereto.

(Withdrawn)

**CONSTITUENCY NO. 12 - STREET LANTERNS & LIGHTINGS -
INSTALLATION - YEAR 2022**

(No. B/972) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to Constituency No. 12, Mahebourg and Plaine Magnien, he will, for the benefit of the House, obtain from the Savanne District Council, information as to the number of street lanterns and lightings earmarked for installation during the year 2022, indicating the –

- (a) quantum of funds earmarked therefor;
- (b) name of the successful bidder(s), and
- (c) number of lanterns and lightings purchased and installed in each locality thereat as at to date.

(Withdrawn)

BASIC NECESSITY PRODUCTS - VAT - WAIVER

(No. B/973) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, in regard to products of basic necessity such as foodstuffs and medicines, he will state if consideration will

be given for a waiver of value added tax imposed on freight paid for the importation thereof and, if not, why not.

(Withdrawn)

FOOD & FUEL PRICES INCREASES - TRANSFERS TO VULNERABLE

(No. B/981) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to the sharp increases in food and fuel prices, he will state if consideration will be given for targeted transfers to the vulnerable.

(Withdrawn)

HOUSEHOLD GAS - SHORTAGE

(No. B/984) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to household gas, he will state if he has been apprised of a shortage thereof in certain regions and, if so, indicate the measures being envisaged by his Ministry to address same.

(Withdrawn)

ARTISANAL FISHER CARD – BAD WEATHER ALLOWANCE – NEW CONDITION

(No. B/985) 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 new condition attached to the artisanal fisher card whereby a registered fisher shall be paid bad weather allowance based on attendance at the respective Fisheries Post to clean the assigned Fish Landing Station/shoreline/beach in the locality, he will state the rationale thereof.

(Withdrawn)

CITE ROMA, RICHE TERRE - FLOOD MITIGATION PROJECT - SECOND PHASE

(No. B/991) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of National Infrastructure and Community Development whether, in regard to the implementation of the second phase of the flood mitigation project at Cité Roma, Riche Terre, he will state where matters stand.

(Withdrawn)

SAINT FRANÇOIS XAVIER STREET - PUBLIC GARDEN - MEASURES

(No. A/8) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the public garden situated at Saint François Xavier Street, near Velore Street, he will, for the benefit of the House, obtain from the Municipal City Council of Port Louis, information as to if measures will be taken for the removal of wastes, bushy trees and provision of adequate street lighting thereat.

Reply: I am informed by the Municipal City Council of Port Louis that –

- (i) the wastes found at the public garden situated at Saint François Xavier Street near Velore Street have already been collected and carted away;
- (ii) necessary action is being taken by the Council for the lopping of the bushy trees, and
- (iii) regarding the provision of adequate street lighting facilities at the site, needful is being done for fixing of five street LED lanterns on the existing wall. The works will be undertaken by end of August 2022.