

**SIXTH NATIONAL ASSEMBLY****PARLIAMENTARY
DEBATES
(HANSARD)****FIRST SESSION
TUESDAY 05 MAY 2015**

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Members

THE CABINET**(Formed by the Rt. Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC)**

Hon. Sir Anerood Jugnauth, GCSK, Prime Minister, Minister of Defence, Home Affairs, KCMG, QC	Minister for Rodrigues and National Development Unit
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Deputy Prime Minister, Minister of Tourism and External Communications
Hon. Showkutally Soodhun, GCSK	Vice-Prime Minister, Minister of Housing and Lands
Hon. Ivan Leslie Collendavelloo, GCSK	Vice-Prime Minister, Minister of Energy and Public Utilities
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Finance and Economic Development
Hon. Pravind Kumar Jugnauth	Minister of Technology, Communication and Innovation
Hon. Yogida Sawmynaden	Minister of Youth and Sports
Hon. Nandcoomar Bodha	Minister of Public Infrastructure and Land Transport
Hon. Mrs Leela Devi Dookun-Luchoomun	Minister of Education and Human Resources, Tertiary Education and Scientific Research
Hon. Anil Kumarsingh Gayan	Minister of Health and Quality of Life
Dr. the Hon. Mohammad Anwar Husnoo	Minister of Local Government
Hon. Prithvirajsing Roopun	Minister of Social Integration and Economic Empowerment
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Ravi Yerrigadoo	Attorney General
Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
Hon. Santaram Baboo	Minister of Arts and Culture
Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
Hon. Mrs Marie-Aurore Marie-Joyce Perraud	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sudarshan Bhadain	Minister of Financial Services, Good Governance and Institutional Reforms
Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives
Hon. Mrs Fazila Jeewa-Daureeawoo	Minister of Social Security, National Solidarity and Reform

	Institutions
Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands
Hon. Jayeshwur Raj Dayal, CSK, PDSM, QPM	Minister of Environment, Sustainable Development and Disaster and Beach Management
Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Civil Service and Administrative Reforms
Hon. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training

PRINCIPAL OFFICERS AND OFFICIALS

Madam Speaker	Hanoomanjee, Hon. Mrs Santi Bai, GCSK
Deputy Speaker	Duval, Hon. Adrien Charles
Deputy Chairperson of Committees	Hurreeram, Hon. Mahendranuth Sharma
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
Deputy Clerk	Ramchurn, Ms Urmeeah Devi
Clerk Assistant	Gopall, Mr Navin (Temporary Transfer to RRA)
Hansard Editor	Jankee, Mrs Chitra
Sergeant-at-Arms	Pannoo, Mr Vinod

MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 25 of 2015

Sitting of 05 May 2015

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

The National Anthem was played

(Madam Speaker in the Chair)

PAPERS LAID

The Prime Minister: Madam Speaker, the Papers have been laid on the Table –

A. Prime Minister's Office

Certificate of Urgency in respect of the Finance (Miscellaneous Provisions) Bill (No. X of 2015). In Original

B. Ministry of Local Government –

- (a) The City Council of Port Louis (Abercrombie Market) (Amendment) Regulations 2015 (Government Notice No. 68 of 2015).
- (b) The Dr. Oomar Farook Cassam Uteem Mini Synthetic Football Ground Regulations 2015 (Government Notice No. 69 of 2015).
- (c) The Municipal Town Council of Curepipe (Advertisement) Regulations 2015 (Government Notice No. 70 of 2015).

C. Ministry of Industry, Commerce and Consumer Protection

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 8) Regulations 2015 (Government Notice No. 67 of 2015).

ANNOUNCEMENT

PUBLIC ACCOUNTS COMMITTEE – CHAIRPERSON - APPOINTMENT

Madam Speaker: Hon. Members, I have to inform the House that hon. Alan Ganoo submitted his resignation as Chairperson of the Public Accounts Committee on 24 April 2015, and I have accepted his resignation. Consequently, in accordance with Standing Order 69(2) of the Standing Orders and Rules of the National Assembly, I have appointed hon. Vedasingam Baloomoody as Chairperson of the Public Accounts Committee as from today.

I also have to inform the House that Dr. the hon. Mohamud Raffick Sorefan submitted his resignation on 24 April 2015 as member of the Public Accounts Committee, and I have accepted his resignation. Consequently, the Committee of Selection met under my Chairpersonship earlier today and has nominated hon. Jean Claude Barbier to serve on the Public Accounts Committee.

NATIONAL ASSEMBLY PROCEEDINGS – LIVE BROADCAST - SELECT COMMITTEE

Furthermore, I wish to inform the House that, pursuant to the resolution adopted by the House on Tuesday last, 28 April 2015, to appoint a Select Committee of the House to consider the live broadcasting of the proceedings of the House and matters ancillary thereto, I have nominated the following hon. Members to serve on the said Committee –

1. The hon. Nandcoomar Bodha, Minister of Public Infrastructure and Land Transport;
2. The hon. Anil Kumarsingh Gayan, Minister of Health and Quality of Life;
3. The hon. Mrs Marie-Aurore Marie-Joyce Perraud, Minister of Gender Equality, Child Development and Family Welfare;
4. The hon. Rajesh Anand Bhagwan, Opposition Whip;
5. The hon. Jean Francisco François, Parliamentary Private Secretary;
6. The hon. Jean-Noel Alain Aliphon, MP;
7. The hon. Vedasingam Baloomoody, MP;
8. The hon. Ahmad Bashir Jahangeer, MP;

9. The hon. Ezra Seewoosunkur Jhuboo, MP;
10. Dr. the hon. Mohamud Raffick Sorefan, MP, and
11. The hon. Kalidass Teeluckdharry, MP.

I have also fixed the first meeting of the Committee for Thursday 07 May 2015 at 11.00 a.m. in Committee Room No. 1 of the National Assembly.

Thank you.

MOTION

SUSPENSION OF S.O. 10 (2)

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

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

PUBLIC BILLS

First Reading

On motion made and seconded, the Finance (Miscellaneous Provisions) Bill (No. X of 2015) was read the first time.

Second Reading

THE SUPPLEMENTARY APPROPRIATION (2013) BILL

(No. VII of 2015)

Order for Second Reading read

The Minister of Finance and Economic Development (Mr S. Lutchmeenaraidoo): Madam Speaker, I move that the Supplementary Appropriation (2013) Bill (No VII of 2015) be read a second time.

The Bill provides for the appropriation of an additional sum of Rs3,388,774,430 in respect of services of Government for financial year 2013.

The House will recall that the previous Government initially presented an Appropriation Bill of Rs81.5 billion for financial year 2013. During the course of that year, a

Supplementary Appropriation Bill of Rs2.5 billion was introduced to cater for additional expenditure for -

- The Land Drainage and Watershed Management Programme (Rs1.2 billion);
- Implementation of Errors, Omissions and Anomalies Committee Report 2013 (Rs1 billion), and
- Construction of Roads and Bridges (Rs300 m.).

The total sum appropriated for financial year 2013 thus amounted to Rs84 billion while actual spending totalled Rs81.4 billion, that is, Rs2.6 billion below the total sum appropriated.

However, there has been over-spending under 11 votes. Funds for additional expenditures on these Votes have been made available by way of *virements*, essentially from votes that had savings and/or unspent balances and from the vote “Contingencies and Reserves”. Thus, no new financing had to be raised to meet those additional expenditures. In addition, the Budget deficit for that year as well as the debt situation has not been affected.

However, Section 105 (3) of the Constitution provides that when any vote requires additional funds in addition to what has already been appropriated, regardless of whether it is financed from savings, unspent balances or from the vote of contingencies and reserves, the additional funds must be appropriated by the National Assembly through a Supplementary Appropriation Bill.

As the House is aware, following the recent amendments we brought to the Finance and Audit Act, funds are now appropriated by vote of expenditure instead of by programmes. At the same time, provision was also made in that amendment for Supplementary Appropriation Bills in respect of financial years 2013 and 2014 to be made on the basis of vote of expenditure.

The eleven (11) votes of expenditure in respect of which supplementary appropriation is required are listed in the Schedule to the Bill, and the items of expenditure concerned are set out in the Estimates of Supplementary Expenditure (ESE).

The main over-expenditures have been the following -

(a) Rs2.2 billion under the Ministry of Public Infrastructure and Land Transport, for -

- completing the Terre Rouge-Verdun link road and for land stabilisation works;

- payment of consultancy fees for the LRT project;
- resurfacing of various roads, and
- the free travel scheme, following increase in bus tariffs in August 2013

(b) Rs398.6 m. under the Ministry of Housing and Lands for -

- payment of compensation in respect of compulsory land acquisition;
- the Military Road Housing Project, and
- the Casting of Roof Slab Scheme.

(c) Rs257.9 m. under the Ministry of Agro-Industry and Food Security for –

- payment of the last *tranche* of the accompanying measures for the Sugar Sector Reform (VRS) on the closure of the Deep River Beau Champ Sugar Factory, and
- additional grants to the Irrigation Authority and the Mauritius Cane Industry Authority (MCIA) to cover their operating deficits.

(d) Rs232.2 m. under the Ministry of Education and Human Resources, Tertiary Education and Scientific Research as additional grants to PSSA, MGI and other parastatal bodies in the wake of the PRB and EOAC Reports 2013.

(e) Rs170.1 m. under the Ministry of Social Security, National Solidarity and Reform Institutions, to cater for -

- higher number of recipients of basic retirement pension and social aid, and
- increase in the fees payable to doctors for domiciliary visits in line with the recommendation of the PRB Report 2013.

(f) Rs65.4 m. under the Ministry of Local Government as additional grants-in-aid to local authorities following the PRB and EOAC Reports 2013.

(g) Rs52 m. for the Independent Commission Against Corruption (ICAC) for its salary review implemented as from January 2013 and in connection with construction of its Headquarters at Réduit.

(h) Rs36.1 m. for the Office of the Electoral Commissioner in connection with the holding of the Village Council and Municipal Council elections in December 2012.

I need to remind the House that the actual budget deficit for financial year 2013 amounted to Rs12.8 billion and as a ratio to GDP; it was 3.5% against the revised estimates of 3.7%.

As regards public sector net debt, for the purpose of debt ceiling, it turned out to be 53.9% of GDP compared to the target of 52.5%. When measured using IMF definition, public sector debt was 60.1% of GDP instead of 57.7%.

Madam Speaker, I now commend the Bill to the House.

The Prime Minister rose and seconded.

Question put and agreed to.

COMMITTEE OF SUPPLY

(Madam Speaker in the Chair)

ESTIMATES OF SUPPLEMENTARY EXPENDITURE (2013) OF 2015

The following votes were called and agreed to -

- *Vote 1-4 Electoral Supervisory Commission and Electoral Boundaries (Rs1,917,028).*
- *Vote 1-5 Office of the Electoral Commissioner (Rs36,125,751).*
- *Vote 1-10 National Audit Office (Rs4,365,578).*
- *Vote 1-13 Independent Commission Against Corruption (Rs52,000,000).*

Vote 4-1 Vice-Prime Minister's Office, Ministry of Housing and Lands was called.

The Chairperson: Yes, hon. Ganoo!

Mr Ganoo: I wish to ask the hon. Vice-Prime Minister one question pertaining to the item on page 11, *Acquisition of Non-Financial Asset, item 31410801 Acquisition of Land, Additional provision required for the payment of compensation related to compulsory acquisition of land in connection with the implementation of various major Government projects.*

The Chairperson: It is at the bottom of page 11.

Mr Ganoo: Yes, bottom of page 11. Is the hon. Vice-Prime Minister with me?

The Chairperson: Page 11! At the bottom of page 11, item 31410801. It pertains to *Acquisition of Land*.

Mr Ganoo: May I ask the hon. Vice-Prime Minister – the purpose of my question - if he can elaborate on the Supplementary Appropriation which has been budgeted Rs331m. The point is that, in his report, the Director of Audit has made the remark that very often, the Ministry of Housing and Lands invests in the compulsory acquisition of land and, very often, this land is just around without being put to use. The purpose of my question today is to ask the hon. Minister to justify this significant amount of fund which has been budgeted and if he can give us a list of the projects concerned with this item.

Mr Soodhun: Yes, Madam Chairperson, the additional provision is required for the payment of the compensation related to the compulsory acquisition of land in connection with the implementation of various major Government projects such as –

- (i) Terre Rouge-Verdun;
- (ii) Verdun-Trianon Link Road;
- (iii) Triolet bypass;
- (iv) Port Louis Ring Road Phase I;
- (v) Harbour Bridge;
- (vi) Goodlands Bypass, and
- (vii) Construction of access to roads to Tianli Industrial Zone.

Vote 4-1 Vice-Prime Minister's Office, Ministry of Housing and Lands (Rs398,650,916) was, on question put, agreed to.

Vote 9-1 Ministry of Public Infrastructure and Land Transport was called.

The Chairperson: Hon. Dr. Sorefan!

Dr. Sorefan: Madam, on page 13, item 22030 *Rent*, may we know whether the Moorgate House is still being rented - as we know the LRT has been shelved -and what is it being used for now?

Mr Bodha: Madam Chairperson, concerning item 22030 *Rent*, it is additional provision required to meet increase in rent following the occupation of the third floor at Moorgate House by the newly set up Mass Transit Unit. There are also requests from socio

cultural organisations for erection of tents for religious activities and festivals as well as in cost of rental/erection of tents.

As regards the Moorgate House, we are reconsidering this unit. So, we will see to it that we do not have this rent.

Mr Lesjongard: Madam Chairperson, at page 20, item 31113035, that is, with respect to *Preparatory Works* for the LRT. We know that Government is not going ahead with the LRT Project. May we know now what has been done with regard to consultancy, the amount of work that has been carried out with regard to the preparatory works concerning the *implementation of the LRT Project* which is of the order of Rs169,040,109?

Mr Bodha: The project has been shelved. So, we are going to wind up the whole project. The consultancy fees have to be paid – we are in the process of seeing what has to be paid, so that we put an end to the whole thing and we keep the consultancy material, that is, the survey. We are going to wind up the unit.

The Chairperson: Hon. Bhagwan!

Mr Bhagwan: On page 17, last item 31113403 *Upgrading of Roads*, we are being asked to vote Rs275,942,586. Can the hon. Minister give us a breakdown constituency-wise of the amount we are being asked to vote?

Mr Bodha: Madam Chairperson, I do not have this information. I am going to table it in the National Assembly.

The Chairperson: Hon. Jhugroo!

Mr Jhugroo: On page 13, item 22030 *Rent*, with regard to the erection of tents, can we know whether there have been tender procedures and, if so, can we know who got the contract and for what cost?

Mr Bodha: From what I have been told, there were rates and there were tenders at the beginning of the year, but every year, the budgeted provision was, in fact, only about 60%, two-third of what, in fact, we did spend at the end of the year. I am coming with a new policy with very rigid criteria. So, we are going to provide tents only for a number of national events and no other tents to socio cultural organisations on a discretionary basis.

Vote 9-1 Ministry of Public Infrastructure and Land Transport (Rs2,165,390,113) was, on question put, agreed to.

Vote 10-1 Ministry of Education and Human Resources, Tertiary Education and Scientific Research (Rs232,190,340) was called and agreed to.

Vote 12-1 Ministry of Local Government was called.

The Chairperson: Hon. Bhagwan!

Mr Bhagwan: On page 33, Madam Chairperson, the *Unified Local Government Service Board*, item 22050 *Office Expenses*. We are being asked to vote Rs56,397. Can the hon. Minister give us an idea of the composition of this Unified Local Government Service Board, whether this Board is found within the Ministry itself?

Dr. Husnoo: Actually, I do not have the names of all the members here, but I can circulate it for you later on.

Mr Bhagwan: Can the hon. Minister inform the House whether this Board is found at the Ministry itself?

Dr. Husnoo: Yes, it is found at the Ministry.

The Chairperson: Yes, hon. Dr. Sorefan!

Dr. Sorefan: On page 35, item 22070 *Cleaning Services*. May we know from the hon. Minister whether renewal of contract is automatic or do we have a term for contract and we do re-tender?

The Chairperson: Well, hon. Member, you have to ask questions pertaining to the increase specifically. This is an E.S.E. Please!

Dr. Sorefan: Sorry, Madam Chairperson. There is an increase of Rs68 m. May we know from the hon. Minister why the contract has been renewed, why it has not been called for tender?

Dr. Husnoo: Which item, please?

Dr. Sorefan: Item 22070.

The Chairperson: ESE! Ask questions pertaining to the increase, to the expenses, please! This question is not relevant. Well, if the hon. Minister wants to reply, he can, but the question is not relevant to the ESE. I am sorry! Yes, hon. Bhagwan!

Mr Bhagwan: On page 36, Madam Chairperson, the first item 28222 *Transfers to Households, Additional provision required to meet payment of compensation for the relocation of the inhabitants of Mare Chicose Village*. Can the hon. Minister give us an idea whether all the inhabitants of Mare Chicose have, by now, been relocated and whether there are still cases pending with regard to *litige*?

Dr. Husnoo: Again, I do not have all the information on whether all the inhabitants have been relocated, but I can let the hon. Member have the information later on.

Vote 12-1 Ministry of Local Government (Rs65,420,897) was, on question put, agreed to.

Vote 16-1 Ministry of Agro-Industry and Food Security (Rs257,858,828) was called and agreed to.

Vote 22-1 Ministry of Social Security, National Solidarity and Reform Institutions (Rs170,152,472) was called and agreed to.

Vote 25-1 Ministry of Civil Service and Administrative Reforms (Rs4,702,507) was called and agreed to.

E.S.E. (2013) of 2015 was agreed to.

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

COMMITTEE STAGE

(Madam Speaker in the Chair)

The Supplementary Appropriation (2013) Bill (No. VII of 2015) was considered and agreed to.

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

Second Reading

THE ROAD TRAFFIC (AMENDMENT) BILL

(No. VI OF 2015)

Order read for resuming adjourned debate on the Second Reading of the Road Traffic (Amendment) Bill (No. VI of 2015).

Question again proposed.

(12.04 p.m.)

The Leader of the Opposition (Mr P. Bérenger): Madam Speaker, well, you will allow me to start by congratulating the Minister!

(Interruptions)

At least, he listened to what the Leader of the Opposition proposed, especially in a technical Bill like that, he gave us time. Unlike others who rushed with Bills - first, second, third readings in one day - he was wise enough to give time to consider, to consult and that is why I congratulate him and I hope that other Ministers do the same.

I see in the Explanatory Memorandum that the main twin purposes of the Bill is to do away with the penalty points system and to replace it by a new sanctioning mechanism for certain specified serious driving offences. I must say that we have no quarrel. There is consensus, we are in full agreement with those two priority targets.

Having congratulated the Minister, I must, nevertheless, say that he should have told us because, in his speech, he told us that there were consultations with stakeholders. Well, it is not too late for him to let us know which stakeholders were consulted and what their reactions were. I also believe, Madam Speaker, that he should have provided us with some figures; the main causes for accidents and the changes with statistics for better or worse that took place under the old system so that we can compare with what is going to happen as from now.

Having said that, Madam Speaker, I am quite disappointed by the weak reaction outside. Granted that the speech is not much clearer than the Bill - the Bill was very technical - but the speech of the hon. Minister threw some light on the Bill itself, on the technicalities of the Bill especially, but not much. Maybe that explains the very weak reaction outside, which is disappointing. Although the Bill, not only we circulated it with quite a number of organisations and people, but is on Internet and yet, I have seen no expert in transport matters coming forward and commenting on that. I must say I am quite disappointed also that I have seen no reaction from the professional drivers: bus drivers, truck drivers, taxi drivers. Again, not just the Bill, but the speech also is available on the Internet. That is why, Madam

Speaker, I will not be long but, I would advise the Minister *de garder l'esprit ouvert* because this is non-polemical. I do not find anything to speak against but, as I say, the speech is not much clearer than the Bill. Therefore, I would advise the Minister to adopt an open mind, a trial and error attitude. When we put into practice what is provided for in the Bill - and that has been explained in his Second Reading speech - if something needs amending, adjusting, changing, we should keep, I suggest, an open mind on that.

I will end, Madam Speaker, by reminding the hon. Minister that we rely on him to come forward with other measures apart from what we find in that Bill. That Bill aims, as I said, at replacing the penalty points system by a new system. Fair enough! However, to decrease accidents, to protect pedestrians, passengers and drivers, there are lots of other measures that need to be taken.

For today, I will make reference to only one issue which I raised in this House half a dozen times under the previous Government and nothing changed! I am talking about *les vitres teintées*. We provide in the Bill for an offence using a portable telephone whilst driving. I have checked, according to the figures I have seen worldwide but, especially, in the United States, more than 50 per cent of accidents are caused by what in the technical language in traffic affairs is called 'distraction' and the first distraction is interaction with other passengers: talking, joking, playing; but the second most frequent cause of distraction leading to accidents is precisely using portable phones. Therefore, this is indeed a serious offence and we have listed it in the Bill as a serious offence, but, for somebody to be brought before the authorities and eventually the Court for that serious offence, he must be caught at it. Police officers, Traffic officers must see him or her using that portable phone.

I am sure the hon. Prime Minister, the Minister and everybody have seen how many - and it is supposed to be the law. The two front windows are supposed to be lower than a given technical definition so that you can see the driver whether he's using a portable phone. But there is a lot of cars which are still on the road and you can't say anything. I am talking about front windows not back windows. Therefore, what is the use of providing for an offence when we can't establish the offence. I raised that quite a number of times, but better late than never. I am just taking one example, but then, we rely on the Minister. Apart from the penalty point system that is being replaced by this new system, the aim is to protect drivers, passengers and pedestrians, we rely on him to find other measures that are not in that Bill like the one I have just mentioned, to improve the situation as far as road accidents are concerned.

Thank you, Madam Speaker.

(12.12 p.m.)

The Minister of Health and Quality of Life (Mr A. Gayan): Madam Speaker, let me start by saying that this Bill translates into legislative material, one of the promises of *l'Alliance Lepep*. I must say that we, in *Muvman Libérater*, were the first ones to have raised this issue of speed limits as it was causing a lot of grievance to road users and road drivers. No Bill can be perfect and this is why I believe that any law that we pass in this House must have the stamp of proportionality and the existing law, as it is, does not have that proportionality dimension which was the cause of grievance for all drivers. Let me just give an example, Madam Speaker, of what I am talking about. Somebody driving in excess of 1 km was caught by the camera and it just happened that he was not wearing his seatbelt and he was also holding his handphone. Therefore, the camera had caught him committing three offences and it happened to a member of the Bar. When that happens under the old law - I am referring to the former section 191, Fixed Penalty Notice, subsection (4) which the present Bill repeals by the way:

“Where more than one offence are detected on a single occasion, the FPN - the FPN is the Fixed Penalty Notice - shall make reference to the lowest number of penalty points in respect of the offence carrying the highest range of penalty points”.

In fact, for one single occurrence, somebody runs the risk of losing six or eight points. I think that was unfair. We are not saying in this Bill that we do not need the speed limits. Of course, we need speed limits, but what was wrong with the old law was the double penalty. One paid the fine and also one was penalised in the loss of points. This is what caused a lot of grievance and this was why we, in *l'Alliance Lepep*, decided that we need to address this issue and we have addressed it and this is why section 191(4) is repealed.

The other point that this Bill addresses is the problem of foreigners driving with licences issued by foreign Governments. Obviously, they are not covered by our penalty point system, but this Bill cures that defect and it makes all those foreigners liable to the same penalty so that after a certain number of offences having been committed they will also have their driving licence cancelled locally. Therefore, I think this is also an anomaly which had to be addressed.

The third point I wish to raise is that, as the law stands, today, and until it is amended, the Judiciary has its hands tied and I think it is not right that any Judiciary must feel that it has no scope at all to inflict a penalty that is commensurate with the nature of the offence. I believe that it is good that we have given some discretion to the Courts to address the issue of penalty depending on the nature of the offence, the nature of the offender and how many times he has been convicted and all these things. There are, of course, some people who think that the aim of punishment is to deter and that the more you impose on people, the better it is for people to obey the law. However, road traffic is quite a different thing. I think we all, at some stage, have been drivers and we have also committed maybe some minor offences, but the problem with speeding and cameras and all this was not that they are not needed, but it is the manner in which they are being used and this is why we need to rationalise the speed limits. You cannot have on the motorway different speed limits so that the driver has to concentrate on the speedometer and not on the other dangers that may arise on the road. Therefore, the rationalising of the speed limits is also something which this Bill cures and I think that it is good that this aspect of the Bill has been greeted with consensus.

I think the way it was in the past, Police officers used to hide in the sugar cane fields and then they jump on you with the mobile cameras. I think punishment is right, road traffic needs rules, but there is no sense in treating everybody as a suspect. I believe the manner in which this Bill has been presented gives a certain flexibility in the way the speed cameras will be operational. I see that the speed cameras are being painted in a different colour. I think this is done in order to create the awareness for the drivers that they need to comply with the law, they need to observe the speed limits, but we should not have that mind-set that not every single driver is complying with the law. I think we need rules; of course, we need to comply with the rules, but the rules have to be fair. I think what this Bill does is to bring fairness to the system of speed limits, fairness to the law and fairness to the penalty system.

Another promise that we had made in the electoral campaign was that all the people who had points on their licences would have those points abolished. This is also something that is being done in this Bill and I think this is one more electoral promise that we are implementing.

Thank you, Madam Speaker.

(12.18 p.m.)

Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix): Madam Speaker, first of all, I congratulate the hon. Minister to come with this Bill so quickly after having put

the camera on the off mode. Madam Speaker, I will try to be brief with some new ideas and suggestions. This Amendment Bill is most welcomed by the public at large and so do I especially when it comes to do away with the penalty points system. Here, Madam Speaker, I would like to go back to the Amendment Bill proposed by the former Minister of Public Infrastructure on 17 July 2012. I could not participate in the debate because, as you know, Madam Speaker, of the word '*bourrique*' pronounced towards the former Minister of Local Government, hon. Aimée, by the Leader of the Opposition who was asked by the Deputy Speaker to leave the House for not withdrawing the word.

(Interruptions)

Madam Speaker: Hon. Member, please come straight to the Bill! We have got a Bill, you have got the explanatory memorandum, come to the purpose of the Bill, please!

Dr. Sorefan: Madam Speaker, I would like to say a few words on the introduction of this Amendment Bill to amend the previous Amendment Bill brought by hon. Bachoo, who, in his speech, was very hard towards drivers. He said: "We need to take bold decisions in order to protect our citizens from inappropriate and careless utilisation of motor vehicles and to put a halt to aberrant driving behaviour". Among many things he said and I quote –

"Already based on feedbacks received and views which are being echoed around, this piece of legislation seems to have won the acceptance of almost everybody."

How many of us agree with what I quoted? Of course, many will undoubtedly disagree with the ex-Minister. Time has proved him wrong, Madam Speaker. Within two years, Madam Speaker, drivers were very wild with the penalty point, so are we. There are two penalties in the previous Bill. The first one, penalty point system and the second was the payment of fixed fines for the same offence.

Madam Speaker, then came the famous tender exercise that many young elected Members are not conversant with. If you will allow me, Madam Speaker, I will quote some of my PQs, for example, B/101 addressed to the ex-Prime Minister, B/33, B/608, B/789 addressed to the ex-Minister of Public Infrastructure. Madam Speaker, those PQs were as if PNQs...

(Interruptions)

with many supplementaries from many hon. Members like hon. Pravind Jugnauth, hon. Bodha, hon. Jhugroo, hon. Baloomoody, hon. Ganoo, hon. Ramano, hon. Joe Lesjongard, hon. Serruttun, myself and yourself, Madam Speaker.

Madam Speaker: Do not bring me in the debate, please!

Dr. Sorefan: And many others. It was about 10 pages of PQs answered previously.

(Interruptions)

Because the hon. Members showed so much interest in that tender exercise and they were interested and disapproved of the tender exercise at that time, Madam Speaker. One issue of the tender, Madam Speaker, was the calibration of the speed camera which, up to now, we don't have the answer. There was a supplementary question regarding the name of the independent laboratory as specified in the tender specification. The ex-Minister replied: "It is by SANAS". SANAS stands for South African National Accreditation System. As SANAS is an accreditation body, it can't be an independent laboratory to calibrate our camera. Therefore, I would like to know from the hon. Minister when he will sum up, to let us know which is the independent laboratory which calibrated the camera and the amount paid to them.

Madam Speaker, I would like to comment on the speech presentation of the Amendment Bill by the hon. Minister of MPI. The hon. Minister, Madam Speaker, said that: "Severity of sanctions for road traffic offences is directly proportional to the level of compliance". Madam Speaker, the hon. Minister has used mathematical formula where there should be a constant. Up to now, I am trying to find out what is this constant. If 's' stands for severity, it is directly proportional to compliance - I put it to 'c' – the ratio mathematically speaking 's' over 'c' is equal a constant. What is this constant, Madam Speaker? I won't dwell in this mathematics. What I think the hon. Minister wants to say in simple term, Madam Speaker, is that the more a driver complies with, the less severity of sanctions.

Madam Speaker, the hon. Minister mentioned that 120,000 road traffic offenders still have their cases pending in court. What Government intends to do to these offenders? Will there be a written off or will prosecutions continue? If yes, Madam Speaker, there would be a dilemma for the judge to inflict penalty points and fines as per law before this amendment. Moreover, will they be fined as per this amendment? Madam Speaker, the hon. Minister mentioned that this Bill aims at changing the behaviour and attitude of road users through the introduction of five crucial measures, but going to his speech, I can see only four measures that have been mentioned. I would like to know the fifth measure, Madam Speaker.

Madam Speaker, the hon. Minister said: “19 serious offences will be brought down to 11 which will be easy to understand and easy to memorise by road users.” Madam Speaker, it is a fact that what you memorise today, you forget in a very few days. Drivers, Madam Speaker, should be constantly reminded of these 11 offences. These 11 offences be it through press, TV or why not a brief fixed at the window of each vehicle.

Madam Speaker, regarding the Cumulative Road Traffic Conviction Certificate, do we take it, Madam Speaker, that it is not as the previous DLC rather a certificate that will be used upon application? If this is so, Madam Speaker, offenders will lose track of their record. Drivers should have some kind of certificate at hand to remind them of their accumulated offences. Madam Speaker, the hon. Minister said: “Speed camera is an effective intervention in reducing fatal road accidents”. However, he also said: “Speeding remains the number one road safety problem, not only in Mauritius, but in many countries around the world”. Is the hon. Minister aware that in many countries like UK, speed cameras are obsolete?

Madam Speaker, one thing that is not clear to me is that regarding minimising fines. I want to know where there is speed limit of, for example, 80km and the driver is exceeding by 2 or 5 km; will the driver be fined? The hon. Minister said that: “At a speed where a driver exceeds more than 15km, the fine will be Rs1000 and so on. For 25km it will be higher”. I remember hon. Showkutally Soodhun on radio said he was fined when he exceeded by 2 kms in a zone of 60km; will that be the case? The hon. Minister has already answered, but I was about to propose, Madam Speaker, that an allowance of 5% to 10% should be left at the discretion of police officers in charge not to penalise drivers who exceed.

Madam Speaker, regarding the introduction of Intensive Traffic Offenders’ Rehabilitation Programme, here I must say, the hon. Minister is only proposing nothing concrete so far. This was mentioned by the ex-Minister, but up to now *zéro plombage*. Madam Speaker, I sincerely hope the hon. Minister will take this on board seriously and quickly.

Madam Speaker, the hon. Minister mentioned also about authorised speed limit which, if changed, should be gazetted. This is alright for temporary change of speed limit, not for permanent. Why? Well, Madam Speaker, when we design a road, the first criterion is that we must take speed into consideration first. The curvature of a road is dependent on the speed we want. The M1, previously known as Chemin Bhurtun in the late 60s, was designed to accommodate a speed limit of 70 miles per hour. Today, it is equivalent to 110 kilometres. We cannot go on changing speed because of accident. This reminds me, Madam Speaker, the

‘S’ shape diversion at Sorèze when they were building the underpass bridge. The ex-Minister first came with 60 kilometres and changed it to 40 kilometres when there were several accidents. When they designed the ‘S’ shape diversion, from the beginning they should have come to 40 kilometres. Do not wait for accidents to change it!

In road construction, Madam Speaker, first, we should know what speed we will allow and then design the road accordingly. One should not geometrically design the road and then decide the speed to be allowed.

Madam Speaker, the hon. Minister, in his speech, mentioned that “transverse road markings at a distance of 300, 200 and 100 metres from the cameras” should actually be wider. I think 500, 300 and 100 metres from the cameras would be more acceptable to reduce speed.

Madam Speaker, the hon. Minister has proudly announced the following for motorcyclists. First, an improved licensing scheme, and second, a *moto-école*, with the help of authorities from Reunion Island. He also mentioned that 41% of road casualties were motorcyclists, 38 of them fatal for the year 2013. Is the hon. Minister aware that the then Minister of Finance, hon. X. L. Duval, reduced duty on motorcycles? I said in my speech on the Budget that the hon. Minister of Health should enlarge casualty departments with more doctors to accommodate casualties from motorcyclists.

Madam Speaker, we should have set up the licensing scheme and the *moto-école* before reducing duty. The then Minister of Finance, I think, was wrong to please the purchase of motorcyclists. 38 loved ones left their families. How sad, Madam Speaker!

Madam Speaker, the hon. Minister mentioned that currently road safety education is being provided in all primary schools and secondary schools to impart necessary road safety skills to schoolchildren. The practical part is carried out with the use of fully equipped mobile traffic playground where traffic environment is stimulated. This, Madam Speaker, remains to be proved by the hon. Minister that all schools have practical components. Anyway, if we achieve what the hon. Minister is saying, well, this is the best part of this Bill because education on road safety starts at young age, Madam, Speaker.

Madam Speaker, with this Bill, we can sum up by saying that the previous amendment of the Road Traffic Act was the introduction of the penalty points system, on which the ex-Minister of Public Infrastructure, Mr Bachoo, concluded, I quote –

“Already based on feedback received and views which are being echoed around, the piece of legislation seems to have won acceptance of almost everybody.”

Now, Madam Speaker, hon. Minister Bodha started his speech, I quote –

“(...) the Bill before this House today is meant first and foremost to address a major injustice inflicted on our road users since the coming into force of the Penalty Point System.”

In addition, the hon. Minister goes on saying, a few paragraphs later, I quote –

“(...) by doing away with the Penalty Points System as promised and by replacing it by a new penalty system which is more humane (...)”

As you can see, Madam Speaker, both Ministers talk about penalty. The aim of penalties, Madam Speaker, is to punish offenders, to protect society, and to influence the behaviour of offenders and all citizens, that is, prevention.

Madam Speaker, many studies have found that combination of enforcement and penalties prevent violation of traffic regulations and increase road safety. However, the most common type of penalty at present time is a fine. A fine has been found to have limited effect. This Bill, Madam Speaker, is inflicting fine at reduced rate, which has limited effect, as I said.

Madam Speaker, evidence shows that the size of fines has actual effect on violation behaviour. Each percentage increase of fines has led to a decrease in violation, for example, in red light violation. In case of speeding fine, when the rate is increased by 1%, the number of violation will decrease by 0.23%. Madam Speaker, fine imposed by a Judge; it has been shown that a fine for speeding, whether or not in combination with penalty points, has no effect on the likelihood of people being prosecuted again for a traffic offence.

In general, Madam Speaker, fines are mild penalties, and increasing the fine has a limited beneficial effect. Madam Speaker, we can say that penalties in the long run do not have a lasting effect. What can we consider? Madam Speaker, it is known that behaviour can change more quickly and be long lasting by rewarding; rewarding desirable behaviour than by penalising. Penalising ends desirable behaviour. Rewarding road safety behaviour can also be effective, as shown by research, for instance, the use of seatbelts and right speed. For the rewarding programme to be effective, it depends on the design of the rewarding

programme. A combination of rewarding and other interventions appears to be more effective than each of these interventions taken separately. For example, rewarding may be applied most successfully in addition to traditional police enforcement rather than be used as a replacement.

Madam Speaker, the world of road safety generally assumes that penalising and rewarding complement each other and that a combination of penalties and rewards can be more effective than they can separately.

Madam Speaker, we must not forget that some people are more sensitive to rewarding than penalising or the other way round. Madam Speaker, a reward programme may be material in nature, sum of money, reduction in the insurance plan, small gifts or some other means. Madam Speaker, the hon. Minister, I am sure, will venture in the rewarding programme on the road safety context in the very near future.

Madam Speaker, my last point that I would like to spell out is the Intelligent Speed Assistance (ISA) as opposed to an Intelligent Transport System (ITS), as mentioned briefly in the hon. Minister's speech. The ITS provides innovative services relating to different mode of transport whereas the Intelligent Speed Assistance (ISA) technology brings speed limit information into the vehicle. It is the most promising type of advanced driver assistance system and, from a technical point of view, Madam Speaker, large-scale ISA implementation is possible in the short-term. The ISA is, Madam Speaker, the future technology that will replace speed cameras in Mauritius and in some countries in the world it has already replaced the speed cameras. It is a smart technology and, as we are talking about smart cities, why not the hon. Minister starts considering this piece of smart technology for the near future for a smart Mauritius?

The whole country, through the use of ISA by vehicles, will, undoubtedly, start propulsing Mauritius as a smart island, Madam Speaker. In general, ISA system establishes the position of a vehicle, compares the speed of the vehicle with the posted speed limit at a given location and then gives the feedback about the speed limit to the driver in the vehicle or even restricts the vehicle speed according to the speed limit in force.

To conclude, Madam Speaker, speed cameras are becoming obsolete and need to be replaced by new intelligent technology. Penalty should go hand-in-hand with reward and enforcement. The most important is road safety education at primary and secondary schools and, why not, refresher courses for all drivers, like we do in the medical field.

Madam Speaker, at the beginning of my speech I did not mention whether I will vote for this amendment but, the hon. Minister can rest assured that, we, on this side of the House, will vote for the Bill. Madam Speaker, I would like to thank the House for my proposal and I hope the hon. Minister will take my suggestion on board.

Thank you.

Madam Speaker: Hon. Fowdar!

(12.43 p.m.)

Mr S. Fowdar (Third Member for Grand' Baie & Poudre d'Or): Thank you, Madam Speaker. I would first of all congratulate the hon. Minister for bringing this Bill to the House. It is one of the promises we made during the electoral campaign, which was to address the issue of speed cameras and also road safety.

Madam Speaker, speed cameras became a nightmare for drivers for some time and it is not only in Mauritius but worldwide. Although the concept of speed camera is relatively new - introduced in the early 1990s - yet it has become a nightmare for drivers and we, as legislators, need to think whether speed cameras are really a successful deterrent to road accidents. A lot of money is usually spent in the installation and operation of speed cameras but yet, there are little evidence, not only in Mauritius but worldwide, that speed cameras have been successful and have really curbed down the number of road accidents and deaths on the road. Obviously, speed cameras have substantially contributed to the Treasury in terms of penalties and fines which drivers have been paying.

Statistics are not so brilliant, Madam Speaker, to indicate the success of speed cameras. A recent survey in Mauritius - I think a couple of weeks back - stated that without speed cameras, the number of road accidents decreased instead of increased! Therefore, it is a sign that speed cameras are not so efficient in curbing down the number of road accidents. We don't have enough statistics in Mauritius to say whether or not they have really curbed down the number of road accidents. I did some homework, Madam Speaker. I found a recent study in the UK, carried out by the RAC, which revealed that in 21 sites where speed cameras were installed in the UK, the number of road accidents appeared to have increased instead of decreased; and in other sites, it has been found that although the number of road accidents did not increase, it did not decrease either. So, again, the question is: are speed cameras efficient, are speed cameras reliable to curb down the number of road accidents and deaths on the road?

We ourselves are drivers, Madam Speaker, we know that when we come close to the speed camera zone we slow down and then, after crossing the zone, we speed up and we go even faster, endangering the life of other road users and ourselves as well. We can't sleep on our laurels once we have installed speed cameras. We can't say: okay, let us sleep now, there will be no road accident, nobody will die on the road! We are very uncertain about its efficiency. This is why I would appeal to the hon. Minister, just like the hon. Leader of the Opposition did, to look into the other measures that we have to take to implement or to reinforce so that the roads become safer for us.

Speed cameras in the UK and elsewhere can be better used and I would urge the hon. Minister - I would humbly suggest him - to look into the possibility of introducing what is called the 'average speed check system'. What is the average speed check system? Madam Speaker, the average speed check system is used in the UK and it really works. This is where two cameras are used in what we call the 'black spot areas' and the driver, once he crosses the first camera until he reaches the second camera, has to observe the speed limit set. If he comes earlier then he will be caught for speeding. It really works in the UK in black spot areas. Possibly, the hon. Minister can look into the possibility to introduce the average speed check system where we have a number of regular road accidents.

Madam Speaker, this is why I think besides speed cameras, the Government, the Minister will have to come up with other measures to provide a safer road for motorists, their passengers and other road users so that they do not become victims and arrive safely at their destination. I have not been able to get all statistics for the causes of road accidents in Mauritius but, I have made some research and I would like to quote some of them. Madam Speaker, drink driving is a really serious offence and it accounts for nearly 13 per cent of road accidents, causing death and serious injuries to road users. We all know that many drivers here, continuously and persistently, drink and drive and they drive under the influence of alcohol. Madam Speaker, they are not scared. Why they are not scared? We know so many friends keep driving under the influence of alcohol! They are not scared because the penalties are not severe enough and they usually get away easily after driving while being under the influence of alcohol. I would appeal to the Minister to review the penalties used for drink drivers.

Let me quote, Madam Speaker. In the UK if somebody drives under the influence of alcohol, although he does not meet with any accident, he is jailed for six months! No accident: 6 months and 12 months driving ban. Now, if this person kills someone while driving under the influence of alcohol, he goes to jail for 14 years and 2 years driving ban.

This is the sort of penalties we need to introduce here to discourage people from drink driving.

(Interruptions)

Madam Speaker: Order!

Mr Fowdar: Madam Speaker, another cause of road accident rightly mentioned by the hon. Leader of the Opposition is using phone while driving. The Leader of the Opposition mentioned that 50% of accidents are caused by distraction and I have got figures here for the UK. One out of four accidents in the UK is caused when the driver is on the phone, one out of four, which is 25% of road accidents while the driver is in communication with somebody else. I know this is very difficult, as rightly mentioned by the hon. Leader of the Opposition, very difficult to catch someone on the phone while driving, but this can be decreased by having regular patrols, motorway patrol or Police patrol so that drivers are discouraged to use phone while driving.

Another thing, Madam Speaker, is that 90% of road accidents are caused by human error, but 10% are not. The 10% accounts for other factors and we know that the two main other factors are bad road conditions and unfit vehicles. I know that the hon. Minister is also responsible for roads and we have got good roads in Mauritius, we can't complain about this, but unfit vehicles need to be addressed.

Madam Speaker, we have seen this terrible accident at Soreze, people died, Mauritians were saddened by the accident. Yet, the day after the accident, it was business as usual and nothing new was made by the previous Government to curb or to prevent accidents caused by these defective vehicles. Still the same story! How can we run unfit vehicles, Madam Speaker? We all know fitness in Mauritius is a serious laugh! You can't get a vehicle inspected in 10 minutes and you get your fitness certificate! This is going on for ages in Mauritius and this is why I am confident that the new Minister will revisit this, will review this whole system of vehicle fitness. We all know the stories; you need to put something between the horsepower, then you get the fitness, and this is time bombs on the roads. The defective vehicles are time bombs on the roads; it is really a serious matter for other road users. I am confident the new Minister will look into and revisit the whole issue of fitness in Mauritius.

The other thing which I wanted to address which comforts me a little bit, when you talk to people these days, they will tell you getting a driving licence is becoming difficult. It is a tough test these days. I think the system in operation is working; it is fool proof, but we have to be on our guard. We need to do checks and balances; we don't totally rely on it. Tests

need to be more rigorous and it has to cover all aspects of good driving. So, Madam Speaker, as I said 90% of accidents are caused by human error and this can be reduced if we train people how to drive and the driving tests are made rigorous and very difficult.

The majority of people, Madam Speaker, are on the road as we are all of us every day and their safety is the responsibility of the Government, is our responsibility as legislators. People go on the road in the morning, they need to come back home every day. We need to ensure that they reach their destination safely every day. What we need, Madam Speaker, is safe roads, careful drivers, good vehicles, good road conditions, all this what we need to ensure that the people who go out for work come back safely home in the afternoon. I am really confident, Madam Speaker, the Minister is a really dynamic Minister, I am sure he is going to address all the other measures needed to make our roads safer.

Thank you, Madam Speaker.

(12.56 p.m.)

Mr S. Mohamed (First Member of Port Louis Maritime & Port Louis East): Madam Speaker, I will be very brief in my remarks. That was only done to ensure that everyone could be happy and listen. I was just sharing something with my colleagues on this side when talking about standards of driving tests. I am just realising that, obviously, each and every person who comes up and as our hon. Minister has come up with this Bill, his intention is, of course, to make the road safer, to ensure that there are no fatal accidents, to reduce the number of non-fatal accidents and to ensure that when we leave home, we get back home safely. Those are very laudable initiatives and his intentions are honourable. Let me have a say that there is this thing we were just sharing, it is that nowadays - *en passant* let me share it with you - when someone takes a driving lesson and he has a learner, he is accompanied by an instructor; he is still not allowed to drive on our highway even though he has the instructor with him. The first time that he will drive on the highway is when he gets his licence and he has never learnt how to do it.

Now, fundamentally we have something seriously wrong with our system of testing. This was just one example. It is unacceptable that someone will be told: "You are not allowed as a learner to try and learn how to drive accompanied by your instructor on a highway, but the first time you shall be able to do so, will be when you have a licence even though you have never done it". Now, we are sending someone who is putting his life in danger and

putting other people's lives in danger on the highway and this is a road where people drive at high speed. In other words, we increase the risks of fatal accidents, deaths and sorrows.

I invite the hon. Minister to look at the system of testing because nowhere has any Government really questioned the following: "Are those testing us good enough? Where do those testers get tested? How did they qualify to become testers? How? When?" Because when I compare the methodology of driving tests in the United Kingdom or in France with that in Mauritius, I hear the hon...

(Interruptions)

We have to compare because you have to be good, you cannot keep on going down and compare yourself with jurisdictions that do not have tests, but you have to be even better and make sure that the drivers that you churn out become good drivers. So, when you compare - and I was listening to hon. Fowdar just now talking about the dangers out there and the tests. Yes, in Mauritius, we have tests that are very simple compared to other jurisdictions. That is a fact and still people complain and say it is a difficult test.

There is one issue in this Bill which I shall not comment upon because basically whatever is going to happen here, we are going to see how it works - and we all hope that it will work - and that it will really achieve its objectives, but there is one issue that you will commit me, Madam Speaker, to remark upon. It is the issue with regard to international driving licences. That, this Bill comes forward with a novelty, that it is the first time - if I am not mistaken - that someone with an international driving licence will have his licence suspended and taken away in Mauritius for an offence that he has committed in Mauritius. This is where I start with question marks.

It is a laudable initiative and understand me, I am not in any way criticising though it is my habit to, but, today, I am not criticising, I am only humbly suggesting something. I do not believe that this is possible or plausible. The reason being when I look at what is the practice in other jurisdictions, I have come across Conventions that myself, I did not know existed. The Geneva Convention on Road Traffic is a Convention of the United Nations of 1949 and Mauritius is a signatory to that Convention. I have come across the International Driving Permit Convention, the 1968 Convention that was amended and updated in 2011. I have come across mutual recognition of licences in the European Union.

I have come across mutual recognition of disqualifications within the European Union and the North American States; and between the European Union and the North American States. What I am getting at here is that if you disqualify someone here on a driving document that was not issued by the local authorities, does this country, throughout courts,

has a right to disqualify someone when this licence was not issued by this country? That's the question! That is a moot point.

The second issue is – which maybe we have forgotten – what happens when someone is disqualified in the United Kingdom; he comes to Mauritius and he is driving on his licence? Do we have a way of verifying that this person is disqualified there, let's say, for having killed someone drunk driving, that he should not drive here? There is no agreement between the European States and Mauritius or Africa or Asia or any United Nations body that encompasses the element of driving offences and disqualifications. It only exists at the level of the European Union.

Therefore, Madam Speaker, we find ourselves in a difficult handicapped situation whereby we have no way of enforcing what goes on abroad and ensuring the dangers out there in Europe, in the States, in Africa, in Asia, in other countries, do not come and drive on our roads. We have no way of enforcing that. In addition, we also have no way of ensuring that those drivers, who are disqualified here, do not drive there. So, what I humbly require and what I humbly suggest is that the hon. Minister, the Rt. hon. Prime Minister, the hon. Minister of Foreign Affairs try to explore urgently the possibility of coming up with an amendment to the Convention on International Driving Permit - the IDPs, amended to recently in 2011, but a new amendment to take into consideration the element of recognition of offences and recognition of the issue of disqualification and suspension. It is only then when there is such a recognition and there is a modality and mechanism for exchange of information that this laudable initiative would make any sense at all.

Now, this is my humble suggestion. It is true that I also have clients who hold international driving licences, but forgive me if I am addressing this right now, I am not declaring my interest as hon. Collendavelloo so ably said I should, but I am only here acting as a humble servant of this Republic and trying to say that this is an issue that seems to have been cast aside. It is not sufficient, Madam Speaker, to say: "We are going to stop people with an international driving licence from driving because they have committed offence". That does not make it right. Even if Parliament is sovereign, this is an issue which will, in my humble view, find a lot of challenges in our Courts and will fall.

I remember the time when there was the hon. Deputy Prime Minister, hon. Beebejaun, as he was then, brought after 2005 - hon. Soodhun will remember - a legislation which said, on the road traffic issue, that: "You could suspend someone's licence pending the determination of the matter". We all remember that. Hon. Bodha was here as well. I was one of the backbenchers of Government who stood up and said: "I don't agree with that

legislation". Because I thought that it was against the Constitution. I was taken to task by Members of my party for not having stuck to Government and agreed that it was good even though it was not good. I was the only one in my party who said I did not agree with it and what happened, eventually, was the Court turned it down and said that: "it was indeed not in line with our Constitution."

What am I trying to get out here is: the intention is noble. We all hope that there will be no accidents or less. There will be no fatal accidents. This is a heavy responsibility that the hon. Minister and any hon. Minister for road transport bears upon his shoulders and it is not an easy task. I am sure that every day he looks at his newspaper and the statistics he receives at his Ministry and says: "I wish that there was no more accident". However, he finds them coming in and he finds himself in a situation where he says: "How can I control negligence? How can I control those who do not think when driving? I can come up with only legislation". Then we all hope that it works. We all wish the country success on this and we wish him well.

Thank you very much.

Madam Speaker: Hon. Bodha!

(1.06 p.m.)

The Minister for Public Infrastructure and Land Transport (Mr N. Bodha): Madam Speaker, if you allow me I will speed through the summing up. There is a lot of consensus in the House. I would like to thank the hon. Leader of the Opposition and my colleagues on both sides of the House to have participated in the debates. I think that everybody is keen to see to it that we have new measures and that we have measures which are effective. In Mauritius, today, Madam Speaker, we have 465,000 vehicles. We have 350,000 people who are driving. We have 3,000 buses and we have about 175,000 motorcycles. That's where the problem is. We want to have safer roads. We want to have less accidents.

In fact, the World Health Organisation has said that, in about 10-15 years to come, road accidents will be the third killer as regards to the number of people; one of the causes of death. We all know that cars are going to be more sophisticated, faster. We all know that everybody wants to have a car. We all know that life is going to be more hectic. We are going to have better roads, more roads. In fact, it is a very tall order for any Minister, for any Government to be able to see to it that the roads are safe and just to take the CNT; they have

about 500 buses and they are carrying hundreds and thousands of people every day. You have 250,000 schoolchildren we are catering for every day.

In Port Louis, you have 160,000 people, but you have 400,000 people coming every day for business, to work, to spend some time. Therefore, it is a very tall order. In fact, this is the beginning of a new system and I hope; I sincerely hope that everybody will help us to see to it that it is implemented because the former system was a bit abusive. You had the double jeopardy and people had the impression that the cameras were a bit *des cameras piégés*. Therefore, we are trying to put some order in all this to make it become simpler, more human. In fact, there is going to be a tolerance. It will not flash at 60, in fact. You will have a leeway. You will have a percentage of leeway. We have made the speed limits simpler, 60 and 80; 80 and 110.

We have to do something for the motorcycles. Most of them are driving with a learner permit which, in fact, in many cases it is five years, ten years, fifteen years old. You have no testing of motorcyclists and, out of 120,000 fatal accidents, about half of them are people on motorcycles. In fact, Madam Speaker, this issue of road safety is one of the most important issues for any Government, for any nation because it is millions of people travelling every day and we want to get home safely, we want to go to work safely. This is a top priority and this is the beginning of a new journey where we should bring all the stakeholders. We have had consultations with the Police, with the bus drivers. I met the taxi owners yesterday. I met l'ACIM. I met some of the people, of what we call *la société civile*, to understand and to listen to them. But, can you imagine that at any given point in time, in Mauritius, you may have 200,000 or 250,000 vehicles. And an accident, one second before and one second after does not happen. It happens at one point in time, for a number of reasons. For this reason, Madam Speaker, *il y a maintenant une science de l'accidentologie*, its research, its surveys to understand the causes of accidents, that is, where, why and how. *C'est devenu une science qui est étudiée et c'est devenu une priorité nationale*, because one person who loses his life in an accident, it is a loss for the country, it is a tragedy for the family.

We have come with a number of measures and I hope sincerely that, with the collaboration of one and all, we will make our roads safer. But, it is the beginning of a journey, it is a tall order. With regard to education in our schools, we will have to see to it that students travel more comfortably in the buses now. We have put 50 more buses. We have

to see that the elderly should be able to access the bus. We are thinking of semi-low floor buses.

In fact, Madam Speaker, public transport has not developed in the same sophisticated manner as our society has. We had double deckers in Mauritius, like in London.

(Interruptions)

Before! Today, in the 21st century, buses are the same as the buses we had in the 1800s and in the 1900s. Therefore, we are coming with a series of measures and we are going also to see that there is prevention, there is deterrent. We are working with the Police Squad to have more control on the roads. We are going to see to it that we have better roads and better new system.

I think, Madam Speaker, that a lot has been said about the debates. Whatever I will say today, in this House, whatever be my wish and the wish of all the Members of the House, the proof of it will be on the road. We hope that, with this Bill - we will take some time to implement it, to make it become familiar – we will see to it that drivers are not reckless as regards to their own safety and the safety of the other road users.

We have a huge problem with pedestrians. 40% of people who die on the roads are pedestrians. We have a huge problem because many roads are narrow, we have no pavements and we have a lot of reckless driving where we have the crossings. All this is a question of education and communication. We will see to it that we have a broad campaign, a national campaign. I am very happy that the Brahma Kumaris and some other NGOs are working on this road safety issue and everybody wants to see to it that we have fewer accidents and the roads are safe.

I think, Madam Speaker, we will take on board many of the suggestions and proposals which have been mentioned in the House today. Many of them are very valuable. At the end of the day, there is a consensus that we want to have a country with a good reputation and less accidents. A good reputation, not only as a safe country for tourism, but a safe country on the roads, and I think that we will see to it that our children, ourselves, we are on the right track.

We came with a Bill which we consider as being more acceptable, more humane and more user-friendly. I sincerely hope that we will be able to implement it. The proof of it will be in the implementation.

Thank you, Madam Speaker.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Madam Speaker in the Chair)

The Road Traffic (Amendment) Bill (No. VI of 2015) was considered and agreed to.

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

Third Reading

On motion made and seconded, the Road Traffic (Amendment) Bill (No. VI of 2015) was read the third time and passed.

ADJOURNMENT

The Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Wednesday 13 May 2015 at 11.30 a.m.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun) rose and seconded.

Question put and agreed to.

Madam Speaker: The House stands adjourned.

At 1.18 p.m. the Assembly was, on its rising, adjourned to Wednesday 13 May 2015 at 11.30 a.m.

