



**SEVENTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 29 NOVEMBER 2022**

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**THE CABINET****(Formed by Hon. Pravind Kumar Jugnauth)**

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
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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**

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**FIRST SESSION**

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**Debate No. 31 of 2022**

**Sitting of Tuesday 29 November 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)*



## ANNOUNCEMENT

### NATIONAL ASSEMBLY - SPEAKER - MODE OF ELECTION

**Mr Speaker:** Hon. Members, I have an announcement in connection with the incident which occurred at the last Sitting and which led to the suspension by the House of Dr. the hon. Boolell.

The hon. Member had engaged himself into an argument with the Chair, in the course of which he made certain disparaging remarks challenging the legitimacy of the Chair and also cast doubt on the election/character insinuating that the present holder of the office does not deserve this position.

As it has been widely reported in the Press, I wish for the record to bring some light on the mode of election of the Speaker. The Speaker...

*(Interruptions)*

Please!

*(Interruptions)*

The Speaker is elected by the House and does not have to be a Member of the National Assembly, pursuant to Section 32(1) (a) (i) of the Constitution.

*(Interruptions)*

**An hon. Member:** *Met li dehors!*

**Mr Speaker:** In fact, in 1996, an amendment was brought to the Constitution by the then Labour/MMM Government...

*(Interruptions)*

...to make provision, namely Section 32(i) to provide for the mode of election of a non-elected Member as Speaker so that henceforth, a non-elected Member can be elected as Speaker.

Since then, the following personalities have been elected as Speaker of the National Assembly in accordance with that provision –

- Sir Ramesh Jeewoolall – 1996 to 2000;
- Mr Premnath Ramnah – 2000 to 2005;

- Mr Rajkeswur Purryag – 2005 to 2012;
- Mr Razack Peeroo – 2012 to 2014, and
- Mrs Santi Bai Hanoomanjee – 2014 to 2019.

*(Interruptions)*

I thank you for your attention.

**Mr Bhagwan:** *Pa ti dir donn avan!*

*(Interruptions)*

**An hon. Member:** *Met li deor!*

*(Interruptions)*

**Mr Speaker:** Order and no comments!

*(Interruptions)*

Clerk, continue!

**PAPERS LAID**

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

**A. Prime Minister's Office**

**Ministry of Defence, Home Affairs and External Communications**

**Ministry for Rodrigues, Outer Islands and Territorial Integrity**

Certificate of Urgency in respect of the HIV and AIDS (Amendment) Bill (No. XIX of 2022). (In Original)

**B. Ministry of Finance, Economic Planning and Development**

The Registration Duty (Derogation from Liability to Duty) Regulations 2022. (Government Notice No. 306 of 2022)

**C. Ministry of Financial Services and Good Governance**

The Financial Services (Consolidated Licensing and Fees) (Amendment No. 6) Rules 2022. (Government Notice No. 307 of 2022)

**D. Ministry of Arts and Cultural Heritage**

The Annual Report and Report of the Director of Audit on the Financial Statements of the National Library for the year ended 30 June 2021.

**ORAL ANSWERS TO QUESTIONS****INTERISLAND TRADE - NEW VESSEL - CHARTERING - DELAY**

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the operation of a cargo vessel to service the inter-island trade between mainland Mauritius and Rodrigues and in view of the considerable hardship caused to the Rodriguan population and economy, he will, for the benefit of the House, obtain from the Mauritius Shipping Corporation Limited (MSCL), information as to the reason for the delay in chartering a new vessel, in the light of the following –

- (a) a letter of intent for the chartering of a new vessel being issued on 12 August 2022 to Shiiny Shipping and Trading Limited;
- (b) legal clearance having been obtained;
- (c) no responsive bid being received during a subsequent request for proposal exercise, at the opening of bids on 27 October 2022;
- (d) the MSCL Board decision of 28 October 2022, and
- (e) the special Board meeting of MSCL on 16 November 2022.

**Mr Maudhoo:** Mr Speaker, Sir, I would like to thank the hon. Leader of the Opposition for having asked this question as it gives me the opportunity to clarify the situation and allay the fears of our brothers and sisters of Rodrigues with regard to any possible disruption in the supply of commodities.

The Mauritius Shipping Corporation Ltd. (MSCL), as the national shipping line, assists Government to fulfil its social obligations towards Rodrigues and Agaléga by ensuring shipping connections between the islands and mainland Mauritius.

Prior to 30 September 2022, the MSCL had two vessels, namely the Motor Vessel (MV) Trochetia and the MV Black Rhino. The MV Mauritius Trochetia is owned by the MSCL and provides its service to Agaléga mainly, while the MV Black Rhino had been chartered from Mastermind Shipping Company Ltd to service Rodrigues.

Mr Speaker, Sir, at the very outset, I wish to inform the House that any vessels serving Rodrigues must satisfy the following parameters –

- (a) firstly, to enter Port Mathurin channel and harbour –

- (i) the vessel is limited by a maximum permissible draft of 6.5 meters at berth;
  - (ii) the berth can accommodate vessels not exceeding a maximum length of 115 meters;
  - (iii) the vessel has to be equipped with a Bow thruster, and
- (b) secondly, the particular vessel should be able to carry - this is very important, Mr Speaker, Sir - Heavy Fuel Oil in its bunker tanks for the account of Central Electricity Board (CEB).

These constraints affect the procurement exercise for chartering a vessel to service interisland trade between Mauritius and Rodrigues.

Mr Speaker, Sir, the Charterparty Agreement for the Black Rhino expired on 30 September 2022. While the procurement exercise had started on 01 July 2022, the MSCL had made arrangements to avoid any disruption in the supply of commodities to Rodrigues. In that context, the following arrangements were made –

1. The MV Black Rhino while sailing for its dry docking to Oman agreed to undertake a last voyage to Rodrigues, carrying 164 laden containers of goods on its way to Oman.
2. The MV Mauritius Trochetia was exclusively dedicated to service Rodrigues. In that context, from October to date, it has already undertaken six back to back voyages and not less than 947 laden containers, exclusive of break bulk cargo, have been shipped.
3. Another voyage is scheduled for tomorrow 30 November 2022 reaching Rodrigues on 02 December 2022 with around 136 laden containers.

It is worth noting that compared to the same period last year, we would be shipping about 73 less laden containers. MSCL has at all times ensured that there is no hardship caused to the Rodriguan population and its economy.

Despite a protest staged yesterday in front of the Office of the MSCL in Rodrigues, the details of the commodities shipped to Rodrigues during the last two months indicate that, amongst others, 121 containers equivalent to 96,800 pockets of cement (2,420 tons) were

shipped. I am informed that at that particular point in time, there were still undelivered containers with cement in the container park, that is, yesterday.

Mr Speaker, Sir, on 01 July 2022, the MSCL launched an Expression of Interest (EOI) seeking bids from Shipping Companies for the chartering of a multipurpose dry cargo vessel for a period of one year, in replacement of the MV Black Rhino.

At the closing date of the EOI on 15 July 2022, eight bids were received and examined by an Assessment Committee set up by MSCL. The Committee recommended that Shiiny Shipping & Trading Ltd be favourably considered as it was the lowest bidder and its proposed vessels met the key requirements that are essential to allow entry in the harbour of Rodrigues. In its offer, Shiiny Shipping & Trading Ltd had made a proposal for the chartering of two vessels, namely the MV MSM DOURO and the MV Black Rhino for a cumulative period of 12 months.

A non-committal Letter of Intent (LOI) was issued by the MSCL to Shiiny Shipping & Trading Ltd on 12 August 2022 for the chartering of the MV MSM DOURO. Subsequently, Shiiny Shipping & Trading Ltd informed the MSCL that the MV MSM DOURO was available for inspection in Aqaba, Jordan, and the latter would replace the MV Black Rhino by end of September 2022 to service the interisland trade. The daily charter fee was US \$15,500. This amount was brought down to US \$15,000 after negotiations between the MSCL and Shiiny Shipping & Trading Ltd.

On 23 September 2022, the advice of the Attorney General's Office was sought as to whether it would legally be in order for the MSCL to charter the MV MSM DOURO as from 01 October 2022 to service the interisland trade initially, pending the availability of the MV Black Rhino which went for dry docking.

The Attorney General's Office informed that –

- (i) the Mauritius Shipping Corporation Ltd (MSCL) is, pursuant to section 3A of the Public Procurement Act (PPA), exempt from the application of Parts III, IV, V and VI of the PPA, i.e. the procurement methods provided in the PPA shall not apply to MSCL and it is not bound by the procurement methods, and
- (ii) there is no legal impediment for MSCL to charter MV MSM DOURO and MV Black Rhino as suggested, if the Company was satisfied –
  - (a) that Shiiny Shipping & Trading Ltd has quoted the lowest price;

- (b) that MV Black Rhino will have an enhanced capacity and performance to assist MSCL, and
- (c) with the terms and conditions for the charter of the two vessels for a duration of one year by Shiiny Shipping & Trading Ltd.

**Mr X. L. Duval:** Can I make a point of order?

**Mr Speaker:** Yes!

**Mr X. L. Duval:** It's already what? Fifteen minutes have gone or something! The question is long but very precise: what is the reason for the delay in chartering the vessel? That is the question. Why do we need to go into all this and unnecessarily restrict the time for questions? That's my question. Thank you.

**Mr Speaker:** You may continue!

**Mr Maudhoo:** Mr Speaker, Sir, I am explaining exactly the reason of the delay for taking the decision.

My Ministry had several meetings and discussions with the MSCL to clarify certain legal, financial, technical, and procurement issues regarding the EOI exercise. Several issues were noted, namely –

- (i) the EOI was launched for the registration of service providers, ship owners/charterers/managers to deploy vessels on time chartering for Financial Year 2022-2023. Potential suppliers were called upon to provide a list of available vessels for chartering with an indication of their chartering fees;
- (ii) proposals incorporating the daily chartering fees were received via email instead of them being deposited in the tender box of the MSCL, as specified in the EOI;
- (iii) Shiiny Shipping & Trading Ltd was a newly incorporated company registered on 16 March 2022, thus putting into question its experience in manning, nautical and technical aspects;
- (iv) one of the requirements of the MSCL was that the vessel should be less than 20 years old. However, it was noted that the MV Black Rhino was 25 years old and its known owner, Mastermind Shipmanagement Ltd, did not participate in the Expression of Interest, and
- (v) for the period 2021-2022, the daily chartering fee was USD 8,200. However, the daily chartering fee proposed for the period 2022-2023 was USD 15,000, an

increase of USD 7,800 per day amounting to an increase of USD 2,847,000, representing an additional amount of approximately Rs128,175,000 for one year.

In view of the above mentioned issues and given the high price hike in the proposed charter rate, that is, Rs128,175,000 for one year, the MSCL was on 30 September 2022 advised by my Ministry not to proceed with the signing of the Charterparty Agreement based on the above EOI but instead to invite potential shipbrokers to submit their offers for the chartering of a vessel to replace the MV Black Rhino, in accordance with the Public Procurement Office guidelines for chartering of vessels.

Accordingly, on 03 October 2022, the Expression of Interest was extended to a list of 25 international shipbrokers to submit their offers. These 25 shipbrokers were chosen on the basis of a similar exercise with the same list of brokers previously carried out by the MSCL.

As at closing date on 07 October 2022, only one shipbroker responded. The latter's offer was found to be technically non-responsive. Thus, the exercise was non-conclusive.

MSCL was advised by my Ministry to re-launch a Request for Proposal for the chartering of a Multipurpose Dry Cargo Vessel to replace the MV Black Rhino. On 13 October 2022, the MSCL issued a Request for Proposal to all the firms which had participated in the EOI exercise carried out in July 2022. The Request for Proposal was also published on the website of the MSCL for any prospective bidder to quote if they so wished.

The closing date set was 27 October 2022. At the closing date, only one bid was received and examined. This exercise was also non-conclusive, as the only bid received was found to be non-responsive.

In light of the above developments, the MSCL Board of Directors met on 28 October 2022 and considering that it had already explored all possible avenues unsuccessfully, resolved that a two-member team be mandated to engage with Shiiny Shipping & Trading Ltd, which was the lowest and only responsive bidder in the initial exercise, to secure an agreement for the chartering of a cargo vessel to ensure continuity of interisland trade between Mauritius and Rodrigues, which otherwise may lead to a crisis situation in terms of availability of essential commodities to the Rodriguan population, especially during the coming festive season.

The negotiations were conclusive and the company agreed to deploy the MV MSM DOURO for two months pending the arrival of the refurbished MV Black Rhino, which would then take over the MV MSM DOURO to service the interisland trade for the remaining 10



months. Shiiny Shipping & Trading Ltd had also accepted to maintain its negotiated discounted daily charter fee of USD 15,000 over a time charter period of 12 months.

Despite the positive conclusion of negotiations with Shiiny Shipping & Trading Ltd, it was still considered that the daily rate of USD 15,000 was on the high side with regard to the market trend. Thus, my Ministry made a request, on 03 November 2022, to the Ministry of Foreign Affairs and Regional Integration to consider seeking the assistance of countries where we have diplomatic and consulate representations to try to find, through shipping majors, a cargo vessel with specific requirements that would suit the harbour in Port Mathurin. As at closing date of 15 November 2022, no offer was received.

Then, at a special Board meeting held on 16 November 2022, approval was obtained for the chartering of the MV MSM DOURO and the MV Black Rhino, pending vetting of the two Charterparty Agreements from Shiiny Shipping & Trading Ltd by the Attorney General's Office.

Despite the above, the MSCL pursued its efforts to look for potential replacement vessels to service Rodrigues. Negotiations were held with brokers/owners/charterers of two other vessels. One was ruled out as it was technically not appropriate. Last Friday, on Friday 25 November 2022, a virtual meeting was held with the owner/broker of the second vessel. The daily charter rate was USD 11,500 for a period of six months. It was found to be responsive and two officers were designated to travel to Dubai the next day to inspect the vessel.

Unfortunately, at the last moment of the same day, means 25 November, the Master of the vessel informed that it would require a tug of 60 tonnes bollard pull to berth the vessel, which was not available in Port Mathurin and confirmed by the MPA.

While consideration was being given to the second vessel, the MSCL was informed by Shiiny Shipping & Co. Ltd that it was willing to revise the daily charter rate downwards, means on Friday last, to USD 12,500 for MV Black Rhino, which would be available at Port Louis harbour around 24 December 2022. Based on this new proposal, it was noted that comparatively the offer of Shiiny Shipping & Co. Ltd was more attractive as the second vessel had other costs which made it more onerous than other offers.

Mr Speaker, Sir, since the MV Black Rhino will not be available before 24 December 2022, arrangements had to be made for the continuity of supply to Rodrigues until that date. I would like to inform the House that AFCONS was already chartering the MV MSM DOURO and which was loading cargo in Agaléga on Saturday 26 November 2022. After negotiations,

AFCONS has agreed to postpone its chartering agreement with Mastermind Shipmanagement Ltd so that the MSCL can avail of the vessel. In return, the MSCL has agreed to put the MV Trochetia at the disposal of AFCONS for the repatriation of its workers in Agaléga.

Mr Speaker, Sir, as time is of the essence, the MSCL has agreed with Mastermind Shipmanagement Ltd, the owner of the MV MSM DOURO for the chartering of the vessel for a period of one month, means December. The vessel is due to reach Port Louis harbour tonight. There are a few issues to be cleared with regard to the Charterparty Agreement. Once cleared, it will be signed by both parties.

The daily charter rate of the MV MSM DOURO is USD 12,500. This arrangement will ensure that there would be no disruption of supply in Rodrigues during the festive period. The MSCL is still in negotiations to secure the services of a vessel for the period January to September 2023. The MV Black Rhino is one of the options being considered.

The House would appreciate the commitment of the MSCL all the way to ensure the continuity of supply to Rodrigues with only one vessel. At the same time, while the exercise for the procurement of a vessel with the requisite characteristics is a dynamic process, my Ministry has to ensure that value for money principles are adhered to and the concept of transparency, accountability and good governance must prevail at all time.

**Mr X. L. Duval:** Mr Speaker, Sir, two Parliamentary Questions, one week apart, and two completely different answers. Last week, in a reply to hon. Armance, the hon. Minister clearly stated, and I am quoting from Hansard –

“MSCL did launch several Expressions of Interest (...) they have all been unsuccessful as none were found to be technically responsive.”

And just now, a few minutes ago, the hon. Minister tells us that there was one technically responsive, the DOURO/Black Rhino. So, how can you, within one week, tell us there is no technically responsive and there is one technically responsive one week later? Which is which?

**Mr Maudhoo:** Mr Speaker, Sir, we all know that MV Black Rhino has been servicing Rodrigues for the past two years now. So, Mastermind is the same owner of MV Black Rhino and MV MSM DOURO. Their proposal was 15,500; that was the issue. So, in fact, we re-launched the EOI two or three times, but I do understand that, initially, being given that the price proposed by Shiiny Shipping was on the high side, that was the reason why we had to re-launch all the exercise.

**Mr X. L. Duval:** I am going to invite the Minister and everyone to reread his answer to his PQ last week. He never mentioned, at any point in time, the issue of costs. Never! Never! You only mentioned the fact that you had no responsive bids! Today, a week later, you tell us that you had one responsive bid but you are not happy with the price! So, it was not the truth that you were telling us last week? You are changing the truth now from one week to the next?

**Mr Maudhoo:** Mr Speaker, Sir, all the way, we have tried to be transparent and to get value for money. That was the issue.

**Mr X. L. Duval:** Mr Speaker, Sir, I am now going to ask the hon. Minister - last week, and this time he is saying the same thing this week. He told us that there are no shortages in Rodrigues. That is the case, and for some reasons, people decided to demonstrate. They must have been off their heads.

Well, Mr Speaker, Sir, is he aware, I am sure he is aware because he received a copy of a letter on 22 November from the Chief Commissioner of Rodrigues saying, in fact, that the situation has become critical - you are nodding; so you are aware of that -, there are shortages, there is hoarding, and it will become even worse because we are facing the peak period.

So, how can he come to say, on two occasions in this House, one week before and now, that there are no shortages in Rodrigues, that the people are dreaming when they say there are shortages?

**Mr Maudhoo:** Mr Speaker, Sir, the outcry which was done yesterday was planned before the arrival of the MV Trochetia on 17 November 2022. It was planned, when you see all the papers that the people were showing yesterday in this outcry; that was on cement. So, this was planned before 17 November with the same slogan, but, on 17 November, there was no manifestation because Trochetia was there with 60 laden containers of cement, 48,000 pockets, and this issue had already been addressed.

As at Saturday 26, means last Saturday, I am informed that there were still two undelivered containers in the Port area. Also, Mr Speaker, Sir, our Manager responsible for MSCL Rodrigues carries continuous survey and regularly updates the MSCL on status of availability of supplies in shops. I am tabling his latest report. I just want to show to the House. I even have got some pictures - I will show it to the Leader of the Opposition - which were taken this morning.

So, in fact, all these issues have been resolved. This was a planned thing that was done for cement before the 17<sup>th</sup>, but they did it amazingly after the arrival of cement.

**Mr X. L. Duval:** The Chief Commissioner wrote to the Prime Minister, copied to you, on 22 November, after the 17 November, mentioning cement, mentioning bottled water crucial for the Tourism Industry and mentioning shortages of other goods on the island. Now, if we are to believe you that there were no shortages, then why are you hiring the MV MSM DOURO? Why are you hiring that ship to go for an additional trip if there are no shortages? How can you reconcile the two statements?

**Mr Maudhoo:** Mr Speaker, Sir, it is obvious. It is not new. Normally, every time, during the festive season, even when we had two vessels, there was obviously an increase in the demand for Rodrigues. This is a normal feature. As I have explained, despite we had one vessel, we were only late with 73 containers. Obviously, the MSCL and the Ministry, we are trying hard and maybe, in a few days, we have to hire to be able to meet the requirement. So, we have already taken that decision because we don't want any disruption in the continuity of all the goods that should be sent to Rodrigues.

**Mr X. L. Duval:** The Minister will understand that cement, etc., is hampering the economy. I am happy that you have been able to get a reduction in the price, the daily rate, because it was much higher than before. Now, if I understand correctly, you are going to take that ship, the DOURO, for up to December and then you will again launch your Expression of Interest, etc. to try and get new ships. Is that what you are saying?

**Mr Maudhoo:** No, Mr Speaker, Sir. I said negotiations are still on with other brokers, other owners, and Black Rhino is also one of the options.

**Mr X. L. Duval:** What negotiations? There are one to one negotiations you are having like this; friendly negotiations? So, you are going to ...

**Mr Maudhoo:** No, no, these ...

**Mr X. L. Duval:** Let me finish!

**Mr Maudhoo:** No, Mr Speaker, Sir...

**Mr X. L. Duval:** Is it friendly negotiation you are having ...

**Mr Maudhoo:** There is a protocol.

**Mr X. L. Duval:** ... one-to-one or you are going to launch a Request for Proposal?

*(Interruptions)*

**Mr Maudhoo:** No.

**Mr Speaker:** You already stated your question. Your reply, hon. Minister!

**Mr Maudhoo:** Mr Speaker, Sir, there is a protocol with regard to procurement of a vessel. We have to appoint a broker and normally, we deal through the brokers who contact the owners and make the offers. So, this is the normal procedure with regard to chartering of vessels.

**Mr X. L. Duval:** You yourself said that whatever happened in July was not exact, etc., and you launched an Expression of Interest and you were not happy and you asked them again to do a Request for Proposal and that ended on 28 October. So, I am asking you again now: are you going to go again for a Request for Proposal formally, as you did in October? This is the question; a straight question!

**Mr Maudhoo:** Mr Speaker, Sir, - I think the Leader of the Opposition just mentioned it - the fact that Shiiny Shipping & Trading Ltd has brought the quoted price from USD 15,000 to USD 12,500, this is ample evidence that the Ministry was correct, that the market rate was lower, and by so doing, MSCL - we can say - has saved more than Rs60 m. If we had agreed to Shiiny Shipping & Trading Ltd first offer, means Rs60 m. additionally. So, we are still negotiating with Shiiny Shipping & Trading Ltd with regard to the market trend of chartering rates. Actually, we are also...

**Mr X. L. Duval:** You are negotiating with other ship brokers! You have said so yourself. Although the company is not under the Public Procurement Act, up to now, the company has respected the provisions of that Act. So, are you now going to divert from respecting the provisions of the Public Procurement Act in terms of hiring a vessel to the tune of Rs200 m. annually - that is the cost obviously - or are you now going to go to one-to-one negotiation with brokers, etc.? That is the question.

**Mr Maudhoo:** Right now, Mr Speaker, Sir, we have already negotiated with MV MSM DOURO for the one month. With regard to the continuation for next year, in hand we have the offer of MV Black Rhino. We are still considering that one. Obviously, the price is the main component of the negotiation and I do understand that Shiiny Shipping & Trading Ltd...Because from USD 8,200 to go to USD 15,000 and coming back to USD 12,500. Again, we have got the information that it is ready to decrease it. It all depends – as I said, time is of the essence, because we have to continue in January – if Shiiny Shipping & Trading Ltd is agreeable to lower the rate as per the market price for chartering of vessels.

**Mr X. L. Duval:** Mr Speaker, Sir, it is a fact that freight rates have increased a lot and now, since a month or two, they have started to fall; this is quite correct. So, my point is not that they are starting to fall. My point is: what is going to be the procedure for agreeing with Shiiny Shipping & Trading Ltd? Are you going to talk one-to-one and say: 'drop it five rupees, not to fifty, and this and that'? Are you going to negotiate that way, as if you are buying potatoes in the market? Or are you, in fact, going to go through a proper transparent bidding exercise so that we have a proper price as from 01 January?

**Mr Maudhoo:** Mr Speaker, Sir, obviously we will give directives to the MSCL. First of all, the main factor should be that there should be no disruption for Rodrigues. This is of essence; we cannot go away from this one. Now, we have to be as far as possible transparent. Obviously, whatever decision we are going to take, the Attorney General's Office will be informed, so that we are in line with all the legal procurement procedures. But, in the end, what we need to follow is, as I said, value for money. I did point out that Shiiny Shipping & Trading Ltd is lowering the price. We will see what will be its next proposal. Again, there is a time factor. If we are able to hire another vessel within this one month, everything will be done in all transparency if we have to venture for new bid.

**Mr X. L. Duval:** We all know that the MSCL does not fall under the Public Procurement Act. So, it is no need to tell me that it is legal, etc. We all know that it is exempted. So, it is a question of good governance rather than legal provision, and that was the question. Why we asked you the question is because when we are talking about such a lot of money involved, there is always the temptation for funny business, and that is what my question was about.

Mr Speaker, Sir, concerning the actual ship that is coming at the end of 2023, can the hon. Minister confirm now that the new ship from China is going to be in Mauritius around September 2023?

**Mr Maudhoo:** Yes. Mr Speaker, Sir, I did answer this question from hon. Léopold with regard to the new vessel. It has been delayed because of COVID-19, but, as confirmed by the yard, it will be ready by the end of September 2023.

**Mr Speaker:** Time over!

Hon. Members, the Table has been advised that PQ B/1156 will be replied by the hon. Minister of Environment, Solid Waste Management and Climate Change. PQ B/1158 will be replied by Dr. the hon. Minister of Finance, Economic Planning and Development. PQs B/1187 and B/1191 will be replied by the hon. Prime Minister, time permitting. And PQs B/1154 and B/1158 have been withdrawn.

Hon. Bodha!

**DRUG OFFENCES – MINORS & YOUNGSTERS UNDER AGE 25 – CASES & INQUIRIES**

**(No. B/1149) Mr N. Bodha (Second Member for Vacoas & Floréal)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to minors and young people under 25 years old, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof involved in reported drug offences cases since 2019 to date, indicating where matters stand as to the inquiries initiated thereinto, including the number of inquiries completed and cases lodged.

**The Prime Minister:** Mr Speaker, Sir, the House, the country, and the nation are fully aware that my Government is relentless in its fight against the drug scourge. In fact, the street value of drugs seized amounting to Rs14 billion since the year 2015 bears ample and convincing testimony to this fight of ours, and to our unflinching commitment to track down the drug peddlers and keep the drug problem at bay.

I am thus particularly sensitive to the plight of many families whose children have been caught in the drug trap.

Mr Speaker, Sir, I am informed by the Commissioner of Police that since January 2019 to date, 3,598 cases relating to drug offences involving minors and young people under the age of 25 have been reported to the Police. Out of these 3,598 cases –

- (i) 2,964 cases continue to be under enquiry; and

- (ii) 634 cases have been completed, out of which 614 cases have already been lodged before the Court and the remaining 20 have been referred to the Office of Director of Public Prosecutions for advice.

Mr Speaker, Sir, currently, the sentencing of the juvenile shall be in accordance with Section 62 of the Children's Act.

As the House is aware, the Government has taken a major policy decision with regard to people who use drugs. It is in this line that amendments have recently been brought to the Dangerous Drugs Act with a view to diverting people who use drugs from the criminal justice system towards treatment and rehabilitation.

The setting up of the Drug User Administrative Panel (DUAP), under the Ministry of Health and Wellness, is one of the milestones of my Government in the fight against drugs.

The DUAP would enable drug abusers to be diverted from the criminal justice system towards treatment and rehabilitation services to facilitate their reintegration in the mainstream society. Moreover, diversion of people, who use drugs, from the criminal justice system would allow them to have a Certificate of Character wherein there is no criminal record linked to drug use.

The Panel would direct a drug user, whether a minor or not, to undergo the process of rehabilitation which encompasses education, counselling, treatment, aftercare, social reintegration or any other relevant and required therapy. It would monitor the progress of a drug user during the period of rehabilitation and recommend such other measures as may be necessary to assist the drug user to overcome his addiction to drugs.

A protocol will be worked out by the Office of the Director of Public Prosecutions and the Police to establish the necessary procedures and processes for referral of cases to the DUAP. The DUAP is expected to be operational by early next year. In fact, the Ministry of Health and Wellness has already started mobilising resources in terms of infrastructure, human resources as well as other requirements relating to the DUAP. In view of the setting up of the DUAP, the Ministry of Health and Wellness has considerably scaled up its drug addiction related services. If required, these services will be further scaled up.

Currently, there are 14 different treatment and rehabilitation service centres to cater for people who use drugs, as follows –



- (i) 5 Addiction Treatment Units, one in each of the five health regions;
- (ii) 5 day care treatment and rehabilitation centres;
- (iii) 2 residential treatment and rehabilitation centres;
- (iv) 1 residential detoxification centre, and
- (v) 1 dedicated centre for minors and young people.

The Nénuphar Centre, which was set up in August 2018 at Long Mountain Hospital with a bed capacity of 10, caters for minors and young people who use drugs. Patients who are admitted at the Nénuphar Centre are mainly those who have consumed synthetic drugs, cannabis and/or heroin. Counselling services and activities and psychosocial support are carried out by a multi-disciplinary team comprising psychiatrists, psychologists, doctors, nursing officers and social workers from NGOs. Minors and young people are referred to the centre by the Addiction Treatment Units of the Ministry of Health and Wellness, by general practitioners of the private sector, by NGOs or even by self-reference or by being accompanied by relatives.

Mr Speaker, Sir, with a view to combatting drug trafficking, the Police Department is implementing a series of repressive and preventive measures, as follows –

- (i) gathering of intelligence on drug peddlers to disrupt the supply of illicit drugs;
- (ii) drug mapping to locate ‘Areas of Concern’ where drug activities are being carried out and drug addicts tend to loiter;
- (iii) profiling of ‘Persons of Interest’ through discreet surveillance to identify their role and involvement in the drug nexus;
- (iv) arresting drug offenders and ensuring their successful prosecution;
- (v) addressing crime generators like prostitution and larceny, often linked to drugs;
- (vi) conducting targeted operations in hot spots in its adjoining areas and since the past few months, the ADSU is conducting regular crackdown operations island-wide, and
- (vii) increasing the operational effectiveness of the ADSU in terms of vehicles and manpower, and ADSU personnel have also been provided with training and sophisticated equipment to enhance their operational capabilities.

The ADSU is collaborating extensively with other law enforcement agencies involved in the fight against drugs and related offences, such as money laundering, with the single aim to disrupt drug and other criminal networks.

Moreover, the ADSU also forms part of the Supply Reduction Committee of the National Drug Secretariat together with other agencies such as the MRA Customs Anti-Narcotics Section, the Ministry of Health and Wellness, and others. This consultative platform allows the sharing of information and statistics among the different agencies thereby enhancing the operational capacity of ADSU.

The Education Cell of the ADSU, with the support of the ADSU Field Units, is actively engaged in carrying out sensitisation and awareness campaigns, in Educational Institutions, Youth Forums, Private Companies and Socio-Cultural Groups on the ill-effects of drugs and its legal implications. The prevention strategies are geared towards providing relevant knowledge and information on the ill-effects of dangerous drugs and drug abuse, personal and family problems associated with drugs abuse, the legal consequences with different types of offences under the Dangerous Drugs Act.

Mr Speaker, Sir, it must also be pointed out that the Ministry of Health and Wellness, in collaboration with the National Drug Secretariat, has launched the first phase of a community-based and community-led anti-drug campaign through the Youth Empowerment Programme Against Drugs (YEPAD). The first phase of this programme, which has already been implemented in 20 regions of the island, is targeted to build capacity of young people and community leaders by providing them with knowledge and skills to design and implement drug prevention activities in their respective localities and surrounding regions.

Mr Speaker, Sir, the Community-based Drug Prevention Programme involves people who are concerned with the drug issue, including youth, parents, teachers, Police, religious organisations, citizens, community groups as well as drug related service providers. Result oriented community-based drug prevention activities should be focused and ongoing rather than being a stand-alone approach. Thus, to ensure that this community-based prevention programme is sustained, the second phase has already been initiated through the Community Welfare Task Force project. In fact, the Minister of Health and Wellness has launched the second phase on Thursday 24 November 2022 whereby 30 community leaders from 18 different regions have been empowered during a two days' workshop for the setting up of a Community Welfare Task

Force in their respective regions, and it is expected that these Community Welfare Task Force, with the support of existing NGOs, the Ministry of Youth Empowerment, Sports and Recreation and the Ministry of Health and Wellness, amongst others, will become actively involved in the primary prevention against drugs.

Mr Speaker, Sir, my Government has been working on all fronts to deal with the drug scourge. In addition to sensitisation campaigns by the Police and the Ministry of Health and Wellness, the Ministry of Education, Tertiary Education, Science and Technology is implementing a series of measures and actions in the educational institutions comprising, *inter alia*, the following –

- (i) a structured, extensive sensitisation and prevention programme at the level of educational institutions conducted with Ministry of Health and Wellness and the assistance of ADSU, the *Brigade pour la Protection des Mineurs* and NGOs to address the drug problem as well as share information. A total of 1,246 sensitisation sessions have been held from 2019 to 2022;
- (ii) an evidence-based drug use prevention programme, known as the “Get Connected Programme”, which is in line with the international standards for drug use prevention as well as the National Drug Control Master Plan 2019-2023, has been introduced in the secondary schools across the island. The programme uses a life skills concept model with the aim to deter tobacco, alcohol and drug initiation amongst adolescents;
- (iii) introduction of the REBOUND Programme, which is a drug use prevention programme, for students aged 14 to 25 years to achieve long-term effects in contrast to quick fix attempts. Its goals include cognitive, developmental and environmental dimensions;
- (iv) regular patrols and surveillances are effected by relevant authorities in high risk schools;
- (v) cameras have been installed in 75 primary schools and 82 secondary schools at strategic points to identify irregular activities;

- (vi) a protocol has been put in place to act as a guideline for management to handle a case whereby a student is caught in possession of a suspected illicit substance. This protocol also advocates close monitoring and follow-up at the level of the school, including pastoral care and support from Educational Psychologists;
- (vii) the Ministry is currently working on a Policy framework for Drug Free Schools;
- (viii) provision in the National Curriculum Framework for both Primary and Secondary subsectors to integrate drug abuse prevention within the curricula, and
- (ix) setting up of a Health and Wellness Directorate to look into the Drug Use Prevention in schools, amongst other roles and responsibilities, and revisiting the School Health Clubs to better address health issues.

Mr Speaker, Sir, the Ministry of Youth Empowerment, Sports and Recreation has conducted various campaigns and sensitisations programmes targeting minors and young people under 25 years with a view to enabling our youth to resist peer pressure to indulge in substance abuse. These measures and actions include, *inter alia*, the following –

- (i) collaboration with the “Community Anti-Drug Coalitions of America” (CADCA) to reduce drug demand in Mauritius, in terms of facilitation and liaison with young people in the community;
- (ii) organisation of “Line Up, Live Up programme” in 2020 which combines life skills training and sports activities to sensitise around 400 vulnerable young people as well as inmates of the Rehabilitation Youth Centre and the Correctional Youth Centre against drug use;
- (iii) capacity building workshop on “Prevention of addictive behaviour” in September 2021 with the *Brigade des Mineurs*, ADSU and NGOs for 20 *Animateurs*/Youth Officers working with young people;
- (iv) since year 2019 to date, more than 4,000 young people have followed the Life Skills Education Programme, which is a 10-week comprehensive youth health programme designed to support adolescents to make healthy lifestyle choices and help them become more resilient, and

- (v) conduct of the Special Outreach Programme targeting those young people who are deemed furthest left behind. Individual social support and informal sensitisation sessions on “substance abuse prevention” are provided to 400 vulnerable young people at grassroots level in different regions.

Mr Speaker, Sir, I need not repeat and overemphasise the undisputable and blatant fact, and widely acknowledged reality, that my Government shall indeed not leave a single stone unturned in our zero tolerance approach, to clear and clean our country of drug trafficking. Thank you.

**Mr Bodha:** I thank the Prime Minister for his extensive reply. In view of the fact that the situation is very critical, I will just give a few figures, Mr Speaker, Sir. In 2021, *il n’y a eu que deux condamnés pour importation d’héroïne, deux pour gandia, zéro pour drogue synthétique, et trois pour autres drogues. La question pour moi, M. le président:* out of 2,964 cases, which have been mentioned by the Prime Minister, enquiries have been completed in 634 cases, that is, about 20%. May I ask the Prime Minister what are the reasons as to why only 20% of the enquiries have been completed so far?

**The Prime Minister:** Mr Speaker, Sir, the hon. Member should know, being himself a lawyer, that these enquiries do take some time. We are talking about figures from 2019 till to date, and, as I have said, a number of cases have been completed, that is, a number which originates from 2019. But for the more recent cases, there is, of course, a process whereby advice is being taken, and, eventually, the DPP will have to take a decision. So, the process is taking some time, but we shall also see to it that cases do not linger on for too long. There is thus a follow-up on the part of the Police so that enquiry is completed at the earliest.

**Mrs Luchmun Roy:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister indicate the number of minors under the age of 18 who were remanded for related offences at the Correctional Youth Centre since January 2019 to date? Thank you.

**The Prime Minister:** Mr Speaker, Sir, in accordance with records available at the Correctional Youth Centre for Boys and Girls, no minor under the age of 14 had been remanded for drug related offences since 2019 to date.

I am also informed that there is a total of 61 minor boys aged above 14 but less than 18 years who were remanded at the Correctional Youth Centre for Boys and 2 minor girls aged 15 and 17 years who respectively were remanded to the Correctional Youth Centre for Girls for

drug-related offences for the period 2019 to date. And out of the 63 minors, only one boy was sentenced by the District Court of Lower Plaines Wilhems, and is detained at the Correctional Youth Centre for Boys since 05 February 2021.

**Mr Abbas Mamode:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister provide information on the value of drugs seized from 2019 to date?

**The Prime Minister:** Mr Speaker, Sir, in my reply, I gave the figure for 2015 to date, and indicated that the value of drugs seized amounts to Rs14 billion, and the figure for the value of drugs seized from 2019 to date amounts to Rs8.5 billion. This is again ample testimony of our relentless fight against drugs, and I think it is good to try to imagine what chaotic situation would have prevailed in the country, on the health and on the social fronts, had those drugs, in fact, been able to enter our community, and been consumed by people.

**Mr Bodha:** Thank you, Mr Speaker, Sir. The situation is horrendous. We have 60,000 people using synthetic drugs, Mr Speaker, Sir. May I ask the hon. Prime Minister whether he is aware that addiction is starting at a lower age now and we had people going for disintoxication at the age of 14, and drug barons are using children as vigils, *jockey*, at the entrance of drug territories to scrutinise people coming for drugs or otherwise? May I ask the hon. Prime Minister whether the Police are aware of this and whether there have been cases where the drug barons have been charged with child abuse, for using children for their trade?

**The Prime Minister:** Mr Speaker, Sir, whenever the Police will carry out an investigation, all those who are involved, in one way or the other, including what the hon. Member is saying, by using minors or young persons will, of course, be taken to task because the enquiry will reveal any offence that has been committed by those people. The hon. Member is saying that the situation is horrendous. I think I need to *aussi rafraîchir la mémoire de l'honorable membre. Quand il faisait partie de la même équipe, il disait aussi la même chose. J'espère qu'aujourd'hui il ne renie pas ce qu'il avait dit auparavant, parce que quand on était ensemble, il avait dit que* the situation is horrendous, and rightly so, at that time ! It was horrendous. We quoted those reports that were published by the United Nations, the International Narcotics Control Board in 2009. I hope you do remember when we were sitting together in Press Conferences and you were saying that the Labour Party was not - in fact, I can quote the exact words; the words that I still use today; that the Labour Party people were closing their eyes to the obvious, that they were

tolerating those drug traffickers, and we quoted, if you can remember, this report of 2009. I quote what was said in this report –

“There is evidence of an increase in the smuggling of heroin to the islands of the Indian Ocean, particularly Mauritius. Opiates from India and Pakistan are smuggled into Mozambique and then South Africa, and from South Africa into Europe as well as into East African Countries, notably Mauritius and Seychelles. Mauritius...”

Hon. Nando Bodha, listen also to what I am saying, because I hope you will remember...

**Mr Bodha:** I am listening!

**The Prime Minister:** We emphasized on what was said in this report, and I quote –

“Mauritius now has one of the highest levels of opiate abuse in Africa, a spillover effect of the heroin trafficking in that country.”

Now, there is not only that 2009 report. In 2010, again the World Drug Report of UNODC mentions that, and I quote –

“Mauritius, Kenya and Egypt are the countries in the region with the highest prevalence of opiate use. Mauritius has also high prevalence of injecting drug use and a concentrated HIV epidemic among those users.”

We also quoted the 2012 report, wherein it was reported that heroin abuse is increasing, notably in Mauritius. I can quote other statements that we have been making together in previous Press Conferences at that time. But I am not saying that because of this situation that existed, we do not have to redouble our efforts. In fact - for Government, Authorities concerned -, I can assure the hon. Member that we will continue to do our utmost in our fight to combat those drug traffickers.

When I also look at those figures and figures which have been increasing from 2005 to 2014 - I do not want to take time of the House -, I note that they have regularly been increasing in terms of cases for minors and for juveniles. So, the fight is on. We have to be vigilant, but, again, it is a permanent fight, because those people are always trying to find ways and means of carrying out their illegal trade.

**Mr Speaker:** You are right! The time is over!

Hon. Members, the Table has been advised that PQ B/1167 would be replied by the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management. PQs B/1197 and

B/1220 will be replied by the hon. Minister of Labour, Human Resource Development and Training and Consumer Protection. PQs B/1186, B/1203 have been withdrawn.

Now I call hon. MP Uteem!

### **CWA - NON-REVENUE WATER - MEASURES**

**(No. B/1163) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Energy and Public Utilities whether, in regard to non-revenue water, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the measures taken, if any, for the reduction thereof.

**Mr Lesjongard:** Mr Speaker, Sir, on the outset, I wish to inform the House that Non-Revenue Water is a matter of concern for all water utility bodies worldwide. There is no single definition of Non-Revenue Water (NRW) that is internationally accepted. For example, there are reference methodologies for the calculation of Non-Revenue Water by the International Water Association and the World Bank.

According to the International Water Association, Non-Revenue Water has the following components –

- a) Real losses (for instance, leakage on transmission and distribution mains, illegal connections on trunk mains, leakage and overflows at service reservoirs, leakage on service connections up to the customer meter);
- b) Apparent losses (for instance, unauthorised consumption, water theft, customer meter and billing inaccuracies), and
- c) Unbilled authorised consumption (for instance, free water provided by tanker services, public stand pipes, water hydrants used by fire services, water consumption by eligible religious and charitable institutions exempted from payment of water charges, free consumption up to 6M<sup>3</sup> for eligible households).

Thus Non-Revenue Water is not only about leakages and leak repairs.

Mr Speaker, Sir, the most commonly used indicator to measure Non-Revenue Water is the difference between production and distribution/sales expressed as a percentage. However, although easy to compute and understand, it is being widely recognised that it is not the most



appropriate indicator to benchmark Non-Revenue Water levels among water utility bodies internationally or to monitor changes over time.

Having explained the above, Mr Speaker, Sir, I will now come directly to the reply of the PQ addressed by the hon. Member.

Mr Speaker, Sir, in September 2020, a Non-Revenue Water Management Cell was set up at the Central Water Authority with the objectives, *inter alia*, of reducing the current Non-Revenue Water to an economically acceptable level, improving the network efficiency through active leakage management and improving the management and monitoring of the water network.

**Mr Lesjongard:** In order to tackle the problem of Non-Revenue Water, the Non-Revenue Water Management Cell has prioritised and implemented Non-Revenue Water activities at the level of District Metered Areas having the highest Non-Revenue Water level. A District Metered Area (DMA) is a relatively small, discrete metered area of water supply, forming part of the whole water distribution system.

I am informed that the Central Water Authority has started with a pilot project in the East where it has completed the review of all its production/DMA meters and reservoir inlets and outlets. DMA plans are being created and 66% of drawings have been updated. Action has been taken to replace the five identified defective water mechanisms. The purpose of replacing these defective meter mechanisms is to enable the CWA to have accurate and reliable production figures in order to establish the current baseline of Non-Revenue Water. Establishing an accurate Non-Revenue Water baseline will thereafter enable the prioritisation of DMAs with the highest percentage of Non-Revenue Water for the implementation of the strategic action plans for the reduction of Non-Revenue Water. Another 36 District Metered Area meters are in the process of being replaced.

Mr Speaker, Sir, I wish to outline that following Non-Revenue Water activities carried out at one DMA from outlet Melrose Reservoir to Morcellement Sans Souci, including active leak detection exercise, the Non-Revenue Water baseline set in April 2022 at 43% has been monitored and found to be 36% as at end October 2022. The latter figure is considered to be more accurate as it has been obtained from reliable figures.

I am also informed, Mr Speaker, Sir, that another action taken by the Central Water Authority has been the procurement of additional equipment for water leakage detection to carry

out step tests and active leakage control all over the island in view to reduce physical losses as part of the Non-Revenue Water reduction activities.

Mr Speaker, Sir, the Central Water Authority has a potable water distribution network with a total length of 5,246 km. In many regions, the network is old and obsolete with an inadequate carrying capacity, coupled with frequent leakages and pipe bursts. It is considered that the network stands to be replaced in several areas around the island.

Pipe replacement, to reduce physical losses on the network, is a regular programme carried out by any utility body, including the Central Water Authority. In addition, pipe replacement is also effected by other authorities under their respective projects such as the Waste Water Management Authority, Metro Express and the National Development Unit among others. Since 2015 to date, some 570 km of pipes have been replaced around the island. The Central Water Authority alone has invested around Rs4.56 billion in pipe replacement over the above mentioned period. There has been slower progress in the past 2 years due to the COVID-19 pandemic, disruptions in the production and supply chains, rising prices of materials and freight.

Mr Speaker, Sir, with a view to reducing apparent and generally, commercial losses, the Central Water Authority had embarked on a continuous programme of replacement of defective consumer meters. From 01 October 2021 to date, some 44,140 defective meters have been replaced yielding an additional yearly revenue of Rs47 m. This programme will be pursued.

Moreover, with a view to digitalising the operations of the Central Water Authority, the Authority has embarked on the development of a comprehensive telemetry system covering all water production, transmission and storage facilities and centralising basic operational data at a control centre. A final design report has already been submitted, vetted and found to be in order by the Central Water Authority. Draft bidding document for the implementation of the telemetry project is now being finalised. This telemetry system will, among others, allow for remote monitoring and controlling of any abnormal water flow.

In addition, CWA is also working on the appointment of a Transaction Adviser in respect of a Build-Operate-Transfer project which will include among others, the installation of domestic smart meters across the island. Funds have already been provided in the Estimates 2022/2023 for same.

Mr Speaker, Sir, every effort is being made to reduce the Non-Revenue Water level and achieve greater efficiency in the network. Once a baseline for Non-Revenue Water can be

established after the restoration of all production/bulk meters, and water mechanisms, the Non-Revenue Water figures can be calculated with better accuracy.

I am informed that the Central Water Authority is also envisaging to compute the Infrastructure Leakage Index which will provide a more reliable picture of real losses on the network. The Infrastructure Leakage Index is an effective indicator of how well a distribution network is being managed and maintained at the current operating pressure. Real losses in terms of litres per connection per day will also be calculated subsequently to determine annual real losses compared to unavoidable real losses. These are best practice key performance indicators for water supply services advocated by the International Water Association.

I thank you, Mr Speaker, Sir.

**Mr Uteem:** In April 2018, I asked a question about what was the level of Non-Revenue Water and the answer was 60%. In August 2020, the hon. Minister stated that the international trend is below 25% and earlier this year, in May 2020, the same hon. Minister again stated that Non-Revenue Water is 60% and now the hon. Minister is telling us that every effort has been done? For four years, absolutely no reduction in Non-Revenue Water. Doesn't hon. Minister agree that it has been a total failure on the part of CWA to reduce Non-Revenue Water?

**Mr Lesjongard:** No, Mr Speaker, Sir, I don't agree with the statement made by the hon. Member. In fact, like I said in previous PQs, I stated that these are the figures but I also stated that we have to establish a base line because I do not agree with the figures that were put forward because it is a simple mathematical equation whereas we have to take into consideration other factors in establishing the Non-Revenue Water.

**Mr Uteem:** In 2020, the hon. Minister stated that we should replace, and I quote –

“1,570 km of pipes.”

And earlier this year the hon. Minister stated that we have replaced since 2019 to date only 156.2 km of old pipes, only 10% of the target and we have spent Rs600 m. not the billions that he is mentioning. So, doesn't he agree that the reason why we are still having a high level of non-revenue water, is because pipes are not being replaced and funding is not being provided to replace the old pipes?

**Mr Lesjongard:** Mr Speaker, Sir, yes, part of it. Like I said, it is not by replacing pipes that we will get the result of reducing the non-revenue water. There are other factors that have to be taken into consideration. I first gave a description of what the definition of nonrevenue water

is and what are the factors that are taken into consideration when we calculate the non-revenue water and I explained a series of measures being taken by the CWA ranging from the installation of district metered areas. Also, trying a pilot project in a particular region where we want to establish a non-revenue base line and the results are there. I explained that at the beginning, non-revenue was estimated at 43% and when we carried out the measures that we have taken, it decreased to 36% and I also explained that the Central Water Authority has acquired other equipment that is, water leakage detection equipment to measure water leakages and also that we are embarking on a telemetry system for the Central Water Authority.

With regard to investment, Mr Speaker, Sir, the hon. Member is aware that we have gone through COVID and we had to reduce investment not only in the water sector but other sectors also. Thank you Mr Speaker, Sir.

**Mr Uteem:** Is the hon. Minister aware that every day the population notices pipe bursts, lots of running water going to waste and delay with CWA to repair –I myself had to intervene so many times to get people to repair broken pipes in my Constituency? Is the hon. Minister aware that there is a shortage of staff at the level of CWA when it comes to intervening on pipes that have burst?

**Mr Lesjongard:** Yes, Mr Speaker, Sir. Even I have to intervene on a regular basis because we receive complaints of pipes bursting in different regions but there is a problem of staffing. We have recruited, lately, operatives at the level of the Central Water Authority and we are attending to those problems, Mr Speaker, Sir.

**Mr Speaker:** The question has been sufficiently canvassed!

The Table has been advised that the following PQs have been withdrawn – B/1160, B/1157, B/1191, B/1161, B/1155, B/1151 and B/1152.

Also, the following PQs have been withdrawn – B/1200, B/1210, B/1219, B/1195, B/1211, B/1217 and B/1166.

Next question!

### **MARE CHICOSE LANDFILL – FIRE OUTBREAK – INQUIRY**

**(No. B/1164) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the fire outbreak at Mare Chicose on 22 November 2022, he will state if –

- (a) an inquiry has been initiated to determine the causes thereof and, if so, indicate the outcome thereof, and
- (b) tests have been carried out in the vicinity thereof to assess the quality of air, and, if so, indicate the outcome thereof.

**Mr Ramano:** I have been informed that on 22 November 2022, the Contractor, JV Sotravic Ltee/Eneotech, responsible for the operations at Mare Chicose Landfill, reported a major fire incident which occurred at around 16.00 hrs at the Mare Chicose Landfill, more precisely in the southern part of the landfill. The Mauritius Fire and Rescue Services intervened and mobilised resources from the Fire Stations of Rose Belle, Mahebourg, Curepipe and St Aubin.

In the meantime, as part of its contingency plan for firefighting, the contractor deployed three tracked excavators to cover with soil, the fire outbreak pockets and to excavate trenches in the waste mass to create fire breaks. Notwithstanding these measures, the fire propagated because of the very dry state of the wastes and the unfavourable wind direction. In the firefighting process, the Mauritius Fire and Rescue Services was supported by the Contractor who deployed five water tanker lorries, pumps and pipelines to source water from Rivière La Chaux and 15 lorries for carrying soil. Additionally, three water cannons were deployed on site by Riche en Eau Sugar Estate and one firefighting truck from Airports of Mauritius Limited. The fire has been contained within an area of 4.4 hectares on the same day.

A meeting was held early morning on Wednesday 23 November 2022 at Mare Chicose under the Chairmanship of the Officer in Charge of the National Disaster Risk Reduction & Management Centre with representatives of my Ministry, *Police de l'Environnement*, the SMF, the Mauritius Fire Rescue Services (MFRS), the Contractor for the landfill and the Consultant. The objectives of this Committee were to closely monitor the situation and also follow up on actions being initiated by all stakeholders. This Committee has been meeting on a daily basis since the incident.

On the same day, I personally carried out a site visit to take stock of the magnitude of the incident and follow up on actions being taken to suppress the fire.

Mr Speaker, Sir, with regard to part (a) of the question, the Mauritius Fire and Rescue Services is carrying out an investigation to determine the cause of the fire. The investigation will be completed once the fire is doused and the site rendered safe.

Mr Speaker, Sir, regarding part (b), both quantitative and qualitative air monitoring are being undertaken in the surrounding region by my Ministry as from the day of the fire outbreak. The National Environmental Laboratory has carried spot check measurements using the Portable Gas Analyser at approximately 200 metres from the landfill site and at the adjacent residential zones namely, Union Park, Rose Belle, New Grove, Deux Bras, Cluny, Union Park and Mare Chicose.

Gases which were screened during these exercises were mainly Benzene, Methane, Nitrogen Dioxide, Nitrogen Monoxide, Sulphur Dioxide and Carbon Monoxide including polyaromatic hydrocarbons such as naphthalene. It was observed that on the day of the fire outbreak, there was a rise in the concentration of methane near the Mare Chicose landfill which subsided, to normal ambient concentration on the following day. The air-monitoring exercise is ongoing and so far, no toxic concentrations of air pollutants screened have been detected. Additionally, the National Environmental Laboratory conducted air screening at other regions such as Beemanique, Bananes, Midlands, 16ème Mille Forest Side, Nouvelle France, Curepipe and Henrietta. No toxic concentration of the gases analysed was noted.

A mobile ambient air monitoring station PM analyser was also placed in the region of Cluny to monitor the ambient air quality on a continuous basis. The level of fine particulate matter PM 10 was measured continuously and the results did show compliance to our local standard.

Mr Speaker, Sir, the National Environmental Laboratory also conducted water-sampling exercises as from 23 November 2022 to assess the impacts of the incident on river water quality in the vicinity of the landfill site. Five sites were monitored, namely, River Tranquille, upstream and downstream of Mare Chicose Landfill site, Rivière La Chaux (Astroea Bridge downstream of Mare Chicose landfill and Shivala Road, Rose Belle) and Rivière des Creoles, St Hubert.

Results from latest water sampling conducted on 27 November 2022 showed that water quality from these rivers were compliant with Guidelines for Inland Surface Water Quality (GISWQ) except for pH and Dissolved Oxygen for Rivulet Tranquille. This is however attributed to the usual low water level and low flow in Rivulet Tranquille at the time of sampling and not related to the fire outbreak.

Mr Speaker, Sir, the Ministry of Health and Wellness has been on alert with the deployment of medical officers and an ambulance following the fire outbreak for health check-up, for workers, fire officers and inhabitants in the region of Mare Chicose, Cluny and Beemanique. As at date, I am informed that no casualty has been reported at the Ministry of Health and Wellness. Health check-up arrangements have been made at other places as and when required. Moreover, a fast track corridor has been provided at the Rose Belle Hospital for inhabitants of the region.

**Ms J. Bérenger:** Les fumées issues de la combustion de déchets mixtes non triés émettent toutes sortes de composés chimiques et de molécules cancérigènes. Dans un souci de transparence et pour rassurer tous les habitants des alentours, le ministre peut-il déposer sur la table les résultats détaillés des tests qui ont été effectués depuis l'incendie ?

**Mr Ramano:** Dans ma réponse, M. le président, j'ai bien fait mention d'un certain nombre de gaz qui ont été émis lors de l'incendie. Bien sûr, nous donnerons tous les détails nécessaires et je déposerai à la Chambre la liste des gaz et aussi les différentes analyses qui ont été effectuées.

**Ms J. Bérenger:** Le ministre n'a pas donné le taux. Donc, c'est pour cela que je demande les résultats détaillés. Les normes concernant les émissions atmosphériques et la qualité de l'air, y compris celles relatives donc à l'incendie de Mare Chicose n'ont pas changé depuis 1998. Le ministre compte-t-il apporter les changements nécessaires pour que nous soyons alignés avec les normes internationales ?

**Mr Ramano:** Oui, M. le président, nous sommes dans ce processus. Nous sommes en train d'avoir ce qu'on appelle le *National Quality Standard*. Nous allons bientôt basculer sur ce qu'on appelle le *Particulate Matters Parameters* en ce qui concerne les différents *international standards*. Thank you.

**Mr Osman Mahomed:** Thank you, Mr Speaker, Sir, in view of the known cancer-causing molecules at landfill sites like furan and dioxin and heavy metals like lead, arsenic, mercury, cadmium and even other fine particles and even asbestos that are harmful to the health. Thus, does not the Minister think that it would have been more appropriate for tests to be done by an independent body rather than the quantitative and qualitative tests done by the Ministry which may tell a different story for obvious reason?

**Mr Ramano:** M. le président, donc, valeur du jour, le *National Environmental Laboratory* est en train de procéder à tous les tests nécessaires. Pour nous, dans un souci de transparence comme je l'ai mentionné, cela ne nous cause aucun problème de venir de l'avant pour donner les résultats de ces différents tests. Bien sûr, s'il y a lieu d'approfondir les tests, nous le ferons mais bien sûr ce qui est quand même rassurant, M. le président, comme je l'ai mentionné, nous avons pris toutes les dispositions nécessaires en ce qui concerne l'apport du *Ministry of Health and Wellness*. Il n'y a pas eu de *casualty* rapporté et bien sûr nous allons suivre la situation de très près en ce qui concerne les risques de propagation de cancer etc. suivant l'émission de gaz. Mais, à ce jour, je dois dire que tous les tests, tous les résultats des tests sont dans les *standards* normaux.

**Mr Speaker:** Last question!

**Ms J. Bérenger:** Concernant les causes de l'incendie, nous savons que le contrat du gestionnaire actuel du site de Mare Chicose a pris fin depuis 2019 et est en train d'être renouvelé sur une base mensuelle. Le ministre, est-il au courant qu'il ne dispose pas des équipements aux normes permettant de compacter les ordures comme il le faudrait, ce qui peut donc créer un cocktail explosif et être à la source d'incendie ? S'il est au courant, que compte-t-il faire pour remédier à cette situation ?

**Mr Ramano:** *M. le président*, I have been informed that the contract with Sotravic Limitée/Eneotech provides for the deployment of two bulldozers for moving waste and one Landfill Contractor for compacting waste to the required density of 1.0 ton per m<sup>3</sup>.

Given that the Contractor's compaction has suffered frequent breakdown recently, the Contractor has in lieu provided three bulldozers on a permanent basis and a fourth one as standby. A reasonable degree of compaction is achieved with these bulldozers. Surveys carried out at the landfill site on active search during the end of October 2022 indicated satisfactory



compaction results. It is to be noted that the southern part of the landfill has been decapped and raised segment by segment, pending a well-coordinated raising with the forthcoming vertical expansion project. Thus, the current uphill site configuration at the southern part of the landfill renders compaction difficult presently.

Thank you.

**Mr Speaker:** Thank you. Hon. Members, I will suspend the Sitting for one hour.

*At 1.09 p.m., the Sitting was suspended.*

*On resuming at 2.48 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please, be seated.

#### **HIV-AIDS PATIENTS - SOCIAL AID - ELIGIBILITY CRITERIA**

(No. B/1165) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to persons living with HIV-AIDS, she will state the number thereof having benefitted/benefitting from social aid from her Ministry for financial years 2019-20, 2020-21, 2021-22 as at to date, indicating the –

- (a) eligibility criteria set down therefor and terms and conditions attached thereto, respectively, and
- (b) quantum of funds
  - (i) disbursed in the said financial years, and
  - (ii) earmarked for financial year 2022-23.

**Mrs Jeewa-Daureeawoo:** Yes, Mr Speaker, Sir, I wish to inform the House that social aid is a means-tested benefit payable to needy persons under the Social Act Aid. I am informed that the number of persons living with HIV-AIDS who are in receipt of social aid are as follows –

- (i) Financial year 2019-20 - 271;
- (ii) Financial year 2020-21- 276, and
- (iii) July 2021 to date - 284.

Social aid for HIV-AIDS is payable to any person who suffers from any sickness certified by an approved medical practitioner and who is temporarily or permanently incapable of earning a living and has insufficient means to support himself and his dependents.

Applications for social aid are made at the local Social Security Offices with relevant supporting medical certificates. The applicants are then called upon to be examined by the Social Aid Medical Board. The Social Aid Board is carried out by one medical practitioner.

I wish to inform the House that there is no specific provision in the budget for social aid payable to persons living with HIV-AIDS. Funds are disbursed under vote item Social Aid in the Budget in the figure of Rs972 m.

With regard to part (b) (i) of the question, the quantum of funds disbursed is as follows –

- (i) Financial year 2019-20 - Rs8,694,545;
- (ii) Financial year 2020-21- Rs8,810,236, and
- (iii) July 2021 to date - Rs13,369,332.

**Mr Quirin:** L'honorable ministre, est-elle informée que malgré le fait qu'une personne qui vit avec le VIH/Sida est supposée être en mesure de bénéficier d'une aide sociale, beaucoup parmi ces personnes malheureusement sont confrontées à beaucoup de difficultés dans l'obtention de cette aide sociale et a-t-elle été informée de cette situation ? Si oui, quelles sont les mesures, les actions qui ont été prises afin de faciliter justement l'obtention de cette aide sociale par ces personnes qui souvent se retrouvent dans une situation de précarité ?

**Mrs Jeewa-Daureeawoo:** Well, Mr Speaker, Sir, I have been informed that there is a proper procedure that has been put in place for those living with HIV-AIDS to get their social aid. And if a person feels that he is ill and that he needs the social aid, he can make an application to any Social Security Office nearest to his house and then, he will be called upon to appear on a Board and the medical practitioner will look into his case and allow the social aid if he finds that the person needs the social aid.

**Mr Quirin:** M. le président, l'honorable ministre, peut-elle nous dire si son ministère collabore avec des ONG ou d'autres organisations qui sont impliquées dans la lutte contre le VIH/Sida afin de s'assurer que ces personnes qui vivent avec cette maladie ne sont pas

doublément victimes surtout quand on sait qu'elles sont souvent rejetées par la société et même quelquefois par leurs propres familles ?

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, Government alone cannot do everything. I always say that we need collaboration and support of all our partners, be it the NGOs, the private sector, the community. My Ministry always welcomes suggestions from any NGO and our doors are opened. We are here to listen and then to bring new measures if need be.

**Mr Quirin:** Dernière question avec votre permission, M. le président. Outre cette aide financière qui est accordée à ces personnes, la ministre peut-elle nous dire si son ministère accorde aussi d'autres types de protection sociale aux personnes vivant avec le VIH ?

**Mrs Jeewa-Daureeawoo:** Well, if the person is not qualified to a social aid and the person suffers from a disability of 60%, of course, he will get his Basic Invalidity Pension.

**Mr Abbas Mamode:** Thank you, Mr Speaker, Sir, can the Minister inform the House how many persons suffering from HIV-AIDS are currently benefiting from Basic Invalidity Pension?

**Mrs Jeewa-Daureeawoo:** 129.

#### **RODRIGUES – CHARTERING OF VESSEL – PROCUREMENT EXERCISE**

(No. B/1166) **Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the chartering of vessel for Rodrigues, he will give details of the –

- (a) bids received;
- (b) name of successful bidder;
- (c) rate payable per month and other financial cost incurred, and
- (d) date when the vessel will start servicing Rodrigues and other outer islands, if applicable.

*(Withdrawn)*

**Mr Speaker:** Next question!

**POINTE AUX SABLES - INDUSTRIAL ZONE, LTK - PUBLIC ACCESS -  
CLOSURE**

(No. B/1167) **Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of National Infrastructure and Community Development whether, in regard to the region of La Pointe at Pointe aux Sables, he will state the reasons for the closure of the shortcut from Morcellement Rey to the industrial zone, indicating if any project has been earmarked to connect La Pointe to the Industrial Zone of LTK.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, with your permission, I shall reply to PQ B/1167.

I am informed by the Municipal Council of Port Louis that requests have been received from the inhabitants of Pointe aux Sables for the connection of additional streets to the existing roundabout/traffic island at Peupliers Street.

A site visit was held under the chairmanship of the Lord Mayor of Port Louis on Friday 04 November 2022 at the above address with all stakeholders, namely the hon. Dr. Dorine Chukowry, Parliamentary Private Secretary, the representatives of NDU, Traffic Management and Road Safety Unit, the Ministry of Housing and Land Use Planning and Landscape Mauritius Ltd.

During the site visit, it was noted that, in view of the complexity of the works, there is need to appoint a Consultant for the design, supervision and management of the project for the connection of the adjoining roads to the existing roundabout/traffic island.

Mr Speaker, Sir, I am also informed that the Municipal Council of Port Louis has not closed any public access to the said region. All the access within the private properties fall within private domain and it appears that the shortcut lies within the properties of Landscape Mauritius Ltd.

**Mr Armance:** Thank you, hon. Minister for the answer. Mr Speaker, Sir, with your permission, I would like to table two pictures that I took on Saturday, which show that currently the area where the shortcut is, is just an eyesore for the inhabitants of Pointe aux Sables. So, I would like the Minister to have a look at the picture and see whether we can leave such a mess

on a main road leading to the industrial zone of La Tour Koenig and next to the resident area of La Tour Koenig.

Secondly, I would like to table a map that I got from Google showing the two roads next to each other and I cannot understand...

**Mr Speaker:** Put your question!

**Mr Armance:** I will put the question. Please.

**Mr Speaker:** Why don't you keep it for adjournment matters?

**Mr Armance:** My question is: can the Minister have a look at the map and tell me why he said, it is very complicated to connect these two roads where...

**Mr Speaker:** You are a seasoned politician!

**Mr Armance:** Let me finish, please.

**Mr Speaker:** What 'let you finish'?

**Mr Armance:** Why do you have to shout at me? Let me finish!

**Mr Speaker:** You are mixing issues. Adjournment matters and Question Time! Put your question!

**Mr Armance:** It is not an adjournment matter, Mr Speaker, Sir. It is a PQ that I have put on the table.

**Mr Speaker:** Put your question!

**Mr Armance:** My question is: Can the Minister look at it and tell me why he finds it difficult to connect these two roads?

**Mr Speaker:** This is not a question!

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

**Mr Speaker:** Next question!

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

**Mr Speaker:** This is not a question! Next question!

**Mr Armance:** Why is it not a question? He has to reply to my question!

**Mr Speaker:** You said, 'can the Minister look at it?'

**Mr Armance:** Yes.

**Mr Speaker:** Then, the Minister would say, 'yes, I can look at it.'

*(Interruptions)*

Seriously! Come on! We are in Parliament! We are in Parliament! Come on!

*(Interruptions)*

Next question! Yourself! Put the next question!

**Mr Armance:** He is replying! Let him reply, Mr Speaker, Sir!

**An hon. Member:** *Exactement!*

**Mr Speaker:** I cannot allow this sort of question!

**Mr Armance:** But he is replying to it.

**Mr Speaker:** This is why Standing Orders have made provisions for Adjournment Matters. You are raising Adjournment Matters during Question Time. You are a seasoned politician. Please, respect yourself!

Next question, yourself!

**Mr Armance:** It is not mine.

**Mr Speaker:** Okay, next question!

### **ADVERSE DRUG REACTIONS, SERIOUS ADVERSE DRUG REACTIONS & QUALITY ISSUES - CASES**

**(No. B/1168) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to medicinal products, he will state the number of reported cases to his Ministry, since 2017 to date, of Adverse Drug Reactions, serious Adverse Drug Reactions and quality issues thereof, respectively, indicating in each case, the nature thereof.

**Dr. Jagutpal:** Mr Speaker, Sir, I am informed that, since 2017 to date, there are 26 Adverse Drug Reactions (ADR) which have been reported by regional hospitals.

With regard to serious Adverse Drug Reactions, I am informed that there are no reported cases from 2017 to 2021. In the year 2022 till date, only one case was reported.

With regard to quality issues, I am informed that there are two main categories of poor-quality medicines which are respectively classed as either substandard or counterfeit. Assessment of the quality of drugs is done at the Central Supplies Division by random sampling. User departments may also report on any drug quality issues regarding physical stability or therapeutic inefficacy. Thereafter, random samples are sent to the Government Analyst Division of my Ministry for chemical analysis and reporting.

Mr Speaker, Sir, since 2017 to date, there have been 10 cases of quality issues reported to my Ministry. The quality issues pertained to the drugs Cisatracurium injection, Tenecteplase injection, Vitamin C tablets, Calcium Gluconate Tablets, Multivitamin Tablets, Cod Liver Oil Capsules, Ascorbic Acid Tablets, Calcium Carbonate + Vitamin D3 Tablets, Calcium Gluconate Tablets and Diclofenac enteric coated Tablets respectively.

Mr Speaker, Sir, for all of abovementioned cases, immediate action was taken by my Ministry and the consignments were retrieved from all public health institutions. As per the practice, whenever drugs are retrieved, urgent action is taken by the Procurement Unit of my Ministry which liaises with the local representatives to obtain a report on each quality issue. Upon receipt of the report, same is transmitted to the Pharmacovigilance Unit and the National Pharmacovigilance Committee to make appropriate recommendations to my Ministry in each case.

**Mrs Foo Kune-Bacha:** Can the hon. Minister inform the House about the product registration guidelines for the registration of pharmaceutical products to be supplied on the local market? Can you table the guidelines?

**Dr. Jagutpal:** Yes, I can table the list of different drugs where we have some issues.

**Mrs Foo Kune-Bacha:** No, that was not my question.

**Mr Speaker:** Repeat your question; repeat it!

**Mrs Foo Kune-Bacha:** Yes. I am asking about the product registration guidelines.

**Dr. Jagutpal:** Okay, I will table the product registration guidelines from my Ministry.

**Mrs Foo Kune-Bacha:** Thank you.

**Mr Léopold:** Mr Speaker, Sir, can the hon. Minister inform the House whether he has an established protocol for the reporting of Adverse Drug Reactions in his Ministry?

**Dr. Jagutpal:** Yes, Mr Speaker, Sir. There is a protocol for reporting of Adverse Drug Reactions and it is duly reported to the pharmacists of concerned hospitals or units in the first instance. Then, the case is referred to the Pharmacovigilance Unit of the Ministry whereby there is a technical committee comprising of Principal Pharmacist, Pharmacist, Senior Pharmacist to examine the case. All reported cases are transmitted to the National Pharmacovigilance Committee of the Ministry. In the event that there is a drug adverse reaction, the common side-effects or the well-documented adverse reactions to a particular drug, same is judiciously scrutinised by the National Pharmacovigilance Committee.

**Mrs Luchmun Roy:** Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House of the name of the drug which causes the serious Adverse Drug Reactions and if he can also provide the House with details such as the name of the supplier and the country of origin as well? Thank you.

**Dr. Jagutpal:** The name of the drug is Paclitaxel. It is a chemotherapy drug used in the treatment of different types of cancer, including ovarian, breast, lung and cervical cancers. This drug is listed in our National Formulary and is classified under Oncology Drugs. It is an FDA approved drug, given intravenously as infusion. This drug is from Mylan Pharma, in France.

**Mr Speaker:** Next question!

#### **SME EMPLOYMENT SCHEME - YOUNG UNEMPLOYED GRADUATES**

**(No. B/1169) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the SME Employment Scheme for Young Unemployed Graduates, he will, for the benefit of the House, obtain from SME Mauritius, information as to the number of young unemployed graduates registered thereunder, indicating the –

- (a) number of requests for placement thereof received, and
- (b) quantum of funds disbursed thereunder.



**Mr Bholah:** Mr Speaker, Sir, the SME Employment Scheme was first introduced in August 2018. The main objectives of the scheme were to reduce unemployment among youth by placing 1,000 young graduates with SMEs to gain crucial hands-on industry-based work experience. SMEs on their side would simultaneously have benefited from the scheme by availing themselves of young academically qualified personnel to sustain their growth and development.

The SME Employment Scheme was initially meant for university graduates and diploma holders but given the necessity of supporting SMEs, especially through the headwinds caused by COVID-19 pandemic, the Budget Speech 2021-2022 announced an extension of qualification eligibility criteria to include MQA approved holders of TVET Level 3. As such young people holding valid qualifications in plumbing, electrical, culinary skills, automotive mechanics and electronics amongst others also became eligible for placement with SMEs.

Mr Speaker, Sir, regarding part (a) of the question, I am pleased to inform the House that since Financial Year 2020-2021, SME Mauritius Ltd has received applications from more than 1,800 young Mauritians with qualifications in various fields. Some 1,619 young people or 88% of all those who have applied, have been placed in different small and medium enterprises around the island.

Regarding part (b) of the question, I will now proceed with the breakdown of placements and related cost by financial year. During the Financial Year 2018-2019, 169 graduates and diploma holders were placed with SMEs at the cost of Rs25.7 m. During the financial years 2019-2020 and 2020-2021, the figure of placements increased to 471 and 553 graduates and diploma holders at the cost of Rs73.9 m. and Rs85.9 m., respectively. For Financial Year 2021-2022, 860 placements were effected at the cost of Rs135.6 m. For the present financial year, up to 31 October 2022, namely end of last month, 559 graduates and 287 diploma holders were still in placement at the cost of Rs41.9 m.

Mr Speaker, Sir, to summarise, a total of Rs363.2 m. has been disbursed up to now under the SME Employment Scheme and Government has recently extended the scheme up to June 2023. I seize this opportunity to appeal to both SMEs and qualified graduates, diploma holders and those from the vocational stream to enrol on this Scheme and further the development of SMEs and the Mauritian economy.

**Mr Armance:** Thank you. Can the Minister inform the House whether, after placement of the graduate, there is any follow-up, monitoring at their place of work?

**Mr Bholah:** Given the number of graduates, it is physically impossible to monitor by way of visits. Certain sample visits are organised; otherwise, attendance is taken before any funds are disbursed to the graduate or diploma holder.

**Mr Armance:** Thank you. And after the period of the placement, how many graduates have opened their own business, as I understand the employment scheme is to be able to have experience and then open your own business? So, how many graduates have opened their business and have reverted back to the Ministry?

**Mr Bholah:** Well, what happens is that some of the SMEs do employ these graduates or diploma holders directly. Most of them on the strength of their experience gained at the place of work, they get better job either in the private or even the public sector. I understand that some go to set up their own business again by gaining experience, but we don't have an exact number of where do they go after their placement period.

**Mr Armance:** Last question hon. Minister...

**Mr Speaker:** Let me give one question to hon. Uteem!

**Mr Uteem:** Thank you. Has the attention of the hon. Minister been drawn to cases of fraud where certain SMEs have been employing members of their families and relatives and set up different companies to benefit from this scheme? Have this been brought to the attention of the hon. Minister?

**Mr Bholah:** In as far as possible, we do check if any SME register different companies in order to benefit from this scheme. So, checks are made before any placement is done. I, personally, I have not been made aware of any forged payment to any graduate or diploma holder as of now.

**Mr Armance:** Okay. My last question is still about the SME Employment Scheme. Is it still active because it's been brought to my attention in September that no more placements are being effected by the SME?

**Mr Bholah:** Well, what happened is that initially in the Budget, there was Rs100 m. that was provided for under the National Resilience Fund (NRF), but given the success of the

Scheme, we have approached the Ministry of Finance and the latter Ministry has accepted favourably to allocate another Rs50 m. by way of official letter. So, the Scheme will be there up to June 2023, as I said earlier.

**Mr Speaker:** Next question!

**SHELTER *L'OISEAU DU PARADIS* - FACT-FINDING COMMITTEE**

**(No. B/1170) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the Fact-Finding Committee set up by her Ministry in regard to the shelter *L'Oiseau du Paradis*, she will state the work progress thereof.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I wish to inform the House that a Fact-Finding Committee was established to enquire on the circumstances leading to Baby S. being admitted to the Neonatal Intensive Care Unit of the SSRN Hospital on 22 October this year. Mr Speaker, Sir, the Fact-Finding Committee has submitted its report to me on 22 November and I am still examining the contents thereof. Thank you.

**Mrs Navarre-Marie:** La ministre, pourrait-elle nous dire si elle serait disposée à déposer une copie du rapport sur la table de l'Assemblée?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, not at the present moment, because like I just said in my reply, I am still taking cognisance of the content of the report myself and following that, it is imperative - being such an important report - that it has to go through the level of the Cabinet of Ministers first.

**Mrs Navarre-Marie:** La ministre pourrait-elle nous donner une date, une indication quand est-ce qu'elle compte compléter la lecture de ce rapport?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, as soon as possible, but like I said before anything else, the report has to go through the *Conseil des ministres* and then appropriate decisions regarding that report will be communicated.

**Ms Anquetil:** Je vous remercie, M. le président. La ministre peut-elle indiquer à la Chambre comment cela se fait que les six *caregivers* qui ont été inculpé provisoirement mais pas suspendu de leurs fonctions se présentent tous les jours au *National Children's Council* de 9hr à 14hr ? Merci.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the supplementary question put forward by the hon. Member has absolutely nothing to do with the original PQ. Thank you.

**Mr Speaker:** Next question!

### **CÔTE D'OR NATIONAL SPORT COMPLEX - EVENTS - FUNDS RECEIVED**

**(No. B/1171) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Côte D'or National Sport Complex, he will, for the benefit of the House, obtain information as to the events held thereat since January to November 2022, giving details thereof, indicating the amount of funds received in terms of rental and table the list of reservations for the holding of concerts and other events for 2023.

**Mr Toussaint:** Mr Speaker, Sir, I wish to inform the House that information pertaining to the above is being compiled and will be tabled in the National Assembly in due course. Thank you.

**Mr Armance:** Mr Speaker, Sir, I have got a copy from Registrar of Companies that the nature of the business of the Côte D'or National Sport Complex is about sport, recreation, education and swimming gala. May I know from the Minister whether they are eligible to organise concert; has he applied to have the correct license as listed in the Local Government Act?

**Mr Toussaint:** Mr Speaker, Sir, it is up to the different event organisers to have the relevant permits from different authorities. And the MMIL put at their disposal either the main hall or the parking but prior to that, all event organisers need to comply with the different permits from Police, Ministry of Health and so on.

**Mr Speaker:** Hon. Doolub!

**Mr Doolub:** Merci, M. le président. Justement pour en revenir à la pratique sportive, il paraît qu'il y a un grand engouement pour les cours de natation qui sont dispensés à la piscine de Côte d'Or. Est-ce que le ministre pourrait informer la Chambre quant au nombre de réservations, d'enregistrements à ce jour pour ces cours ? Merci.

**Mr Toussaint:** M. le président, le complexe de Côte d'Or organise différentes activités et cela ne veut pas dire que le complexe s'assoit et attend des concerts ou d'autres évènements. Il y

a une fréquentation quotidienne que ce soit à la piscine, que ce soit pour le gymnase et nous avons même dû aménager deux *outdoor gyms to cater for the great demand*.

Comme j'ai dit dans ma réponse initiale, nous sommes en train de compiler tous les chiffres. Je n'ai pas le chiffre exact pour répondre à l'honorable Doolub. Quand nous aurons les renseignements et que les chiffres seront bien compilés et vérifiés et revérifiés, je vais donc déposer à la Chambre.

**Mrs Luchmun Roy:** Thank you, Mr Speaker, Sir. In his previous answers, the hon. Minister mentioned about the daily activities, the concerts and so on but can the hon. Minister inform the House of any activity which has been organised by his Ministry, that is the Ministry of Youth Empowerment, Sports and Recreation at the Côte d'Or National Sports Complex? Thank you.

**Mr Toussaint:** M. le président, je vais essayer de mémoire rapidement parce que comme j'ai dit, on est en train de préparer tous les détails. Donc récemment, le dimanche 20 novembre, le ministère avec la collaboration du *Mauritius Sports Council*, nous avons organisé le *12 hour run* à Côte d'Or dans le but de sensibiliser la population à la pratique sportive où tous les ministères, les municipalités ont été invités à participer de 6 heures du matin à 6 heures le soir et là, je dois saluer la superbe performance de notre Premier ministre qui a fait 30 tours de piste qui fait 12 kilomètres de course durant cette activité et récemment aussi, en octobre, la Commission Nationale du Sport Féminin a célébré ses 30 ans. Cette Commission avait été mise sur pied à l'époque où Sir Anerood était Premier ministre, donc 30ans de cela en 1992, dans le but déjà à l'époque d'encourager les femmes à pratiquer une activité physique et sportive et donc la grande célébration avec plus d'un millier de femmes a été faite au complexe de Côte d'Or et puis évidemment un peu plus avant, dans l'année au mois de juin, il y avait le championnat d'Afrique d'Athlétisme Senior. C'est les trois évènements principaux qui me viennent à l'esprit immédiatement là, sinon bien sûr on aura plus de détails quand je vais déposer les renseignements à la Chambre.

**Mr Speaker:** Last question!

**Mr Armance:** Is the Minister aware that organising concert and event in open air cause noise pollution to the surrounding? What is he doing to be in line with the Environment Protection (Control of Noise) Regulations 2022?

**An hon. Member:** There is no surrounding.

**Mr Toussaint:** M. le président, je n'ai absolument pas de renseignements en ce qu'il s'agit de *noise pollution that might have been caused during concerts organised at Côte d'Or*. *I will look into it and I will ask the MMIL to give me the necessary information* mais je n'ai pas cette information avec moi.

**Mr Speaker:** Next question!

### **FOREIGN NATIONALS - BUSINESSES - APPLICATIONS**

**(No. B/1172) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Finance, Economic Planning and Development whether, in regard to foreign nationals, namely, from Russia, Ukraine, Belarus, Latvia and Estonia, he will, for the benefit of the House, obtain from the Economic Development Board, information as to the number of –

- (a) applications received therefrom for the setting up of businesses in Mauritius, indicating the number thereof having been issued permits to stay, work and do business in Mauritius, and
- (b) demands received therefrom and from companies therefrom to open bank accounts in Mauritius.

**Dr. Padayachy:** M. le président, je remercie l'honorable membre pour cette question. J'ai été informé par *l'Economic Development Board* en ce qui concerne les ressortissants étrangers d'Ukraine, de Biélorussie, de Lettonie et d'Estonie, cinq demandes de création d'entreprise à Maurice ont été reçues depuis 2021 jusqu'à ce jour et les cinq ont été incorporées. L'*EDB* m'a également informé que ces cinq entreprises détiennent des comptes bancaires locaux. Merci.

**Mr Lobine :** Is the hon. Minister aware that many people from Russia, Ukraine, even Belarussia are trying to set up businesses in Mauritius and they are finding it difficult to open bank accounts because of the enhanced due diligence process going on a more longer period than necessary? Is he aware of that?

**Dr. Padayachy :** M. le président, j'ai été mis au courant de certains difficultés concernant la mise en place de certaines entreprises et aussi pour la création pour l'ouverture des comptes bancaires mais ce processus était déjà là auparavant même si ce n'était pas des

ressortissants de ces pays concernés. Nous avons essayé de mettre en place à travers le dernier budget d'un certain nombre de mécanisme pour qu'une entreprise qui a envie d'ouvrir et de travailler à Maurice puisse avoir un compte.

Concernant ces nationalités, c'est sûr qu'avec la guerre qu'il y a en Ukraine et le fait qu'on a deux *Correspondent Banking*, nous devons avoir, je le dis bien, avoir à prendre des précautions nécessaires avant l'ouverture de ces comptes.

**Mr Lobine:** Is it not a unique opportunity for Mauritius, hon. Minister, if the Economic Development Board can set up a special committee to look at it in view of the fact that it might be a unique opportunity for the country to attract high net worth individuals from those countries especially Ukraine and Russia because mainly there is a report that most of these high net worth individuals are moving away from Europe due to geopolitical situation. They are going to Dubai, Oman, Bahrain, even to Delaware in the US. Can it not be a unique opportunity for Mauritius in that domain, please?

**Dr. Padayachy :** M. le président, je remercie encore une fois l'honorable membre pour cette question parce que c'est vrai que dans chaque crise, il y a des opportunités qui arrivent et au niveau de *EDB*, ils sont en train de travailler pour la mise en place d'une Commission pour regarder ces dossiers, ces documents, ces demandes assez vite et faire la liaison avec les autres autorités en particulier la Banque de Maurice pour essayer d'attirer le plus à Maurice.

**Mr Speaker:** MP Uteem!

**Mr Uteem:** Is the hon. Minister aware that some banks in Mauritius are simply not opening bank accounts where the beneficial owners are Russians and if he is aware of this, will he take up the matter with the Central Bank because the banks are acting against the interests of Mauritius?

**Dr. Padayachy :** M. le président, oui j'ai été mis au courant de certains faits et comme je l'ai dit précédemment, il y a eu toujours des résistances de la part de certaines banques concernant l'ouverture des comptes par manque d'appétit aussi et le fait qu'il y a un certain cout qui en résulte quand on est en train d'ouvrir un compte mais nous, au niveau du ministère, on a demandé à la Banque Centrale de veiller qu'il n'y ait pas ce genre d'actions de la part des banques et qu'on ait une concurrence saine au niveau du système bancaire pour que tout le

monde puisse avoir accès à un compte bancaire parce que c'est le minimum pour un étranger qui veut venir travailler ou mettre en place une entreprise à Maurice qui puisse avoir accès à l'ouverture d'un compte bancaire. Merci.

**Mr Speaker:** Next question!

#### **FOOD AND TECHNOLOGY LABORATORY - PESTICIDES RESIDUES - ANALYSIS**

(No. B/1173) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to the food and technology laboratory, he will state the number of equipment acquired for the detection of pesticide residues, indicating the –

- (a) date of acquisition thereof;
- (b) cost thereof, and
- (c) number thereof being operational.

**Mr Gobin:** Mr Speaker, Sir, the Food and Technology lab is responsible for the analysis of pesticides residues and in order to conduct this activity, three sets of equipment were 'acquired'. I say 'acquired' and I will explain why I say acquired between inverted commas –

- 1) One Gas Chromatography with Mass Spectrometry (GCMSMS- make Waters) was received as a donation from the European Union, that was in 2010;
- 2) Another equipment make ABsciex was received as a donation from the COMESA in 2011, and
- 3) The third one was acquired, that is the Liquid Chromatography with Mass Spectrometry (LCMSMS-make Waters), was acquired through tender process in July 2017.

With regard to part (b), for the costs, the donation from the European Union in 2010, the value was 197,660 Euros. For the donation from COMESA in 2011, it was around Rs11 m. and for the acquisition in July 2017 the cost was Rs26,484 514.00.

**Mr Gobin:** As to part (c) of the question, out of the three, two are operational, namely –

- the equipment received as donation from the EU, and



- the equipment purchased in July 2017.

Whereas this third one, that is, the donation received from COMESA is out of order because of unavailability of spare parts. I am informed that this particular equipment and the particular make is quite an old model and there is therefore, difficulty in purchasing spare parts.

**Ms J. Bérenger:** Nous avons donc que deux équipements sur trois qui sont disponibles pour tester le niveau de pesticides dans les aliments et ces deux équipements ne testent que 33 des 60 substances interdites par la loi. Une des raisons évoquées par le *National Audit Office* en juin 2022 est le fait que les techniciens n'avaient pas la formation nécessaire pour les programmer comme il faut. L'honorable ministre peut-il donc nous dire qu'est-ce qui a été fait depuis juin 2022 ? Est-ce que la formation requise a été délivrée ? Est-ce que les équipements ont été reprogrammés pour pouvoir tester plus de pesticides ?

**Mr Gobin:** I am informed that the number of molecules analysed by the two equipment in operation are around 170 molecules. Now, let's go to the staffing, the Pesticide Residue Analysis Section at the Food Tech Lab. Currently, we have one Acting Senior Scientific Officer, one Scientific Officer, two Agricultural Support Officers, and two Laboratory Auxiliaries. We have made request for additional staff. We are awaiting financial clearance and clearance from the Ministry of Civil Service. We are fully aware that we need to do more tests; therefore, we will need more staff and more funding. What is interesting is that the Pesticide Residue Analysis is accredited to ISO 1025 with MAURITAS since 2020. When we look at the statistics, the number of tests being carried out is on the increase and we will keep the effort ongoing.

**Mr Osman Mahomed:** Thank you. In regards to the 170 molecules that the Minister has just mentioned, can I ask him whether they are restricted only to pesticide residues or do they cover other agrochemicals used in the agro industry like fungicides or fertilizers?

**Mr Gobin:** I will need to be advised on this specific scientific question. I will need notice of the question.

**Ms J. Bérenger:** L'honorable ministre ne m'a pas répondu sur la formation. Est-ce qu'elle a été fournie pour pouvoir programmer les équipements pour qu'ils puissent tester plus de substances interdites par la loi ?

**Mr Gobin:** I do not have the details of the training provided to staff but I can surely provide it at a later stage.

**Ms J. Bérenger:** Et est-ce que le ministère compte faire l'acquisition de nouveaux équipements permettant de vérifier ces taux ?

**Mr Gobin:** We want to constantly improve the level of service, so it is not only about equipment but also staffing globally; *on est conscient*.

**Mr Speaker:** Next question!

### **METRO EXPRESS - BUS COMPANIES - REPRESENTATIONS**

**(No. B/1174) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the operation of the Metro Express from Port Louis to Curepipe, he will state if he has received representations from the bus operators on the impact of flow of bus passengers and, if so, indicate –

- (a) if a study has been carried out in relation thereto and, if so, indicate the outcome thereof and, if not, if consideration will be given for the carrying out thereof, and
- (b) the remedial measures, if any, that will be taken in relation thereto.

**Mr Ganoo:** Mr Speaker, Sir, since the implementation of the light rail, my Ministry has had regular interactions with representatives of the bus companies on wide ranging issues, including the impact thereof on bus operations. I am aware of the concerns of bus operators operating along the Port Louis to Curepipe corridor, with regard to the operation of the light rail transit system.

Mr Speaker, Sir, the light rail transit system has been devised to complement existing modes of transport for the convenience of the travelling passenger and to provide a clean, sustainable and reliable mode of transport. The light rail stations have been designed to easily integrate with buses and for them to operate seamlessly with each other. To this end, the various interchanges at Curepipe, Rose Hill, Quatre Bornes, Vacoas and Port Louis have been so designed to provide an integrated multi-modal infrastructure station that allows for different modes of transport to be integrated and to enable passengers to easily commute from one mode to the other.

As regards part (a) of the question, Mr Speaker, Sir, following the introduction of the light rail, a Technical Committee was set up at the level of the National Land Transport Authority (NLTA) to –

- (a) gauge the impact of the light rail on bus operations, and
- (b) make recommendations to minimise these impacts.

The Technical Committee met on several occasions in 2020 and 2021 to consider the impacts of the Metro Express up to Rose Hill only. However, the real impacts of the light rail on bus operations could not be readily established, as in the meantime, with the outbreak of the COVID-19 pandemic, the ridership, both in buses and in light rail vehicles, declined drastically due to the then travel restrictions applicable in public transport coupled with the Work-from-Home Scheme which led to a reduction in the number of passengers.

Accordingly, as the fall in bus ridership could not be solely attributed to the Metro Express, it was deemed that the assessment would need to be carried out over a longer period of time including other parts of the alignment so that the impacts of the COVID-19 pandemic on bus and light rail ridership could be abstracted therefrom. This would also allow meaningful comparisons to be framed from the base year, that is, prior to the commencement of the Metro Express.

Mr Speaker, Sir, the Port Louis to Curepipe line came into commercial operation on 10 October 2022, that is, only last month. Accordingly, no in-depth study has been carried out yet in respect of the Port Louis to Curepipe leg.

In order to forge a cogent analysis as to its impacts on bus ridership, there is the need to proceed in a methodical and scientific manner and the assessment need to be carried out over an appropriate timeframe. The above assessment would be carried out by my Ministry together with relevant stakeholders including the bus operators. In addition, with the removal of restrictions in the public transport and resumption of economic activities, it would now be easier to carry out an in-depth study as the figures would be more reliable to assess the real impacts of the Metro Express over the 23 bus routes found along the Port Louis to Curepipe corridor involving 382 buses.

Mr Speaker, Sir, yesterday, I met the major bus operators and it transpired from the discussions that the impacts of the light rail cannot, at this particular juncture, be readily established up to Curepipe the more so that we need to await resumption of schools in order to have a better insight as to the real impacts of the light rail on bus ridership.

Mr Speaker, Sir, with regard to part (b) of the question, I need to emphasise that the light rail transit system constitutes a unique opportunity for reorganising the public transport system in Mauritius. In the context of the reengineering the public transport system, following the advent of the Metro Express, the major bus companies were requested to submit their written proposals to my Ministry. These proposals have been compiled and are currently being assessed by my Ministry.

Mr Speaker, Sir, some of the remedial measures considered relate to, but are not limited to –

- (i) enforcement against illegal operators: illegal operators, Mr Speaker, Sir, in fact represent 10% loss in the revenue of bus operators;
- (ii) adjusting the time table of the bus routes to enhance operational efficiency;
- (iii) increasing the attractiveness of public transport through the introduction of a clean technology, more particularly the introduction of electric buses;
- (iv) reengineering of the public transport sector;
- (v) digitalising public transport to reduce pilferage and increase operating efficiency;
- (vi) regionalisation of bus operators;
- (vii) redeployment of part of the impacted bus fleet to supplement service on other routes, and
- (viii) implementation of feeder buses in some regions.

I need to highlight, here, that some of the remedial measures would entail major policy implications and relevant line Ministries such as the Ministry of Finance, Economic Planning and Development and the Ministry of Labour, Human Resource Development and Training would have to be roped in for consultations prior to a decision being taken by Government thereon. Likewise, some of the proposed remedial actions would require amendments to the

legislative framework and these would need to be discussed in detail with all the relevant stakeholders. The timeline of implementation would also need to be framed.

I, therefore, wish to allay the concerns of bus operators and reassure them that remedial measures are indeed being considered at the level of my Ministry with a view to moving towards an integrated multi-modal transport system and they would be consulted, accordingly.

**Mr Ameer Meea:** Mr Speaker, Sir, I have three supplementary questions and I shall ask one by one, with your permission.

Mr Speaker, Sir, inevitably passengers moving from bus to light rail transport, will impact bus operators. This is no rocket science. Therefore, can I ask the hon. Minister if ever there will be – I hope not – but if ever there will be any termination of employment for employees working as bus operators? Can I ask the hon. Minister if he can see to it that priority be given to employees who lost their job in bus operators companies so that they are recruited by the Metro Express?

**Mr Ganoo:** Mr Speaker, Sir, the concern for the employees and the workers of the bus industry has also been in the forefront of our concern with regard to the new developments that are taking place in the bus industry sector but, we have not reached there. I do not know why the hon. Member is preempting matters and is anticipating things. The idea, Mr Speaker, Sir, is in case, there is a loss of ridership and of course, there has already been a loss of ridership. I can tell that to the hon. Member and to the House. In fact, there are three buses which are concerned –

- (i) NTC;
- (ii) Rose Hill Transport, and
- (iii) UBS.

And, the worst hit in these three companies – I am talking from Port Louis to Rose Hill because the commercial operations have been launched since January 2020 as we remember; Rose Hill Transport has been the worst hit. Then, minimally UBS, then hardly the NTC but the idea is to reengineer the old system to give the operators the possibility, Mr Speaker, Sir, to have other opportunities so that the question of laying off workers does not arise. You know, this is an industry which receives a lot of subsidy and support from Government, Mr Speaker, Sir, in terms of free travel scheme, in terms of subsidy on diesel. On each litre that each bus needs every day,

Government pays Rs20 per litre. So, you can imagine how many thousands and thousands of litres are used every day by NTC, Rose Hill Transport, UBS and the Mauritius Bus Transport. Government is subsidising millions of rupees per year only on diesel because the bus companies do not pay the Rs55 per litre that we pay. Government tops up on each litre.

Now, the free travel scheme also as you know, Mr Speaker, Sir, Government spends about Rs530 m. and pays to the bus operators every year. *R 530 millions* to the bus operators. So, this is a sector which is heavily subsidised. We do this; of course, we are concerned about services to our population. I always say that, Mr Speaker, Sir, 460,000 Mauritians travel every day and out of these 460,000, today 40,000 are being transported by the Metro but the other 400,000 are being transported by our bus industries, Mr Speaker, Sir. We still need them. That is why Government needs to subsidise this industry so that our whole industry does not collapse but also, so that there is no, as rightly pointed out by the hon. Member, there is no laying off; there is no breakdown in the system and all the workers keep their job and their employment.

**Mr Ameer Meea:** Yes, Mr Speaker, Sir, in light of any possible negative impact on bus operators, can I ask the hon. Minister if private bus operators will also be involved in any eventual partnership in regard to Metro Express Ltd capital?

**Mr Ganoo:** We have not reached that stage, Mr Speaker, Sir, whether there will be a partnership between the Metro Express and the individual bus operators. What we want, Mr Speaker, Sir, is to help the private bus operators to be able to stand on their feet and there are many ways to do that, Mr Speaker, Sir, helping them to modernise their bus fleet for example. This year, Rs70 m. have been allotted to continue giving them subsidy to modernise their fleet. I mean, there are other ways for Government to help this sector, Mr Speaker, Sir - modernising and giving them new routes, redeploying the routes. For example, the routes which are being impacted by the Metro Express, Government is working on the possibility of allocating other routes to these operators. So, there are ways and means that we will have to find to help them with the arrival of the light rail systems but as I said what we have to do, Mr Speaker, Sir, is to modernise our transport system and this is a multimodal system. We need the light rail and we need the buses also. We have to integrate our public transportation.

**Mr Speaker:** Last supplementary!

**Mr Ameer Meea:** Yes, thank you, Mr Speaker, Sir. Part (b) of my question is in terms of remedial measures and the hon. Minister just mentioned about major policy implications. I read earlier in a Press article of *Le Défi* of the possibility of further subsidy. I reckon that there are already numerous subsidies as the hon. Minister just mentioned but in terms of loss of ridership, is subsidy also being considered? I know it is a bit early to commit but it was in the papers.

**Mr Ganoo:** Mr Speaker, Sir, there is a limit to which the Minister of Finance can go, to which the Exchequer can go, to which the Government can go. I have just elaborated on the different items of subsidy and perhaps I have left some out but this is a representation which has been made to us very often, recently by the operators to find another formula of subsidy for them but recently we increased the tariff, Mr Speaker, Sir. This was to give *un ballon d'oxygène* precisely to the bus owners and the bus operators. The bus fares were increased, if the hon. Member would remember, by an average 30%, Mr Speaker, Sir. So, unfortunately, the sky is not the limit, Mr Speaker, Sir. We have our own financial constraints; Government has its own financial constraints.

We are doing a lot for this sector and we do not want this sector to collapse. We have to service everyday 400,000 people including our students. We are giving free transport system amounting to nearly Rs2 billion, Mr Speaker, Sir. I mean Rs1.3 billion approximately plus the other subsidy, it amounts to *R 2 milliards de subsides pour ce secteur-là*. So, of course, we have to see that this sector survives but Government has also its constraints. We cannot give for the mere asking, Mr Speaker, Sir. This is the point that I wish to make but I can assure the hon. Member, the bus operators and the public in general that Government is working with the bus operators.

I just told you we had a meeting yesterday. Another meeting is scheduled on next Monday and that other meeting will be focused specifically on combating the illegal operators. 10% of the revenue I just said is lost unfortunately, Mr Speaker, Sir, due to private vans or private cars operating illegally and they now go at the bus stops and they take people illegally. This is starting illegally, Mr Speaker, Sir, and this is doing a lot of damage to this industry and in the coming days, we have a meeting with the help of the Police and the NLTA on how to curb those illegal operations and this, in the spirit of helping the bus operators, with the aim of helping them, Mr Speaker, Sir.

**Mr Speaker:** Next question!

**MAURITIUS EXAMINATIONS SYNDICATE – EXAMINATION PAPERS – LEAKAGE  
– INTERNAL INQUIRIES**

**(No. B/1175) Dr. M. Gungapersad (Second Member for Grand’Baie & Poudre d’Or)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the alleged tampering with the Primary School Achievement Certificate and the National Certificate Examination 2022 Examination Papers and leakage of the Mathematics Paper 1 for the Higher School Certificate Examinations 2022, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the outcome of the internal inquiries initiated thereinto.

**The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano):** Mr Speaker, Sir, I am informed by the Mauritius Examinations Syndicate that one incident relates to an unauthorized access to confidential information pertaining to PSAC/NCE which occurred on 1 June 2022 and the second one is about access by candidates to information relating to certain questions pertaining to Mathematics Paper 1 on 10 October 2022.

Mr Speaker, Sir, the first pertains to the case of a Senior Research and Development Officer, Mr V. S. B., who without authorisation had acceded to confidential files relating to the Primary School Achievement Certificate and the National Certificate of Examination for 2022.

As soon as the matter was reported to the Management of MES, an investigation by a team headed by the Deputy Director was carried out and Mr V. S. B. was requested to hand over the pendrive to the Director on the same day. Mr V. S. B. complied and submitted his explanations by way of an email and a pendrive was also handed over by him on the same day. His explanations were not found to be satisfactory by the MES.

In view of the seriousness of the matter, MES took prompt action forthwith and Mr V. S. B. was interdicted with immediate effect on 02 June 2022. The matter was reported to the Police on 02 June 2022. Statements have been made to the Central CID by officers of the MES and the Police have collected all evidence related to the case. A full-fledged enquiry is ongoing.

I am further informed that an internal committee has been set up by the MES to look into the circumstances surrounding the incident, convene witnesses and request for documents to



assist the enquiry committee in its task, to make recommendation on remedial measures for improving the security of the system as a whole, and to, *inter alia*, determine whether the accused officer had breached the clause of confidentiality tying him to his employer.

The Committee has met 11 times from 27 July 2022 to date to hear witnesses, interview of staff involved in paper setting and conduct site visits to the typing pool, strong room, etc. The work of the committee is in progress and it is expected to submit its findings to the MES by end of December 2022 following the completion of the internal enquiry.

Mr Speaker, Sir, MES has given the assurance that all information that may have been accessed by the officer has been discarded and has not been used for the preparation of examination papers. New papers were set for PSAC and NCE assessments. A new set of question papers were finalised thereafter and subsequently sent for printing in UK. These assessments were held as scheduled in August, September and October 2022.

Mr Speaker, Sir, following this incident, MES has taken additional measures to reinforce the security around the processors concerning paper setting, control of access, storage of data, use of unique passwords and encrypted pendrives, and forbidding the use of mobile phones in the confidential typing pools.

Mr Speaker, Sir, as regards the second incident on 10 October 2022, MES was apprised at 16.41 hrs that the Manager of Loreto College Quatre Bornes had informed the Examination Centre Supervisor that he had received a WhatsApp message concerning information related to some possible questions of Mathematics Paper 1.

The examination, which started at noon, was of a duration of 1 hour 50 minutes. I wish to highlight that some 4,476 HSC Mauritian candidates had sat for the paper on the same day. At 16.43 hrs, the Manager was contacted and was requested to call immediately at the MES but he refused to do so.

Given the circumstances, the MES officers, Senior Examination Officer and two other officers proceeded to the school to gather more information on the matter. However, the Manager did not provide any additional information to the MES.

In view of the seriousness of the matter, the MES reported it forthwith to the Police who initiated an enquiry on the very same day, that is, 10 October 2022. The MES also reported the

matter to the Cambridge Assessment International Education (CAIE) and communicated the information it had in its possession to the said organisation on the same day, and the CAIE initiated an enquiry at this end.

Mr Speaker, Sir, according to report received from the Police, it came to light that a student of Loreto College Quatre Bornes had accessed information pertaining to some questions from a mobile application, Reddit. She had shared the information with a Mathematics teacher who in turn had forwarded it to a senior educator and the Manager of the school.

We have been informed that Reddit, the application, is a social news website and forum where content is socially curated and promoted by site members. The user mobile application is also a platform where past question papers are shared with all those who are on the application.

According to Police report, there is no screenshot as such of the questions concerned. So far, the Police enquiry had not revealed that there has been any other sharing or posting of the information on questions pertaining to the examination paper with other persons or social media platforms or that there has been further disclosure of information in Mauritius relating to the questions.

Mr Speaker, Sir, I wish to inform the House that as part of the investigation process, MES was requested to carry out an audit of the distribution chain of the question, starting with the dispatch of the question paper as from its shipment in the UK and up to its delivery to the MES, its safekeeping as well as distribution to examination centres on the day of the exam. As per information obtained by the MES, the dispatch and distribution had been carried out as per established norms and standards of the examinations protocol in place. With a view to beefing the security, the MES from there onwards decided to deliver papers in sealed conditions to coordinators twice a day, that is, at 05.45 for morning sessions and another delivery at around 10.00 for the afternoon papers.

Mr Speaker, Sir, I am further informed that the Cambridge Assessment International Education has concluded its investigation on the matter based on the evidence gathered by the CAIE; they are not planning to replace or cancel the paper. The CAIE has also informed that there is no evidence to suggest that the source of the information on questions was from any candidate or staff of any examination centre in Mauritius.

Mr Speaker, Sir, the Ministry is closely monitoring the situation with the MES.

**Dr. Gungapersad:** Thank you, hon. Minister. I have no supplementary because the Minister of Education is not here. Thank you.

**Mr Speaker:** The Table is advised that PQs B/1215, B/1206, B/1213, B/1197, B/1204, B/1216, B/1190, B/1194, B/1202, and B/1207 have been withdrawn.

Next question!

### **STC - PROCUREMENT SYSTEMS & PROCEDURES**

(No. B/1176) **Mr R. Bhagwan (First 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 inquiries he had commissioned following his appointment as Minister of Commerce and Consumer Protection with respect to procurements effected by the State Trading Corporation during the COVID-19 period whereby the approval of the then Minister of Commerce and Consumer Protection was sought, he will –

- (a) state where matters stand, and
- (b) give a list of all the items purchased, indicating –
  - (i) the costs thereof, and
  - (ii) when the then Minister approved same.

**Mr Callichurn:** Mr Speaker, Sir, you may recall that in my reply to PQ B/419 in May 2021, I mentioned that I will request the Internal Control Office to carry out an exercise on the procurement systems and procedures in place at the STC.

I wish to inform the House that this exercise has been completed and that the report concluded that all procurement systems and procedures used by the STC are in line with the Public Procurement Act. I am further informed that the STC has initiated actions to implement the recommendations made therein.

Mr Speaker, Sir, the ICAC is also investigating into the matter by virtue of Section 81 (3) of the Prevention of Corruption Act and I cannot disclose any further information on the matter for the time being, as no information is currently available since ICAC has taken all the files of the Ministry and those of the STC.

**Mr Bhagwan:** J'ai quelques supplémentaires. Beaucoup de vérités sont sorties lors de l'enquête judiciaire de feu Kistnen dans la Cour de district de Moka concernant la *STC*, les *procurements*, les *kickbacks* qui ont été payés, d'où la démission de son prédécesseur, le directeur de la *STC* et d'autres officiers. Est-ce que le ministre peut informer la population quelle mesure a-t-il pris depuis qu'il a pris cette responsabilité de ministre du Commerce pour qu'il n'y ait pas de répétition de ce qui s'est passé, profitant du Covid-19 pour faire des millions, pour ne pas dire des milliards sur le dos des consommateurs et l'argent public ?

**Mr Callichurn:** Mr Speaker, Sir, I have just answered. I said that all the procurement system and procedures used by the *STC* were found to be in line with the Public Procurement Act by the Internal Control Office.

**Mr Bhagwan:** Est-ce que le ministre peut nous dire s'il a donné des directives maintenant qu'il n'y ait pas d'ingérence au niveau du ministère, auprès de la *STC* concernant les achats, prenant en compte qui s'est passé dans le passé ? Le ministre peut-il nous dire cette *Internal Control*, c'est présidé par qui ; quels sont ces gens qui ont effectué cette enquête ?

**Mr Callichurn:** There is one Mr S. J., Assistant Manager, Internal Control who carried out the investigation into the matter and submitted its report. I can also assure the hon. Member that there is no *ingérence* as such in all procurement exercises.

**Mr Bhagwan:** Est-ce que le ministre peut nous dire *how does he reconcile with the fact that now that he is informing us the nation, the taxpayers* qu'il n'a pas eu d'ingérence ; il y a supposément un rapport que le public ne voit pas. Comment peut-il concilier le fait que le Premier ministre a demandé à son prédécesseur de démissionner en prenant compte de tout ce qui a été rendu public concernant les magouilles au niveau de la *STC* impliquant l'ancien ministre, l'ancien directeur et son staff?

**Mr Callichurn:** I would not know the reason behind the resignation of my colleague. So, I cannot answer this question.

**Mr Speaker:** Next question! Sufficiently canvassed! Next question now!

#### **SANDAL WOOD TREES – ILLEGAL LOGGING & FELLING**

**(No. B/1177) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Attorney-General, Minister of AgroIndustry and Food Security whether, in regard to Santalum

Album trees, commonly known as sandal wood, he will, for the benefit of the House, obtain from the National Plant Protection Office, information as to the number of –

- (a) reported cases of illegal logging and felling thereof, and
- (b) persons and companies holding phytosanitary certificates for the exportation thereof.

**Mr Gobin:** Mr Speaker, Sir, I thank the hon. Member for this question. The logging and felling of sandal wood trees have reached, Mr Speaker, Sir, such an alarming level that new regulations have had to be made in 2021, more precisely in August 2021.

New regulations were made under the Forests and Reserves Act and sandal wood was listed as protected under the Third Schedule to the Forests and Reserves Act.

With regard to part (a) of the question, I am informed by the Forestry Service of my Ministry that for the year 2022, that is, from January up to now, there are 21 cases of illegal logging and felling of sandal wood trees mainly on State Lands and river reserves and mountain reserves.

I am also informed that a number of cases have also been directly reported to the Police. Unfortunately, I do not have the statistics coming from the Police. I have to add that as at Friday last, I was informed of one case in Rodrigues where a case of illegal felling of sandal wood was reported to the Police and the officers of my Ministry, namely from the Forestry Service are also collaborating in that case in Rodrigues.

Regarding part (b), I am tabling a list of phytosanitary certificates granted, that is, a total of 24.

Mr Speaker, Sir, I have to add that the statistics I am providing concern the year 2022 in as much as the new regulations were made in August 2021. I am also tabling copy of the regulations made in August 2021.

**Mr Lobine:** May I ask the hon. Minister whether with regard to those illegal activities that is growing up in an alarming proportion, despite the fact that sandal wood is a protected plant but it is not an endemic plant, will it not be in the best interest of the country to have a comprehensive study on why those sandal woods are being illegally logged down and why they are used for illegal exportation. Is it not a fit and proper case for our country to see to it what is the state of our sandal wood because sandal wood are used abroad for their paste, for their oil

and even in the perfume industry; whether our sandal wood here is of a quality enough so that maybe it could be a pillar for our country?

**Mr Gobin:** Yes, this is the reason why there is illegal felling, because of the quality of the wood which is available here in Mauritius. Now, this can be an economic activity in Mauritius. I have to inform the House that my Ministry is currently working on regulations for the sustainable and economic use of sandal wood but we need a regulatory framework otherwise we will continue to have these cases of illegal felling and logging. The regulations are being prepared but until the regulations are ready, we are continuing patrol and surveillance over especially, State Land, River Reserves and Mountain reserves and we are also reinforcing efforts in Rodrigues as well.

**Mr Lobine:** Is the hon. Minister aware that at the Economic Development Board, there are even demands for the setting up of processing plants for sandal wood in Mauritius? Is the hon. Minister aware of that?

**Mr Gobin:** Yes, this is precisely why we are working on the regulations. Sandal wood is just one! In fact, there is a full report to those commissions by the EDB. I think if my memory serves me right, by Prof. Bahorun on a number of plants. Sandal wood is one of them; I reiterate that we are working on regulations. There is possibility of having sustainable and economic use of sandal wood but we are not there yet, we are continuing our efforts to control especially with the help of the Police, the Forestry Service, National Parks and Conservation Service and the Customs Department.

**Mr Bhagwan:** Est-ce que le ministre a enquêté s'il y a connivence entre différentes officiers des sections de son ministère avec des gens ? Le ministre peut sûrement être au courant ; quand il y a des mortalités et les gens cherchent du *sandal wood* pour utiliser dans les moments difficiles, et là il y a un racket et il y a connivence au niveau du ministère ; par exemple, il y a des courtiers, il y a des gens qui disent qu'ils savent où avoir ce *sandal wood* pour l'utiliser.

**Mr Gobin:** I have not been informed of any *connivence*, Mr Speaker, Sir, but if there are any cases of funny business, they will be taken to task. This will not be tolerated.

**Mr Speaker:** Next question!

**ALBION-CANOT JUNCTION - TRAFFIC CONGESTION**

(No. B/1178) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to traffic congestion occurring in the morning along the main road at the Albion-Canot junction, he will state the remedial measures being envisaged in relation thereto, if any, indicating if consideration will be given for the provision of a new exit road from Albion to St Martin/Bambous.

**Mr Ganoo:** Mr Speaker, Sir, I am advised that the Rivière Noire Road (A3) serves as the main link connecting Black River to Port Louis, the town centres and the eastern regions of the island.

Albion is connected to the A3 Road at two locations, namely at Petite Rivière Junction (near Indian Oil Filling Station) and at Canot Junction.

In the morning, traffic heading towards Port Louis from the western regions of the island (Albion, Tamarin, Flic en Flac, Bambous and Rivière Noire) converge at the Montée S Junction, passing through the Albion-Canot Junction which is currently signalised. This junction operates beyond capacity during peak hours.

My Ministry is presently investigating on the actual phasing time of the existing signalised T-junction at Albion-Canot and would look into the possibility of reallocating the amount of green time for the various junction legs to optimise the traffic flow.

Mr Speaker, Sir, I wish to inform the House that Government has implemented the A1-A3 Link Road Project in 2020, so as to relieve traffic congestion along the A3 Road. The A1-A3 Link Road has significantly improved traffic flow in this region by connecting Gros Cailloux to Chebel and offering road users an alternative route and access to the North and Central Plateau. The use of the A1-A3 Link Road would be further maximised with the construction of the A1-M1 Link Road which is expected to be completed by 2023. This, in turn, would reduce the pressure on the A3 Road and reduce the congestion at the Albion-Canot Junction.

Mr Speaker, Sir, I am further informed by the Ministry of National Infrastructure and Community Development that it is being proposed to extend the A1-A3 Link Road to Albion Road (B78) in the next financial year, subject, of course, to the availability of funds. This new

link would be known as the Albion-A3 Link Road and would consist of the construction of a single carriageway of 1.0km long and road realignment of 400m along B78 Road. This link would provide a rapid link connection between Albion and Gros Cailloux, thus bypassing the built up areas.

**Mr Quirin:** M. le président, avec le nombre d'espaces résidentiels qui ont vu le jour ces dernières années à Albion, il est clair que cette région a connu une augmentation subséquente de sa population. De ce fait, le ministre, il l'a dit dans sa réponse, son souhait à ce qu'à la jonction de Canot-Albion, le temps au feu vert soit revu, mais depuis quelques temps il y a quand même un gros stress qui est causé au sein de la population d'Albion le matin surtout quand les véhicules empruntent cette route vers la jonction de Canot. Ne pense-t-il pas qu'il est urgent de considérer la possibilité d'avoir une autre sortie ? Pourquoi ne pas penser au ré-asphaltage de la route de Médine à Albion, qui va vers Bambous, une ancienne route, qui d'ailleurs a été proposée par les habitants de la région ou bien aussi de considérer la possibilité qu'il y ait une nouvelle route à l'intérieur du morcellement de Splendid View et qui se terminera en face de la jonction St Martin-Canot, ce qui soulagera certainement les automobilistes d'Albion et de Canot mais aussi de Bambous, de Flic en Flac et de Tamarin. Ne pense-t-il pas, M. le président, que la *TMRSU* envisage la possibilité justement d'aller dans ce sens, soit l'ancienne route de Médine ou la nouvelle route à travers le morcellement de Splendid View ?

**Mr Ganoo:** Mr Speaker, Sir, as rightly pointed out by the hon. Member, in fact, the *TMRSU* is working on the possibility of remodelling the green time, reallocating the amount of green time at the different junctions, that is one. But with regard to the last part of the proposal made by the hon. Member, I don't think it is within the premise of the *TMRSU* to decide on the new road infrastructure or new road scheme but the hon. Member seems to be proposing something which is interesting. I will certainly liaise with the local stakeholders and the other authorities in particular, the hon. Minister responsible for infrastructure and road development and with the RDA, Mr Speaker, Sir, to examine the suggestion made by the hon. Member.

**Mr Bhagwan:** One of the main problems the inhabitants are facing not only of Albion, is that there is a frequent breakdown of the traffic lights. We, three MPs, we are being called very often to intervene concerning the repair to that particular traffic light at the Canot-Petite Rivière main road. Can the Minister at least see with his office at least while readjusting at least change



the traffic lights whether there is a technical problem, we don't know. I think this is another thing which can be considered.

**Mr Ganoo:** It is true, Mr Speaker, Sir, that from time to time, the TMRSU has received requests with regard to the state of the traffic lights which are at this junction of Canot and Albion but as soon as the representations are made, the TMRSU sends the technicians to see to the problem and to remedy the situation. But as far as I remember, for a long time now, we are going to see representations but of course, hon. Quirin himself regularly, I know, solicits the intervention of the Ministry and the TMRSU for this particular lights, Mr Speaker, Sir, but I will talk to those responsible at the TMRSU to see to it whether the situation can be further improved.

**Mr Speaker:** Next question!

#### **ELECTRICITY BASE LOAD GENERATION CAPACITY**

**(No. B/1179) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Minister of Energy and Public Utilities whether, in regard to electricity base load generation capacity, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the measures being taken to ensure sufficiency thereof.

**Mr Lesjongard:** Mr Speaker Sir, I have been informed by the Central Electricity Board that there is, at present, sufficient base load generation capacity to meet the base demand.

Base load generation power plants are facilities which can operate on a 24 hours basis throughout the year, except for maintenance and repairs.

Along with the major coal-bagasse Independent Power Producers power generation plants, nearly all CEB's power plants can operate on base load generation.

For instance, the Fort George Power Station, the Saint Louis Power Station and the Fort Victoria Power Station are flexible power plants which can operate on base and semi-base load mode.

Mr Speaker, Sir, given CEB's contractual obligations towards IPPs, cost implications and varying daily demand, the Central Electricity Board dispatches the power generation facilities on the merit-order principle. It is in consideration of these parameters that the Saint Louis and Fort Victoria Power Stations, which can operate as base-load generation, are most of the time used to meet semi-base load demand.

However, Mr Speaker, Sir, these two CEB's Power Plants can be easily ramped up not only to meet increasing demand but equally, to some extent, to meet potential shortfall resulting from breakdown or planned maintenance of other generation facilities.

It is worth indicating that even the Nicolay Power Station, which is usually dispatched for peaking purpose, can also be used as base-load generation when the need arises.

In addition, during the rainy season when water in dams is sufficient and to prevent spilling, the Central Electricity Board runs its hydro power plants, such as the Champagne Power Station, as base load generation.

Mr Speaker, Sir, I wish to reassure the House that the Central Electricity Board has sufficient base load generation capacity at its disposal today to meet the daily base load demand. I thank you, Mr Speaker, Sir.

**Mr Osman Mahomed:** Thank you. On Friday 21 October 2022, Cabinet has given its agreement for action being initiated for the implementation of a LNG project by the CEB in the Port area without the Cabinet's decision stipulating the process to be followed or the time frame to be abided by, save for a committee to be set up. Can I ask the hon. Minister, being given his Ministry is the main stakeholder, whether he considers this Cabinet decision to be deemed to be a licence to initiate action for the installation of an LNG plant and amenities under emergency procurement being given that base load capacity generation is a dynamic situation and we do not know what might happen in the future, as the Minister has himself said in the past?

**Mr Lesjongard:** Mr Speaker, Sir, I am a bit surprised by this question because if one refers to the RE roadmap that was approved by MARENA and made public, it is clearly stated that, and I quote –

“The gradual shift to the use of cleaner energy technologies such as Liquefied Natural Gas will also be explored in parallel.”

And the hon. Member is a member of the Board of MARENA. So, he should know what is stated in the roadmap.

Now, with regard to looking into the possibility of using LNG as transition energy, it is clear that we will have to go in this direction. That is why Cabinet has set up a Steering Committee comprising different representatives, including PMO, MOFED, CEB, MPA, EDB,

under the chairmanship of the Ministry, to first look for sourcing of the LNG and the setting up of an LNG facility and the infrastructure to bring the LNG onshore to the power station.

**Mr Osman Mahomed:** In an article from Upstream Energy Explored magazine online, by Amanda Battersby, it is stated that –

“India’s Petronet LNG is planning to expand its international Liquefied Natural Gas import projects to Mauritius and potentially also to the Maldives.”

Now, can I ask the hon. Minister whether Government or his Ministry or CEB is discussing or proposes to discuss the implementation of LNG project in the Port area under emergency procurement, which was part of my first question and which he has not answered? Is this being envisaged, hon. Minister?

**Mr Lesjongard:** No, Mr Speaker, Sir. I am not even aware of that article Mr Speaker, Sir.

**Mr Osman Mahomed:** I can table the article.

**Mr Speaker:** Stick to the main question!

**Mr Osman Mahomed:** It is part of the main question; it is base load generation.

**Mr Speaker:** Any other question?

**Mr Assirvaden:** M. le président, le ministre a répondu la semaine dernière, le 15 novembre, du moins en ce qui concerne le *base load* au niveau du *CEB*, dans la généralité. Et aujourd’hui encore, le ministre parle que le *CEB* a suffisamment de capacité. Mais le fait que les chiffres disent autre chose, notamment Terra, 62 mégawatts en manque ; l’alternateur de St Louis, 13 mégawatts ; et Fort George, des machines vieillissantes, est-ce que je peux savoir du ministre combien de mégawatts en *base load* ont été additionnés à la charge du système du *CEB* depuis les trois dernières années ? Parce que nous parlons ici de *electricity base load generation capacity*.

**Mr Lesjongard:** Mr Speaker, Sir, I can definitely give the information, but I will give the information with the effective capacity that we have as at today. I will list out the power stations, whether it is operating at base and semi- base load, and the effective capacity.

With regard to the CEB, we have –

- (i) Fort George power station which operates at base load and semi-base load; an effective capacity of 127 MW;
- (ii) St Louis with a base load and semi-base load and peaking also at 101.5 MW capacity;
- (iii) Fort Victoria power station; base load and semi-base load and peaking at 103 MW capacity;
- (iv) Nicolay with base load and semi-base load and peaking at 70 MW;
- (v) Champagne hydropower station at base load and semi-base load and peaking at 28 MW

which makes a total of 429.5 MW together with IPP power stations, namely –

- (i) Alteo with a base load of 27 MW effective capacity;
- (ii) CTSAV with a base load of 74 MW effective capacity;
- (iii) CTDS at a base load of 30 MW;

that is, 131 MW capacity with a total of 560.5 MW. This is why, Mr Speaker, Sir, in my reply, I have stated at the very beginning that I have been informed by the CEB that they have sufficient base load generation capacity to meet the base demand, without Terragen.

**Mr Speaker:** The Table has been advised that the following PQs have been withdrawn: B/1182, B/1185, B/1188, B/1189, B/1193, B/1196, B/1199.

Time over!

## MOTION

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

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

**Mr Ganoo seconded.**

*Question put and agreed to.*

## STATEMENTS BY MINISTERS

## **MBC - FIFA WORLD CUP 2022 MATCHES - BROADCAST**

**The Prime Minister:** Mr Speaker, Sir, I wish to make the following Statement to set the record straight and clarify tenuous issues that have arisen from the comments made in the media regarding the broadcast of the FIFA World Cup 2022 matches by the Mauritius Broadcasting Corporation.

As the House may be aware, MC Vision Ltd has, in a press communiqué issued on 17 November 2022, alleged that the MBC has not made any proposal to MC Vision Ltd regarding the broadcast of the FIFA World Cup 2022 matches.

Mr Speaker, Sir, in July 2021, FIFA awarded the FIFA World Cup Free-to-Air and Pay-TV distribution rights, to New World TV, a Togolese company, for French-speaking countries in the sub-Saharan region.

The Free-to-Air broadcasting rights give access to 28 matches only, including access to the opening and closing ceremonies and to the final match, whilst the Pay-TV broadcasting rights give access to all the 64 football matches, and to the opening and closing ceremonies.

In August 2021, the MBC became aware that the distribution rights for the FIFA World Cup 2022 had been awarded to New World TV for French-speaking countries in the sub-Saharan region. Since then, the MBC made several attempts to get in touch with the representative of New World TV, who was responsible for broadcasting rights. These attempts were, however, unsuccessful.

At the same time, the MBC was also aware of issues between Canal+ International and New World TV and that MC Vision Ltd, representing the Canal+ brand in Mauritius, would not be able to acquire the broadcasting rights. Besides, this failure of negotiations between New World TV and Canal+ International has been clearly mentioned in the press communiqué of MC Vision Ltd.

On its part, the MBC had the intention to show all the 64 FIFA matches to the Mauritian public. Around that same period, a local company entered into negotiation with the MBC to provide Free-to-Air broadcasting rights for the FIFA World Cup matches. However, this negotiation was also unsuccessful as the quoted price of USD 750,000, that is, approximately Rs33.5 m., was considered to be on the high side.

The MBC consequently decided to renew its attempt to negotiate directly with New World TV. After successful negotiations, on 28 September 2022, the MBC concluded a better agreement with a much lower price with New World TV for the FIFA World Cup 2022 Free-to-Air broadcasting rights.

Mr Speaker, Sir, with regard to Pay-TV distribution rights, the MBC negotiated with New World TV and a first proposal was received from New World TV for the Pay-TV rights for the 64 matches for the total sum of USD 2,000,000, approximately Rs91.3 million. After further negotiations, the MBC succeeded in striking a much better agreement and signed a contract with New World TV for the FIFA World Cup 2022 Pay-TV rights again for a much lower price. The agreement relates to four TV channels of New World TV on which the FIFA World Cup matches are being broadcast.

In this context, the existing over the top application of MBC, the MBC Play, has been upgraded to cater for a payment gateway so that online payment can be undertaken with the App. Moreover, the MBC has deployed several help desks around the island to assist mobile phone users to install and use the App. Further upgrades were added to the App for iPhone users, and also to enable the viewing of the competition on TV.

Mr Speaker, Sir, it is apposite for me to underline the fact that the MBC has acquired a broadcasting licence for the FIFA World Cup 2022, either Free-to-Air or Pay-TV and not a distribution licence. Distributing the FIFA feeds to other companies is not authorised by New World TV. Unauthorised distribution would constitute a breach of contract, and this might consequently lead to New World TV stopping the broadcast of FIFA matches in Mauritius.

I am also informed by the MBC that the FIFA World Cup Free-to-Air matches were authorised by New World TV to be broadcast on MyT platform as all MBC channels are broadcast simultaneously on MyT platform and MCML network. However, the MBC was strictly forbidden to distribute the FIFA feeds or to sub-license them to satellite operators. As to MBC Sat, it could not show the World Cup matches because the agreement with MBC and Canal Sat provides that this channel can only be used to broadcast local contents. Moreover, in accordance with FIFA's minimum broadcast obligations as laid down in section 5 of the contract, the Free-to-Air broadcast of matches must have a minimum reach of 80%. Therefore, exceptionally for countries such as Ivory Coast, FIFA authorised the national broadcaster of

Ivory Coast to broadcast the World Cup 2022 matches on its TV channels, as well as on Canal+ network of Ivory Coast.

Mr Speaker, Sir, with regard to Pay-TV rights, I am informed that, on 16 November 2022, the MBC had, in good faith, proposed to MC Vision Ltd to install the MBC Play TV App in its set top box in order not to deprive its subscribers from watching the matches of FIFA World Cup 2022. Thus, through a payment of Rs210, its subscribers would have benefitted from watching the whole competition. However, MC Vision Ltd did not accept this proposal. Moreover, on 23 November 2022, the MBC reiterated its proposal to MC Vision Ltd to install the MBC TV App on its android box. On 24 November 2022, MC Vision Ltd again rejected the proposal.

Thank you.

**Mr Speaker:** Hon. Lesjongard!

(4.27 p.m.)

#### **BLOCK 10, VALLÉE PITOT – HIGH VOLTAGE CABLES**

**The Minister of Energy and Public Utilities (Mr G. Lesjongard):** Mr Speaker, Sir, I have three Statements to make following matters raised on adjournment at the Sittings of the National Assembly on 18 October, 27 October and 10 November.

The first Statement relates to matter raised by hon. Osman Mahomed at the Sitting of 27 October 2022 concerning high-voltage cables at Block 10, Vallée Pitot. I wish, with your permission, to provide relevant information thereon.

Mr Speaker, Sir, I am informed by the Central Electricity Board that prior to 2016, the high-tension network from the 22 kV Feeder of Chateau D'Eau was a bare network. In 2016, the cables were isolated for greater reliability of supply and to avoid hazard to the inhabitants.

I am further informed that in 2021, constructions have been carried out under the high-tension line at Block 10, Vallée Pitot without the authorisation of the Central Electricity Board following which, the isolated cables now lie on top of the roofs of these houses. According to Central Electricity Board, there is no imminent danger as the cables are isolated and are in good condition.

The CEB is envisaging to displace this line along the main road. However, works will involve obtention of wayleaves from different authorities for the erection of the poles along the main road. These works will be undertaken upon obtention thereof.

### **VALLÉE PITOT - DEFECTIVE PUMP - WATER SUPPLY CUTS**

Mr Speaker, Sir, my second Statement is in regard to a matter raised by hon. Osman Mohamed at the Sitting of 22 October regarding water supply cuts at Vallée Pitot due to a defective pump.

I am informed by the Central Water Authority that –

- The submersible pump of capacity 2,500 m<sup>3</sup>/day at Lower Monneron Reservoir feeds water to Vallée Pitot Reservoir which is of a capacity of 1,000 m<sup>3</sup>. The latter reservoir supplies water to the regions of Upper Vallée Pitot, Lawrycole Road, Alma Road, Eid Gah and lateral roads for some 225 subscribers.
- Its source of water supply is from Pailles Water Treatment Plant.
- The hours of supply in the above regions are 10 hours, i.e., from 4 a.m. to 9 a.m. and from 4 p.m. to 9 p.m.
- In case of breakdown of the submersible pump necessitating renewal, the M&E Team of the Central Water Authority has to mobilise on site together with a lorry fitted with a crane.
- As a palliative measure, the surface pump thereat is switched on so as to continue filling up Vallée Pitot Reservoir.
- Moreover, in order to renew the submersible pump, the inlet to the said reservoir has to be closed and the washout is opened so as to flush the pipeline and eventually lower the reservoir level for replacement of the submersible pump which is located on the reservoir floor.
- In order to avoid inconveniences caused due to emptying the reservoir to attend to repairs to, or replacement of, the submersible pump, I had requested the CWA last year to install a surface pump and to construct a pump house for this purpose. The surface pump was installed, tested and commissioned on 27 August 2021.



- However, the CWA has informed that the installation of cables has been delayed given that procurement exercises undertaken were not conclusive. The latest bidding exercise for the supply of cables is expected to be awarded shortly.
- Mr Speaker, Sir, I wish to reassure the hon. Member that following the installation of the cables on site, there will be both a surface pump and a submersible pump at the reservoir.

In the event of breakdown of the submersible pump, the surface pump will come into operation. Thus, the Reservoir will not need to be emptied, thereby causing inconvenience to the subscribers.

### **CWA – COLD WATER METERS**

Mr Speaker, Sir, my third and last Statement is with respect to a matter raised by hon. Ramful at our Sitting of 10 November 2022 concerning water meters at the CWA.

I have been informed by the CWA that there has been a delay in restocking of cold water meters. Following a procurement exercise carried out, 1,000 meters have been delivered on 17 October 2022 and the remaining 4,000 meters delivered on 17 November 2022. Accordingly, water meters are now being installed in respect of applicants of the water supply zone (south) who have already paid the connection fee.

I thank you, Mr Speaker, Sir.

### **PUBLIC BILLS**

#### *First Reading*

*On motion made and seconded, the HIV and AIDS (Amendment) Bill (No. XIX of 2022) was read a first time.*

#### *Second Reading*

### **THE TRADE (ANTI-DUMPING, COUNTERVAILING AND SAFEGUARD MEASURES) BILL (NO. XVIII OF 2022)**

*Order for Second Reading read.*

(4.33 p.m.)

**The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo):** Mr Speaker, Sir, I move that the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Bill 2022 be read a second time.

The object of the Bill is to protect the Domestic Industry against the injurious effect of unfair trade practices, namely of dumped and subsidised imports; and of the injury caused or threat of injury that may be caused as a result of a surge in imports in accordance with the relevant WTO Agreements. To this end, the Bill sets out the measures to protect the Domestic Industry in the form of anti-dumping measures in the case of dumping, countervailing measures in the case of subsidisation, and safeguard measures in the event of a surge in export.

At the very outset, Mr Speaker, Sir, I wish to emphasise that Mauritius is resolutely on the path of openness, trade liberalisation, and of its full integration into the global economy and the multilateral trading system. We continue to believe that free trade is an important vector of development and job creation and provides huge opportunities on the world market.

Our development, Mr Speaker, Sir, has been possible due to the market access opportunities we have created and availed of on several markets. On the EU market through the various Lomé Conventions and the successor agreements, including the Economic Partnership Agreement; on the US Market under the AGOA; on the regional markets through COMESA and SADC, and more recently, the African Continental Free Trade Agreement; the CECPA with India; and the FTA with China. So, our intention is not to roll back on our policy of openness or to erect barriers to trade. Rather, we want to use all legitimate trade policy instruments at our disposal to protect our Domestic Industry on a time bound basis under the circumstances I have just mentioned. We have made it a duty, Mr Speaker, Sir, to include in all our trade agreements the possibility to have recourse to trade remedy measures to protect the Domestic Industry.

Mr Speaker, Sir, this new Bill will replace the Trade (Anti-Dumping and Countervailing Measures) Act enacted in 2010. It differs from the 2010 Act on a few counts.

First, new trade remedies, namely safeguard measures are being provided for. Safeguard measures are emergency actions that can be taken pursuant to the WTO Agreement on Safeguard

in the event that increased exports have caused or threatened to cause serious injury to the Domestic Industry. These measures can be in the form of duty increases or reintroduction of duty or quantitative restrictions, i.e. quotas. Contrary to anti-dumping and countervailing measures, safeguard measures apply on a non-selective basis, that is, to all WTO Member States. However, a safeguard measure shall not be applied to low volume of imports from developing WTO Members. That is, where imports from a single developing country Member account for no more than 3 per cent of the total imports of the product concerned, and provided developing country Members below this threshold on an individual basis do not collectively account for more than 9 per cent of those imports, such imports shall be excluded from the measure. The objective of this provision is not to penalise developing countries which are small exporters.

Mr Speaker, Sir, under critical circumstances where delay would cause damage that would be difficult to repair, provisional measures may be imposed on the basis of a preliminary determination of evidence that increased imports have caused, or threaten to cause serious injury. These provisional measures can apply for a maximum period of 200 days, which should be included in the total period of application of the safeguard measures. Safeguard measures may apply for an initial period of 4 years, with the possibility of extension to a total period not exceeding 10 years if it is found, through a new investigation, that its continuation is necessary to prevent or remedy serious injury to the Domestic Industry.

During the period of application of the safeguard measures, the Domestic Industry will have to take the necessary measures to become more competitive and to adjust to the situation. A safeguard measure is, therefore, a temporary relief given to the Domestic Industry and is not a permanent solution.

Each WTO Member is at liberty to decide whether to have recourse to safeguard measures. If, in the affirmative, they have to take the necessary steps to transpose the WTO Safeguard Agreement into domestic law. This was not done in 2010 since the concern of the industry then was the material injury caused by the low prices of imported goods which were assumed to be the result of either dumped or subsidised imports.

It is also a matter of fact that the dumping and subsidy investigation is technically very complex. The domestic industry willing to have recourse to anti-dumping or countervailing measures will have to substantiate any application by giving at least an indication of the injury

caused by dumped or subsidised imports. The Investigating Authority will have to make a determination through a very thorough investigation of all the information obtained so as to show, first, that there is evidence of dumping or subsidisation, and second, that there is a clear causal link to the injury caused to the Domestic Industry. The Authority has to obtain information from the exporter in the foreign country concerned, which can be a difficult task. This is one of the reasons why no anti-dumping investigation and investigation pertaining to a subsidy was ever carried out.

To address this situation, the role of the new Investigating Authority will be expanded to include sensitisation of the business community on regular basis on the procedures regarding the initiation of such investigation, and how to submit applications in the required format. It is also foreseen that the Investigating Authority will initiate investigations on its own initiative henceforth, rather than wait for the domestic industry to come forward. This is provided for in the Bill.

Contrary to dumping or subsidisation, applications were received for the imposition of safeguard measure from the domestic industries producing margarine and spread in April 2016, and cooking oil in 2019. In the absence of a necessary legislation to address safeguard at the multilateral level, the investigation had to be confined to our regional markets of SADC and COMESA, which happened to be the main source of imports. We have been applying a safeguard measure on imports from SADC on margarine and spread since July 2016 in the form of a duty of 15%. We had also maintained safeguard duty on paints and varnish, soap and detergents in the past on imports from Egypt. This enabled the domestic industry to maintain a competitive edge and also to embark on a restructuring programme. On a side note, Mr Speaker, Sir, it is worth mentioning that imports of noodles from Mauritius into Madagascar are currently subject to a safeguard duty of 30% taken at WTO level.

Safeguard investigations are less complex and do not rely on data from the exporter and are, therefore, easier to carry out and to apply. This new trade policy instrument will therefore provide the domestic industry with an important leather to cushion against the impact of import surges on a temporary basis. It is even more important for the SMEs which quite often have difficulty to thriving among more competitive foreign suppliers.

Mr Speaker, Sir, the second way in which this new Bill defers from the 2010 Act is the structure, the composition and the functioning of the investigating authority which is responsible for investigating the merit of imposing trade remedy measures. In the 2010 Act, the Director, Trade Policy was the Investigating Authority. However, the decision to initiate trade remedy investigations and the conduct of the investigations cannot rest on one person in view of the multi-disciplinary nature of the expertise required to do so. Several Ministries and institutions are directly concerned and have within their midst the kind of expertise required for the investigation. It is proposed that the Investigating Authority comprises the Director, Trade policy as Chairperson, a vice-Chairperson from the Ministry of Finance, Economic Planning and Development at Director's level, a representative from the Attorney-General's Office, the Ministry of Commerce and Consumer Protection, the Ministry of Industrial Development, SMEs and Cooperatives, and the Customs Department of the Mauritius Revenue Authority. A collective decision is warranted as to the merit of initiating an investigation based on the information provided by the domestic industry or on the initiative of the Investigating Authority.

The Chairperson of the Authority may recommend to the Secretary to Cabinet and Head of the Civil Service to appoint such person as may be necessary to extend technical, administrative and secretarial assistance to the Authority and to a Lead Investigator for every investigation who shall be responsible for coordination on that investigation. A pool of investigators has already been trained from different Ministries to carry out investigation. Their expertise will be availed of by the Investigating Authority.

The third way in which the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Bill 2022 defers from the 2010 Act is that all the procedural requirements have been incorporated in the Bill rather leaving them to be governed by regulations thereunder. In the 2010 Act, most of these requirements were to be implemented by way of regulations such as procedures for on-the-spot investigations, New Shipper review, Public Interest, Sunset reviews and Margins of Subsidy.

Fourthly, Mr Speaker, Sir, the House will appreciate that this Bill ensures transparency through the legal requirement for the Minister responsible for international trade to lay a copy of the Annual Report of the Investigating Authority before the Assembly.

Mr Speaker, Sir, with regard to dumping and subsidisation, the provisions in the Bill are a replica of the relevant WTO Agreements and are therefore, in these respects, similar to the 2010 Trade (Anti-Dumping and Countervailing Measures) Act.

Allow me, Mr Speaker, Sir, to now highlight a few salient features of this Bill. Clauses 1 to 6 of the Bill provide for the preliminary concepts relating to anti-dumping, countervailing and safeguard investigations.

A key element included in this legislation as compared to the 2010 Act relates to the formal establishment of a Trade Remedies Investigating Authority under Clause 7 of the Bill. The Authority is mandated to investigate any allegation or suspicion of dumping, subsidised imports or increased imports.

Clause 10 of the Bill, Mr Speaker, Sir, foresees the appointment of staffs to provide technical, administrative and secretarial assistance to the Authority to enable it to properly discharge its functions. Given that trade remedy investigations are very complex and highly technical and may require specific expertise, the Bill makes provision for the appointment of an independent professional or specialised agency expert in trade remedy matters to advise the staff on the conduct of an investigation.

Clauses 15 and 16 of the Bill define dumping and provide for the imposition of an anti-dumping measure where it is determined pursuant to an investigation, first that a product has been imported into Mauritius at a price which is less than its normal value, second that material injury has been caused to the domestic industry, and third, there is evidence that a causal link exists between the dump imports and the material injury to the domestic industry.

Clauses 17 to 21 of the Bill provide for the determination of normal value and calculation of costs.

Clauses 22 to 25 of the Bill, Mr Speaker, Sir, provides for the determination of the exports price and elaborate on the comparison between the normal value and the export price.

Clause 26 of the Bill provides for the determination of an individual dumping margin for each known exporter or producer of an investigated product.

Clause 27 of the Bill explains that a countervailing measure may be imposed, when an investigation determines, that, first, an investigated product is subsidized, second, there is injury

to the domestic industry, and third, there is a causal link between the subsidised imports and the injury to the domestic industry. It also provides that no countervailing duty shall be imposed on any imported product in excess of the total rate of subsidisation of that product from the subsidy programmes found to exist in terms of subsidisation per unit of the product.

The trades remedy investigations involve detailed examination of a number of factors determining injury caused to the domestic industry. Clauses 28 to 33 of the Bill provide for the injury determination based on positive evidence having a bearing on the industry such as volume of dumped or subsidised exports, effects on prices, actual and potential decline in sales, profits, output, stocks, amongst others. These examinations procedures are in line with the WTO procedures for determining injury to the local industry.

Clause 33 of the Bill provides for examination of evidence pertaining to the causal link between the dumped or subsidised products and the injury to the domestic industry.

The salient element that has been introduced in this Bill relates the provisions on safeguards. Clause 34 of the Bill, Mr Speaker, Sir, provides for the requirements to impose a safeguard measure. A safeguard measure shall be imposed when there has been a significant increase in imports caused by unforeseen developments and the domestic industry producing the like or directly competitive product is experiencing serious injury or a threat of serious injury caused by increase imports. It also provides that no safeguard measure may be imposed on a developing country as long as its share of imports of the investigated product into Mauritius does not exceed 3%, provided that developing countries with less than 3% import share collectively account for not more than 9% of the total imports of the investigated product.

Clause 35 of the Bill provides for the determination of serious injury to the domestic industry caused by a surge in imports and the establishment of the causal link between the increase exports and the injury.

Clauses 36 and 37 provide for the application of anti-dumping and countervailing investigation and describe the evidence and information required in the application.

Clauses 40 and 41 of the Bill provide for the initiation of anti-dumping and countervailing investigations as well as for self-initiation whereby the Investigating Authority may, on its own initiative, initiate an investigation without having received a written application.

Clauses 42 to 44 of the Bill explain negligible infringement, notification procedures and rules on disclosure of application.

Clauses 45 and 46 of the Bill describe the requirements in the written application to be made by a domestic industry for initiation of a safeguard investigation.

Clauses 49 and 50 of the Bill provide for the initiation of a safeguard investigation as well as for self-initiation by the Investigating Authority.

Clauses 51 to 53 deal with negligible infringement in case of insufficient evidence, public notification procedures and disclosure of application.

Clauses 54 to 59 of the Bill, Mr Speaker, Sir, provides for the conduct of the investigations generally. It is important to note that the duration of the anti-dumping and countervailing investigation shall not be more than 18 months after the initiation date of the investigation while that of a safeguard investigation shall not be more than 12 months.

Clauses 60 to 77 of the Bill provide for anti-dumping and countervailing investigation procedures which are in conformity with the procedures outlined in the WTO Agreement. This part describes the procedures for information gathering, preliminary determination, disclosure of information, conditions for price undertaking, verification of information, hearings, final determination, amongst others.

The safeguards investigation procedures, Mr Speaker, Sir, are to some extent different to the anti-dumping and countervailing investigation procedures and have been described in clauses 78 to 86 of the Bill. This part deals with information gathering, submission of written arguments, preliminary determination, information verification, provisional measures, hearings, final determination, amongst others.

Clauses 87 to 89 of the Bill provide for the conclusion of the investigations in the event of withdrawal of any application after initiation or in case of evidence of *de minimis* dumping margin or amount of subsidy or lack of increased imports, or insufficient evidence of injury or causal link.

The imposition of provisional measures is dealt with in clauses 90 to 92 of the Bill. The duration of the provisional measures shall not exceed 120 days in countervailing investigations,



180 days in anti-dumping investigations, which may be extended to 270 days at the request of exporters, and 200 days in safeguard investigations.

The provisions dealing with the imposition and collection of anti-dumping and countervailing duties are elaborated in clauses 93 to 99 of the Bill while the imposition, collection and administration of safeguard measures are described in clauses 100 to 106 of the Bill. It is to be underlined that the imposition of an anti-dumping or countervailing or safeguard measure will take due consideration the interests of the domestic industry, including competition for the product under investigation in the national market, the needs of industrial users and the interests of consumers.

The duration and review of anti-dumping duties and price undertakings are described in clauses 107 to 109 of the Bill. This part of the Bill makes provisions for a sunset review which explains that an anti-dumping or countervailing duty shall be terminated on a date not later than 5 years from the date of the imposition of the duty or the most recent review.

Clauses 110 to 114 of the Bill elaborate provisions for the duration and review of safeguard measures. A safeguard measure shall initially be imposed for a period of 4 years and may be extended. The total period of application should not exceed 10 years.

Clauses 115 to 120 of the Bill deal with miscellaneous issues.

Mr Speaker, Sir, to conclude, this Bill will complement our efforts to create the best trading conditions for our operators and will safeguard the interest of our domestic industry whose contribution, we should remember, accounts for some 40% of our GDP.

We will continue on our quest to open up more market access opportunities for our exporters through preferential trading arrangements, while ensuring that the necessary trade policy instruments and the legal framework to implement them are in place to protect the domestic industry against unbridled competition and unfair trade practices.

I now commend the Bill to the House, Mr Speaker, Sir.

**Mr Callichurn Seconded.**

**Mr Speaker:** I will now suspend the Sitting for 30 minutes.

*At 4.57 p.m., the Sitting was suspended.*

*On resuming at 5.40 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please remain seated and be seated! MP Uteem!

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):** Mr Speaker, Sir, the Bill before the House, first of all, repeals the existing Trade (Anti-Dumping and Countervailing Measures) Act of 2010, and, in many ways, is an improvement of the existing legislation, especially, as pointed out by the hon. Minister for Foreign Affairs, it provides the framework for the imposition of safeguard remedies; safeguard remedies to protect domestic industries against a sudden surge of import.

Now, the primary aim of the Bill is to protect domestic enterprises against dumping. What is dumping? According to clause 15 of the Bill, a product is deemed to be dumped where it is imported in Mauritius at a price which is less than the normal value of that product, which means that it is at a price for which similar goods are sold at a higher price in the country where they are produced, from which they are exported.

So, in other words, a product is dumped when it is sold in Mauritius at a price that is less than the price at which it is sold in the exporting country. Now, there may be many reasons why a foreign producer or exporter would want to sell its product in Mauritius at a price which is less than the manufacturing price or the normal selling price.

In fact, most enterprises, even locally also, tend to practice some sort of price differentiation. So, you look at the market and you adjust your price accordingly. You look at the standard of living, the cost of living, the ability of the consumer to buy the product and you adjust your price accordingly. And this is the reason why, for example, Mr Speaker, Sir, certain products, food items, appliances, phones, machineries tend to be more expensive in developed countries than they are in developing and underdeveloped countries, because in developed countries the customer can afford to buy the product at the higher price.

This does not necessarily mean that the exporter/producer will export the goods below cost, although they may choose to do so. But more often than not, they will just apply a lower margin of profits and then hope, with the higher volume of export, it will compensate for the lower margin. I was mentioning there are many reasons - some of them are very valid reasons - for price discrimination. Sometimes producers have excess stock which they want to liquidate.

There may be change in season. For example, in England when winter has kicked in, you may have producers, exporters who are left with stockpile of summer clothes which they would sell to countries where there is still summer. Sometime it makes economic sense to dump excess stock abroad rather than to engage into a price war in the domestic market. Sometimes there are perishable goods nearing expiry date which would warrant producers dumping their products overseas.

There may also be a change in technology and as a result, the product may have become outdated or obsolete in the domestic market. For example, some cellular phones may no longer be compatible with 4G or 5G Network and those phones are then dumped in less developed countries which still use 2G or 3G.

But very often, unfortunately, the reason why a producer, an exporter would dump its project is to try to get a market share in the overseas market. By bringing down the price at which it is able to sell in the country to which it is exporting at an artificially low level, they become more competitive and as a result, get a price advantage over the same product that is locally produced and sold. Now in some countries, governments even provide subsidies to the exporters to encourage them to export their products at very competitive prices.

So, the question that we have to ask ourselves is: what is wrong with dumping? At the end of the day customers in Mauritius should be happy if they are benefiting from lower prices. Customers who probably would not have been able to afford to buy such products if they were priced at the same price as they are sold in the local market, will now be able to buy them because of the lower price thanks to dumping.

Dumping is also likely to bring down imported inflation. It will help our current account. It will also help balance of payment and it will result in substantial saving of our very precious foreign currency reserve that we use to import these products.

So, why then are we coming forward with a bill to regulate dumping? The answer, Mr Speaker, Sir, lies in section 16 of the Bill. Anti-dumping measure may be imposed on products imported into Mauritius where three conditions are met –

- (i) first condition - there must have been an investigation and the investigation revealed that the project is being dumped in Mauritius, that is, the project is being

sold in Mauritius at a price which is less than the price at which similar products are sold in the exporting countries;

- (ii) second condition – and this is the most important condition – the investigation must have revealed that there is injury to domestic industry, and
- (iii) the third condition – which will link the first two – is that there should be a causal link between the dumped product and the injury to the domestic industry.

So, it is only when these three conditions are met that the Act, the law enables measures to be taken against the exporter.

Mr Speaker, Sir, the reality is that we do not produce much. We tend to import most goods that we need; most goods that we consume. But our local industry must be protected against unfair competition, for example, sugar. It is very important to protect our cane industry which remains the backbone of our economy. We cannot allow imported sugar to be dumped. We need to preserve employment in the cane industry. I say cane industry because today we cannot talk only about sugar; we need to talk about the by-products, about bagasse which is used to generate electricity during crop season. So, we cannot afford to have our sugar factories closed down because people, foreigners are exporting and dumping their sugar on the local market.

Similarly, our textile industry must be protected from exporters dumping T-shirts and other garments. If the price of imported clothes is artificially low, then Mauritians will not buy label 'Made in Mauritius'. This will affect local production, result in closure of factories and jeopardise employment in the textile sector. Many Small and Medium Enterprises will require protection against dumping. I have in mind the footwear industry. I still remember a few years ago there was an outcry when tariffs were removed on imported shoes. Many SMEs engaged in shoemaking business had to close down and employees were laid off. Some industries must also be protected for strategic reasons, for example, *Les Moulins de la Concorde*, which produces most of our flour which we consume locally. *Les Moulins de la Concorde* needs to be protected against imported flour which may be dumped in Mauritius.

So, Mr Speaker, Sir, there are many reasons why a country would want to impose anti-dumping measures on imported products which is likely to injure its domestic industry. But at the same time if the country was allowed to impose anti-dumping measures on all imported

goods for no valid reasons, there is likely to be retaliation and a trade war. And we have seen over the years many examples of trade war, and most recently, we have witnessed the cutthroat war between China and the USA which resulted in tariff imposition in both countries. So, anti-dumping measures can be a threat to liberal multilateral trading system, and this is where the World Trade Organisation steps in.

The World Trade Organisation does not regulate the action of individual companies engaged in dumping. They are not here to regulate the price at which a company decides to sell its products. Its focus is on how government can or cannot react to dumping. It disciplines anti-dumping measures and to do so, after a lot of negotiation between Member States, the WTO has come up with what is often called the Anti-Dumping Agreement. The correct title in fact is the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade (GATT) 1994. This Agreement governs the application of anti-dumping measures by members of the WTO including Mauritius.

According to that Agreement, a country can impose anti-dumping measures only after it has carried out an investigation and has determined that an imported product is dumped and that dumped import is causing material injury to a domestic industry producing like product. This is what is reproduced in section 16 of the Bill.

The Anti-Dumping Agreement of WTO sets forth certain substantive requirements that must be fulfilled before a country can impose anti-dumping measures as well as detailed procedural requirements regarding the conduct of anti-dumping investigations and the imposition and maintenance in place of anti-dumping measures. A failure to respect either a substantive or procedural requirements can be taken to dispute settlement and may be the basis of invalidation of the measures.

Therefore, the Bill today before the House, largely reproduces the provisions of WTO Anti-Dumping Agreement and we have absolutely no issue with most of these provisions, Mr Speaker, Sir. For example, the Bill provides guidelines as to how the normal value of dumped product is to be determined. This can be particularly tricky where you don't have comparables, where you don't have a local market with which you can compare the prices. If for example, a country producing certain mobile phones is dumping those phones in Mauritius because they do not sell it in their own country because of change of technology. In this situation it would be

difficult for Mauritius to get comparable data. But the Bill will provide a mechanism of cost plus margin to determine the price which would otherwise be payable in the country of the manufacturer.

The Bill also provides guidelines as to how to determine whether dumping is causing injury to the local industry; this is in Part V of the Bill. The basic requirement for determination of injury is that there be an objective examination based on positive evidence of the volume and price effects of dumped imports and the consequent impact of dumped imports on domestic industry. And, finally, the Bill sets out the factors to be taken into consideration to establish the causal link between the dumped product and the injury to local industry. This is in clause 33 of the Bill. The Bill reflects the provision of the WTO anti-dumping agreement with regard to conduct of investigation; who can trigger such investigation; the duration of the investigation, and the publication of the conclusion of the investigation. In the light of the determination of the investigation, the Minister of Finance may impose *ad valorem* or specific duty on the dumped product pursuant to clause 94 of the Bill.

Mr Speaker, Sir, I am glad that the Bill makes provision for any party that is dissatisfied with the final decision of the Minister or Authority to apply to the Supreme Court for a judicial review of the decision, in accordance with clause 115 of the Bill.

Mr Speaker, Sir, it is all well to have a Bill which complies with GATT WTO Anti-Dumping Agreement, but, as my good friend, hon. Dr. Arvin Boolell likes to say, “the proof of the pudding is in the eating”, and the responsibility to properly implement this Bill will fall on the shoulders of the Trade Remedies Investigating Authority which is established in clause 7 of the Bill, and this is a welcome measure. Previously, under the existing law, there was an Investigating Authority, but it was a one man army. The Investigating Authority was actually the Director of Trade Policy in the International Trade Division of the Ministry.

Now, with this Bill, we are going to have a proper Authority, and I am glad that unlike the statutory bodies and public bodies which have recently been voted and debated in this House, this time around, the Chairperson and Vice-Chairperson will not be designated by the Minister. I think this is a very positive thing; the Chairman will be the Director of Trade Policy, which is already the case, and will be appointed by the PSC, and the Vice-Chairman will be designated by the Financial Secretary. And here, I do not know why it should be the Financial Secretary who is

involved in the appointment of the Vice-Chairman. Why should not that be left to the PSC, as is the case for the Chairperson?

Mr Speaker, Sir, in order to carry out its statutory duties and conduct the required investigation, the Authority must be properly staffed and have the necessary budget. This is a highly technical field and we need highly trained personnel, well versed in pricing and analysis, and I hope that the Government will put the necessary funding at the disposal of the Authority, as and when required, to conduct its investigation.

Mr Speaker, Sir, I can only hope that the Authority lives up to the expectations because if they do not act properly, it is Mauritius as a whole which will be taken to task at the level of WTO.

Thank you.

(5.55 p.m.)

**Mr Speaker:** Hon. Bholah!

**The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah):**  
Thank you, Mr Speaker, Sir, today, I rise in support of the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Bill presented by my colleague, hon. Alan Ganoo. The aim of this Bill is to protect the domestic industry against the negative effects of dumped, subsidised and increased imports, as spelt out in the Explanatory Memorandum.

Mr Speaker, Sir, Mauritius is an open country which is fully integrated into the global trading landscape. It is an export oriented economy, with international trade, that is, imports and exports, making up for almost 100% of GDP. Openness to international trade has been among the strategies and pillars which have contributed to the development and progress of the country. Mauritius is building and strengthening regional and multilateral cooperation. The Africa Continental Free Trade Area, the Free Trade Area between Mauritius and China, a comprehensive Economic Cooperation and Partnership Agreement between Mauritius and India, and the United Kingdom and Eastern Southern Africa Economic Partnership Agreement, constitute major bilateral and multilateral agreements, offering vast possibilities to Mauritius to export goods and services globally and vice versa.

It is, however, important that competition from foreign imports is not unfair and puts into jeopardy the local industry, especially the MSMEs. Imposing anti-dumping and countervailing measures becomes an important duty to protect the domestic industry as well as employment. In parallel, Government is also promoting import substitution measures and local production for increased food security. Industries and enterprises, some of which are nascent, engaging in these activities have to be protected from imported products.

Mr Speaker, Sir, boosting local production and imports substitution is of paramount importance in a world which is becoming extremely uncertain and risky. The COVID-19 pandemic and the Russia-Ukraine conflict which have negatively impacted trade and living in terms of rising trade cost, rising cost of raw materials and disruptions in supply chain are just a few examples. Fears of a global recession and inflation are also looming.

Mr Speaker, Sir, let me take the House through some statistics pertaining to SMEs. It may be noted that as per the Census of Economic Activities (2018), the number of small production units was estimated at more than 139,000. The total gross output of the small units was estimated at around Rs189 m. The units were mainly engaged in wholesale and retail trade –

- (i) repair of motor vehicles and motorcycles, 34%;
- (ii) transportation and storage, 16%;
- (iii) manufacturing, 13%;
- (iv) construction and accommodation and food service activities contributed around 10% each;
- (v) the total number of persons engaged in the small units was around 330,000;
- (vi) in 2020, the share of SMEs to total employment was 44% while contribution to SMEs to gross value addition, 34.9%;
- (vii) contribution of SMEs to total domestic exports stood at 10.3% in 2020.

A level playing field is all the more important as smaller companies are especially vulnerable to unfair competition. This depicts the importance of this Bill in favour of SMEs.

Mr Speaker, Sir, this Bill proposes the establishment of the Trade Related Investigating Authority, which will act as a watchdog to investigate on suspicious cases of dumping or



subsidised imports. The setting up of this Authority is in itself a grand premiere in the protection of our local industry against unfair competition from imported products in the form of dumped and countervailed products. It is not a secret to anyone that some imported products are available at less than their cost price and are flooding the Mauritian market at the expense of our local products. It had become more than important to keep these malpractices in check and to curb them so as to promote fair competition. We are not against the spirit of competition, but competition should be sound, and competition should benefit one and all and in particular the customers. As the saying goes, 'trade is free, but it should be fair as well.'

Mr Speaker, Sir, Government is making available all the necessary resources to support our SMEs and local industries to recover and to tread anew on the path of growth after the successive shocks of the COVID-19 pandemic and the ongoing war between Russia and Ukraine. These events would have had catastrophic consequences on businesses, employment, and families, had we not intervened promptly.

All our efforts for recovery face high-risk from imported, dumped, counterfeited, and countervailed products. With this Bill, we can ensure our businesses and local industrialists that any reported cases of dumping and countervailing will be duly considered and dealt with within the provisions of this Bill. It is our conviction that our MSMEs and our local industry will feel more secure and more protected and will venture into new investment, manufacturing and trade. They will be more confident to embrace new opportunities, knowing that the Trade Remedies Investigating Authority will act as a watchdog and refer all cases of dumping and countervailing to the appropriate government of countries for a remedy.

I also note that the Bill makes provision for like products, which are also called me-too products in international marketing, where counterfeits products could be imported and sold similar to the original ones.

This Bill also makes ample provision so that the local production is not penalised, especially when there is a market difference between the buying price of the local product and the like product.

Mr Speaker, Sir, when the Bill provides for particular market situation, it is basically talking about production whose prices at the world market are relatively low but at the same time are of lower quality. Thus, these commodities could enter Mauritius and we could ultimately be

having a quality hazard. It is a known fact that when countries are dumping their products in Mauritius, they are in fact selling it a lower than their cost of production and they will pave the way so that the quality is compromised. The Bill is going to reinforce our protection against heavy dumping from traditional markets, especially post COVID-19 where they have a huge inventory, which in some cases could be nearing expiry dates.

The establishment of the Trade Remedies Investigating Authority will go a long way towards in providing the necessary check and balances. I am happy to note that this Authority will be manned by professionals of high-level from the Ministry. And on the Board also, I have noted that there is one representative from my Ministry. There is provision to guarantee that the issues in front of the Authority will be dealt with in the prescribed timeframe under the Bill.

Additionally, I take note with pride that anti-dumping or countervailing investigation need not be market-driven, but the Authority can initiate any investigation based on the information available to it. To bring transparency to the investigation, the final determination of any investigation, be it anti-dumping or countervailing, will be gazetted in one year of initiation of the investigation. This is going to ensure the transparency of the system.

Mr Speaker, Sir, to ensure that the anti-dumping or countervailing investigations are on the right path, a clear-cut line of not less than 60 days and not more than 250 days will be the guiding principles to have a preliminary determination of investigation well before one year, which in my opinion, Mr speaker, Sir, is a very innovative step forward towards transparency.

The legislator has shown its good intention in this Bill by providing in very explicit terms for consultations with governments of countries which could have an interest in an investigated product and at the same time come up jointly with proposed safeguard measures.

As you are aware, the manufacturing sector is an important pillar for generating economic growth and development of a country. It accounts for some 13% of gross value addition and around 15% of total employment. The manufacturing sector is essentially driven by 3 groups of operators, namely Export-Oriented Enterprises, non-Export-Oriented Enterprises and SME manufacturers. There are around 232 Export-Oriented Enterprises, 326 non-Export-Oriented Enterprises and 18,200 registered SMEs with a combined workforce of some 85,000 persons.

During the past five decades, the sector has adapted to evolving market requirements through its increasing capacity to compete on the international front. The manufacturing sector has also demonstrated its resilience, particularly during the pandemic, whereby local manufacturers have played an important role by catering to the immediate needs of the country. Here, it is important to emphasise that the development of a robust local industry is high on Government's agenda. In fact, a lot of efforts are being geared to stimulate local production and assist manufacturers through a host of support measures.

Mr Speaker, Sir, this Trade Bill comes at an opportune time as it provides the necessary enforcement mechanism to confer the much-needed protection to our domestic industry. Government is fully conscious of the predicament constantly being faced by our local entrepreneurs in upholding their manufacturing activities in a precarious business arena. As responsible policymakers, we shall leave no stone unturned to –

- (i) protect local enterprises from serious injury caused by a sudden increase in imports of any product;
- (ii) discourage importation of foreign goods at prices well below domestic prices, and
- (iii) safeguard employment in the manufacturing sector.

Additionally, the Trade Bill comprises important Clauses 15 to 26 under Part III relating to dumping matters, as well as Clause 27 under Part IV whereby provisions have been made for the imposition of countervailing measures in a bid to prevent injury to domestic industry.

Members of the House will agree with me that importation of products at a cheaper price than our locally manufactured ones will, undoubtedly, bring serious harm to our domestic industry, at worst leading to closures. Allow me to elaborate: dumped imported products jeopardise the very existence of our domestic businesses due to a drop in sales leading to plummeting turnover. This, in turn, has a domino effect, putting at risk the livelihoods of our employees and subsequently impacting adversely on the economy of the country.

Mr Speaker, Sir, it is a known fact that local enterprises are very susceptible to negative impact of influx of imported commodities. Therefore, Clauses 34 and 35 under Part VI of this Trade Bill provide for safeguard measures to protect our domestic industry. I am confident that

our captains of industry will heartily welcome this new provision on safeguard to sustain their business continuity and to buffer against trading shocks.

Mr Speaker, Sir, we have to admit that there is uncertainty about the future of the global economy caused by those long-term impacts of the pandemic and geopolitical shifts. We are also conscious that the global trading system is in need of reform and renewal of free and fair trade values in the midst of climate change. So, to face up these challenges, we need to devise our strategies with optimism, dynamism, clarity of purpose, and hope for a better economic landscape where our enterprises thrive. This Bill will certainly go in this direction.

I have no doubt that we will forge stronger trading relationships, put rocket boosters under our exports, break down barriers to market access, but more importantly, protect our local industry. Our task is now to capitalise on our strength and level up our country with the energy, innovation and engagement of businesses. In the ambitious strategies of the Government, we will unleash our nation's brilliant potential and write a new chapter in our proud trading history.

Thank you, Mr Speaker, Sir.

(6.12 p.m.)

**Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):** Mr Speaker, I have listened...

**Mr Speaker:** Hon. Shakeel Abdul Razack Mohamed!

**Mr Mohamed:** Yes, Sir, that's me. Thank you. *Présent!*

Mr Speaker, Sir, I have listened very carefully to the intervention of the previous orator; that of the hon. Minister. I did not expect him to say anything less than to congratulate the hon. Minister Ganoo for this piece of legislation. I did not expect him to say anything less than to say - and to use his terms - that this piece of legislation would unleash - what term did he use? - rocket booster, as though the ills of the industry or one of the ills of the industry, the captains of industry, was the fact that we did not have such a good legislation as the one as being proposed.

When you listen to Members of Government, you have the impression that this is the solution to a lot of the ailments of the industry and that exports would be boosted by the introduction of this piece of legislation. When you listen to Members of Government, this is the solution to increase production and exports and make sure that the country gains in terms of

revenue through sales, through exports. There is nothing further from the truth; nothing further. I think it would be advisable to tell the people the truth; that there is indeed the need to update our legislation of 2010. I agree, but there is also the need to complete the truth by saying that this legislation that we had in 2010 needed to be updated because of consultations that have happened at the level of the WTO where the Ministry of Foreign Affairs and our able Diplomats were present, including the presence of hon. Ganoo who has had consultations at the international level, at the level of WTO, where a consolidated piece of legislation was, in fact, being suggested and welcomed by the WTO. It had to be introduced as far back as 2021. We are in 2022. Nevertheless, the intention of the legislator here is a good one.

However, let us not sell dreams to the Mauritian public, as the previous orator has tried to do. Let us not try to pretend, as I had started out by explaining, that the wrong was in lacunas of the previous legislation, or to be more precise, the actual legislation that is about to be a previous one. When one analyses the words of hon. Ganoo, I recall that he has said in his opening remarks, he has referred to various differences between the actual legislation and the Bill, and one of the things that he said at the very outset was that the actual legislation did not allow the Authority to investigate on its own accord. The hon. Minister went as far as to say that it was not possible by law for the actual Authority, under the actual piece of legislation, to investigate on its own initiative but could only do so if and only if there was a complaint that was made.

There is also the first point where I humbly disagree with the hon. Minister. It is not true to say what he said. It only suffices to simply read the actual legislation, and specifically section 24 of the actual legislation, to come to an understanding, but it is also important to read section 73, Mr Speaker, Sir. But the hon. Minister has limited his reading to only one section. And what is the section that he referred to? He referred to the application by domestic industry. He referred to section 24 of the actual legislation that says: 'An investigation under this Part may be initiated by the Investigating Authority upon receipt of a written application by, or on behalf of, a domestic industry'. Because of this section of the law, in section 24(1), the Minister is of the view that there was the need to amend this legislation, and one of the stark differences is that the actual legislation did not allow an investigation on their own initiative. I say it again: wrong. Because when one reads section 73 of the actual legislation - and it should never be that we read only one section. Let us read section 73. And I am happy to note that the orator who will address this

National Assembly after me is also a lawyer, as the actual Minister, and we will be able to have an enlightened debate about what I am putting forward.

Section 73 says, and I quote –

“The Investigating Authority shall, in addition to any specific duty vested upon it by this Act –

- (a) Investigate any allegation or suspicion of dumping or subsidised imports -
  - (i) either on its own initiative;
  - (ii) or on receiving a complaint or information which gives rise to such allegation or suspicion;”

The law, as it is, Mr Speaker, Sir, provides that this Trade Remedies Authority, if I may call it that way, had the authority by law to investigate on its own initiative. Therefore, I invite the hon. Minister to correct what he said when he advanced and made the affirmation that this was not possible under the actual law. I am not inventing anything. I am simply reading what the law said. *Est-que c’était possible, sous l’actuelle loi, que l’autorité puisse commencer une enquête* on its own initiative? Answer? Yes! Section 73 says so. So, the question, therefore, is: why did the hon. Minister say that it was not possible? And that leads me to another thing that the actual Minister said. He said that since 2010, there has been not a single investigation.

Therefore, Mr Speaker, Sir, not only have there been Members of Parliament in 2010 who came up with a legislation that was in line with the rules of GATT, that Members sat here, of all parties, Government and Opposition, back in 2010, and enacted a piece of legislation, that we had a Speaker that presided over the debates, but how shocking *et révélateur* of the state of our democracy that we had a beautiful piece of legislation and those who were empowered to carry out what had to be carried out under that law never even investigated into anything for 12 years! So, not only is it the blame of one political party; we are all, therefore, political parties which have been in power between 2010 and 2022, guilty of some wrongdoing somewhere! We cannot, therefore, say it is not I but it was you. But, for once, at least, let us admit we are all to blame. We have a shared responsibility. We have messed up. Haven’t we? Because for 12 years, you have a piece of legislation that’s on the books, not one investigation! And then, Governments are going to come forward and say: we are here to protect the interests of the people and the

consumers; we are here to rocket boost production in the industry and SMEs. What the hon. Minister said before me could come from the mouth of a member of the Labour Party in order just to rouse sentiments in favour of the party, but this comes from the mouth of a man of the MSM just to raise sentiments in favour that the MSM Government is the best, and nothing else! *Bis repetita!* You have done it; we have done it. But when are we going to stop and realise that for 12 years, we did not have a single report that this Assembly has been provided with to know - an audit of the SME sector - what are the sectors that have been affected or can be afflicted by dumping?

We are talking about dumping, anti-dumping legislation. What are the sectors? My friend Uteem has talked about sugar, has there been a report produced, *commandité* for the sugar sector to investigate whether we can and how, in what manner could our sugar producing sector could be affected by dumping in our country? Have we had such an investigation carried out by the Ministry of Foreign Affairs and International Trade? If so, where is the report? Has a report being produced by any Ministry under any Government to try to see if there is any problem with regard to SMEs? Fishing Industry; I am looking at my good friend, the Minister of that particular Sector. Has there been an investigation under the previous Government, the one before that, who talked about GATT, ever since what? The 80s, 1984?

So, therefore, this Agreement since 1984 not a single government has even managed to carry out, *commandité un rapport pour voir* where and how, in what sector we could be victims of dumping? And now we are talking about legislation. What does that show us? Friends on both sides, what does it show us? It shows us that we are very good at passing laws but we are *lamentable* as far as enforcement of the law is concerned and I said we, as a country.

So, what are we doing today? We are sitting down passing another piece of legislation that in fact, the main power existed back in 2010 but in order to cover incompetence, to cover lacuna by those who were in power at different moments in history to ensure that this Ministry functioned to protect SMEs as they deserved to be protected, there has been nothing else but talk, talk and talk, and there has been zero action.

The proof of the pudding is in the eating, Mr Speaker, Sir, not in simply voting a law. A law is this beautiful print; we could choose another font. What does it make? Nothing more, but allow me at least, to say, yes I agree with hon. Uteem that this piece of legislation is in line with

the provisions of GATT Article VI. Yes, we all know that. So, where does that take us? Allow me also to state to the hon. Minister: why is it that it is only public functionaries that have to form part of that Committee. Why? Why is it that there is a section in that particular law that talks about disclosure of interest? Look at the section that talks about disclosure of interest, clause 11 but when you read the title, it says ‘disclosure of interest’. Read now; the only one section 3 (a) that says “immediately and fully disclosed that interest”, when it appears to the Chairperson and Vice-chairperson or member of the Authority that a matter before him concerns his financial or personal interest - when it appears! This is very weak! *Allons comparer ce qui peut être comparé.*

Let us learn from other countries, the Trade Remedy Committee of the United Kingdom also exists to do the same job but why is it under their legislation? I opened it a few seconds ago, Mr Speaker, Sir, on my telephone. I opened it on my telephone and I went to look at the [www.gov.uk](http://www.gov.uk), the TRA, Trade Remedies Authority, the board register of declared interest. Online! Online to each and every single member, not limited to people who are public functionaries, because they are not Superman. It is impossible for public functionaries, Financial Secretary, Chairperson of another Ministry who will be able to deliver the goods when they have already goods that they are unable to deliver. There are only 24 hours in a day and none of them will work overnight. It is impossible; it is inhuman to expect them to do it. Why is it that in the United Kingdom it is not like that? When I opened my telephone, Mr Speaker, Sir, I note that Simon Walker, I read here: a member of the board, source of remuneration, they talk about all his sources of remuneration. What are his interests? Houses, land and building, where he has property? Every single member related party interests as well; it is referred here. Every single member! At all times, this has to be updated by law and why is it that when you read the Freedom of Information Act in the United Kingdom, one of the authorities that has to comply with the Freedom of Information Act Part VI of Schedule I of the Freedom of Information Act is precisely that particular Trade Committee.

And why is it in Mauritius that we use beautiful font, *en caractère gras*, “disclosure of interest”? *C’est seulement* when it appears to the Chairperson, Vice-Chairperson or member of the authority and if it does not appear, it is not his fault. So, the test is it objective or subjective? This appearance? I am here to debate about the inability of successive governments to open up



government and to make it more transparent. This is the subject of the debate: the inability for successive governments to understand that we need to make things more transparent.

Disclosure of interest is important not simply when it appears to someone that it is important, because it is a duty of every person on any such committee on permanent basis, to be accountable for what it does and they have to have visibility in the members of the public. This principle should apply to all sectors of government and yes it was not also like that when I was in government. Does it mean that I was also right and you are also right today? Or does it mean that I was also in the wrong and maybe you should try to do better?

This is not me trying to give lessons to anyone because I have not got ability to do so. I know as little as everyone does but together we can share our ideas; together we can make things better. So, my aim here, Mr Speaker, Sir, is to use my knowledge, the little that I have, identify lacunas, that have existed even under the old legislation. But it is a society full of madness if we are to repeat mistakes of the past knowingly.

Those are my submissions; those are my observations. Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Callichurn!

(6.30 p.m.)

**The Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection (Mr S. Callichurn):** Mr Speaker, Sir, first of all, thank you for giving me the opportunity to intervene on this Bill today and allow me at the same time to congratulate the hon. Minister Alan Ganoo.

The Bill before the House today, Mr Speaker, Sir, is a very important one. The proposed Bill, which is an enhancement of the existing Trade (Anti-Dumping and Countervailing Measures) Act 2010 will, Mr Speaker, Sir, *inter alia*, protect the domestic industry against the negative effect of dumped and subsidised imports by enhancing the legal framework for the imposition of anti-dumping, countervailing and safeguard measures. These provisions which regrouped all the trade measures under a single umbrella are intended indeed to protect the domestic industry from injury, from the surge in imports.

Mr Speaker, Sir, during consultations, the local manufacturing industry and the private sector have highlighted that they welcome the introduction of this new Bill since it will, amongst

others, introduce new trade policy tools that will allow the Government to take remedial actions against import which are causing or threatening to cause material injury to the domestic industry.

Mr Speaker, Sir, dumping is the practice of exporting goods at below market cost in the domestic market, often with the intention of weakening competitors. It is no secret that some governments have heavily subsidised their local industries with a view to make their export prices beyond reasonable competition. This system allows those industries to export at prices well below what the Mauritian producers can match in an open market or have difficulty to compete with. And, as a result, this has negative impacts, be it in the short-term and in the long-term. As a matter of fact, in the short-term, the swamping of the market with below price goods deprives local industry of the ability to function normally, causing massive job losses due to the fact that local firms face huge difficulties and are unable to compete with big foreign companies which are often targeting to monopolise local industries of small economies.

On the other hand, in the long-term, once local manufacturers have been driven out of business by uncompetitive prices, foreign producers will invariably raise their prices as they are free to enjoy a market monopoly, thereby removing any benefit to the consumers. Consequently, the consumers who think they are better off during the short-term end up losing much more in the long run.

Mr Speaker, Sir, dumping is a global problem. It is worth underlining also that the Organisation for Economic Cooperation and Development (OECD) has increasingly been calling out predatory countries engaged in continuous dumping practices.

One important consequence of dumping which needs to be understood is that worldwide, thousands of workers lose their jobs due to unfair competition through dumping by companies from foreign nations. For example, since 2006, there have been significant job losses in Australian aluminium industry, with employment in that particular industry falling by 44%, and significant job losses also in the Australian steel industry due to dumping.

Over the recent years, Mr Speaker, Sir, it has been proved that the issue of dumping has had a deep effect on the world, and Mauritius is no exception. As a result, as a responsible Government, we cannot allow such a situation to arise here. And this Bill demonstrates our strong commitment and continued effort to bring transformative changes in the overreaching legal framework which regulates the imports and exports of Mauritius. We, on this side of the

House, do not want the Republic of Mauritius to face the same negative consequences that many countries have been experiencing.

Allowing dumping to happen without putting in place the necessary protection nets through regulations could fragilise and jeopardise the Mauritian economy which, let us not forget, has just started recovering from the adverse effects of COVID-19 pandemic and is still facing the consequences of the conflict between Russia and Ukraine.

Mr Speaker, Sir, these aspects must be looked into since Mauritius is a net importer and relies heavily on importation. For instance, in 2021, our main imports were from China, amounting around 17.7% of our total import, followed by India, representing some 15.6%. Therefore, it is prime concern for this Government to provide an appropriate regulatory framework in order to maximise benefit from import and export, and in keeping the Government's objective of moving towards bilateral, regional and multilateral trade liberalisation.

Mauritius has indeed, Mr Speaker, Sir, signed various agreements: the African Continental Free Trade Agreement; the China Free Trade Agreement; the Interim Economic Partnership Agreement of the European Union; Bilateral Agreements With Turkey and Pakistan, and Common Market for Eastern and Southern Africa, just to name a few. Recently, Mauritius has also signed an agreement with India under the name of Comprehensive Economic Cooperation and Partnership Agreement, commonly known as CECPA. The CECPA will provide improved goods access to markets of both countries, leading to stronger value chain between our two countries. Our strategic partnership with India culminated in the signature of this landmark agreement, which is the first of its kind signed by an African country.

Although much is being done at this level in order to improve competition, Mr Speaker, Sir, we must also prevent unfair and deceptive trade practices like dumping and subsidised import that can endanger our local industry.

Mr Speaker, Sir, the existing legislation only provides for the introduction of anti-dumping and countervailing measures while the new Trade Bill before the House introduces legal provisions for the imposition of safeguard measures and thus provides the complete set of trade remedies to protect the local industry. Safeguard measures, in a nutshell, are mostly designed to protect the domestic producers against the onslaught of increased import and, as

such, acts as a safety valve mechanism. Safeguards can be introduced in the form of tariff, quota or tariff quotas. It is to be recalled that the General Agreement on Tariffs and Trade and the World Trade Organisation, to which Mauritius is a party, have considered it vital to adopt instruments such as anti-dumping, countervailing or safeguards in order to ensure that appropriate measures are adopted to protect our local industry from unfair competition.

The aspect of the unforeseen development, the effect of any obligation incurred on any product being imported in such increased quantities and under such conditions that can cause threat to domestic industry producing the like or directly competitive product are determinants that many may encourage safeguard measures. Safeguard measures will also give the possibility for emergency measures to be introduced in case of surge in imports of specific products until the completion of the investigation where such imports have caused or threatened to cause serious injury to the local industry.

According to the Bill, Mr Speaker, Sir, safeguard measures shall be imposed through an initial period of four years and the total period of application of safeguard measures and any extension shall not exceed 10 years. This will allow the domestic industry to adjust and strengthen their market to become more competitive.

In the same vein, Mr Speaker, Sir, a safeguard measure shall be imposed where there has been a significant increase in imports and when the increase in imports was caused by developments that were unforeseen at the time Mauritius concluded its World Trade Organisation concessions. Mr Speaker, Sir, this new legislation will not discriminate against developing countries as long as its share of imports of the investigated product into Mauritius does not exceed 3%, provided that the developing countries with less than 3% import share collectively account for not more than 9% of the total import of the investigate products.

However, where a developing country excluded from the application of safeguard measure increases its exports subsequent to the imposition of a safeguard measure, imports from such countries shall immediately become subject to a safeguard measure of its import increased to more than 3% of the import share during the original investigation period. This measure will further protect local industries from unfair competition, Mr Speaker, Sir.

As a Small Island Development State, we are confronted by a number of challenges and vulnerabilities. We are exposed to climate change, natural and environment disasters such as

cyclones, torrential rains and flash floods. These not only pose great threat to our economy but impede on our capacity to ascertain sustainable production and consumption. To make things worse, we are being acutely affected by the economic impact of COVID-19 pandemic and the negative consequences of the war as I mentioned earlier. But in the face of such vulnerabilities, it is very legitimate for us to assist our already fragile local industry by means of carefully targeted measures aimed at protecting our domestic industry.

This Bill provides for temporary import relief through Government intervention by means of a set of measures such as duty, tariff and quota, specifically when an industry has been injured. When a domestic industry is injured it not only faces reduced revenue, but jobs of our local employees are also at risk. This can ultimately result in high rate of redundancy in the local workforce and cause devastating repulse effect not only on the economy but on the lives of individuals dependent on our local industries. Argument for the protection of our local industry therefore, bears true economic and social merit.

Mr Speaker, Sir, the introduction of quotas will not only protect our local industry but also its workforce. This Bill, Mr Speaker, Sir, makes provision for quota to be imposed in such situations. The administration of the quota will be under the responsibility of my Ministry following thorough and intensive investigation exercise carried out by the Investigating Authority.

As regards the investigation itself, the new Bill provides for the establishment of a structured Trade Remedies Investigating Authority with representatives of various ministries and agencies. It is worth highlighting here that the functions, mandate and staffing requirements of the Investigating Authority have been clearly spelt out, hence, ensuring transparency in investigating any allegation or suspicion of dumping, subsidised imports or an increase in import for remedial action.

Furthermore, the Bill provides for a detailed methodology for investigation and determining the impact or threat of increase in import on the domestic industry including loss of market shares. In determining serious injury or threat of serious injury, the Investigating Authority shall evaluate all relevant factors of an objective and quantifiable nature having a bearing on the situation of that industry, in particular the rate and amount of the increase in imports of the product concerned in absolute and relative terms. The share of domestic market

taken by increased imports, changes in the level of sales, production, productivity, capacity utilisation, profits, losses and employment.

In addition, to the factors set out in this Bill, the Investigating Authority shall consider whether there has been a significant price undercutting by the import as compared with the price of the domestic like product or the effect of such import is otherwise to depress prices to a significant degree or prevent prices increase which otherwise would have occurred to a significant degree.

For instance, Mr Speaker, Sir, the Investigating Authority shall demonstrate that the increase in import has caused or threatened to cause serious injury to the domestic industry. The causal link between the increased import and the injury to the domestic industry shall be based on an examination of all relevant evidence before the Investigating Authority. The Authority shall examine any known factors other than the increased imports which at the same time are injuring the domestic industry and the injury caused by these factors shall not be attributed to the increased imports. The factors considered during the investigation shall also include contraction in demand or changes in the pattern of consumption, trade restrictive practices of competition between the foreign and domestic producers.

The Act also provides for a self-initiation of a safeguard investigation where the Authority may on its own initiative start a safeguard investigation without having received a written application or on behalf of that domestic industry.

Mr Speaker, Sir, to conclude, this Bill will not only protect our industry from dumped imports or subsidised imports, it goes further by providing a complete set of trade remedies which can be used in case of unfair trade practices by third countries and increase in import causing material injury to the industry.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Lobine!

(6.50 p.m.)

**Mr K. Lobine (First Member for La Caverne & Phoenix):** Thank you, Mr Speaker, Sir, I shall try not to repeat the points raised by my hon. friends from both sides of the House and I shall try to take novel points that have not yet been canvassed in this Bill, which in my humble

opinion is not a noble approach to anti-dumping system to be introduced in Mauritius. It is a welcomed approach to build up on what we have already achieved in 2010 when we have enacted the 2010 legislation but in a way, this Bill consolidates what we already have since 2010.

True it is that, we have got more provisions with regard to the way investigations will be conducted but the gist of the Bill is the same spirit that is still embedded in 2010 Bill. And this leads me to what WTO says all about, because this is the backbone of this legislation, this is the backbone of this Bill and this is the backbone of the 2010 Act.

Mr Speaker, Sir, the World Trade Organisation is responsible for determining and administering internationally agreed principals and rules for managing dumping issues as well as for providing a dispute settlement mechanism. Two agreements provide the basis of our country's anti-dumping system, hence, the relevance of this Bill, as it was also the case in 2010 with the coming into force of the present Act.

The two Agreements, Mr Speaker, Sir, namely the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade (1994), the Anti-dumping Agreement, prescribes rules for the conduct of anti-dumping investigations and the application of measures to address dumping, including how Member countries may initiate cases, calculate dumping margins, determine injury and false remedial measures, and review past determinations. And the Agreement on subsidies and countervailing measures, that we call the Countervailing Measures Agreement, regulates measures designed to remedy material injury caused by subsidised imports along similar lines to the Anti-Dumping Agreement. These two principles, Mr Speaker, Sir, embody the Agreements into our legislation, that is, the current one, the 2010, and now the new Bill.

In the same way as in 2010, Mr Speaker, Sir, the definition of dumping was well-defined. So, dumping is said to have taken place where an exporter sells a product to Mauritius at a price less than the price prevailing in its domestic market; and clause 15 of this Bill also defines same, Mr Speaker, Sir. However, the phenomenon of dumping is per se not illegal, even in the 2010 Act, even in this Bill. It is not illegal as it is recognised that producers may sell their goods at different prices to different markets.

As at date, Mr Speaker, Sir, we do not also have any study that has been conducted to oversee how dumping has affected our economy or local industry. It would have been an

important task or an important piece of information for us to know the extent of dumping in our country. We do not also have any information whether Government has approached the players of our local industry to get their views and suggestions with regard to this Bill, when we very well know that the major part of our consumable goods is imported goods.

Why I say so, Mr Speaker, Sir, is because it is also not unusual for prices to vary from time to time in the light of supply and demand conditions. It is also recognised that price discrimination in the form of dumping is a common international commercial practice. It is also not uncommon that the export prices are lower than the domestic prices. Therefore, from the point of view of anti-dumping practices, Mr Speaker, Sir, there is nothing inherently illegal or immoral about the practice of dumping. However, Mr Speaker, Sir, where dumping causes or threatens to cause material injury to the domestic industry of Mauritius, this is where an Investigating Authority may initiate an investigation and subsequently impose anti-dumping duties.

This is why we need a comprehensive legal framework, and the Trade (Anti-Dumping and Countervailing Measures) Act 2010 is the legal framework for anti-dumping and countervailing investigations for the levy of anti-dumping and countervailing duties. And, Mr Speaker, Sir, this Act is based on the relevant WTO Agreements that I have mentioned earlier on. And pursuant to those Agreements, Mr Speaker, Sir, whatever has been canvassed in this new Bill is an extension of what we have in the 2010 Bill, even the remedial measures, even with regard to investigation. But what this piece of legislation is bringing more - which I welcome - is the consolidation of the way investigations will be conducted because long ago, in the 2010 legislation, it was not clearly mentioned in the Act. It was in the regulations. Now, it is being consolidated.

But I would invite the hon. Minister to go a step further. For example, I shall refer to the Australian model. In Australia, Mr Speaker, Sir, this has worked really well. They have not implemented an Authority; they did not establish an Authority. They established a Commission, in the same vein as we have the Competition Commission. So, instead of having an Authority, they have created an Anti-Dumping Commission. And in this Anti-Dumping Commission, you have professionals; you can even take people from outside for the very first 3 to 4 years to make it work and then, thereon, they function in a way that they also interact with the local industry. It



is not putting an Authority just to enquire or just to go and see to it where the fault is. They will create market studies. They will also work with the entrepreneurs.

And in this same vein, Mr Speaker, Sir, I shall also invite the hon. Minister to consider at clause 7, with regard to establishment of the Authority, if he is maintaining the Authority, I am suggesting a Commission instead of an Authority, but if he is maintaining the Authority, to look at its composition. Why not have a representative from the consumers' side to be there? Why just public servants? Because we are talking about our local business; we are talking about preserving and enhancing the label 'Made in *Moris*'. So, we also need people that consume to be in this Authority. Also, why not a representative from the private sector, Mr Speaker, Sir? Why not a representative from the Mauritius Chamber of Commerce and Industry, for instance, to sit on this Authority as well? So, these are my suggestions that the hon. Minister can consider with regard to establishment of this Authority, if he is going ahead with the Authority. But I would rather prefer the Commission, and if I can invite the hon. Minister to look at the Australian model.

With regard to clause 115 whereby anyone that feels aggrieved by the decision of the Authority or in other countries, the Commission, they can go for judicial review. This provision is already there in Section 74 of the current legislation, the 2010 Act. But I will go a step further, Mr Speaker, Sir. We all know that our judicial system takes time to have a case of that nature; when you go before the Supreme Court for a judicial review to be heard. So, I would ask the hon. Minister to kindly consider bringing another body in the middle of the Authority and the Supreme Court, to introduce what we have in other countries - again, the Australian model -, an anti-dumping review panel. This anti-dumping review panel, Mr Speaker, Sir, will have people from various strata of the society with regard to business, commerce and consumer protection, people of high-calibre that can be co-opted on this panel so that many dispute resolutions can be called upon before this instance first, find a solution first, and then, the last resort you go to Court. So, in essence, Mr Speaker, Sir, this is a good piece of legislation because it consolidates the 2010 legislation and it puts into perspective what we already have as Agreement and Conventions that Mauritius has ratified.

So, I invite the hon. Minister to kindly consider the three points that I have raised with regard to the setting up of an anti-dumping review panel and also the composition of the

Authority by introducing people from the business community and from the side of the consumers.

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

**Mr Speaker:** Hon. Ganoo!

(7.01 p.m.)

**Mr Ganoo:** Mr Speaker, Sir, I would like to thank all the hon. Members, including hon. Mohamed, who intervened on the Bill and their participation in the debate.

Mr Speaker, Sir, just to answer a few points that have been raised, I will come to hon. Mohamed himself. As usual, it was a bit of a pity, Mr Speaker, Sir, because I was anticipating that this Bill would carry consensus in the House, and I am of the opinion that it has done so, except for hon. Mohamed, who, as usual, has been faithful to himself and has tried to give a political colour to the debates. It is a bit of a pity, as usual. And as usual again, I can't recall exactly what points he wanted to make but I will answer a few of his criticisms against this Bill but as usual, the speech of hon. Mohamed was like a cup of bad cappuccino, Mr Speaker, Sir; a lot of froth but little coffee or hardly any coffee in the cup.

Mr Speaker, Sir, the first point that hon. Mohamed made: he was arguing that I had misled the House in some way with regard to that point regarding the possibility of the Authority to initiate an investigation in the Bill. Mr Speaker, Sir, what did I say in fact? What I said was very clear. I said it is also foreseen that the Investigating Authority will initiate investigations on its own initiative henceforth rather than wait for the domestic industry to come forward. This is provided for in the Bill. So, I never said that it is for the first time in this present legislation of 2022 that the Investigation Authority can initiate investigation on its own initiative. I never said that this provision was absent in the 2010 Act, Mr Speaker, Sir. I never said that. What I said when talking about the new Investigating Authority, about the new structure and so on, is that this Authority will initiate investigation on its own initiative henceforth, rather than wait for the domestic industry to come forward. So, hon. Mohamed was trying to say that I had misled the House and I said it is now that this Authority has this power to initiate investigation. I have just pointed out that; this is not true, Mr Speaker, Sir. It is a fact that the previous law does provide for this. The point I am making is that with a better structured Investigating Authority

henceforth, the Authority will initiate investigation on its own initiative rather than wait for the domestic industry to come forward. I wanted to clear this point, Mr Speaker, Sir.

Now, with regard to the disclosure of interest, Mr Speaker, Sir. The hon. Member was making a lot of fuss because the law has provided that - I will read what is in the law –

“(3) If, at any time, it appears to the Chairperson, Vice-chairperson or a member of the Authority that a matter before him concerns his financial or personal interest, he shall –

(a) immediately and fully disclose that interest (...).”

So, he was quarrelling with the way that this provision has been drafted, has been formulated, Mr Speaker, Sir, but it is clear; the law is clear that the Chairperson or the Vice-chairperson whenever a matter before him concerns his financial or personal interest, he has to disclose his interest and so on.

But in the law of 2010, this provision did not exist at all, Mr Speaker, Sir, and it is a pity that Mr Mohamed is not present here. I would have reminded him of same. As usual, once he ends his speech, he disappears from the House, Mr Speaker, Sir. So, I would have reminded him that okay, he has the right not to agree with the way the provision of this law has been drafted, the Bill has been drafted but the aim, the objective of this clause is clear. It is a question of disclosing one’s interest whereas in the law of 2010, there was no such provision with regard to the Investigating Authority.

Mr Speaker, Sir, what I also want to say to the House and reiterate is that this Bill, in fact, is not to introduce barriers to trade as rightly argued by my two friends on this side of the House and also by hon. Uteem and hon. Lobine, I think there is a consensus on this, we are all aware, Mr Speaker, Sir, but it is rather to take measures to protect our local industry in specific situations that warrant intervention. All these measures, namely anti-dumping, countervailing and safeguard are part and parcel of international trade laws and are therefore legitimate. We are simply transposing into national law the legal commitments which Mauritius as a country took at the WTO, Mr Speaker, Sir. And by the same token, we are providing to our domestic industry, the necessary trade policy instruments which can be used in situations when they are affected by dumped or subsidised imports, and in the event that increased imports cause injury. This can be

in the form of a loss of market share, a contraction in the profit margin, changes in the volume of sale, production, productivity, capacity utilization, and even employment.

In that context, Mr Speaker, Sir, I fully share the views expressed by hon. Uteem that we should protect some of the most sensitive industries in our country such as sugar, garments, wheat, flour and this is in fact the very object of this Bill and therefore, I think we are exactly on the same page.

With regard to the comment made by hon. Uteem regarding the appointment of the Vice-Chairman of the Investigating Authority by the F.S., Mr Speaker, Sir, it is to be noted that the Bill sets out the profile of the officer. He/she should hold a post at the level of director and be an expert in finance.

Mr Speaker, Sir, a point was raised with regard to protecting of our population. Hon. Uteem said that our population should be happy; why do we have to come with these measures, and it is precisely the case, Mr Speaker, Sir, the Bill provides for anti-dumping measures to be taken only if dumping causes material injury to the domestic industry. If it does not cause material injury, that is what I am saying, Mr Speaker, Sir, there are hurdles, there are conditions, the imposition of anti-dumping duty cannot be justified and therefore dumping may be welcomed.

In addition, the Bill provides that the interests of consumers be taken into account during the investigation. So, the intention is not to go against the interest of the consumers, Mr Speaker, Sir. Let us be clear on one matter; our intention is not to arbitrarily raise tariff but rather to apply any such measure after the investigation, as revealed that the industry is being impacted because of unfair trade practices or a sudden surge in imports.

Mr Speaker, Sir, the parameters, the circumstances under which these measures can be taken are well established. We should always have a balance between market opening and safeguarding our domestic industry in terms of need. We should buy extension, means preserving value addition, consolidating our industrial base and preserving employment.

It is also important that during the investigation, interested parties which include consumer organisation be given the opportunity to submit their views which obviously will be taken into account. This is also to answer to the last point made by hon. Lobine as to why didn't we include

in the Authority, the private sector or consumers' representative, Mr Speaker, Sir. One must know that during the investigation, interested parties as I just said, including the consumer organisation, will be given the opportunity to submit their views which obviously will be taken into account.

The Bill provides, Mr Speaker, Sir, that public interest should be taken into account before any decision is taken and we have also included in the Investigating Authority, a representative of the Ministry of Commerce and Consumer Protection to ensure that the consumer perspective is taken fully on board throughout the investigation process.

Mr Speaker, Sir, I don't think I have to go much more on the structure of the Authority, but one thing that we also have to keep in mind is that the Chairperson of the Authority, with the approval of the Secretary to the Cabinet, may appoint independent professionals or a specialised agency to advise on the conduct of the investigation. The intention is first to ensure that relevant experts from different Ministries are roped in to ensure that the technical and the legal parameters are fully adhered to during the investigation and, in complex cases, in particular in anti-dumping and countervailing investigations, the services of independent professionals who have extensive experience in such investigations may be retained. It is crucial, Mr Speaker, Sir, that any investigation is done in strict compliance with the parameters set by the relevant WTO Agreements. Otherwise, we run the risk of being challenged by the WTO Member States concerned and taken to the Dispute Settlement Body of the WTO.

Mr Speaker, Sir, capacity building; I have to mention that, this is an important issue, and I must inform the House that we had secured the services of an international expert to train officers from different Ministries on the conduct of investigations. We have a pool of officers who have already been trained and should the need arise for more training, we will certainly look into it.

Mr Speaker, Sir, I understand that this gentleman who came to train our officers was one of the best experts in trade remedies internationally.

Mr Speaker, Sir, before I end, there are two things I would like to say; firstly, on the transparent nature of this legislation. There are a few remarks I wish to make. Firstly, we have the provision in the law with regard to judicial review. We have another provision in the law, Mr Speaker, Sir, and I underline that as one of the four differences between our legislation and the

one of 2010. This Bill ensures transparency through the legal requirement for the Minister responsible for international trade to lay a copy of the Annual Report of the Investigating Authority before the Assembly. And thirdly, Mr Speaker, Sir, we have also changed the profile, the nature of this Investigation Authority, and this has been abundantly canvassed during the debate.

Mr Speaker, Sir, just to end and to answer hon. Lobine to the point he made. With regard to the 2010 legislation, Mr Speaker, Sir, of course, there were good provisions. There are many provisions which have been retained in the present legislation, but, I must, once again, say that the difference between our law and the law of 2010 is that firstly, Mr Speaker, Sir, the first novelty in this new legislation, we are providing for a new trade remedy, that is, safeguard measures have been provided for in this present legislation.

Safeguard measures, unlike anti-dumping or anti-subsidisation measures, Mr Speaker, Sir, for the first time, have been provided in this legislation. There are emergency actions, as I just said, that can be taken pursuant to the WTO Agreement. This is the first difference.

The second one is the way in which the new Bill differs, that is, the structure, the composition and the functioning of the Investigating Authority responsible for investigation. This is the second difference.

The third difference, Mr Speaker, Sir, is that, in this Bill, all the procedural requirements have been incorporated in the present Bill. Unlike the other piece of legislation, we did not leave them to be governed by regulations. In the 2010 Act, most of these requirements were to be implemented by way of regulations, but, in our Bill today, all the procedural requirements have been incorporated in the Bill. This explains also why there are so many clauses in this Bill.

And lastly, Mr Speaker, Sir, the difference is - what I just said a few minutes ago - that this Bill ensures transparency through the legal requirement for the Minister to lay a copy of the Annual Report of the Investigating Authority before the House. This also is a novelty; a copy of the Annual Report of the Investigating Authority should be laid before the Assembly.

Mr Speaker, Sir, to conclude, this Bill complements our efforts to create the best trading conditions for our operators and will safeguard the interest of our domestic industry whose contribution, as I said, accounts for some 40% of our GDP.

So, I have no doubt, Mr Speaker, Sir, that we will continue to open up market opportunities, and we will ensure that the great policy instruments are a place to protect the domestic industry against competition and unfair trade practice. This was the purpose of this Bill, and I now commend the Bill to the House, Mr Speaker, Sir.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **COMMITTEE STAGE**

*(Mr Speaker in the Chair)*

### **THE TRADE (ANTI-DUMPING, COUNTERVAILING AND SAFEGUARD MEASURES) BILL**

**(NO. XVIII OF 2022)**

*Clauses 1 to 91 ordered to stand part of the Bill.*

*Clause 92 (Duration of application of provisional measures).*

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

**Mr Ganoo:** Mr Chairperson, I move for the following amendment in clause 92 –

“In clause 92(1), by deleting the words “more than 6 mo 180 days” and replacing them by the words “more than 180 days”.

*Amendment agreed to.*

*Clause 92, as amended, ordered to stand part of the Bill.*

*Clauses 93 to 120 ordered to stand part of the Bill.*

*The title and enacting clause were agreed to.*

*The Bill, as amended, was agreed to.*

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

*Third Reading*

*On motion made and seconded, the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Bill (No. XVIII of 2022) was read a third time and passed.*

*Second Reading*

**THE OCCUPATIONAL SAFETY AND HEALTH (AMENDMENT) BILL**

**(No. XVII of 2022)**

*Order read for resuming adjourned debate on the Occupational Safety and Health (Amendment) Bill (No. XVII of 2022).*

*Question again proposed.*

**Mr Speaker:** Hon. Ms Jutton!

(7.28 p.m.)

**Ms T. Jutton (Second Member for Vieux Grand Port & Rose Belle):** Mr Speaker, Sir, at the very outset, I wish to commend my colleague, the hon. Soodesh Callichurn, for coming up with the Occupational Safety and Health (Amendment) Bill, and to be able to underline the importance of this Bill, allow me to quote the Director-General of the ILO, Mr Guy Ryder –

“As the world continues to grapple with the impact of the COVID-19 crisis and the uneven recovery, occupational safety and health remains at the forefront of countries’ responses. The lessons learned from this crisis about the importance of social dialogue in strengthening safety and health at the national and workplace level need to be applied to other contexts. This would help reduce the unacceptable level of occupational deaths and disease that occur every year”.

I wish to outright highlight the fact that a civilised, advanced and caring society is often gauged by the way it treats its workers and employees at all strata of economic and social activities. The health and safety of every single employee as well as the conducive environment in which he/she operates are verily of cardinal importance.

Mr Speaker, Sir, the exigencies of a globalised economy characterised by greater and greater mass production where output is more often than not the main thrust of industrial captains, it is the duty and responsibility of a State to ensure that the health and safety of every worker, at all levels, is being taken care of.



Mr Speaker, Sir, on one hand, where the regular introduction of new production techniques at factory floors with new protection paradigm geared towards more and more productivity and greater profits, and to a significant extent, the tendency to source cheap and maybe often submissive labour are posing a greater potential health and safety hazards for many workers. This is precisely what the Occupational Safety and Health (Amendment) Bill aims at addressing and with your permission, Mr Speaker, Sir, I shall delve into its specific clauses a bit later.

So, while there may be a seemingly deadlier but far less visible source of occupational hazard looming high in the modern workplace, whether in the industrial sector or more specifically in offices, I have to mention that it is about the direct corollary of the new technologies which keep being updated, improved and upgraded. From the information and communication technologies of the 80s to the 90s and to today, the world has moved rapidly to smart technologies which are making gigantic steps toward AI, augmented reality and virtual reality. And as everyone knows, these new technologies are bringing in the wake new occupational health hazards and are causing fundamental changes in our corporal behaviour and body movements causing in the process serious health issues.

According to experts, digital occupational hazards are becoming far more dangerous than even conventional ones. And I am happy to know and to take note that the Ministry of Labour and Industrial Relations, through a series of measures and also, in this Bill, is actively tackling these issues.

The first thing is the definition of health itself, Mr Speaker, Sir, which I believe is so crucial. So, in line with Article 3E of the Occupational Safety and Health Convention (1981), the definition of health in this Bill has been amended to include both physical and mental elements affecting health which are actually directly related to safety and hygiene at work. So, it is with much appreciation that I note that this Bill broadens the scope of protection given to the workers, and indeed, workers will now also be provided with professional health services through occupational health physicians.

The Occupational Safety and Health Bill has been prepared so as to be in line with the ILO Conventions 155 and 187 as ratified by the Government of Mauritius with a view to promoting continuous improvements of occupational safety and health to prevent any

occupational injury, disease, and death. In the same line, the National Occupational Safety and Health Department is being set up with clear objects and functions, on which I will elaborate a bit later.

Above all, Mr Speaker, Sir, this Bill ensures that every employee lives a life full of dignity. We have actually in the past witnessed tears of happiness rolling down the cheeks of those who now benefit from the minimum salary, and it is this Government, with the same very able Minister, under the leadership of the hon. Pravind Kumar Jugnauth, who also brought about the Negative Income Tax; the Workers' Rights Bill; the Redundancy Board and, of course, before, the then Employment Relations Tribunal.

I had said it before, Mr Speaker, Sir, and I say it again, that to be able to bring change, to break glass ceilings, this requires boldness, courage and determination which only this Government has. With the provisions of this Bill, workers' representatives will have a crucial role to play in enhancing safety and health standards at the workplace. The employer will now be required to carry out a risk assessment following accident, dangerous occurrence and occupational disease.

With a view to ensuring transparency and cooperation between employers and employees, the employer will be required also to hand over part of the risk assessment report to an employee or his representatives following a request made. This will allow employees to be aware of the hazards to which we are exposed and the precautionary measures that the employers are taking. I have to say here, Mr Speaker, Sir, that as a previous member of the Employment Relations Tribunal, I have myself come across so many cases in the past where, unfortunately, workers' basic rights to hygienic working conditions, sanitary conditions were not provided, and on some work sites, some employees' lives were even at risk, and there may be so many employees working out on the sites but who are not provided with the necessary sanitary convenience. This Bill is going to change this and will allow for everyone's needs to be catered for. I, therefore, applaud the measures that this Bill brings forward.

I believe that Members on both sides of the House will agree that a safe working environment is a *sine qua non* for productivity and it automatically follows that this Bill will lead to enhanced productivity in both the short-term and the long-term as both employers and employees are taking responsibility. It is a fact, Mr Speaker, Sir, that the world of work has been

changing and also growing in complexity and technicality over the past decades, but the qualification requirements for safety and health officers has only been a diploma since the 1980s. This Bill addresses this crucial issue by changing the qualification of safety and health officers from diploma to a degree in occupational safety and health, thereby ensuring that qualified and competent professionals are advising employers in the field of occupational safety and health. The responsibility of employers towards their staff is enforced in this Bill through the new penalty structure proposed as employers who have occupational accidents, occupational disease or dangerous occurrences will be subject to stricter fines if convicted.

Furthermore, those having specific duties and responsibilities under the Act have a specific penalty clause. It is hereby clear that being a caring and compassionate Government, this Government, through this Bill, places an unavoidable duty of care on both employers and employees to be able to secure health and safety in the place of work, specifying in detail duties of employers who also have a duty to provide a safe working environment when none is exposed to risk of injury or harm to their health. It hence requires the employer to consult, to provide information, instruction, and also to deliver training where necessary as well as to take all reasonable steps to avoid acts or omissions which can reasonably be foreseen to cause injury.

The duties of care are indeed supported by provisions for consultative and participatory mechanisms as detailed in the Bill. The Bill also prones for the establishment of a National Occupational Safety and Health Department which will be responsible for promoting the ratification and compliance with occupational safety and health conventions of the ILO, as I mentioned earlier, and the continuous improvement of occupational safety and health through enforcement of an up-to-date legislative framework which will be in line with international standards. It will also be proactively engaged in promoting education, training, research and development in occupational safety and health as well as conducting sensitisation campaigns on occupational health and safety.

As a caring Government, our focus is not only the immediate situation only. Through this Bill, we wish to be able to bring structural changes to enable us to sustain good occupational health and safety practices over the long-term. This Bill provides the necessary framework to embed safety into every company, every work site and for each and every employee, and this can only happen with a strong and pervasive occupational and safety culture.

We see this clearly when we compare the occupational health and safety performance of companies within the same industry. They may be dealing with similar workplace risk or be tapping onto the same profile of employees, but, yet, some companies have consistently had stellar occupational health and safety track records as compared to their peers. Through this Bill, our aim is to have a strong occupational safety and health culture, and, for this culture to germinate, to grow and to flourish, it must from the top, with the Chief Executive and the Company Directors. This is because they are the ones with influence and control over budgets, over priorities, over strategy, policy, and training.

Occupational health and safety consideration has to be entrenched as most important and non-negotiable decisions for organisations. If the Chief Executive and Board can do that by setting the policy and adopting the right decision, they will then be able to ultimately drive good occupational health and safety practices on the ground as well as encouraging participation of all those who share the same work environment and, through this, we will have a good work environment culture which will be fostered and encouraged.

Mr Speaker, Sir, I wish to take some time to focus on Section 32 of the Bill, which is being amended following several complaints from candidates for - what we call - boiler and machinery inspection, because of a perceived conflict of interest at the level of the Boiler and Machinery Inspectors Board given that the Chairperson and assessors were practising registered Boilers. So, to comply with the recommendations of the Independent Commission Against Corruption, there has been a review of the composition of the Board to promote transparency and accountability and as per the advice of the State Law Office, there has also been a change in terms of number of members since no quorum was specified in Section 32 of the OSHA 2005. Moreover, there is also the decision to appoint an alternate assessor in the absence of one assessor by the Minister. There are also consultations being held with the Ministry of National Infrastructure and Community Development and the Institution of Engineers in the country.

As I come to the conclusion, Mr Speaker, Sir, I have to say that we need to recognise that a turbulent period is prevalent as we continue to battle work pressures and uncertainties, but we cannot and we must never let it be an excuse to neglect good occupational health and safety practices. It is paramount that organisations understand the need to be safe and how occupational health and safety is aligned to the commercial interest. Our message, through this Bill, to all the

employers, all the Directors of organisations out there is that all businesses will be more sustainable if high occupational health and safety standards are maintained. We can attract and retain talent given the strong reputation for looking after the health and safety of our staff. So, if disruptions are avoided following accidents and also, if there are work orders which are stopped or debarment from hiring foreign employees, this has repercussions. So, business sustainability built on the safety and health of workers is important.

The gist here, Mr Speaker, Sir, is that health and safety does not need to be a trade-off for productivity. It does not need to be a compliance cost. It can just be an investment that will in turn contribute to return positive economic and social benefits for all. So, I hereby request all Members of this august Assembly to support this Bill and strengthen the occupational health and safety framework in the country.

Pour conclure, M. le président, le bien-être et la sécurité de nos compatriotes sur leurs lieux de travail est une des grandes priorités de ce gouvernement. Nous croyons fermement que chaque citoyens de ce pays, chaque individu qui contribue à l'économie nationale, chacun à sa manière et selon ses capacités, mérite d'être amplement protégé. Depuis son accession au pouvoir, ce gouvernement a fait preuve de compassion envers les vulnérables et surtout envers ceux qui sont exposés aux risques et aléas de toutes sortes. Nous n'avons plus besoin de faire preuve à cet égard. Nos actions en sont amplement éloquentes.

C'est dans cette optique que ce gouvernement, à travers le ministre de l'Emploi et des Relations industrielles, aujourd'hui, présente ce projet de loi pour protéger davantage nos citoyens. En dépit de ce que disent les honorables membres de l'autre côté de Chambre, ce gouvernement sous la férule du Premier ministre, Pravind Kumar Jugnauth, continuera dans cette même voie qu'il a entreprise depuis 2014, c'est-à-dire une voie vers le progrès de notre peuple, vers l'avancement du pays et surtout vers la protection tous azimuts de ses citoyens.

Merci, M. le président.

**Mr Speaker:** Hon. Dhaliah!

(7.47 p.m.)

**Mr R. Dhaliah (Second Member for Piton & Rivière du Rempart):** Mr Speaker, Sir, at the very outset, allow me to congratulate hon. Soodesh Callichurn, Minister of Labour, Human

Resource Development and Training, Minister of Commerce and Consumer Protection, for coming up with the Occupational Safety and Health (Amendment) Bill, which will no doubt bring revolutionary changes in the OSH landscape.

Mr Speaker, Sir, this Bill is yet another tangible evidence that since its coming into power the MSM-led Government is leaving no stone unturned to introduce measures aiming at bringing innovation regarding the different economic sectors and at the same time provide the necessary legal framework to ensure the well-being and security of our fellow citizens. Talking about well-being and security, the measures introduced obviously cater for workers, be it local or foreign workforce.

The House and the population at large will recall that in 2019, Government through the Ministry of Labour came up with the Employment Relations (Amendment) Bill, which promotes harmonious industrial relations between workers, trade unions and employers. And today, with the Occupational Safety and Health (Amendment) Bill, we are making another great leap towards a better and safer working environment.

Globalement parlant, M. le président, que serait le monde sans la santé et sans la sécurité ? Cette question nous pouvons aussi la poser autrement. Que serait le monde du travail à Maurice si les centaines de milliers de travailleurs qui opèrent dans les différents secteurs n'avaient aucune garantie concernant la santé et la sécurité au travail ? Je suis certain que nous pouvons tous imaginer dans quelle situation chaotique nous nous serions retrouvés.

En passant, je voudrais saluer l'initiative fort louable du ministère de la Fonction publique qui a récemment procédé au lancement de *Health Promotion Clubs* dans différents ministères et départements de la fonction publique cela afin d'avoir une main-d'œuvre en bonne santé et accroître la productivité.

Mais pour en revenir au présent projet de loi qui est débattu dans cette Chambre, aujourd'hui, M. le président, il est vraiment dommage de constater que malgré les nombreuses dispositions en place pour assurer les meilleures conditions de travail possibles aux travailleurs à Maurice, nous sommes témoins très souvent d'incidents malheureux sur les sites de travail. Quand un père, une mère ou n'importe quel membre de la famille quitte la maison pour aller travailler, son souhait est de rentrer à la maison saint et sauf et non de finir à l'hôpital. Et pire, imaginez le sentiment d'une famille qui a vu l'un des siens sortir pour gagner son pain et qu'au

final, c'est un cadavre qui revient à la maison suite à un accident de travail. Malheureusement, M. le président, c'est une dure réalité à laquelle de nombreuses familles ont eu à faire face.

D'ailleurs, à quelques jours seulement de la présentation de *l'Occupational Safety and Health (Amendment) Bill* en première lecture, nous avons enregistré un énième cas d'accident de travail qui a coûté la vie à un de nos compatriotes qui travaillait sur un chantier. C'est une famille mauricienne de plus qui est affligée par un tel drame qui aurait pu être évité. Selon les informations qui étaient disponibles suite à ce malheureux accident, malgré les dispositions de *l'Occupational Safety and Health (Safety of Scaffolds) Regulations*, il semble que l'échafaudage duquel la victime est tombée était constitué de tuyaux en métal fixés dans un mur en béton et scellés avec des morceaux de bois. On se souviendra également que quelques semaines plus tôt, le pays avait également enregistré un autre décès lié à un accident de travail cette fois dans la zone portuaire. Et comme cela, il y a tant d'exemples qui peuvent être cités.

Et n'oublions pas les milliers d'étrangers qui viennent travailler dans notre pays, qu'ils soient venus à Maurice par choix ou par obligation suite à des situations difficiles dans leur pays, il est de notre devoir de leur assurer toute la protection voulue afin que leur santé et leur sécurité au travail ne soient pas mises en péril car il est un fait que nous aurions souhaité qu'il en soit de même pour nos compatriotes qui vont travailler à l'étranger. Nous devons dire 'stop' aux accidents de travail. Une vie perdue ou une blessure suite à un accident de travail est un cas de trop, et c'est aussi une famille de plus qui est brisée, anéantie.

M. le président, aujourd'hui, si nous prenons comme exemple le secteur de la construction, nous pouvons sans nul doute affirmer que Maurice est un vaste chantier avec des projets entrepris par le gouvernement et le secteur privé, et il va sans dire que nous voyons la construction de structures de plus en plus grandes et élevées, ce qui nécessite évidemment des mesures additionnelles pour renforcer davantage la sécurité de ceux qui sont impliqués dans ces travaux. Parallèlement, il y a également ces autres secteurs d'activité où les employés sont appelés à manipuler des objets, des outils, des équipements et des substances qui peuvent être considérés comme étant dangereux pour la santé et la sécurité. Les lois et les règlements sont là, mais il faut constamment les améliorer de sorte qu'ils soient en phase avec les changements majeurs que connaît le monde du travail.

Hence, Mr Speaker, Sir, as rightly pointed out in the Explanatory Memorandum of the present Bill, the Republic of Mauritius cannot lag behind in terms of conformity with the fundamental Conventions on Occupational Safety and Health of the International Labour Organisation. The aim spelt out through the amendments being brought through the Occupational Safety and Health Amendment Bill clearly demonstrate that, for this Government, safety and health at work is priceless, that the life of workers matters to us, and that we shall not skimp on the means to provide the best conditions to our workforce. We are, therefore, glad to note that major regulations are being introduced to cater for greater safety on working sites.

Paragraph 5 calls upon to repeal section 7 of the principal Act with the new legislation, which stipulates that in cases where total power used or generated by machinery installed at a place of work exceeds 750 kilowatts, the employer is bound to employ a Registered Professional Engineer to be in general charge of all such machinery and if the power used or generated by machinery installed is less than 750 kilowatts, a competent person shall be in general charge of the machinery. Moreover, the ninth schedule to the principal Act where some 40 substances that are hazardous to health are already listed is being amended and additional substances such as Dibutyl phthalate, Glycol Ethers, Isocyanates, Leather dusts (arising from manufacturers activities), Methyl-n-butyl ketone, N-hexane, Sodium bisulphites and Toluene are being included.

Mr Speaker, Sir, moreover, in this fast evolving world of work and the numerous challenges which are emerging, we should commend the Ministry of Labour, Human Resource Development and Training for the laudable initiative of setting up the National Occupational Safety and Health Department and the computerisation of the services of this body. It is also worth underlining that, once enacted, the new reinforced legislation will, through the National Occupational Safety and Health Department, help to further promote the ratification and compliance with Occupational Safety and Health Conventions of the International Labour Organisation, and I am sure that the cooperation with international organisations will be a plus to propel the local occupational safety and health culture to new heights.

Mr Speaker, Sir, to prevent recurrence of complex accidents where the risks are not well understood and have the potential for serious harm and could be present in other companies, we need to ensure timely sharing of learnings from the investigation into such accidents. The



learnings are needed not just to raise awareness of safety and health risk but to provide recommendations on how to eliminate or mitigate the risk. We believe timely and early sharing of case facts and recommendations with industry is important to prevent recurrence in line with paragraph 10, clause 23B, subsections (b) and (d) of the Bill.

Mr Speaker, Sir, we should not allow our workers lives to be determined by luck. We need to take a tougher deterrent stance and prosecute them. Clause 24 (c) of the Bill will, therefore, raise the maximum penalty from Rs5,000 to Rs10,000 for the employee and Rs75,000 to Rs150,000 for the employer. The penalties will be calibrated based on factors such as the culpability of the offender, the severity of harm that could have resulted, and the likelihood of harm. This will undeniably help the Republic of Mauritius to relentlessly improve occupational safety and health at work through the implementation of an up-to-date legislative framework in line with international standards. Therefore, we can rest assured that with activities and other initiatives deemed fit by the Department and the Ministry of Labour, people will be get more and more acquainted with a national safety and health culture. The more so because the National Occupational Safety and Health Department will also be mandated to promote education, training, research and development in occupational safety and health.

Additionally, this department will also be entrusted with the responsibility of establishing the relevant mechanism to collect and analyse data related to occupational accidents and diseases.

Mr Speaker, Sir, last but not least, the last decade has taught us that all workplace injuries and ill-health are preventable with a full commitment of every stakeholder, employers, workers, Union and Government. We need a stronger emphasis on preventing harm from ever occurring; no harm to people. Prevention is key to achieving safe and healthy workplaces for everyone. There are areas where we can strengthen the culture of prevention. We need to prevent the occurrence of unsafe work practices and health risk at work, understand and encourage good behaviour. Should an accident happen, we need to prevent its recurrence, especially for accidents that are complex, involving risks that are not well understood and have the potential for serious harm. We need to prevent workplace safety and health training courses from being outdated; knowledge and practical ability to empower people with more confidence.

M. le président, en prenant en considération les amendements apportés à l'*Occupational Safety and Health Act*, nous pouvons dire que la boucle est bouclée car il y a des mesures qui favorisent un accroissement de la culture de la santé et de la sécurité des employés et leur épanouissement ; des provisions pour mieux guider et encadrer les employeurs, et également des paramètres et autres exigences à être respectés par les différents partenaires et prestataires de services associés au monde du travail. Nous ne pouvons que souhaiter que les choses se mettent vite en place et que nous commençons à voir des changements prononcés dans tout ce qui a trait à l'environnement du travail d'ici peu de temps.

Vive la république de Maurice ! Je vous remercie, M. le président.

**Mr Speaker:** With these words, I suspend the Sitting for one hour.

*At 8.03 p.m., the Sitting was suspended.*

*On resuming at 9.15 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please be seated! Hon. Dr. Mrs Chukowry!

**Dr. Mrs D. Chukowry (Second Member for GRNW & Port Louis West):** Mr Speaker, Sir, I am really grateful to you for the opportunity to bring my contribution to the debate on the Occupational Safety and Health (Amendment) Bill No. XVII of 2022.

Mr Speaker, Sir, at the very outset, allow me to start by conveying in my stead and on behalf of our working population the heartfelt gratitude to hon. Soodesh Callichurn, Minister of Labour, Human Resource Development and Training for bringing to the House the Occupational Safety and Health (Amendment) Bill.

Mr Speaker, Sir, according to the National Safety Council, which is an American leading non-profit safety advocate, I quote –

“A worker is hurt on the job every seven seconds.”

Mr Speaker, Sir, it means that, approximately 514 people are injured at work every hour, 12,342 every day, 86,400 every week and 345,600 every month.

Mr Speaker, Sir, it is an undeniable fact that the figures mentioned above are alarming. Therefore, as quoted by Jerry Smith –

“Safety isn't expensive, it's priceless.”

He also stated that –

“It takes leadership to improve safety.”

Mr Speaker, Sir, this caring Government under the leadership of a caring and kind-hearted Prime Minister, hon. Pravind Kumar Jugnauth, is leaving no stone unturned to protect and safeguard the health and safety of its people at the work place. Hence, this Government recognises that its people are its most valuable asset.

Mr Speaker, Sir, the sensible management of occupational risk at the workplace is not only a vested precept of our Sustainable Development Goals but a conscious moral undertaking to afford necessary and essential protection to our labour force. After all, strong organisational leadership seeks to ensure that at the close of the day, working people return to their home safe and sound.

This underlines the motivation behind the Occupational Safety and Health (Amendment) Bill to align its provisions to the enshrine convention on occupational safety and health of the International Labour Organisation and establish the National Occupational Safety and Health Department in a bid to support and reinforce compliance with health and safety legislations.

Mr Speaker, Sir, it is of the essence to recall that at the heart of the Constitution of the International Labour Organisation, the overriding principle is that all categories of a workforce must be invariably afforded with the necessary parameters of safeguard against, I quote –

“(...) sickness, disease and injury arising from their employment.”

Mr Speaker, Sir, global statistics are no less than shocking and speak for themselves. On average, nearly 2.78 million work-related deaths are recorded every year. Out of which, a staggering 2.4 million are related to occupational disease. In terms of loss, the scenario is unimaginably catastrophic. A country runs the risk of having its invaluable workforce depleted owing to –

- (a) preventable tragedies;
- (b) enormous economic downturns;
- (c) sizable compensation pay outs;
- (d) production slowdowns or halts;

- (e) reshuffling of staff and retraining implications;
- (f) loss days of business activities;
- (g) the prospect of premature or prepared retirements;
- (h) a high rate of absenteeism, and of course last but not least
- (i) the terrible and dreadful emotional and material suffering caused to entire family, especially in terms of non-working dependents.

And therefore, Mr Speaker, Sir, I will say it loud and clear, this Bill comes at the right juncture to redress, remedy and address a critically important state of affairs in Mauritius to provide internationally accredited standards and conditions of occupational health and safety to our domestic labour force across the board within a structured, managed and monitored legal architecture so that the entire process becomes irreversibly pre-emptive in both forms and format.

Mr Speaker, Sir, this Government, once again, puts the people as its first priority because we firmly believe that each and every working class individual has to be granted the safest and the most optimal condition such that socio-economic progress becomes the order of the day.

Allow me, therefore, to convey my deepest appreciation to hon. Soodesh Callichurn, Minister of Labour, Human Resource Development and Training, and all those who have taken this bold but essential initiative in piloting and fine tuning the concept of work safety in Mauritius.

Through this Bill, I rest assured that the enactment thereof will bring forward a new spell of trusted partnership between organisational hierarchies and clusters, rendering our delivery even more productive, efficient, ethical and effective. In doing so, an amenable and robust health and safety structure hinged on a computerised process through the National Occupational Safety and Health Department will not only further consolidate organisational trust, security and reliability but also give us the competitive edge that will pave the way for long-term benefits and thus position our country as one which is internationally committed in maintaining the highest standards of workplace health and safety.

Mr Speaker, Sir, hon. Members of Parliament, I thank you all for your attention.

**Mr Speaker:** Hon. Ms Tour!

(9.23 p.m.)

**Ms J. Tour (Third Member for Port Louis North & Montagne Longue):** Mr Speaker, Sir, in the 1960s, economic and social experts famously prophesised Mauritius as a doomed country with no hope, no solution and incapable of wealth creation. It is true that our island nation has no natural resources such as diamond, petrol or gold, but our main asset, Mr Speaker, Sir, is our people of different origins living and working together over decades to build our nation.

Indeed, Mr Speaker, Sir, each man and woman working in the sugar cane fields or in the textile industries in the 80s have proved Professor James Meade's prediction wrong. They have turned out to be a resilient source of enrichment for the country. Mauritian workforce is our human capital that allows our economy to grow and when human capital increases in areas such as science, education, agriculture and technologies, it leads to increases in innovation, social well-being, equality, increased productivity, improved rates of participation, all of which contribute to economic growth. And increases in economic growth improve the quality of life of the population.

Mr Speaker, Sir, we have to acknowledge the significant progress achieved by Mauritius thanks to the commitment of political leaders who contributed to cultivate common sense and the right mindset to maintain confidence and progress. We have moved from a monocrop economy to the economic boom under the stewardship of Sir Anerood Jugnauth, where Mauritius witnessed full employment and unprecedented growth and the setting up of new economic pillars such as the offshore sector and knowledge economy.

Today, Mr Speaker, Sir, Mauritius is positioning itself as a safe, trusted and well-established international financial centre and it is a natural choice as a business and investment gateway into Africa. Moving towards emerging technologies, we can boast about being referred to as the new Tiger of the Indian Ocean.

Mr Speaker, Sir, we know that it is thanks to many efforts and the human skills of our people that Mauritius will successfully embrace modernisation and growth. And as a caring Government, it is our duty to ensure a safe and secured environment at work. This piece of

legislation, as mentioned in the Explanatory Memorandum, has for main objective to address the new and emerging occupational safety and health risks that arise due to the major changes in the world of work.

Mr Speaker, Sir, it is a widely accepted concept nowadays that the main asset of a company or any institution is the employees and most of them spend the major part of their life – at least 75% – at work. Thus, the workplace plays a huge role in the physical, mental, economic and social well-being of workers. Although occupational health and safety may sound like a complicated concept, but, simply put, it is all about protecting the health and safety of the workers. By implementing an OSH policy and ensuring that the stakeholders of businesses or institutions are actively involved in maintaining that policy, businesses are bound to succeed.

Mr Speaker, Sir, employers are legally responsible for the health and safety of their workers regardless of which industry they operate in. It is their duty to take the time to identify the safety risks present at the workplace and take appropriate measures to keep the workers safe. Implementation of the right OSH practices can be beneficial for companies. It reduces injury and illness in the workplace, thus reducing potential cost of injury and workers' compensation. It improves employees' productivity; it helps retain employees.

In other words, Mr Speaker, Sir, if properly implemented, OSH standards can help companies and the country save money.

Mr Speaker, Sir, maintaining a healthy and safe work environment for the workforce is a duty of care and not a choice. This piece of legislation mainly aims at ensuring a safe working environment for all employees by calling upon employers to comply to –

- (i) provide and maintain safe machinery and structures;
- (ii) provide safe ways of working;
- (iii) ensure safe use, handling and storage of machinery, structures and substances;
- (iv) provide and maintain adequate basic facilities for the comfort of employees;
- (v) provide appropriate information, training, instruction or supervision needed for safety;
- (vi) monitor the health of workers and conditions at the workplace.

Based on the above principles, this Bill, Mr Speaker, Sir, caters for the following amendments to

–

- firstly, ensure conformity with the fundamental Convention on the occupational safety and health of the International Labour Organisation (ILO);
- secondly, the set-up of the National Occupational Safety and Health Department to better manage occupational safety and health at national level, and
- thirdly, to cater for changes associated with computerisation of the services of the National Occupational Safety and Health Department of the Ministry.

Mr Speaker, Sir, I will not speak on the technical aspect of this Bill as it has already been extensively canvassed by Members who have intervened before me, but what we need to retain is that the world is changing rapidly. We are faced with many challenges at the workplace for various reasons; the ongoing effects of the COVID-19 pandemic which have forced us to adopt new ways of running our businesses and institutions, and manage our workforce.

According to the information found on the ILO's website, it is estimated that some 2.3 million women and men around the world succumb to work-related accidents or diseases every year. This corresponds to over 6,000 deaths every single day. Worldwide, there are around 440 million occupational accidents and 160 million victims of work-related illnesses annually. The ILO updates these estimates at intervals and the updates indicate an increase in accidents and ill health.

Thus, Mr Speaker, Sir, it is important to keep up-to-date with the available statistics and information to optimise practices to safeguard safe and hazard free places of work.

Mr Speaker, Sir, this Government has demonstrated on various occasions that we put people at the centre of our policies and decisions. We have made meaningful efforts for the workers of this country. If many have spoken and spoken and spoken about the minimum salary, it is this Government, under the leadership of our Prime Minister, hon. Pravind Jugnauth, that introduced the minimum wage for more social justice in the world of work. We walk the talk, Mr Speaker, Sir; Wage Assistance Scheme, Self-Employed Assistance Scheme in times of COVID-19 predicament, Negative Income Tax to breach the gap for the lower income earners, free

university for equal opportunities, and now, Mr Speaker, Sir, this piece of legislation to protect our workers.

To conclude, Mr Speaker, Sir, I would like to congratulate the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection, hon. Soodesh Callichurn for his well-intended efforts for bringing the Occupational Safety and Health (Amendment) Bill to the House and I commend same to the House.

Thank you for your attention.

**Mr Speaker:** Hon. Hurdoyal!

(9.33 p.m.)

**The Minister of Public Service, Administrative and Institutional Reforms (Mr T. Hurdoyal):** Mr Speaker, Sir, I am very surprised to see on the other side of the House that when we are debating such an important Bill in this House, unfortunately, the Labour Party representatives are not here.

*(Interruptions)*

Yes. So, we are talking about...

*(Interruptions)*

They want to work for the country but they are not here for such an important Bill.

Mr Speaker, Sir, I would like to commend my colleague, the hon. Minister of Labour, Human Resource Development and Training for introducing this Bill which aims at bringing pertinent amendments to the Occupational Safety and Health Act 2005 to cope with the new occupational safety and health challenges emanating from the fast changing world of work and ensuring conformity with the fundamental conventions on occupational safety and health of the International Labour Organisation (ILO).

Mr Speaker, Sir, after nearly two decades, it is important than ever necessary to introduce amendments to the existing Act, particularly at a time when the COVID-19 pandemic has disrupted the world of work and brought in its wake new safety and health risks which require innovative measures to respond to the evolving situation to ensure best safety practices at the workplace.



Mr Speaker, Sir, in today's turbulent working environment, workplace safety is a necessity and is no longer a matter of choice. Usually, it is a collective effort where both employers and employees have to assume their responsibilities and play an active role in ensuring a safe and hazard free work environment. With the evolution of safety practices and approaches, existing safety and health parameters need to be revamped and updated. Today, there is high expectation from the workplace and the definition of 'safety' has expanded to include employee wellbeing in the full sense of the term to encompass work life balance.

Mr Speaker, Sir, it is very unfortunate that annually there are around 340 million occupational accidents and 160 million victims of work related illnesses around the world. According to the International Labour Organisation, annually, some 2.9 million deaths occur as a result of occupational accidents or work related diseases, representing over 6,000 deaths daily.

The safety of workers against occupational disease and work related injuries is a major challenge for both government and private employers, that need to be met in a timely manner. These figures compel all stakeholders, particularly the Government to take drastic measures to minimise risk of accidents and improve the wellbeing of the workers. Occupational injuries and illnesses do not only inflict sufferings over the victims and their families but also entail major economic losses for organisations and economies which may be measured in terms of healthcare cost, compensation cost, production losses and prolonged absenteeism of workers due to illness, thereby affecting productivity.

Mr Speaker, Sir, in this context, it is evident that investment in safety and health at work will greatly contribute to sustainable economies and reduce occupational accidents and diseases. By extension, it will create a healthy workforce and enhanced productivity.

Mr Speaker, Sir, Mauritius as a member of the International Labour Organisation and party to several occupational safety and health conventions is bound to take appropriate measures to ensure compliance with the provision of these conventions, particularly Conventions 155 and 187. These two Conventions lay emphasis on the setting up of appropriate mechanism for enhancing safety and health at the workplace and the promotion of preventive safety and health culture respectively.

Mr Speaker, Sir, the safety of public officers has always ranked high of government agenda. All successive governments have implemented a series of measures to improve safety

and health of public officers with a view to creating and enabling environment for them to carry out their duties in the best conditions and enhance productivity at work. Moreover, these have considerably reduced accidents and minimised risks at work. My Ministry, as a caring employer, is committed to ensuring the safety and health of all public officers and the creation of a safety and health culture in the public service.

Mr Speaker, Sir, let me highlight some of the measures that Government has taken over the last two decades to enhance the working environment of public officers. These are –

- (i) the setting up of the Safety and Health Division within my Ministry in 1999 and a dedicated Safety and Health Officer in every Ministry or Department to ensure compliance of safety and health norm at work;
- (ii) introduction of an Occupational Safety and Health Act enacted in 2005 to impose a legal obligation on the employers including Government to take appropriate measures to mitigate the risk of accidents;
- (iii) the setting up of Safety and Health Committees in 2007 in each Ministry and Department, that meets every two months to closely monitor implementation of measures regarding safety and health;
- (iv) the introduction of an Enhancement of Work Environment Programme in 2011 to provide financial support to Ministries and Departments to upgrade their working environment and as at date, some 920 projects have been implemented;
- (v) the introduction in 2021 of a protocol on management of injury and illness at the workplace to provide guidelines to the accounting officers in the event of any injury or illness at the workplace;
- (vi) organisation of a whole week of activities in April this year to mark the International Day of Safety and Health at Work. These include simulation exercises, medical screenings and sensitisation campaigns, among others;
- (vii) it is also worth noting that in the context of the COVID-19 pandemic, my Ministry also drafted the sanitary protocols in consultation with the Ministry of Health and Wellness and financed project such as wall mounted infrared

thermometers and hand sanitizers as well as safety shield in every Ministry and Departments under EWEP.

Mr Speaker, Sir, the amendment being brought to the Occupational Safety and Health Act 2005 will further enhance the compliance of Mauritius to the ILO Conventions and create the right platform to further promote safety and health culture in the Mauritian society. The proposed amendments will also contribute to give a new dimension to occupational safety and health at national, organisational and enterprise level. Moreover, the safety and health practitioners will be given a new recognition.

Section 23 of the existing Act has been amended to include a new section 23A under clause 10 of the Bill to provide for the establishment of the National Occupational Safety and Health Department with the primary objective to ensure that all institutions in Mauritius comply with safety and health norms at the workplace. In so doing, Mauritius will be compliant with international conventions and promote the image of the country as a modern State that respects the rights at work, encourages decent employment opportunities, enhances social protection, and strengthens dialogue on work-related issues.

Today, with the enactment of this Bill, Government is demonstrating its commitment to create an environment in which the right to a safe and healthy work environment is respected at all levels; an environment where Government, employers and workers actively participate in securing a safe and healthy working environment through a system of defined rights, responsibilities and duties, where the principle of prevention ranks high on the agenda.

Mr Speaker, Sir, section 32 of the present Act has been repealed and replaced by a new section to reinforce the Boiler and Machinery Inspectors Board and empower it to assess the competencies of boilers and machinery inspectors and recommend their registration. Henceforth, only these inspectors will be authorised to carry out inspections on all machinery and equipment, which require regular mandatory examination to ensure that the inspections are carried out by qualified persons in accordance with a predetermined checklist. This will not only enhance safe use of equipment and the safety of the users but also ensure that the equipment is always in a state of good working order.

Moreover, Mr Speaker, Sir, section 86 the existing Act has been repealed and replaced, as indicated under clause 20 of the Bill, to cover a wider range of occupational diseases that have

emerged with the advent of globalisation and cutting-edge technologies and COVID-19 pandemic. The new section also imposes upon an insurer to notify the Director of the National Occupational Safety and Health Department of the disease that has been contracted by any employee in the course of his work. Early detection of any occupational disease will help employers to take appropriate measures to further improve the working environment so as to prevent the recurrence of such diseases.

Mr Speaker, Sir, occupational safety and health is a multidisciplinary field concerned with the safety, health and welfare of people at work. The goal of safety and health is to foster a safe and healthy working environment. It not only ensures that employees are operating in a safe and healthy working environment but also protects the general public who may have access to that working environment. Workplaces are in constant incremental change as organisations strive to grapple with challenges emanating from a hyper- competitive world. Technological, operational and societal change will affect the way people work, and the task that they perform may have a bearing on the safety and health and well-being of the workers.

In this context, safety and health officers are required to act as a trusted advisor on occupational safety and health issues, and they must be competent enough to advise on occupational safety and health issues. These officers should be equipped with the right skills and new knowledge that will enable them to manage the risk profile of the organisation effectively and provide professional advice.

Accordingly, the First Schedule of the existing Act is being amended under clause 27 of the Bill to upgrade the minimum qualification requirements from Diploma to Degree for registration to practice as Safety and Health Officers. This upgrading was long overdue in view of the changes in the world of work and new challenges and trends which require professionals of high calibre and leading-edge competencies in the field.

Mr Speaker, Sir, I wish to report to the House that in my Ministry, all Safety and Health Officers possess at least a Degree in Occupational Safety and Health, and these officers have enormously helped Ministries and Departments to face the challenges of the pandemic during the confinement periods and facilitate business continuity. Upgrading the entry requirements to degree level will act as a motivator and as a compensating factor for their contribution in the

public service. These amendments will no doubt be well acknowledged by all Safety and Health Officers of my Ministry and open new avenues for them.

Mr Speaker, Sir, the amendments being proposed in this House today clearly define the responsibilities and obligations of all stakeholders towards further improving safety and health at the workplace. They oblige Government, public and private sector employers and other stakeholders to take a more proactive stance as far as safety and health at work is concerned. Otherwise, they run the risk of being highly penalised and sanctioned to a fine up to Rs150,000 and to imprisonment for a term not exceeding 2 years, as indicated under clause 24 of the Bill.

Mr Speaker, Sir, the introduction of this Bill bears testimony to the seriousness and determination of this Government to enhance safety and health at work. The wide-ranging measures proposed in the Bill will not only contribute towards protecting the rights of workers and promoting their welfare but also their working environment. The heavy sentences in terms of penalties are strong signals that this Government will no longer tolerate any negligence on behalf of employers as well as employees or any duty holder.

Before I conclude, let me quote what Sir Brian Appleton, former Technical Adviser of the Piper Alpha Disaster and Safety Consultant says about safety at work. I quote –

“Safety is not an intellectual exercise to keep us in work. It is a matter of life and death. It is the sum of our contributions to safety management that determines whether the people we work with live or die.”

Thank you for your attention.

**Mr Speaker:** Hon. Minister!

(9.53 p.m.)

**The Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection (Mr S. Callichurn):** Mr Speaker, Sir, I would like to thank all hon. Members who have brought their contribution with regard to the amendments proposed to the Occupational Safety and Health Act 2005 through the Occupational Safety and Health (Amendment) Bill (No. XVII of 2022) which is before the House today.

I took note that nine out of the ten hon. Members, who expressed their views on the proposed amendments recognised that we are in the right direction. It is also worth mentioning

that hon. Shakeel Mohamed, as former Minister of Labour, Industrial Relations and Employment, has also acknowledged the good works being done by this Government with a view to further strengthening safety and health measures at workplace, and that is in conformity with the conditions imposed by the standards of ILO. I presume the former Minister had interactions with the ILO Experts at the level of the Committee on Application of Standards and today he not only acknowledged the excellent work being done by the Occupational Safety and Health Division of my Ministry but also confirmed that safety and health at work is essential and goes beyond political boundaries.

Mr Speaker, Sir, the works being done by the OSH Division is, in fact, recognised at the international level as evidenced by the statement made by hon. Mohamed last week to the effect that upon the request of the State of Qatar, two officers of the OSH Division of my Ministry proceeded to Qatar from 17 to 21 August 2014 in order to provide technical advice on the standards of occupational safety and health in that country, more specifically in the construction sector and I can confirm that the mission was successfully undertaken, although we could not negotiate free tickets for the World Cup; never mind.

As regards his suggestion to increase the budget allocated to safety and health for the recruitment of additional human resources, I would like to point out that funds allocated to this item has considerably increased over the last eight years, that is from Rs38.5 m. in 2014 to Rs61.9 m. in 2022. Equally, there has been an increase in the number of funded positions from 52 in 2014 to 69 in 2022.

Moreover, Mr Speaker, Sir, with the computerisation of the activities of OSH Division, officers will be relieved from routine manual activities and be able to devote more time to inspections and strategic duties. This is going to happen as from next year once the implementation of the project is completed. Nevertheless, Officers of the Occupational Safety and Health Division have been and are striving hard to maintain a high level of performance and also covering new sectors such as the Maritime Sector. It is apposite to note that the number of inspections carried out has considerably increased to 5,781 in 2021 as compared to 4,668 in 2014, despite the impact of COVID-19. The number of notified accidents at work which stood at 222 in 2014 and 229 in 2019 decreased to 186 in 2021 and 145 as at October 2022. These figures

have been possible due to policy decisions taken for the creation of specialised units such as the Construction Unit and the Employees' Lodging Accommodation Unit, which was set up in 2016.

Mr Speaker, Sir, hon. Ms Joanna Bérenger has been the only person who has looked at things differently. As a general remark, I can simply say that she has been wrongly advised on the matter and I will prove it in a few moments. In spite of the remarks made, I would like to thank her as she is giving me the opportunity to set records straight before this august Assembly.

But, Mr Speaker, Sir, before making any comments on the points raised by her, I would like to point out again that the amendments being proposed to the Occupational Safety and Health Act are meant, to protect workers at the workplace in view of the considerable amount of changes that have occurred thereat due to the introduction of new technologies and machineries, new patterns of work, use of new chemicals and the need to align ourselves with international conventions of ILO relating to occupational safety and health. Furthermore, it is equally important that the Occupational Safety and Health Division of my Ministry be given the necessary facilities to address safety and health issues in a more efficient and effective manner.

Mr Speaker, Sir, let me now come to the points raised by hon. Ms Joanna Bérenger. Mr Speaker, Sir, hazardous works is very broad and cannot be encompassed in one definition because the world of work is vast and complex as it includes workers operating in all sectors of the economy including manual workers in agricultural fields, workers operating in the blue economy, construction sites and also those who are employed in highly technical jobs working with sophisticated equipment in different work environments. So, it will be really impossible to give a specific meaning for hazardous work. Furthermore, we should not forget that the world of work is very dynamic characterised by constant changes in machinery, equipment, technology, patterns of work, processes and substances used at certain places of work. Thus, a definition of "hazardous works" might need to be reviewed regularly so as to take on board new elements as it comes along.

So, I invite hon. Ms Joanna Bérenger to have a look at section 10 of the Occupational Safety and Health Act 2005 whereby it is mandatory for an employer to conduct a suitable and sufficient risk assessment for any activity carried out by a worker with a view to identifying any risk to which the worker may be exposed and address it proactively. The Act also requires employers to take into consideration employees who are especially at risks.

Mr Speaker, Sir, the philosophy of the occupational safety and health legislation is therefore preventive in nature and aims at protecting workers from hazards and risks related to their work.

In addition, I wish to mention that for certain specific activities or categories of workers, special provisions have been made in the Occupational Safety and Health Act 2005 and they are as follows –

- section 6, for example, requires an employer to establish appropriate procedures to be followed in the event of a fire, explosion or accidental release of substances hazardous to health and dangerous occurrences; whereas
- section 8 prohibits young persons from working in specific hazardous;
- section 12 requires an employer to establish and implement appropriate procedures to be followed in the event of serious and imminent danger to any worker at his workplace;
- section 46 prohibits young persons from working on specified machines, and
- sections 67 to 73 provide for the precautionary measures to be taken regarding different categories of hazards to which the workers might be exposed while at work.

Mr Speaker, Sir, I again urge the hon. Member, that is, Ms Joanna Bérenger, to visit the website of my Ministry and to have a look at the different regulations in place. Here, I make reference to the regulation which regulates the handling of asbestos and also the precautions that need to be taken when working with asbestos and there are different regulations which deals with work at height including scaffolding, construction, foundries works, ship building and ship repairs and so on and I am sure the hon. Member will be shocked to see that all these activities are already regulated by specific regulations.

Mr Speaker, Sir, I come to the psychosocial hazards mentioned by Ms Joanna Bérenger. The hon. Member said that psychosocial hazard is not covered by this Bill. It again appears that she has not done her homework properly because one of the major definitions included in the Bill relates to “health” which includes the element of mental health. Mental health! Any risk assessment to be conducted by an employer should therefore, also cover psychosocial hazards. Furthermore, “Mental and behavioural disorders” will henceforth be notifiable occupational



diseases as required under Part II Sub-Part D of the Second Schedule of the Bill. I would like to stress on the fact that since 2016, my Ministry has already come up with a “Work-related Stress Guidelines”, which has been widely distributed to all stakeholders and a copy of which is also available on the website of my Ministry. Moreover, training programmes being provided to stakeholders by the OSH Division comprises of a module on stress management specifically.

Mr Speaker, Sir, although work related stress guidelines are not applicable to political parties, it would be advisable for them to implement same because Members of the Opposition party are going through tremendous stress because of the behaviour of their fellow members, fellow colleagues. Recently, it came to public knowledge, Mr Speaker, Sir, that the MMM is currently encountering similar issues. I think it was in their political bureau but look how happy hon. Steven Obeegadoo is. He is stress free now, and also hon. Ganoo; they have been able to set free from the MMM. That is why they are stress free. Don't worry if you need help, we can assist on this side of the House to have a guideline put in place.

Mr Speaker, Sir, as regard to stress caused by the implementation of Work-From-Home, I wish to inform the House that the Workers' Rights (Working from Home) Regulations 2020 makes provision for appropriate risk assessment to be carried out by an employer for any employee performing work from home.

Violence at work also is considered as a workplace hazard as indicated in Article 9 of the Violence and Harassment Convention 2019 (C190) - I hope there is no violence in that Party - and hence the employer is duty bound under the Occupational Safety and Health Act 2005 to cover violence at work and implement appropriate preventive and proactive measures for his employees. Furthermore, violence at work is covered under section 114 of the Workers' Rights Act 2019.

Mr Speaker, Sir, under section 15 of the Occupational Safety and Health Act 2005, any employee who feels that his safety and health is at stake, may file a complaint to my Ministry. I see hon. Ameer Meea is looking at me; he is asking himself whether he can make a complaint, you are welcome to make the complaint. The Occupational Safety and Health Act 2005 already makes provision for the protection of employees against any civil or criminal action or any form of disciplinary proceedings when a complaint is made. In addition, the forthcoming computerised system will provide for complaints to be made online. This Bill goes further by providing the

same protection to the representatives of employees. I wish to mention that for the period January 2019 to October 2022, the Occupational Safety and Health Division has enquired into 810 complaints and appropriate actions have been taken in this regard.

Mr Speaker, Sir, this Bill makes provision for the National Occupational Safety and Health Department to also promote research and development in the field of Occupational Safety and Health which will also cover psychosocial hazards amongst others.

As regard to the independence of the National Occupational Safety and Health Department, as it is the case for all Government organisations operating under the aegis of a Ministry, officers of the National Occupational Safety and Health Department, once enacted, will be accountable to the Permanent Secretary of the Ministry as per the Occupational Safety and Health Act 2005. So, about the independence that hon. Ms J. Bérenger was talking; she can rest assured that it will be an independent department acting under the aegis of the Permanent Secretary. The Department will thus be accountable for its action on the basis of a well-defined performance management framework and will also be required to work in a transparent manner to ensure compliance with the provisions of the Act.

Mr Speaker, Sir, it is worth pointing out that the Occupational Safety and Health Act 2005 applies to both the private and public sector organisations. The Occupational Safety and Health Division of my Ministry regularly carries out visits at all places of work, that is, both public and private sector organisations and appropriate recommendations to improve safety and health are made to them.

I should also like to mention that the implementation of safety and health measures in all Ministries/Departments is also ensured by 40 officers of the safety and health cadres of the Ministry of Public Service, Administrative and Institutional Reforms. And I will not delve into the issue any further because my good friend, hon. Hurdoyal, has already canvassed all the issues regarding Occupational Health & Safety within the public sector earlier.

Mr Speaker, Sir, as mentioned earlier, the Occupational Safety and Health Division of my Ministry is doing a marvellous job towards enforcing the occupational safety and health standards at the workplace. I think it would be reasonable for me to seize this opportunity to mention some facts and figures illustrating its achievement.

For the period January 2019 to October 2022, the Occupational Safety and Health Division of my Ministry has –

- carried out 19,289 visits at workplaces and lodging accommodations, including Ministries/Departments despite the limited effective that we have at that particular Department;
- investigated into 810 complaints;
- conducted investigations into another 770 accidents which were notified;
- lodged 479 cases before the Industrial Court against employers for breach of occupational safety and health legislation;
- issued 70 prohibition orders for hazardous activities at workplaces, and
- given training and sensitised workers. Some 12,493 persons were trained or sensitised on safety and health matters.

I would like to point out that my Ministry avails of the services of interpreters from an available pool, while investigating into cases of accident and complaints received involving migrant workers. As at date, there is no pending case due to unavailability of interpreters.

Concerning employment of Safety and Health Officers, it is worth highlighting that the Occupational Safety and Health Act 2005 already provides for the employment of either full time or part time Safety and Health Officers based on the number of employees. Furthermore, to ensure that the Safety and Health Officers do not pay lip service at the workplaces, they are employed; the law also imposes a limitation on the number of employers for whom a part time Safety and Health Officer can be employed. The minimum number of hours that a Safety and Health Officer should devote for an employer is also prescribed, that is, they should not work less than 8 hours per week for one particular employer.

Let me explain this clearly. This implies that an employer may employ a Safety and Health Officer for more than 8 hours, if he requires his services for a longer period of time. Additionally, the law provides for an employer, irrespective of the number of employees, to mandatorily employ a Safety and Health Officer taking into account the nature of the processes and associated risks. It should also be noted that, for logical reasons, employment of Safety and

Health Officers on either full-time or part-time basis has been based on the number of employees employed by the employer, and not based on the number of sites of work which does not make any sense. Employment and termination of employment of any employee, including the Safety and Health Officer, is already covered under the Workers' Rights Act 2019.

Mr Speaker, Sir, it seems that the hon. Member has not noticed the major changes being brought by the Bill in relation to the provision of sanitary conveniences to workers who are working in open sites such as agricultural workers and construction workers. These issues were canvassed by hon. Dr Chukowry and hon. Ms Joanne Tour. So, I would also highlight that, under Section 41 of the Occupational Safety and Health Act 2005, an employer is required to provide to his employees washing facilities such as water, soap and towels and other suitable means of cleaning and drying. It is saddening to note that the hon. Ms J. Bérenger has brought down the importance of such a Bill to the level of toilet paper. I hope they do have it in the toilet of their political bureau.

Mr Speaker, Sir, on the issue of fire safety, I wish to point out that since 2019, all matters related to fire safety are covered under the Mauritius Fire and Rescue Service Act. I, therefore, invite again hon. Ms Bérenger, to seek appropriate information from the relevant organisation if she has any question to ask regarding the safety measures that are applicable for Fire and Rescue Services.

Mr Speaker, Sir, Refuse Collectors, commonly known as Scavengers, are covered by the Occupational Safety and Health Act 2005. However, considering the specific nature of their work, my Ministry is currently finalising a dedicated regulation namely, the Occupational Safety and Health (Refuse Collection Works) Regulations to better protect this category of workers from occupational safety and health risks.

Mr Speaker, Sir, I think I have covered most of the points raised by hon. Ms Joanna Bérenger and I do not want to take...

*(Interruptions)*

... much time of the House to comment on matters which have already been addressed in the Bill. But, before ending, I would like to advise hon. Ms Bérenger to contact officers of my Ministry if she has any queries or questions to ask. We would be very happy to help or if she

wants, I can jot it down on a piece of paper – *enn ti papier mem* – and give it to her. No worries, no problem!

Mr Speaker, Sir, on Friday 25 November 2022, while introducing the Bill, I clearly stated that we should not compromise on safety and health matters and that is why we have taken a holistic approach in reviewing the OSHA 2005. This Government is really committed to safeguarding every worker in this country and we will leave no stone unturned in walking the talk and this Bill is testimony of same.

Mr Speaker, Sir, I will end by thanking all officers of my Ministry and those of the Attorney-General's Office for having worked relentlessly in the preparation of this Bill.

I therefore, with these words, 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 OCCUPATIONAL SAFETY AND HEALTH (AMENDMENT) BILL (NO. XVII OF 2022)**

*The Occupational Safety and Health (Amendment) Bill (No. XVII of 2022) was considered and agreed to.*

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

#### *Third Reading*

*On motion made and seconded, the Occupational Safety and Health (Amendment) Bill (No. XVII of 2022) was read a third time and passed.*

## **ADJOURNMENT**

**The Deputy Prime Minister:** Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 09 December 2022 at 4.00 p.m.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.**

*(Interruptions)*

**Mr Speaker:** What is happening? I am putting the question. What is happening?

*Question put and agreed to.*

**Mr Speaker:** The House stands adjourned. Adjournment matters!

(10.27 p.m.)

## MATTERS RAISED

### PLAINE VERTE & ROCHE BOIS – STRAY DOGS

**Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):** Mr Speaker, Sir, the issue I am raising tonight is addressed to the hon. Minister of Agro-Industry and it is in relation to the problematic issue of stray dogs in my Constituency; Constituency No. 3, Plaine Verte and Roche Bois. It has been more than three years that the MSAW is not capturing stray dogs, which has led to a considerable increase in the population of stray dogs at several places in my Constituency.

Mr Speaker, Sir, I must also point out the numerous inconveniences that residents of Plaine Verte and Roche Bois are encountering in front of their houses. There have been many cases of attacks not only on adults but also on children, and I am sure that this problem is not only in Constituency No. 3 but also around the island. Several complaints have been lodged at the MSAW by local people and by *forces vives*, but no concrete action has been taken by the institution up to now. I would, therefore, urge the hon. Minister if he can look into the matter and take remedial measures urgently.

Thank you, Mr Speaker, Sir.

**The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano):** M. le président, je prendrai la question avec mon collègue de l'Agro-industrie.

**Mr Speaker:** Hon. Mrs Mayotte!

(10.29 p.m.)

**TAMARIN VILLAGE – ROAD MARKING, BUS SHELTER & HANDRAILS**

**Mrs S. Mayotte (Second Member for Savanne & Black River):** Merci, M. le président. Ma requête s'adresse au ministre des Infrastructures nationales et du Développement communautaire. C'est un message, une requête de la part des habitants du village de Tamarin pour procéder à nouveau au marquage de la route menant à la plage publique de Tamarin. Ce marquage a eu lieu il y a plusieurs années de cela et demande à être refait, ainsi que la reconstruction d'un abribus, toujours dans le village de Tamarin et la rénovation, le réaménagement des *handrails*, toujours dans le village de Tamarin.

Merci, M. le président.

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Thank you, Mr Speaker, Sir. I will request the Engineer of the RDA who looks after that region to contact my hon. colleague so that they can have site visits together and look into the matter as a whole.

Thank you.

**Mr Speaker:** Hon. Dhunoo!

(10.29 p.m.)

**COUVENT STREET & CELICOURT ANTELME STREET - EROSION**

**Mr S. Dhunoo (Third Member for Curepipe & Midlands):** Thank you, Mr Speaker, Sir. My request tonight is addressed to hon. Mahendranuth Hurreeram, Minister of National Infrastructure. On behalf of the inhabitants of Curepipe-Midlands, we thank him for the good work being done in the Constituency. The construction of the new Grade Separated Junction at Wooton is most welcomed by the inhabitants.

Now we are having another issue; one at La Rue Couvent near Notre Dame College where part of the road has collapsed, and this is due to erosion, and some problems have been noticed at Célécourt Antelme near Lycée La Bourdonnais. Though both roads are not classified, I will request the hon. Minister if he could use his good office to instruct the National Development Unit or the Road Development Authority to do the needful and make the necessary operation for the benefit of the road users and inhabitants, and I am sure my request will not go

in deaf ears because we know how dynamic the Minister is and how he is working hard for the country.

I thank you, Mr Speaker, Sir.

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Mr Speaker, Sir, I thank the hon. Member for his very good words, blessings and support. I will certainly look into the matter. I will convey a site visit, a sort of task force for the region with the DPM and the hon. Member so that we can look into the matter.

Thank you.

**Mr Speaker:** Hon. Mrs Luchmun Roy!

(10.31 p.m.)

**MORCELLEMENT RAFFRAY, LE HOCHET – PLAYGROUND – BAD STATE**

**Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue):** Thank you, Mr Speaker, Sir. My request is addressed to the Vice-Prime Minister, Minister of Local Government, Disaster and Risk Management. I have received several complaints on behalf of the inhabitants of *Morcellement Raffray, Le Hochet* with regard to the children's playground found in the compound of Le Hochet Village Hall. During this period of school holidays, the children are unable to enjoy the playground as it is in a bad state. So, I shall be grateful to the Vice-Prime Minister if he could look into the matter urgently for the benefit of our children of *Morcellement Raffray, Le Hochet, Terre Rouge*.

Thank you very much.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I will pass on the message to the Chairman of the District Council of Pamplemousses to look into the matter urgently.

**Mr Speaker:** Hon. Deputy Speaker!

(10.32 p.m.)

**WATER SUPPLY - HEAVY SHORTAGE - WATER TANKERS**



**Mr Z. Nazurally (Second Member for Montagne Blanche & GRSE):** Thank you very much, Mr Speaker, Sir. My point is addressed to the Minister of Energy and Public Utilities. I am sorry I have not been able to give prior notice. I would like to thank you for the recent meeting held by the General Manager of the CWA. However, there are still certain regions of my Constituency which are having a heavy shortage of water supply. There are several short-term solutions and proposals that have been made by the General Manager at the recent meeting held at Montagne Blanche. However, I would humbly request the hon. Minister if he could use his good office to request the CWA to at least send the lorry carrying water during daytime rather than late in the afternoon because it gets difficult to distribute the water to certain inhabitants.

Thank you very much.

**The Minister of Energy and Public Utilities (Mr G. Lesjongard):** Thank you, Mr Speaker, Sir. I have taken note of the matter raised by the hon. Member. I shall convey same to the General Manager of the CWA to ensure that water tankers are available in the morning rather than in the evening.

Thank you.

**Mr Speaker:** Hon. Ms Tour!

(10.33 p.m.)

***ROUTE DES PAMPLEMOUSSES & ALLEE PERE LAVAL JUNCTION – TRAFFIC LIGHTS***

**Ms J. Tour (Third Member for Port Louis North & Montagne Longue):** Merci, M. le président. Ma requête s'adresse au ministre des Transports terrestres et du Métro léger, l'honorable Alan Ganoo, concernant les feux de signalisation qui ne fonctionnent plus à la hauteur de la jonction Route des Pamplemousses/Allée Père Laval. Je demanderai donc qu'on transmette le message à l'honorable ministre, qu'il voit auprès de la *TMRSU* afin qu'on y remédie.

**The Minister of Energy and Public Utilities (Mr G. Lesjongard):** Merci, M. le président. Je prends note de la doléance soulevée par l'honorable membre et je passerai le message au ministre concerné. Merci.

(10.34 p.m.)

**ENGRAIS MARTIAL, LAPEROUSE & RESIDENCE L'OISEAU – BUS SERVICE**

**Ms J. Bérenger (First Member for Vacoas & Floréal):** Ma requête s'adresse également au ministre des Transports terrestres. Les bus individuels desservant les régions Engrais Martial, Laperouse et Résidence l'Oiseau ne passent pas à des heures régulières et sont une source de grand tracasserie pour les habitants qui ont, par conséquent, des difficultés à organiser leur emploi du temps. Je demande donc au ministre de bien vouloir leur apporter un soulagement, éventuellement en fournissant des minibus de la CNT pour desservir ces régions. Merci.

**The Minister of Energy and Public Utilities (Mr G. Lesjongard):** Merci, M. le président. Je prends note de la doléance soulevée par l'honorable membre et je passerai le message au ministre concerné. Merci.

**Mr Speaker:** Hon. Lobine!

*(Interruptions)*

No, I mean the House stands adjourned!

*At 10.36 p.m., the Assembly was, on its rising, adjourned to Friday 09 December 2022 at 4.00 p.m.*

**WRITTEN ANSWERS TO QUESTIONS**

**POLICE OFFICERS – RECRUITMENT EXERCISE – CRITERIA REVIEW**

**(No. B/1150) Mr F. Quirin (Third 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 recruitment of Police Officers, he will state if discussions have been engaged with the competent authorities, including the Commissioner of Police, for a review of the criteria therefor, having regard to the number of Police Officers involved in drugs trafficking and other offences and, if so, give details thereof and, if not, why not.

**Reply:** The Commissioner of Police has informed that the human resource of the Mauritius Police Force comprises 13040 Police Officers. Recruitment in the Mauritius Police Force at entry level is made by selection by the Disciplined Forces Service Commission (DFSC) at the level of Police Constables, Women Police Constables and Cadet Officers.

Whenever there are vacancies in the Police Force, the Commissioner of Police notifies the DFSC to advertise for the filling of the vacant posts. The recruitment and selection exercise based on set criteria are carried out by the DFSC. The criteria required for the eligibility for enlistment as Police Constables/Women Police Constables are governed by their Schemes of Service and are laid down in the Advertisement Notice.

The criteria of the respective posts, provide, *inter alia*, that the candidates should –

- (i) not be less than 18 years and not more than 30 years, and
- (ii) have a good physique with their Body Mass Index values ranging between 18.50 and 27.50 and they should be able to undergo strenuous physical exercise. They should have a normal eyesight (without glasses or contact lenses) and also satisfy the minimum height requirement of 1m 70 cm and Chest Measurement of 84 cm for males and a height of 1m 63 cm for females.

The recruitment and selection process also comprises –

- (i) a Height Screening Test (HST);
- (ii) a Physical Measurement Test (PMT);
- (iii) a Physical Aptitude Test (PAT);
- (iv) a Medical test;
- (v) a background check to ascertain whether they are borne on criminal record, and finally
- (vi) an Interview by the DFSC.

The Commissioner of Police has also informed that formerly applications for the post of Police Constables/Women Police Constables were made directly to the DFSC via the prescribed form, P.S.C. Form 7 but as from May 2014, potential candidates wishing to apply for enlistment in the Police Force are requested to call, in person, at the Special Mobile Force, in alphabetical order, to register themselves as candidate and to fill in the prescribed application form for the Height Screening Test. After passing the Height Screening Test and verification of their educational certificates, on the same day, they undergo a Physical Measurement Test for the

purpose of ascertaining as to whether they satisfy the physical requirements and Body Mass Index (BMI) values. Qualified candidates are thereafter convened for the Physical Aptitude Test (PAT) followed by medical tests and interview. The PAT involves –

For male candidates –

- (i) Stamina test of 2 km in 12 minutes;
- (ii) Abdominal curl of 15 repetitions;
- (iii) Heaving of 6 repetitions, and
- (iv) Vertical jump of 35 centimetres difference.

For female candidates –

- (i) Stamina test of 1 km in 6 mins 30 seconds;
- (ii) Abdominal curl of 12 repetitions, and
- (iii) Vertical jump of 25 centimetres difference.

Qualified candidates are thereafter interviewed by the DFSC.

The Commissioner of Police has further informed that, as at date, his Office has not engaged in any discussion with the DFSC to further review the recruitment and selection policy of the Police Force. The existing procedures for recruitment already comprise the appropriate yardstick to measure the physical and mental fitness and psychological state of the candidates in order to determine their suitability prior to their enlistment in the Police Force.

Moreover, in accordance with the current Scheme of Service, which is effective as from 25 June 2019, made under Regulation 16 of the DFSC Regulations 1997, candidates have to undergo medical and psychological tests including blood/urine tests for drug misuse, during their training period or, as and when required, to assess their fitness.

#### **MR A. C. D – ROAD ACCIDENT - 21 SEPTEMBER 2022 - INQUIRY**

**(No. B/1151) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in

regard to the road accident which occurred on Wednesday 21 September 2022 in which Mr A. C. D. was involved, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **MR A. B. – ALLEGED DRUG TRAFFICKING – INQUIRY**

**(No. B/1152) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrest of Mr A. B. on 19 August 2022 in relation to a case of alleged drug trafficking, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons therefor and where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **MR N.D CASE – POLICE TORTURE – ACTIONS TAKEN**

**(No. B/1153) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Police Officers against whom a finding of having acted in an inhumane and degrading manner for having foot-cuffed Mr N. D. to his hospital bed, made in the judgment delivered by the Supreme Court in the case of N. D. V The State of Mauritius, he will, for, the benefit of the House, obtain from the Commissioner of Police, information as to the actions taken, if any, against the said Police Officers.

**Reply:** The Commissioner of Police has informed that on Friday 02 January 2009, Mr N. D., aged 32, residing at Tamarin, was admitted in the Burns Unit at Victoria Hospital. As he was a suspect in an alleged case of “assault with premeditation”, Police sentry was maintained over him up to his discharge on Friday 16 January 2009. During that period, several Police Officers performed sentry duties over him and made use of foot-cuffs in order to prevent his escape from legal custody.

More than one year later, on Wednesday 03 March 2010, Mr N. D. lodged a civil case before the Supreme Court claiming compensation as he felt that he was subjected to inhumane and degrading treatment by being foot-cuffed during his stay at the hospital.

On Friday 21 October 2022, the Supreme Court delivered a judgment in favour of Mr N. D. and ordered the Government to pay a compensation of Rs100,000.

The Commissioner of Police has also informed that, following the Supreme Court judgment, the Police Officers who performed sentry over Mr N. D. have, at the level of the Divisional Training Unit, been provided with training on the proper use of handcuffs and foot-cuffs and have also attended lectures on human rights.

### **ICAC - DIRECTOR GENERAL - OFFICE RENOVATION - INQUIRY**

**(No. B/1154) 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 Director General of the Independent Commission Against Corruption, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the Central Criminal Investigation Department has initiated an inquiry into a contract awarded for the renovation of the office thereof and, if so, indicate the outcome thereof.

*(Withdrawn)*

### **WORLD CUP 2022 – BROADCAST RIGHTS – CANAL PLUS**

**(No. B/1155) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the World Cup 2022, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to the cost incurred for the rights of broadcast thereof and the reasons for a non-agreeable partnership with Canal Plus in relation thereto.

*(Withdrawn)*

**DRUG SEIZURE – MARCH 2017 – ARRESTS & CHARGES**

**(No. B/1157) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the case of seizure of drugs concealed in metal cylinders in March 2017, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of persons, if any, arrested in connection therewith and who have been formally charged, respectively, indicating the offence with which the said person/s has/have been charged and where matters stand as at to date.

*(Withdrawn)*

**SBM LTD & SBM HOLDINGS - PUBLIC OFFICERS - DIRECTORS**

**(No. B/1158) 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 public officers appointed as Directors in the State Bank of Mauritius Ltd. and the State Bank of Mauritius Holdings, respectively, since 2015 to date, he will state the names and status thereof in the civil service.

*(Withdrawn)*

**ELECTORAL REFORMS – POLLING DAY – COUNTING**

**(No. B/1159) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the electoral reforms, he will state when same will be implemented, indicating if consideration will be given for the general elections counting exercises to be held on the polling day.

**Reply:** As the House is aware, in the Government Programme 2020-2024, it was announced, *inter alia*, that Government will pursue its initiative to bring an electoral reform that will ensure political and social stability in the country and higher women participation.

The hon. Member is hereby reminded that in 2018, during my first mandate as Prime Minister, I introduced the Constitution (Amendment) Bill into the National Assembly. The objects of the proposed Bill were to amend the Constitution –

- (a) to provide for a wider representation of parties in the National Assembly;
- (b) to do away with the requirement for the mandatory declaration as to the community to which a constituency candidate belongs to;
- (c) to seek better gender representation in the National Assembly, and
- (d) to provide for anti-defection measures to enhance stability.

In the absence of a consensus, the Constitution (Amendment) Bill was not put to vote in the National Assembly.

Given my commitment to bring electoral reforms, in July 2019, I introduced two more Bills into the National Assembly, namely, the Constitution (Amendment) Bill and the Political Financing Bill.

However, at Committee Stage, after taking a division of vote, both Bills were not supported by a three-quarter majority as required by the Constitution and therefore, they were not passed.

My Government is conscious that there is an urgent need for electoral reforms and we remain committed to this goal. My Government will work towards the introduction of a new Bill into the National Assembly, in due course, after necessary consultations with all relevant stakeholders, including the proposal to carry out the counting exercise on the polling day.

I hope that this time, Members of the other side of the House will support the initiative of Government in bringing the electoral reforms which are long overdue.

### **ICAC - DIRECTOR GENERAL - OFFICE RENOVATION - INQUIRY**

**(No. B/1160) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Director General of the Independent Commission against Corruption, he will, for



the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry into the award of contract for the renovation of the office thereof has been initiated and, if so, indicate where matters stand.

*(Withdrawn)*

**MR A. B. – ARREST – 19 AUGUST 2022 – INQUIRY**

**(No. B/1161) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrest of Mr A. B. on 19 August 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons therefor and where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

**CITIZEN SUPPORT PORTAL - NUMBER OF TICKETS - ANNUAL  
BREAKDOWN**

**(No. B/1162) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Citizen Support Portal, he will give an annual breakdown of the number of tickets received in respect of each Ministry since the coming into operation thereof, indicating the number of resolved and pending cases, respectively, per Ministry.

**Reply:** I am informed by the Citizen Support Unit (CSU) of my Office that 248,271 tickets have been registered on the Citizen Support Portal over the period 28 April 2017 to 24 November 2022.

I am also informed that 91% of these tickets have already been resolved. The requested information per Ministry per year is being placed in the Library of the National Assembly.

**MR N. J. – HUNGER STRIKE - MOGAS & GASOIL PRICES**

(No. B/1180) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the hunger strike initiated by Mr N. J. to protest against prices of Mogas and Gasoil, he will state if –

- (a) he has visited or contacted Mr N. J. since the beginning of his strike;
- (b) he has received any correspondence from the support committee of Mr N. J. and, if so, table copy thereof and of the reply thereto, if any, and
- (c) consideration will be given for a reduction of the prices of Mogas and Gasoil.

**Reply:** I am informed that, on 14 November 2022, prior to the start of Mr N.J.'s hunger strike, the General Manager of the State Trading Corporation met him and provided a comprehensive explanation to Mr N. J. of the current context of the prices of Mogas and Gasoil. The General Manager further elucidated the mechanism for the computation of their prices, the evolution of prices of petroleum products on the global market, the status of the Price Stabilisation Account for these two products and the current balance in the Subsidy Account for rice, flour and LPG. Consequently, he appealed to Mr N.J. to postpone his hunger strike to January 2023 when the Petroleum Pricing Committee is scheduled to meet. In spite of all the explanations provided to Mr N.J., I am informed that he has nevertheless proceeded on his hunger strike as from 15 November 2022.

On the morning of 24 November 2022, I received a facsimile correspondence from by Messrs L.M., R.J., C.H., and S.M. on the subject of the hunger strike by Mr N.J. The letter makes mention of the group of individuals supporting Mr N.J. in his hunger strike to protest against the price of Mogas and Gasoil in Mauritius and requests for an urgent meeting with the hon. Prime Minister to resolve the matter.

On the same day, following representations of Mssrs J.C. and S.M. concerning the reasons as to why the prices of fuel have not decreased, I met some members of the *Comité de Solidarité* and again explained the situation to them regarding the pricing mechanism for petroleum products, and why the price cannot be reviewed at this stage.

First of all, I stressed on the Mssrs J.C. and S.M. that the strike undertaken by Mr N.J. could be detrimental to his own health and requested that he ends his strike. I impressed upon them that Mr N.J. had already met the General Manager of the STC, where the latter had

explained to him in detail the operation of the Petroleum Pricing Committee and the provisions of the legislation under which the prices of petroleum products are calculated and determined. The General Manager had also informed Mr N.J. that in view of the ongoing procurement exercise for provision of fuel products, there was a need to await the next PPC for the determination of the prices of petroleum products.

An official correspondence was sent by the Prime Minister's Office to members of the Support Committee of Mr N.J. on 26 November 2022 explaining the situation and appealing for good sense to prevail.

### **DEMAND FORECAST FOR ELECTRICITY – SUPPLY OPTIONS**

**(No. B/1181) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Minister of Energy and Public Utilities whether, in regard to demand forecast for electricity up to 2024, he will table the supply options to meet same.

**Reply:** I wish to inform the House that in my reply to PQ B/649 at our sitting of 17 May 2022, I had tabled the 10-year Electricity Demand Supply Balance Matrix and the highest peak recorded on a monthly basis since 2019 to date. I refer the hon. Member to the supply options to meet demand forecast for electricity up to 2024 listed in the said document.

### **MOGAS & GASOIL – PETROLEUM PRICING MECHANISM**

**(No. B/1182) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to Mogas and Gasoil, he will, for the benefit of the House, obtain information as to the scheduled date for the next meeting of the Petroleum Pricing Mechanism to review the price and the price structure thereof, if any.

*(Withdrawn)*

### **ST CLEMENT STREET, CUREPIPE – SEWERAGE WORKS**

**(No. B/1183) Mr M. Yeung Sik Yuen (Second Member for Curepipe & Midlands)** asked the Minister of Energy and Public Utilities whether, in regard to the sewage project in St Clement Street in Curepipe, he will, for the benefit of the House, obtain from the Waste Water

Management Authority, information as to where matters stand as to the implementation thereof, indicating the expected completion date thereof.

**Reply:** I am informed by the Wastewater Management Authority (WMA) that the sewerage works along St Clement Street in Curepipe are being undertaken under the Rehabilitation/Provision of Sewerage Infrastructure at Résidence Atlee and Environs, Curepipe Contract. The scope of works also covers other streets such as Commerford Street, Dupin Street, Mgr Collier Street, Brown Sequard Street, Gustave Collin Street, and Derby Street as well as Résidence Atlee.

The contract was awarded to Sotravic Limitée on 12 November 2020 following a bidding exercise carried out by the Central Procurement Board. The original duration of the Contract was 24 months with a defects liability period of 1 year after completion of works. The works under the Contract started in January 2021, with an original completion date of 11 January 2023. However, the Contract Completion Date was revised to 20 March 2023 following the Contractor's claims for extension of time on account of –

- (i) “Temporary Restriction of Movement” issued by the Government on 09 March 2021 due to COVID-19, and
- (ii) adverse weather conditions during the period January 2021 and April 2022.

Works along St Clement Street started on the night of 19 April 2022 with the excavation of trial pits. The sewerage works along St Clement Street covers over a distance of 420.60m and as at date, construction of all of the 420.60m of main sewer have been completed and six manholes constructed.

Temporary road reinstatement works have been completed on 09 November 2022 and the street opened to traffic circulation. The final road reinstatement works are tentatively scheduled to be completed by February 2023.

Under the above contract, a total of 2,496m of main sewer pipes and 1,120m of lateral sewers have been replaced and sewerage rehabilitation works for 395 houses (including the housing blocks at Résidence Atlee) have been effected. Works are ongoing and the project is on schedule.

I am informed that weekly coordination meetings are held with the Municipal Council of Curepipe, the WMA and the Contractor to follow up on progress of works.

**CONSTITUENCY NO. 2 - STATE LAND - OCCUPIERS**

**(No. B/1184) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the occupiers of State Land in Constituency No. 2, Port Louis South and Port Louis Central, particularly in the regions of Vallée Pitot and Tranquebar, he will state the number thereof having applied for either a lease or for acquisition over the property being occupied, indicating in each case, the outcome thereof.

**Reply:** I wish to refer to my reply to PQ B/202 whereby I informed the House that my Ministry records applications for acquisition or lease of State Lands on a district-wise basis. Should the hon. Member specify a time period, the information relating to the number of applications in relation to State Land at Vallée Pitot and Tranquebar could be ascertained. However, such numbers will not relate only to present occupiers.

**BABY BONUS – 01 JULY 2022 TO DECEMBER 2022 – DISBURSEMENT**

**(No. B/1185) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the baby bonus of Rs1000, as announced in the 2022-2023 Budget Speech, he will state the number of babies in respect of whom same has been granted since 01 July 2022 to date, indicating the modalities established for the disbursement thereof and if consideration will be given for a review thereof and, if so, when and, if not, why not.

*(Withdrawn)*

**PRIVATE SECONDARY EDUCATION AUTHORITY (PSEA) – EDUCATORS  
– RECRUITMENT**

**(No. B/1186) 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 recruitment of educators, she will, for the benefit of the House, obtain from the Private Secondary Education Authority (PSEA), information as to the reasons why Regulation 3 of the Education Regulations 1957 was being applied in relation thereto whilst the said regulation had not yet been promulgated, indicating the number of

educators aggrieved as a result thereof and the remedial measures the PSEA has taken or proposes to take in relation thereto.

*(Withdrawn)*

### **ICTA - QUANTUM OF FUNDS**

**(No. B/1187) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Information Technology, Communication and Innovation whether, in regard to the Information Communication Technologies Authority, he will, for the benefit of the House, obtain therefrom, information as to the quantum of funds disbursed in terms of legal fees over the past 12 months, indicating the –

- (a) names of the legal people to whom same have been paid, and
- (b) cases to which same relate.

**Reply (The Prime Minister):** The information regarding both parts (a) and (b) of the question is being placed in the Library of the National Assembly.

### **FOOD PRODUCTS – IMPORTS 2019, 2020 & 2021**

**(No. B/1188) Mr N. Bodha (Second Member for Vacoas & Floréal)** asked the Attorney General, Minister of Agro-Industry and Food Security whether, in regard to food products, he will state the main items thereof imported in 2019, 2020 and 2021 respectively, indicating the –

- (a) quantity thereof imported in each case, and
- (b) measures he proposes to take to reduce the quantity of imports thereof.

*(Withdrawn)*

### **BANK OF MAURITIUS – LOSS – REMEDIAL MEASURES**

**(No. B/1189) 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 current comprehensive loss of the Bank of Mauritius, he will, for the benefit of the House, obtain information as to the -

- (a) quantum thereof ;
- (b) reasons therefor, and
- (c) remedial measures being envisaged in relation thereto.

*(Withdrawn)*

#### **EDB – NEW OFFICE SPACE – RENT & LEASE**

**(No. B/1190) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the recent renting of new office space by the Economic Development Board in Ebène, he will, for the benefit of the House, obtain information as to the terms and conditions of the lease agreement, indicating –

- (a) who is the owner of the building;
- (b) the monthly rent payable, and
- (c) the duration of the lease.

*(Withdrawn)*

#### **EEZ – ILLEGAL FISHING – SEIZURE – 2020 TO NOV 2022**

**(No. B/1191) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to illegal fishing within our Exclusive Economic Zone, he will state the number of cases of seizure of illegal catches made by the National Coast Guard since 2020 to date, indicating the -

- (a) volume of the catches seized, including types of fish and commercial value thereof in each case, and
- (b) names of the vessels seized and if same have been disposed of, giving details thereof.

*(Withdrawn)*

#### **CAMP CAVAL BRIDGE, CUREPIPE - REPAIR PROJECT**

**(No. B/1192) Mr M. Yeung Sik Yuen (Second Member for Curepipe & Midlands)** asked the Minister of National Infrastructure and Community Development whether, in regard to

the proposed repair project of the Camp Caval Bridge in Curepipe, he will state the estimated cost thereof.

**Reply:** A Works Order for an amount of Rs4.4 m. was issued to Gamma Construction Ltd by the National Development Unit on 22 September 2021 to carry out remedial works at the culvert at Camp Caval.

The scope of works comprised mainly the following –

- (i) excavation of the existing road where the collapse has occurred and upgrading of the existing cross drain 700mm wide by a new drain of 1000mm x 1000mm;
- (ii) reconstruction of the retaining wall in reinforced concrete;
- (iii) upgrading of part of the existing roadside drain over a stretch of 20m, and
- (iv) provision of asphaltic concrete.

Provisions were also made in the contract amount for the reconstruction of a boundary wall along the road in case same would be damaged during the implementation of the works and for payment of compensation for damaged crops given that the vegetable garden located adjacent to the affected part of the road will be used as access by the Contractor.

However, during excavation, it was observed that the culvert was structurally sound and as such, needed only localised repairs. Consequently, the scope of works was amended and the project value was brought down to Rs1.3 m.

The remedial works were completed on 25 July 2022 and the site has been handed over to the Municipal Council of Curepipe.

### **PEOPLE'S TURF PLC - TOTALISATOR OPERATOR LICENCE**

**(No. B/1193) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the People's Turf PLC, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to if a Totalisator Operator licence has been issued thereto and, if so, indicate the

–

- (a) date of application therefor and of issue thereof, respectively;
- (b) number of outlets authorised on-course and off-course, indicating the expected starting date of operation thereof;
- (c) types of betting authorised, and



- (d) terms and conditions attached thereto.

*(Withdrawn)*

### **CANBERRA EMBASSY - OFFICIAL RESIDENCE**

**(No. B/1194) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to our Embassy in Canberra, he will state if the Government of Mauritius owns an official residence for use by the High Commissioner thereof and, if so, indicate if same is being occupied by the present High Commissioner and, if not, why not, and is alternatively renting another residential premises for the High Commissioner and, if so –

- (a) since when, and  
 (b) the quantum of rent payable therefor.

*(Withdrawn)*

### **FISHERMEN WELFARE FUND**

**(No. B/1195) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the Fishermen Welfare Fund, he will, for the benefit of the House, obtain information as to the facilities it offers to the fishermen and to the families thereof, respectively.

*(Withdrawn)*

### **NATIONAL CHILDREN COUNCIL - BOARD - COMPOSITION**

**(No. B/1196) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the National Children Council, she will, for the benefit of the House, obtain information as to –

- (a) the composition of the Board thereof;  
 (b) the number of Board meetings held since June 2022 to date, and  
 (c) if the Chairperson and Board members thereof have right of access to the shelters managed by her Ministry.

*(Withdrawn)*

**CHILD LABOUR – CASES & ARRESTS – 2014 TO 2022**

**(No. B/1197) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Gender Equality and Family Welfare whether, in regard to child labour, she will state the –

- (a) number of reported cases thereof since 2014 to date, including the number thereof;
  - (i) involved in commercial exploitation, commercial sexual exploitation and illicit activities, respectively, and
  - (ii) uncovered by labour inspections, and
- (b) number of arrests effected and convictions secured in connection therewith.

*(Withdrawn)*

**DISABILITY BILL - INTRODUCTION**

**(No. B/1198) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the proposed introduction of a Disability Bill, she will state where matters stand.

**Reply:** In view of the cross-cutting nature of the provisions of the Protection and Welfare of Persons with Disabilities Bill, my Ministry has had extensive consultations with all Ministries, Departments and other stakeholders who will be involved in the implementation of the proposed Bill. My Ministry, together with the State Law Office, is currently working towards the finalisation of the Bill.

**NOTRE DAME RELAY SHELTER - BABY C. - INCIDENT**

**(No. B/1199) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether in regard to the Relay Shelter of Notre Dame, she will state the actions taken, if any, in relation to an incident which occurred on Saturday 12 November 2022 in the morning whereby resident Baby C., aged 2, got a bump on her forehead.

*(Withdrawn)*

**NEW FLACQ TEACHING HOSPITAL PROJECT**

**(No. B/1200) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of Health and Wellness whether, in regard to the construction of the New Flacq Teaching Hospital Project, he will state the work progress thereof.

*(Withdrawn)*

### **HOUSING UNITS – BIDDING EXERCISE**

**(No. B/1201) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the construction of 12,000 housing units, he will, for the benefit of the House, obtain from the National Social Living Development Limited, information as to –

- (a) when was the last bidding exercise carried out, indicating who was the lowest bidder;
- (b) the total cost related to the preparation of the bidding exercise, and
- (c) if there is/will be any additional cost for the new bidding exercise which will be launched.

**Reply:** With regard to part (a), I am informed by the New Social Living Development (NSLD) Ltd that the last bidding exercise was carried out on 30 September 2022. However, the exercise was cancelled thereafter due to high quoted price by bidders. Hence, the question of the lowest bidder does not arise.

I understand that part (b) relates to the last bidding exercise. I am also informed by the NSLD Ltd that since 40 per cent of the total cost for the consultancy services of a PMCC relates to design, which includes preparation Bill of Quantities, tender documents and assisting in the evaluation, it is difficult to work out an exact cost related to the preparation of the bidding exercise.

With regard to part (c), I am informed by the NSLD that there will indeed be some additional cost for the new bidding exercise.

### **SOCIAL HOUSING – COMPLETED UNITS – 2016 TO 2022**

**(No. B/1202) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to social housing, he will, for the benefit of the House, obtain information as to the number of targeted and actual number of units thereof, the construction of which have

started and have been completed, during Financial Years 2016-17, 2017-18, 2018-19, 2019-20, 2020-21 and 2021-22 as at to date, indicating the number of registered applicants for the corresponding periods.

*(Withdrawn)*

#### **SMALL PLANTERS – SUGARCANE – GUARANTEED PRICE**

**(No. B/1203) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to sugarcane, he will state if the small planters thereof have received Rs25,000 per ton of sugar as promised in past Budgets and if the value-added products thereof, such as molasses, bagasse and bottlers, have been accounted in the Rs25,000 per ton of sugar.

*(Withdrawn)*

#### **MONKEYPOX VACCINE – BRAND & COST**

**(No. B/1204) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to the Monkeypox vaccine, he will state the number of doses thereof purchased by his Ministry, indicating the –

- (a) brand thereof;
- (b) cost of each dose, and
- (c) persons/category of persons who will be administered therewith.

*(Withdrawn)*

#### **PROMOTION TO GRADE 10 - APPLICABLE CRITERIA**

**(No. B/1205) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the promotion to Grade 10 in January 2023, she will state the established criteria applicable for mainstream and extended stream students, respectively.

**Reply:** The criteria for the obtention of the National Certificate of Education, set in the Annual Programme, are as follows –

- 1) Numerical Grade 6 (35 and above but below 45 marks) in six core subjects including English, French and Mathematics and at least intermediate level in two non-core subjects, or

- 2) Numerical Grade 6 in seven core subjects including English, French and Mathematics and at least intermediate level in one non-core subject, or
- 3) Numerical Grade 6 in eight core subjects including English, French and Mathematics.

However, for the purpose of promotion to Grade 10, in the reply made to PQ B/646 for the sitting of the National Assembly on 13 July 2021, the House was informed that candidates should attain at least Numerical Grade 6 in six subjects including English.

In a correspondence dated 18 October 2022, schools have been informed that the same principle will apply for the promotion to Grade 10 in 2023.

#### **MSAW – DOGS – REGISTRATION**

**(No. B/1206) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to dogs, he will, for the benefit of the House, obtain, from the Mauritius Society for Animal Welfare, details of the new procedure being established for the registration thereof.

*(Withdrawn)*

#### **MAUBANK & NIC - SALE**

**(No. B/1207) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Maubank and the National Insurance Company, he will state if steps have been initiated for the sale thereof and, if so, give details thereof.

*(Withdrawn)*

#### **MV WAKASHIO OIL SPILL – CLEANUP OPERATIONS – STAFF HEALTH SURVEILLANCE**

**(No. B/1209) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard public officers, including Special Mobile Force personnel, involved in the cleaning-up operations of the MV Wakashio Oil

Spill, he will state the number thereof medically examined by the Occupational Health and Safety Unit –

- (a) indicating when, and
- (b) giving details of the health surveillance programme put in place therefor.

**Reply:** I am informed that since the incidence of the MV Wakashio Oil Spill in July/August 2020, staff of the Special Mobile Force and public officers from several Government bodies were mobilised on site for oil spill clean-up activities. These staffs were provided oil-spill combat equipment which comprises boots, gloves, masks, Personal Protective Equipment, tools, amongst others, to protect them from toxic chemicals.

In reply to part (a) of the question, a team of Medical and Nursing Officers from my Ministry was deployed to provide medical assistance throughout response and clean-up operations.

I am informed that no complaint was registered regarding severe adverse health effects by those involved in the oil spill clean-up activities.

With regard to part (b) of the question, my Ministry has been actively involved in the National Oil Spill Coordination Committee, where essential advice on precautionary measures associated with hazards of oil spill was provided.

A Continuous Professional Development (CPD) programme was conducted at Jawaharlal Nehru Hospital at the time of the incident to raise greater awareness among the health personnel regarding the adverse health effects of exposure to oil spills.

#### **MAURITIUS FIRE AND RESCUE SERVICE - STATION OFFICER - EXAMINATION CRITERIA**

**(No. B/1210) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the last Station Officer qualifying examination of the Mauritius Fire and Rescue

Service, he will, for the benefit of the House, obtain information as to if all eligible candidates met the minimum criteria to participate therein.

*(Withdrawn)*

**BASIC INVALIDITY PENSIONS – APPLICATIONS –  
JULY 2021 TO NOV 2022**

**(No. B/1211) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Basic Invalidity Pensions, she will state the number of applications therefor received since July 2021 to date, including the number of applications therefor received from persons suffering from physical and/or mental disabilities, indicating the number thereof benefitting thereunder.

*(Withdrawn)*

**DRUG DRIVING – TESTS**

**(No. B/1213) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to Drug Driving, he will, for the benefit of the House, obtain information as to the number of tests carried out in relation thereto and the outcome thereof.

*(Withdrawn)*

**MASA – MR M. V., FORMER DIRECTOR – TERMINATION OF CONTRACT**

**(No. B/1215) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Arts and Cultural Heritage whether, in regard to the termination of the contract of the former temporary Director of the Mauritius Society of Authors (MASA) Mr M. V., he will –

- (a) for the benefit of the House, obtain information as to the date thereof and the reasons therefor, and
- (b) state if he is in presence of any correspondence from the former temporary Director of the MASA pertaining to alleged acts of malpractice thereat and, if so, indicate the actions initiated by his Ministry in relation thereto.

*(Withdrawn)*

**TOURISM INDUSTRY - EMPLOYEES - VACANCIES**

(No. B/1216) Mrs K. Foo Kune-Bacha (Second 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 tourism industry, he will state the –

- (a) number of employees working therein in 2017, 2018, 2019, 2020, 2021, and since January 2022 to date, respectively, indicating the number thereof being foreign nationals;
- (b) number of present vacancies therein, and
- (c) short-term and long-term remedial measures being envisaged to address shortages of staff therein.

*(Withdrawn)*

**OPEN LIVE CONCERTS - NOISE POLLUTION - REGULATIONS**

(No. B/1217) Mrs S. Mayotte (Second Member for Savanne & Black River) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to open live concerts, he will state if Government proposes to bring amendments to the Regulations in relation to noise pollution to allow the holding thereof.

*(Withdrawn)*

**GENDER EQUALITY BILL – PROPOSED INTRODUCTION**

(No. B/1218) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Gender Equality and Family Welfare whether, in regard to the proposed introduction of a Gender Equality Bill, she will state where matters stand.

**Reply:** I wish to inform the House that drafting instructions have already been submitted to the Attorney General’s Office in respect of the proposed Gender Equality Bill.

Consultations are presently ongoing with various stakeholders.

**CEB - FINANCIAL POSITION - 31 OCTOBER 2022**



**(No. B/1219) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Energy and Public Utilities whether, in regard to the Central Electricity Board, he will, for the benefit of the House, obtain information as to the financial position thereof as at 31 October 2022.

*(Withdrawn)*

#### **MAURITIUS SPORTS COUNCIL - STAFF - UNIFORMS**

**(No. B/1221) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the staff of the Mauritius Sports Council, he will, for the benefit of the House, obtain from the Council, information as to the date on which eligible members thereof were last issued with uniforms, indicating the –

- (a) date on which new ones will be issued thereto, and
- (b) frequency at which uniforms are issued.

**Reply:** I am informed by the Mauritius Sports Council that uniforms were last issued to eligible members of the staff in the months of April to June of this year. The distribution of sweaters is still in progress.

I am further informed with regard to part (a) of the question, that eligible members of the staff will be provided with new uniforms in January 2023.

As regards part (b) of the question, appropriate uniforms are issued once yearly.