



REPUBLIC OF MAURITIUS

**SIXTH NATIONAL ASSEMBLY****PARLIAMENTARY****DEBATES****(HANSARD)****FIRST SESSION****TUESDAY 29 SEPTEMBER 2015**

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Members

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

Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Prime Minister, Minister of Defence, Home Affairs, 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. 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, Institutional Reforms, Minister of Technology, Communication and Innovation
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

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**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 32 of 2015**

**Sitting of 29 September 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 Ag. Prime Minister:** Madam Speaker, the Papers have been laid on the Table.

### **A. Office of the Speaker**

The Report of the Select Committee on the Live Broadcasting of the Proceedings of the House and Matters Ancillary thereto.

### **B. Ministry of Education and Human Resources, Tertiary Education and Scientific Research –**

The Report of the Director of Audit on the Financial Statements and the Annual Report of the Rajiv Gandhi Science Centre Trust Fund for the year ended 31 December 2013.

### **C. Ministry of Health and Quality of Life**

- The Report of the Director of Audit on the Financial Statements of the National Agency for the Treatment and Rehabilitation of Substance Abusers for the year ended December 2014. (In Original).

### **D. Ministry of Local Government –**

- The Municipal Town Council of Curepipe (Fees for Classified Trade) (Amendment) Regulations 2015 (Government Notice No. 181 of 2015).

### **E. Ministry of Industry, Commerce and Consumer Protection –**

- The Consumer Protection (Control of Imports) (Amendment No. 4) Regulations 2015 (Government Notice No. 180 of 2015).

### **F. Ministry of Financial Services, Good Governance and Institutional Reform, Ministry of Technology, Communication and Innovation –**

- The Annual Report 2014 of the Financial Services Commission.

## ORAL ANSWERS TO QUESTIONS

### NATIONAL IDENTITY CARD – LEGISLATION – AMENDMENT

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Acting Prime Minister whether, in regard to the new Mauritius National Identity Card, he will state –

- (a) if, following the Supreme Court judgment, proposed amendments to the existing legislation in relation thereto will be introduced, indicating if –
  - (i) fingerprints are presently being stored pending the delivery of the cards after consent is obtained, post-finger print taking;
  - (ii) fingerprints will be stored on the cards permanently, and
  - (iii) the cards are the property of the State, and
- (b) the sums paid as at to date and due to be paid to the contractor of the project therefor, the Singapore Cooperation Enterprise and other partners.

**The Minister of Foreign Affairs, Regional Integration and International Trade (Mr E. Sinatambou):** With your permission, Madam Speaker, I shall be replying to the Private Notice Question of the Leader of the Opposition since I am replacing the substantive Minister responsible for the National Identity Card Issue. I shall also, with your permission, reply to PQ B/579 together with the Private Notice Question.

Following the Judgment of the Supreme Court in the case of Madhewoo v The State of Mauritius and anor which was delivered on 29 May 2015, Government decided that fingerprints will not henceforth be stored in any Database, save and except for the sole and strict purpose of producing an Identity Card. The House may wish to note that, in that case, the Supreme Court has ruled that the law providing for the storage and retention of fingerprints and other personal biometric data regarding the identity of a person is lawful, but that provisions in the National Identity Card Act and the Data Protection Act for the storage and retention of fingerprints and other personal biometric data collected for the purpose of the biometric identity card of a citizen of Mauritius are unconstitutional.

Subsequently, Government caused all the biometric data stored and retained to be destroyed in line with its pledge. However, we cannot just cancel the card itself because it has

cost more than Rs1.1 billion. Hence, we are now only storing minutiae on the card which is in the sole and permanent custody of the cardholder only. In the current process, the applicant gives his or her fingerprints which are converted into minutiae. Out of the minutiae that are given, only the four best are recorded on the card.

In that process, fingerprints and minutiae are stored for a minimum period of one day and a maximum period of 7 days, which is perfectly lawful and in line with the Judgment of the Supreme Court where it is stated, at page 33, that, I quote –

“the law providing for the storage and retention of fingerprints and other personal biometric data regarding the identity of a person constitutes a permissible derogation, in the interests of public order, under section 9 (2) of the Constitution of the country.”

The House may wish to note that Government is, however, not retaining or storing biometric data as such, save and except for the strict and sole purpose of producing and printing the Identity Card and that, even then, this is for a limited period not exceeding seven days whereafter the biometric data is destroyed and permanently erased.

As regards part (a)(i) of the question, Madam Speaker, the House may wish to note that, subsequent to the Supreme Court Judgement, the National Identity Card (Amendment) Regulations 2015 were made on 11 September 2015. I am advised that the said amendments provide that fingerprint minutiae will be processed and recorded for the sole purpose of producing the ID card of a citizen and that any biometric information will be erased permanently once the identity card has been printed.

As regards part (a)(ii) of the question, Madam Speaker, I wish to inform the House that fingerprint images are not stored on the card. The cards are personalised with the four best fingerprint minutiae extracted from the fingerprint images which are, as I said earlier, permanently destroyed and erased after producing and printing the ID card.

These fingerprint minutiae will be stored permanently only on the ID card and will be used for verification of the identity of the cardholder. It must be highlighted, Madam Speaker, that any minutiae and the identity card itself remain in the sole custody of the cardholder.

As regards part (a)(iii) of the question, Madam Speaker, I am advised that a National Identity Card belongs to the cardholder and not to the State. In fact, I am advised that section

9(1)(f) of the National Identity Card Act makes it an offence for a person to have in his possession a National Identity Card not belonging to him or her.

Madam Speaker, as regards part (b) of the question, I wish to inform the House that the former Government signed an agreement with the Singapore Cooperation Enterprise on 17 October 2012 for the implementation of the Mauritius National Identity Scheme Project to the tune of SGD 44,326,139 SGD which amounts to about Rs1.152 Billion.

For the implementation of the Project, the Government of Singapore designated Singapore Cooperation Enterprise to lead the project and a Consortium was formed by Singapore Cooperation Enterprise with Crimson Logic Pte Ltd and NEC Asia Pacific Pte. Ltd as members.

As at date, an amount of approximately Rs1.143 billion has already been disbursed to Singapore Cooperation Enterprise. An amount of approximately Rs9.35 million representing 10% retention money has not yet been paid.

All payments are paid to Singapore Cooperation Enterprise and no payment is effected to subcontractors concerned.

To sum up, Madam Speaker, we are now confident that the fear which the public could previously legitimately have about the possibility of their personal data being stored abusively and/or being misused and/or abused is no more. The very destruction of the central database and the permanent erasure of any biometric data as soon as same has been used for the sole and strict purpose of producing and printing an Identity Card is in line with the pledge given by this Government and can only restore public trust that citizens' rights will be respected and upheld in the Republic.

**Mr Bérenger:** I think the hon. Minister has not replied directly to my question as to whether following the May 2015 Supreme Court judgement, amendments would be brought to existing legislation, that is, the NIC Act and the Data Protection Act. Can I interpret that as far as Government is concerned, there is no need to bring amendments to these two Acts?

**Mr Sinatambou:** As I just said earlier - and I must say that I don't agree that I did not reply to the question - I just explained to the House, Madam Speaker, that subsequent to the judgement, the National Identity Card (Amendment) Regulations 2015 have been passed and they entered into force on 11 September 2015. Those regulations provide that fingerprint minutiae will be processed and recorded only for the purpose of producing an ID card and that any biometric information will be erased permanently once the ID card has been printed.

Therefore, as it now stands, whatever illegality was actually found by the Supreme Court in May 2015 in its pronouncement has now been made good by the regulations which have been passed.

**Mr Bérenger:** Madam Speaker, we all know what regulations are and what the main Act under which regulations are made, what it is. Now, from my reading of the judgement, the Supreme Court has found that sections, provisions of the two Acts are unconstitutional. Am I given to understand that according to Government the fact of having published regulations and not amending the Act means that there is no need, according to Government, to amend those two Acts?

**Mr Sinatambou:** I stand to be advised by the State Law Office. But the fact of the matter remains that regulations also have the force of law in this country. Therefore, as the matter stands, the law stipulates that whatever has been found to be unlawful by the Supreme Court has been now rendered lawful, with or without amendment as at now. But I am advised that the relevant Ministry is working on amendments to be made to both Acts.

*(Interruptions)*

But, in any event, as the matter stands, the law has been cured and as at today the National Identity Cards (NICs) which are being produced and delivered to citizens of this country are lawful, Madam Speaker.

*(Interruptions)*

**Madam Speaker:** Please! Please, hon. Bhagwan don't provoke!

**Mr Bérenger:** Madam Speaker, being given that we are now informed that the two Acts will be amended and that the State Law Office is working on them, are the amendments ready and will they be circulated as soon as possible?

**Mr Sinatambou:** Obviously, once the work is finalised it will be circulated. But the point which has to come across very clearly and forcefully, Madam Speaker, is that whatever has been declared unlawful is now lawful. The ID cards are lawful, the minutiae are lawful and there is no breach of any constitutional right regarding any citizen of this country.

**Mr Bérenger:** Madam Speaker, am I right in saying that before the Supreme Court, authorisation has been obtained to go to the Privy Council? Will those amendments being prepared be brought to the National Assembly whilst this is ongoing or will the present

Identity Card validity be extended until the Privy Council eventually has dealt with the matter?

**Mr Sinatambou:** I am informed, Madam Speaker, that the current ID card has already been extended to 31 January 2016 and I am informed that the relevant amendments to be brought to the two legislations concerned will be circulated during this session of the National Assembly.

**Mr Bérenger:** Can I know what is the stand of the State, that is, the Attorney-General and the Solicitor-General as far as this request to appeal to the Privy Council is concerned? The Press has reported that the DPP - I tend to think it is not correct as a report - is going to take a stand against that permission being granted by the Supreme Court to go to the Privy Council. Can I know whether that is correct and what is the stand of the State through the Attorney-General and the Solicitor-General?

**Mr Sinatambou:** Of course, I am only replacing the substantive Minister of Technology, Communication and Innovation. What I can say to the House is that my understanding is that the State has not appealed and, as for the Director of Public Prosecutions, his independence does not allow me to give a reply to that aspect of the question. But, to all intents and purposes, it is only the plaintiff in the matter, Dr. Madhewoo who is appealing. That is the information that I have.

**Mr Bérenger:** Madam Speaker, I have not been told that, but we all know that the validity of the card has been extended once more until the end of the year. Can I ask the Government...

*(Interruptions)*

*Janvier!* Can I ask the Government whether this is going to be done every three months? How long this will go on? As I said, if the appellants do not obtain the permission of the Supreme Court, it is clear that they will go to the Privy Council themselves. Therefore, can I again ask whether Government has decided or should decide to extend the validity of the present cards until the Privy Council – out of due respect to the Privy Council also - has dealt with the issue?

**Mr Sinatambou:** I understand that no decision has been taken on this issue yet.

**Mr Bérenger:** But then, can I point out that in case it is extended, then we have a problem with the youngsters that come of age 18 and that do not have a card at all? So, has

Government thought through that in case it is extended until the Privy Council gives a judgement, what will happen to the 18 years old who want a card for the first time? They don't hold the present Identity Card.

**Mr Sinatambou:** My understanding, Madam Speaker, is that all those who are reaching the age of 18 are already being provided cards and this is why the National Identity Card Regulations of 2015 were passed. It allows for the production and issue of National Identity Cards in full and total respect of the judgement of the Supreme Court as it was delivered in May 2015.

**Mr Bérenger:** As far as the issue of now, at present, fingerprints being taken, I did not hear the Minister react to the fact that consent supposedly is being asked, being given the interpretation that Government gives of the judgement, why is consent sought? And is it not a fact that, in fact, what is happening is that fingerprints are being taken and afterwards consent is being asked in English, in confusion? So, is this going to go on? Can the hon. Minister clarify the situation?

**Mr Sinatambou:** In fact, Madam Speaker, I would respectfully say that there is no such confusion. There is no such confusion and if we look at the judgement itself, it is quite clear that consent is not required as such but it may have been sought just to make sure that tomorrow someone does not claim that his rights have been infringed. The situation, as declared by the Supreme Court, and I need to quote page 33 of the judgement here, is that -

“(a) the law providing for the storage and retention of fingerprints and other personal biometric data regarding the identity of a person constitutes a permissible derogation, in the interests of public order, under section 9 (2) of the Constitution;”

So, this is just to highlight that it is perfectly lawful with or without consent.

**Mr Bérenger:** My understanding is fingerprint is not required, but yet it is being taken with a pseudo-consent - consent obtained after fingerprints have been taken. Obviously, this is not in order and I appeal to Government to have a fresh look at this at least, Madam Speaker. Well, Government has told us that in a maximum of seven days, the fingerprint taking is destroyed completely. Why this delay between one and seven days and what procedures are followed for that destruction to the satisfaction of the public?

**Mr Sinatambou:** Well, let me first perhaps respond to this request for a fresh look at the procedure. I hope, first of all, that the hon. Leader of the Opposition will agree with me

that prevention is better than cure. So, I believe that when consent was being required, it was a precautionary measure worth its salt. However, I am advised that, as from 14 September 2015, there is no consent form as such. That is the information I have been given and, as for the delay of one to seven days, there is a procedure. I, unfortunately, cannot go into the nitty-gritty. What I've been told is that this is the amount of time that it takes and I believe that we must account for not only the fact that there is a decentralised system for people to go to, but then there is another place where all the data are sent for processing. So, I think that it is precautionary to say again up to seven days. If we would have said it takes three days, the moment one has taken four days, we would have heard: 'oh! What a scandal!' So, that is why I believe the one to seven day precautionary step is a step in the right direction.

**Mr Bérenger:** I've tried to listen carefully to the hon. Minister and from what I understand, being given Government's reading of the judgment of the Supreme Court, fingerprints and other data are going to be stored on the Identity Card permanently. Now, obviously, I am sure the hon. Minister is aware that in certain countries like Germany, fingerprints are taken voluntarily; if you refuse, you have your card and you have no problem. Therefore, I am sure that those who are going to appeal to the Privy Council will refer to Germany and other cases arguing that the putting of the fingerprints etc on the card is not acceptable, reasonably justified in a democratic society. So, again I ask the question: until the Privy Council has pronounced on this issue of whether it is acceptable that the fingerprints are put on the card, not in a server, not in a database, but on the card itself, until that is commented upon by the Privy Council, what is going to happen?

**Mr Sinatambou:** Well, until further notice, Madam Speaker, we stand to be guided by a decision of the Supreme Court of this country which has declared that, I quote –

"The law providing for the storage and retention of fingerprints and other personal biometric data regarding the identity of a person constitutes a permissible derogation under our Constitution."

As such, I would say that it is premature to aver that what has happened is to be perceived as being unreasonable in a democratic society. Now, further to that, I wish to highlight the fact that fingerprints are not, I insist, are not stored on the card. It is called minutiae, Madam Speaker. So, what happens is - I asked because I also did not know - my understanding is that you take the fingerprints and the minutia is a rendering of the fingerprint which is not the fingerprint. Now, it is as if an extract; the minutiae are an extract of the fingerprint, the

fingerprint does not appear on the card. Now, even when the minutiae is extracted from the fingerprint, it does not appear on the card, it is in the chip inside the card. What is also...

*(Interruptions)*

That is not childish – sorry! Madam Speaker, what I am trying to say is that, why we have, unfortunately, to disagree with the hon. Leader of the Opposition is that once the minutiae are on the ID card, the purpose is to do what? Let us say, for example, the person has to prove his or her identity to obtain his or her pension. That day the person goes there, he or she is allowed to put his/her finger and immediately the card is used to ascertain that this is the identity of the person. Therefore, this is the best possible identification process and this is why we have to disagree with the hon. Leader of the Opposition.

**Mr Bérenger:** The law, as it stands, from my reading of it - careful reading - does not say whether the card, today or tomorrow, is the property of the individual or of the State. Now, in certain countries, for example, from what I understand in Germany, it is spelt out that it is a property of the State, like passports, it is spelt out on the passport that the passport remains the property of the State. Now, I would like to know whether it is going to be spelt out, that it is not the property of the State and whether the State Law Office opinion has been sought. What difference does it make to spell out that, as in Germany, it is the property of the State or not?

**Mr Sinatambou:** Madam Speaker, as currently advised, I have been told in most clear terms that the National Identity Card belongs to the cardholder and not to the State. In fact, I am further advised that under Section 9, Sub Section (1), Paragraph (f) of the National Identity Card Act, it is an offence for a person to have in his possession a National Identity Card not belonging to him. I don't think it can be clearer than that, Madam Speaker.

**Mr Bérenger:** As far as the financial aspect is concerned, can I know whether Singapore Cooperation Enterprise which has already been paid nearly all the one billion two hundred million rupees agreed upon, are still in any way or fully involved in this whole identity card issue? Will they be around or are they still involved until the Supreme Court and then the Privy Council pronounced on the issue?

**Mr Sinatambou:** My understanding is that after being paid approximately Rs1,143,000,000 Government would not let them off the hook like that. They have signed. There has to be a hook, on the contrary. These are people who have been paid a massive amount of money to do something which, in the end, has turned out to be unlawful.

Government will not let them go away. We are insisting that they provide the software, to put into place a perfectly lawful mechanism this time. So, we cannot let them off the hook.

*(Interruptions)*

**Madam Speaker:** Wait! There are other people before you. I have got a long list here. The privilege is for the hon. Leader of the Opposition. After he has put his question, then I will ask hon. Dr. Sorefan. Privilege is for the hon. Leader of the Opposition first. Do you have a question now, hon. Leader of the Opposition? If you don't have a last one, then hon. Dr. Sorefan.

**Dr. Sorefan:** Thank you, Madam Speaker. The hon. Minister said he won't let the Singaporean off the hook, but this is a contract worth Rs1.2 billion for the work that was asked to be done. Now the Government is coming to change, to erase the data. Of course, it is additional work. They will come and claim for the money. I want to know - but probably the hon. Minister does not have the answer - how much they are going to claim. The other issue...

**Madam Speaker:** One question at a time, hon. Dr. Sorefan!

**Dr. Sorefan:** But my question is coming on the minutiae. The hon. Minister mentioned this word and it seems that many of us don't understand it. From my understanding, you take four fingerprints...

**Madam Speaker:** Hon. Dr. Sorefan, ask your question!

**Dr. Sorefan:** I have to explain and then come with the question, Madam Speaker.

**Madam Speaker:** Ask your question! Put it in the form of a question!

**Dr. Sorefan:** The four fingerprints are converted into figures that are stored in the ID card. May I know from the hon. Minister whether, if we can convert the fingerprints into figures that are stored in the card, can we do it the other way round? Will what is stored in the ID card be convertible into fingerprints?

**Mr Sinatambou:** True it is that normally additional work implies additional pay, but in this instance the House will appreciate that Government has already had to spend an enormous amount of money for those identity cards. The erasure and removal exercise which has been done, for example, of the database and everything else, has apparently been financially substantiated to an amount of Rs23 m. But I understand that the majority of it has been drawn from the maintenance component of their contract. So, we are still saying that we

will not let them off the hook as regards further payments. They have been paid more than enough. It is believed that this is already scandalously big.

Now, let me come to the minutiae part of the question. I must, before replying to that aspect, insist that the minutiae are in that card which is - I am advised - the ownership of the cardholder and is actually only meant to be in his sole custody. However, I am advised that, according to experts from Singapore Cooperation Enterprise, the minutiae are irreversible. Therefore, they cannot be converted back into fingerprints.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. In relation to part (b) of the question, bearing in mind the Government policy that Government will not let them off the hook, in view of the cloud of suspicion which surrounds the whole ID Card Project, will the hon. Minister request investigative authorities to initiate thorough enquiry into possible criminal offence or criminal offences that have been committed in relation to the allocation of contracts to contractors, then subcontractors, bearing in mind that impression was given that this was a Government-to-Government project?

**Mr Sinatambou:** I thank the hon. Member for his question. As the Ag. Minister, I would not take it upon myself to send for enquiry to the competent authorities, whether the Police or ICAC. But what I will say is that, as the matter currently stands, Madam Speaker, everything is being looked at the Ministry of Financial Services, Good Governance and Institutional Reforms because we believe in governance.

**Madam Speaker:** One question for hon. Baloomoody. Then, I will pass on to the hon. Leader of the Opposition for his last question.

**Mr Baloomoody:** Thank you, Madam Speaker. The hon. Minister has referred I think three times to part 5 of the conclusion of the judgement of the Supreme Court in the case of Dr. Madhewoo. He did not refer to section 6, which says that “the provisions of the National Identity Card Act and the Data Protection Act for the storage and retention of fingerprints and other personal biometric data collected for the purpose of biometric identity card of a citizen of Mauritius are unconstitutional.” This is what part 6 of the conclusion says. Now, in view of what section 5 and section 6 say, Dr. Madhewoo is appealing. Can I know why is it that, on a matter of such national importance, the Attorney General is objecting that the matter goes to the Privy Council?

**Mr Sinatambou:** Madam Speaker, the reason for not referring to part 6 is quite simple. The reading that we make of page 33 of the judgement - the fifth part - is that, indeed, under the Constitution, it is perfectly lawful for a law to provide for the storage and retention of fingerprints and other personal biometric data. That is perfectly lawful in a democratic society according to the Constitution. However, the way it was being done under those two Acts, that is, the National Identity Card Act and the Data Protection Act, was unlawful, which is why Government has passed those regulations and rendered the situation now lawful. Thank you, Madam Speaker.

**Madam Speaker:** Last question, hon. Leader of the Opposition!

**Mr Bérenger:** I have to come back to this. On 19 October, from what I understand, the request to be allowed to appeal, permission to appeal to the Privy Council will be before the Supreme Court. I put my question. What is the stand of the State through the Attorney General and the Solicitor General? Can I, again, appeal to Government? Leave it in the hands of the Court! If that is the intention, why object to the Privy Council having a look at this and other legislations worldwide? Therefore, can I appeal to Government that, on 19 October, the State - not the DPP; the DPP is not the State - should not object to the Court granting permission to go to the Privy Council?

**Madam Speaker:** Yes, hon. Minister!

**Mr Sinatambou:** My understanding is that there are two judgements, first of all. One concerning Dr. Madhewoo and one concerning hon. Pravind Jugnauth. There is no appeal in the second case. There is an appeal by the gentleman in the first case. Now, I must say that I do not know whether the State is objecting in the case of Madhewoo. What I know, after verifying with the State Law Office, is that the State is not appealing. However, a reading of page 33 and part 5 of the judgement, as a lawyer, makes it apparent to me that it is lawful in a democratic society to have fingerprints taken, but this Government is not retaining fingerprints. That is the most important thing to say about this affair. It is that the Government is not and will not retain fingerprints and has caused all the database of more than 900,000 people to be destroyed. Thank you, Madam Speaker.

**Madam Speaker:** Time is over! Hon. Members, the Table has been advised that PQ No. B/575 in regard to the drafting of the Juvenile Justice Bill will now be replied by the hon. Attorney General. Hon. Dr. Sorefan!

## VACOAS - METHADONE DISPENSING – COMPLAINTS

**(No. B/566) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the dispensing of methadone at the Vacoas Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of complaints in relation thereto reported by the Municipal Council of Vacoas-Phoenix thereto, indicating the remedial measures taken, if any, as at to date.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that a number of verbal complaints have been referred by the Municipal Council of Vacoas-Phoenix to Vacoas Police Station about the nuisance due to noise and use of foul language by the beneficiaries of the Methadone Substitution Therapy (MST) in the Vacoas Market building and its vicinity. This was causing a lot of inconveniences and disturbances to stall holders who were feeling insecure.

I am further informed by the Commissioner of Police that MST distribution at Vacoas Police Station started on 22 March 2009 and four cases of rogue and vagabond and assault involving MST beneficiaries were reported there since February 2012.

Madam Speaker, as a result of these complaints, Police have implemented the following measures -

- (i) Frequent foot and mobile patrols are being carried out by the personnel of the Police Station, Divisional Support Unit and ERS thereby reinforcing Police presence in the vicinity of Vacoas Market bus stand, John Kennedy Street to discourage MST beneficiaries from loitering in the vicinity of commercial buildings and Vacoas Market;
- (ii) Frequent sensitisation campaigns are being conducted with shop owners, other hawkers and vegetable sellers regarding precautionary measures to be taken in respect of MST beneficiaries, and
- (iii) CID and ADSU teams are detailed to make frequent patrols to prevent them from loitering.

Madam Speaker, additionally Government decided to decentralise the dispensing of MST as from January 2015. Accordingly, as from 14 April 2015, Methadone dispensing in

the region has been extended to Phoenix, Eau Coulée and Curepipe Police Stations, thereby reducing the impact at Vacoas.

However, I understand that there are still verbal complaints which are being received by the Municipal Council of Vacoas-Phoenix and the Commissioner of Police has given the assurance that all the needful will be done to deal with the situation.

**Madam Speaker:** Hon. Dr. Sorefan!

**Dr. Sorefan:** I got two supplementary questions. I will start one by one. Is the hon. Ag. Prime Minister aware that in the market a lady who was on Methadone undressed herself naked and that was taken in the meeting of the Municipal Council? What action the Police Officers took at that time?

**The Ag. Prime Minister:** I don't have action for this particular case, but I did bring the hon. Member's question to the attention of the Commissioner of Police and he gave me the assurance this morning that he will step up efforts to deal with this issue of methadone users causing disturbance and using foul language. That's the information I have.

**Madam Speaker:** Yes, hon. Dr. Sorefan!

**Dr. Sorefan:** My second question to the hon. Ag. Prime Minister. The hon. Ag. Prime Minister has mentioned that we are decentralising the Methadone dispensing to Eau Coulée and still we are having problem. So, we are shifting Vacoas problem to Castel because we have got complaints. Is it not possible for the Government to think about instead of decentralising, to distribute Methadone at residence, because at residence you get one person who is doing it rather than getting all of them to come to the Police Station where they create havoc?

**The Ag. Prime Minister:** Madam Speaker, this is more of a question for my colleague, the hon. Minister of Health and Quality of Life. I am sure he will take up this issue.

**Madam Speaker:** Yes, next question! Hon. Hurreeram!

*(Interruptions)*

Order, please!

### **H.E. THE VICE-PRESIDENT - OFFICIAL RESIDENCE – RENT**

**(No. B/567) Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the premises rented to serve as official residence for H.E. the Vice-President of the Republic of Mauritius, he will, for the benefit of the House, obtain information as to if tender procedures have been followed for the renting thereof and, if so, indicate the –

- (a) date the bid therefor was launched;
- (b) name of the bidders therefor, indicating the name of the successful bidder;
- (c) extent thereof, and
- (d) monthly rental thereof.

**The Ag. Prime Minister:** Madam Speaker, a press communiqué was issued by the Prime Minister's Office on 10 January 2008 inviting tenders for the rental of a semi-furnished building of approximately 3,000 square feet in Phoenix or Quatre Bornes, preferably in Old Quatre Bornes, to accommodate the Office of the Vice-President.

As at the closing date for the submission of tenders set for 31 January 2008, three bids were received from the following bidders, namely -

- (i) Mr D. Ramful;
- (ii) Mrs E. Dhunnoo, and
- (iii) Mr K. Ragavoodoo.

A bid evaluation exercise was thereafter conducted by the Office of the Vice-President. After consultations with the Valuation Department and following negotiations on the rental value, the bid of Mr Ramful was approved. The premises comprise two reinforced buildings of a total area of 2,645 square feet on a portion of land of approximately 35½ perches situated at 30 Avenue Farquhar, Quatre Bornes, at a monthly rental of Rs70,000.

The Lease Agreement between both parties was signed on 28 November 2008. It has been renewed under the same terms and conditions in 2012, 2013 and 2014 and is valid up to 31 December 2016.

**Madam Speaker:** Yes, hon. Hurreeram!

**Mr Hurreeram:** Will the hon. Ag. Prime Minister inform the House if it is proper for the Vice-President's Office to renew this contract on a yearly basis without having recourse to a new tender exercise?

(*Interruptions*)

**The Ag. Prime Minister:** I will look up, Madam Speaker. I don't have that particular information.

(*Interruptions*)

**Madam Speaker:** No comments, please! Hon. Hurreeram!

**Mr Hurreeram:** Thank you, Madam Speaker. Given the political connection of those concerned with the former Government, will the hon. Ag. Prime Minister consider requesting the Commissioner of Police to inquire if none was being favoured?

**The Ag. Prime Minister:** Madam Speaker, the best I can do is to send it to the Ministry of Financial Services, Good Governance and Institutional Reforms to have a look, but I must say that there was a valuation done by the Valuation Department which evaluated a monthly rental at Rs60,000. The original amount of claim was Rs110,000 and then there was some negotiation and the Rs60,000 was increased to Rs70,000. But I am happy to send it to the Ministry of Financial Services, Good Governance and Institutional Reforms

**Madam Speaker:** Next question, hon. Hurreeram!

#### **ALLEGED ARM TRAFFICKING NETWORK - INQUIRY**

**(No. B/568) Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the recent request made to the Government of Mauritius by Mrs K.L.A., Director of the Conflict Awareness Project, to re-open the inquiry concerning the alleged arm trafficking network in Mauritius, he will state if he will consider acceding thereto.

**The Ag. Prime Minister:** Madam Speaker, I wish to refer the hon. Member to the reply of the Rt. hon. Prime Minister to Parliamentary Question B/201 at the sitting of 31 March 2015, wherein he stated, *inter alia*, that no enquiry had been carried out so far in any case of alleged arm trafficking in Mauritius. He also informed the House that a response was

awaited from one Mrs K.L.A. who had been contacted by the Police in March 2014 and requested to inform whether she intended to travel to Mauritius to give a detailed statement which would enable the Police to start an investigation into the matter.

On 10 August 2015, Mrs K.L.A. addressed a letter to the Rt. hon. Prime Minister requesting for the reopening of the investigation into an alleged international arm trafficking network which might have been operating in Mauritius.

I am informed by the Commissioner of Police that, following that letter, and on the basis of additional information which has come to the knowledge of the Police, the Central Crime Investigation Department (CCID) has already initiated an enquiry in that matter since 24 August 2015.

Mrs K.L.A. has also requested safe passage to and from Mauritius to provide testimony regarding these matters. The Police will guaranty her safe entry and safe exit accordingly and during her stay she will be provided with full Police protection.

**Madam Speaker:** Yes, hon. Hurreeram!

**Mr Hurreeram:** Will the hon. Ag. Prime Minister consider asking the ICAC to explain how they managed to get in the luggage of a private lawyer, to serve upon Mrs Austin, a *mise en demeure*, when the visit was supposed to be confidential to bring further enquiry?

**The Ag. Prime Minister:** Madam Speaker, I understand that this matter will be taken up by the Police in the enquiry.

**Madam Speaker:** One last question on this!

**Mr Hurreeram:** Thank you, Madam Speaker. Will the hon. Ag. Prime Minister inform the House whether there has been an enquiry or will there be an enquiry to see if there has been any link between the Gorah Issac case and this alleged arm trafficking?

**Madam Speaker:** Hon. Hurreeram, you have asked the question as to whether they will re-open this enquiry. Don't put in any cases! Hon. Osman Mahomed!

**Mr Mahomed:** Madam Speaker, thank you. I will stick myself to the K.L.A case. Being given that this issue is being raised this morning and we know that there is a case of defamation against Mrs K.L.A and the plaintiff has requested for an early trial, and given that Mrs K.L.A. is not willing to be here because she has got other commitment, we, on this side of the House, will go even further in asking the hon. Ag. Prime Minister to convey to the Rt.

hon. Prime Minister the wish of this side of the House for a full-fledged Commission of Enquiry to be conducted on this whole issue? Can this be considered?

**The Ag. Prime Minister:** Madam Speaker, I think it would be best to wait for the arrival of Mrs K. L. A. and the Police inquiry and then I am sure that needful will be done, if it needs to be done, by the Prime Minister.

**Madam Speaker:** One last question!

**Mr Mahomed:** But going by Press reports, she has indicated that she is committed and she is not able to come here some time soon, in spite of the request for an early trial. So, the request is: "Let us quash this whole issue once and for all by going for a full-fledged Commission of Inquiry.

**The Ag. Prime Minister:** I understand, Madam Speaker, that in this particular case, at least, as in many other cases, we should not go by Press reports.

**Madam Speaker:** Next question!

#### **SALE BY LEVY – COMMISSION OF INQUIRY REPORT – RECOMMENDATIONS**

**(No. B/569) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry set up on the Sale by Levy, he will, for the benefit of the House, obtain therefrom, information as to the main recommendations thereof, indicating the actions that have been initiated in relation thereto for the implementation thereof as at to date.

**The Ag. Prime Minister:** Madam Speaker, with your permission, I would like to reply to PQ B/569 and B/572 together as they relate to the same matter.

In regard to PQ/572, I presume that the hon. Member is referring to two different Commissions of Inquiry. As a matter of fact, there were two Commissions of Inquiry which had been set up in May 2012: one on Sale by Levy and another one on the System of Acquisitive Prescription.

I would like to refer the hon. Members to the replies made by the Rt. hon. Prime Minister to PQ B/155 and B/158 on 10 March 2015. The Prime Minister informed that both Commissions of Inquiry had already completed their work and submitted their respective

reports to the President of the Republic who had in turn referred the reports to the former Prime Minister. However, the reports were untraceable at the Prime Minister's Office and consequently fresh copies had been made available by the Office of the President on 07 March 2015, upon request by the Prime Minister's Office.

Madam Speaker, the Commission of Inquiry on Sale by Levy has made a number of recommendations to alleviate the hardship and prejudice which debtors and former debtors are experiencing. The report has been referred to the Ministry of Finance and Economic Development for an in-depth examination of the recommendations contained therein. I am informed by the Ministry of Finance and Economic Development that a Special Committee has been set up, as announced in the Budget Speech 2015-2016, to examine the report of the Commission and expedite the implementation of its recommendations. The Special Committee will comprise relevant stakeholders namely, Ministries concerned, the Office of the Commissioner for the Protection of Borrowers and other institutions such as the Mauritius Bankers Association and Consumer Protection Association.

Madam Speaker, as regards the Commission of Inquiry on the System of Acquisitive Prescription, the Commission has recommended changes in the procedure leading to acquisitive prescription so as to afford better protection to lawful owners and significantly hinder ill-intentioned people involved in fraudulent appropriation of land belonging to other people. The Report of the Commission has been referred to the Ministry of Housing and Lands for an in-depth examination of the recommendations. I am informed by the Ministry of Housing and Lands that a Committee chaired by the Senior Chief Executive is examining the numerous recommendations, including proposed amendments to a number of pieces of legislation in order to safeguard the proprietary rights of our citizens.

Madam Speaker, a comprehensive submission will be made to Cabinet on both reports once the exercises for the examination of the recommendations are completed. The findings will be made public thereafter.

Madam Speaker, I would like to point out that the Government Programme 2015-2019 already provides that the overall procedure of Sale by Levy will be reviewed in order to prevent collusion between financial institutions, legal advisors and their agents. Moreover, with a view to protecting financially distressed people, Government has also pledged to enact legislation to prohibit, for a period of two years, the sale by levy of the only house of a

worker who has been made redundant on economic grounds. I would like to reassure the House that Government will stand by its commitment.

**Mr Ameer Meea:** The Ag. Prime Minister referred to PQ B/155, but the PQ stated that the report was being tabled at the Prime Minister's Office since 07 March 2015, that is, more than six months' time till now. May I ask the hon. Ag. Prime Minister whether he will table the report and why also this is taking so long for the Committee to act upon, because there is a mafia operating around the Sale by Levy as everybody is aware and time is of the essence and the report should be made public and also action should be taken?

**The Ag. Prime Minister:** Madam Speaker, firstly, I would like to just remind the House that prescriptions have been suspended for the present.

As far as the statement by the Rt. hon. Prime Minister is concerned, the Government policy is that the report should be examined first in Committee by Government and then published, but I will ensure or at least make sure that the Committees do their work diligently.

**Mr Uteem:** Madam Speaker, the hon. Ag. Prime Minister stated that now we are going to set up the Committee. So, may I have a time frame as to when this Committee would deliver its report?

As far as prescription is concerned, is he aware that the fact that all procedures for prescription have been suspended is creating hardship to genuine cases of people who prescribed land for a required number of years?

**The Ag. Prime Minister:** Madam Speaker, I am informed that both Committees have been set up. As I mentioned, we will do our best with my colleagues to ensure that the reports are produced to Cabinet to enable the Commission of Inquiry reports to be published.

**Mr Bérenger:** I am sure the Ag. Prime Minister is aware that in the recent past a mafia, which has been referred to, was present, in fact, in the Supreme Court's yard, *tapeurs* and gangs who come, terrorise people and so on, *dans la cour de la Cour Suprême, dans la Cour Suprême elle-même* and what causes even more revolting is that he was a foreigner – a foreigner at the head of this mafia organising that with, unfortunately, a few Mauritians also, lawyers some of them. Can I know whether this has stopped and whether, if it has not, what action is going to be taken to stop this?

**The Ag. Prime Minister:** Madam Speaker, I have inquired into what the hon. Leader of the Opposition has mentioned, but I must reassure the House that Government is taking this matter very seriously and that we are concerned with the people who suffer either from Sale by Levy or from illegal prescription of their land and that we will do all in our power to stop any abuse of both.

**Mr Ramano:** Madame la présidente, chaque semaine, il y a des ventes qui se font à la barre. Est-ce que je peux proposer au ministre, tout comme les prescriptions qui ont été suspendues, si on peut venir de l'avant pour demander la suspension des ventes à la barre jusqu'à ce que les recommandations soient mises en place?

**The Ag. Prime Minister:** Madam Speaker, I am sure the hon. Member is aware of the Commissioner for Protection of Borrowers who has been doing his/her work. I will pass on the request of the hon. Member as far as the suspension for the present.

**Mr Baloomoody:** The Commissioner we know has limited powers when it comes to Sale by Levy. Can I ask the hon. Ag. Prime Minister whether, at least, for the NHDC houses, that we can suspend the Sale by Levy pending the outcome because there are many houses which are the only residence of these people? Can we suspend the Sale of Levy of, at least, NHDC houses pending the outcome of the Committee's report?

**The Ag. Prime Minister:** Madam Speaker, I leave it to the good office of the Vice-Prime Minister Soodhun. But, obviously, there are people who also abuse in the system. So, we must be able to separate people who abuse and people who are genuine. I am sure my colleague will take care of that.

**Madam Speaker:** I have observed that there are some MPs who are insisting for supplementary questions. They should know that there is a time limit for Prime Minister's Question Time also and that I cannot allow a question to become a PNQ. I am giving in turn everybody his chance to ask questions, but, at the same time, I think it is a legitimate right of each hon. Member as representative of their constituents to be given a fair chance to ask the questions which are on the agenda. I am asking for the comprehension of everybody on this issue. Next question, hon. Rughoopur!

## POUDRE D'OR - FOOTBALL GROUND - CONSTRUCTION

**(No. B/570) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the construction of a football ground at Poudre d'Or, he will state -

- (a) the date of award of the contract therefor;
- (b) the date of completion thereof;
- (c) the reasons why the pre-final handing over has not been effected as at to date, and
- (d) if consideration will be given for the Senior Chief Executive of his Ministry to effect a site visit thereat, together with the hon. Members of Constituency No. 6, Grand' Baie and Poudre d'Or.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the NDU that the contract for the construction of a football ground at Poudre d'Or was awarded on 16 June 2014 to Best Construct Co. Ltd with a completion date of 27 September 2014 for the sum of Rs3,661,578.55, inclusive of VAT.

The project comprised the following works -

- (i) earthworks - cut and fill;
- (ii) provision of topsoil and turfing, and
- (iii) construction of French drains.

I am also given to understand that the handing over has not yet been effected given that the grass has not yet fully grown and moreover some levelling works are still being required. This is due to the fact that people are having access to the football pitch given that it is not fenced.

The contractor has been requested to carry out outstanding remedial works, that is, turfing and levelling works at some spots and these are expected to be completed within a period of 6 to 8 weeks. The project will be handed over as soon as the grass is fully-grown.

Madam Speaker, as regards part (d) of the question, it is to be noted that at the level of the NDU, there is a Parliamentary Private Secretary who has been assigned the responsibility

of overseeing all issues pertaining to NDU projects for Constituency No. 6 and the latter is the ‘interface’ between elected Members and the NDU.

However, I shall be pleased to arrange for a site visit with all the concerned parties so that the matter can be dealt with.

**Madam Speaker:** Yes, hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. May I know from the hon. Ag. Prime Minister when was this project supposed to be handed over?

**The Ag. Prime Minister:** The completion date was 27 September 2014, a year ago.

**Madam Speaker:** Yes, hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. There are three or four other projects that are in the same condition. Can the hon. Ag. Prime Minister convey to the Chief Executive of the NDU to please look into the issue of the other three projects as well and to ensure that those projects are completed quickly?

**The Ag. Prime Minister:** Madam Speaker, the hon. Member is rightly concerned with delays in the completion of the projects. I have the same issue in my Constituency.

*(Interruptions)*

So, I will certainly help him in that way.

**Madam Speaker:** Hon. Mahomed!

### **PORT LOUIS SOUTH & PORT LOUIS CENTRAL – NDU PROJECTS**

**(No. B/571) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Constituency No. 2, Port Louis South and Port Louis Central, he will state the projects undertaken thereat by the National Development Unit, over the period July 2005 to December 2014, indicating in each case, the –

- (a) nature thereof, and
- (b) cost thereof.

**The Ag. Prime Minister:** Madam Speaker, I am tabling the list of projects awarded in Constituency No. 2 during period July 2005 to December 2014.

**Mr Mahomed:** May I have an indication from the Ag. Prime Minister of the projects that have been allocated for the coming year - 2015 is already late, but for 2016, please?

**The Ag. Prime Minister:** This is a different question, Madam Speaker. I don't have that information.

**Madam Speaker:** Next question, hon. Baloomoody!

#### **SALE BY LEVY AND PRESCRIPTION - COMMISSION OF INQUIRY - FINDINGS**

**(No. B/572) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry on Sale by Levy and Prescription, he will, for the benefit of the House, obtain therefrom, information as to where matters stand as to the work thereof and give an indication as to when the findings thereof will be submitted.

*(Vide reply to P.Q. No. B/569)*

#### **HUMAN RIGHTS COMMISSION - POLICE BRUTALITY – COMPLAINTS**

**(No. B/573) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Human Rights Commission, he will, for the benefit of the House, obtain therefrom, information as to the number of complaints for Police brutality received thereat, since January 2014 to date, indicating the number of investigations thereinto which have led to the prosecution of members of the Mauritius Police Force and the number of convictions secured as a result thereof.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the National Human Rights Commission that from January 2014 to 25 September 2015, 288 complaints of Police brutality have been received. After investigation, 9 cases have been referred to the Director of Public Prosecutions in accordance with section 4 of the Protection of Human Rights Act.

I am also informed that the Office of the Director of Public Prosecutions is presently conducting an in-depth examination of the cases referred to it, to establish as to whether there is sufficient evidence to refer the cases to Court. As such no conviction has been secured to date.

**Mr Baloomoody:** The hon. Ag. Prime Minister just mentioned out of 288 only 9 have been referred to the DPP. Can I know whether the complainants have been informed of the reasons why their case has not been sent to the DPP?

**The Ag. Prime Minister:** I am not aware of that. I have to find out.

**Mr Baloomoody:** Can I know from the hon. Ag. Prime Minister how many people are there at the Human Rights Commission to investigate enquiries? What is the staff there?

**The Ag. Prime Minister:** Madam Speaker, I don't have that information unless I get notice. I must emphasise though that last week we responded to a question to say that a Police Complaints Commission is on the cards, I think, for this year so that we can, in fact, improve the system.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Madam Speaker, can the hon. Ag. Prime Minister indicate, whenever there is an enquiry on a Police Officer by the Human Rights Commission, whether any sanction is taken against the suspect, whether he is suspended or otherwise?

**The Ag. Prime Minister:** I am sorry, Madam, I do not have that information.

## **POLICE FORCE - VACANCIES**

**(No. B/574) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the vacancies which presently exist in each of the grade of Men and Women Police Constable to Deputy Commissioner of Police, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, in each grade, indicating –

- (a) when they will be filled, and
- (b) the number thereof that will be filled.

**The Ag. Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that there is a total of 2,381 vacancies in the grades ranking from Police Constable/Woman Police Constable to Deputy Commissioner of Police, details of which are being tabled.

As regards parts (a) and (b) of the question, I am also informed that financial provision exists in respect of 1,753 of these vacancies. So, we have funded 1,753 vacancies which will be filled within the current financial year, subject to candidates being eligible and suitably qualified.

### **JUVENILE JUSTICE BILL - DRAFTING**

**(No. B/575) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the drafting of the proposed Juvenile Justice Bill, he will state where matters stand.

*(Withdrawn)*

### **PRISONERS - ELECTRONIC BRACELETS SYSTEMS**

**(No. B/576) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the proposed implementation of the Electronic Bracelets Systems for the tracking of prisoners, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand.

**The Ag. Prime Minister:** Madam Speaker, in the Government Programme 2015-2019, Government has announced its intention to introduce electronic monitoring bracelets as an alternative to detention for certain types of suspects who have been released on bail with a view to better managing the prison population.

Consultations on the modalities for the implementation of this project have been held at the level of the Prime Minister's Office with all stakeholders, including the Police Force and the Attorney-General's Office. The Police have highlighted important issues with regard to the economic and operational feasibility of this project.

In view of the high capital investment and recurrent cost implications of the system, the Ministry of Finance and Economic Development and the Police Department have been requested to carry out a cost-benefit analysis of the proposed project.

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo, please!

**The Ag. Prime Minister:** A decision on the implementation of the project will be taken in the light of this analysis.

*(Interruptions)*

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Thank you, Madam Speaker. Do we have an indication of the cost of the project?

**The Ag. Prime Minister:** Madam, it is a very expensive project. It could cost in the region of Rs250,000 per bracelet.

*(Interruptions)*

It is valuable and...

*(Interruptions)*

**Madam Speaker:** Yes, order! Please!

**The Ag. Prime Minister:** In addition to that, we will require additional Police cars, the maintenance of a computer system and GPS system. So, it is a very expensive...

*(Interruptions)*

system and also it is very fragile. So, it is being looked at to see whether it is feasible.

**Madam Speaker:** Yes, hon. Jhugroo!

**Mr Jhugroo:** Thank you, Madam Speaker. Can I know whether there has been a tender procedure for the purchase of these bracelets?

**The Ag. Prime Minister:** No tender procedure. We have not purchased them. What has happened is that a consultant was appointed to look at the feasibility of the project.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Can the Ag. Prime Minister confirm, if he says that there has not been any tender procedure, whether quotations have been requested to potential suppliers from the Police Force?

**The Ag. Prime Minister:** Madam Speaker, what the Police did was to appoint a consultant and the consultant gave the approximate figure.

**Madam Speaker:** Yes, hon. Rutnah!

**Mr Rutnah:** Can the Vice-Prime Minister enlighten the House whether the scheme of electronic bracelets system is...

**Madam Speaker:** The Ag. Prime Minister!

*(Interruptions)*

**Mr Rutnah:** I am so sorry! Can the Ag. Prime Minister confirm whether the scheme of electronic bracelets system is only limited to accused who are on bail or is it going to be extended to serving prisoners who would be released in advance in order to control the population of prison?

**The Ag. Prime Minister:** Madam Speaker, you will be glad to know that there is plenty of room in our prisons at the moment, about a thousand places are still left to be taken up. However, this is something that needs to be studied because, in fact, there does not seem to be enough people on remand who would justify having such expensive bracelets. So, for it to be feasible, it may have to be extended perhaps to other types of convicted prisoners. But that is something that will have to be studied.

**Madam Speaker:** Time is over! The Table has been advised that Parliamentary Questions No. B/586 and No. B/587 have been withdrawn! Hon. Dr. Sorefan!

## **NATIONAL IDENTITY CARDS PROJECT - CONTRACT**

**(No. B/579) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the new National Identity Cards Project, he will state the -

- (a) name of the contractor therefor;
- (b) scope of works thereof;

- (c) contractual cost thereof, and
- (d) contractual completion date thereof.

*(Vide reply to PNQ)*

### **NATIONAL INSURANCE COMPANY – ASSETS & LIABILITIES**

**(No. B/580) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the National Insurance Company Ltd., he will, for the benefit of the House, obtain therefrom –

- (a) a list of the current assets and liabilities thereof, indicating the respective value thereof and the monthly revenue/loss thereof, and
- (b) when the general insurance services will be operational.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, with your permission I will answer to this question.

The recurring premium business of the ex-BAI Co (Mtius) Ltd has been transferred on 07 August 2015 to two companies which are wholly owned by the Government, namely, the National Insurance Co. Ltd with respect to the life assurance policies and the NIC General Insurance Co. Ltd for the general business.

These two companies were incorporated on 15 April 2015. I am informed by the FSC that the National Insurance Co. Ltd obtained its Long Term Insurance Business Licence on 05 May 2015 while NIC General Insurance Co. Ltd obtained its General Insurance Licence on 24 July 2015.

With regard to part (a) of the question, the National Insurance Co. Ltd is a Company licensed by the Financial Services Commission under the Insurance Act and it is the responsibility of that Commission to ensure that the company is being maintained in a financially sound condition in line with the prescribed Solvency Rules and Capital Adequacy Requirements.

Can I draw the attention of the hon. Member that it would not be appropriate to disclose commercially sensitive information of the National Insurance Company Ltd.

With regard to part (b) of the question, I am advised that the general insurance services are already operational under the NIC General Insurance Co. Ltd since 24 July 2015.

**Dr. Sorefan:** May I know from the hon. Vice-Prime Minister whether Government is contemplating to have a strategic partner - for example, what I heard from the Press, SICOM - to give the *noblesse* to this insurance Company?

**Mr Collendavelloo:** In due course, the matter will be considered, but there has been talk of this.

**Mr Uteem:** Thank you, Madam Speaker. May I know from the hon. Vice-Prime Minister, with respect to each of these two companies, the amount of money which the Government has capitalised each company to date?

**Mr Collendavelloo:** I would not know, but I am sure that at the Registrar of Companies we are able to see what are the Balance Sheets and what are the accounts.

**Mr Baloomoody:** Can I ask the hon. Vice-Prime Minister whether he will see to it that the NIC do send a letter to those who were holding policies from the BAI, that their policy has been transferred to NIC because there is still some confusion among the public? Some are continuing to pay the monthly premium, but they don't know who is handling their policy.

**Mr Collendavelloo:** I am sure that if notice is given of that question, the substantive Minister will be in a better position to answer.

**Mr Ameer Meea:** Thank you, Madam Speaker. Can I ask the hon. Minister who is the auditor of the National Insurance Company Ltd?

**Mr Collendavelloo:** I don't know this at all.

**Dr. Sorefan:** Regarding the bank account of the NIC, I understand that procedures are not being followed to create the NIC bank account. Could the hon. Vice-Prime Minister see to it that all procedures for the creation of new NIC accounts are done at the soonest?

**Mr Collendavelloo:** Well, if they are not being followed, I am sure my colleague will see to it that they are followed.

## **SSR INTERNATIONAL AIRPORT - AIRWAY COFFEE - CONTRACT**

**(No. B/581) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the allocation of the contract to Airway Coffee Ltd. for the provision of catering services at the Sir Seewoosagur Ramgoolam International Airport, allegedly to the detriment of Tropical Times, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd., information as to if the case has been referred to the Commissioner of Police for inquiry and, if so, indicate the outcome thereof and, if not, why not.

**The Ag. Prime Minister:** Madam Speaker, I wish to refer the hon. Member to replies made to Parliamentary Question Nos. B/75 and B/76 of 2015 wherein I provided extensive details as regards the allocation of a contract to Airway Coffee Ltd for the provision of catering services at the Sir Seewoosagur Ramgoolam International Airport.

I am informed by the Chief Executive Officer of Airports of Mauritius Co Ltd (AML) that the Independent Commission Against Corruption (ICAC) has started an investigation into this matter and has taken possession of all relevant files and documents.

I am further informed by the ICAC that, on 23 December 2014, it has initiated an investigation on the allocation of a contract for the provision of catering services at Sir Seewoosagur Ramgoolam International Airport to the detriment of other bidders including Tropical Times.

The investigation by ICAC is still ongoing. The question of referral of the case to the Police, therefore, does not arise at present.

**Mr Jhugroo:** Would the Ag. Prime Minister agree whether the decision to remove the administrative control of Airports of Mauritius Co Ltd from the office of the Deputy Prime Minister to the PMO in year 2008 does not give the appearance or the perception that the former Prime Minister was systematically involved in a number of tainted conduct that may amount to breaches of PoCA?

**Madam Speaker:** I am sorry, hon. Jhugroo; I think you are going outside the question which has been asked.

**Mr Jhugroo:** Can the hon. Ag. Prime Minister state whether it is correct that the former Senior Chief Executive of the PMO, who is an influential Board Member, could chair the evaluation?

**Mr Mohamed:** On a point of order, please. The Standing Orders do not allow any Member to ask for their opinion. Is it correct to ask for an opinion? The Standing Orders say you cannot ask for an opinion, so the question should not be allowed.

**Madam Speaker:** Hon. Mohamed, I am listening to the question and if there is any need I'll ask the hon. Member not to ask his question. Please proceed!

**Mr Jhugroo:** Can the hon. Ag. Prime Minister ...

(*Interruptions*)

*Gagne dimal !*

(*Interruptions*)

Can the hon. Ag. Prime Minister state whether it is correct that the former Senior Chief Executive of the PMO's Office at that time, who was an influential Member of the Board, could chair the Evaluation Committee?

**The Ag. Prime Minister:** At the time, you mean!

(*Interruptions*)

I don't have an answer to this question, Madam Speaker, but I will look into you.

**Madam Speaker:** Hon. Jhugroo, will you, please, restrain yourself to the question which has been asked and don't go beyond the ambit of your question, please!

(*Interruptions*)

**Mr Jhugroo:** *Mo pas gagne dimal moi! To pe roder, to pu gagner, pas peur toi.*

(*Interruptions*)

Does this action of the former Senior Chief Executive chairing the Evaluation Committee ...

(*Interruptions*)

*Taler to pu koner, pas peur toi !*

(*Interruptions*)

**Madam Speaker:** Hon. Mohamed, please!

(*Interruptions*)

**Mr Jhugroo:** While doing so, does this not constitute an offence under the POCA as it gives the perception that she uses her office as Board Member to influence the decision-making process?

*(Interruptions)*

**Mr Rutnah:** Madam Speaker, on a point of order! It is very improper and this is happening time and time again. Please extend the courtesy of listening!

*(Interruptions)*

**Madam Speaker:** Would you please allow the hon. Member to make his point! You will have the opportunity to make your point as well.

**Mr Rutnah:** Madam Speaker, it is happening time and time again, provocation and provocation, and whether this kind of...

*(Interruptions)*

**Madam Speaker:** Hon. Member, please sit down! What is the point of order?

**Mr Rutnah:** The point of order is whether the behaviour of hon. Mohamed does not amount to disorderly conduct under Section 46 of the Standing Orders?

**Madam Speaker:** Hon. Member, it is for me to decide!

**The Ag. Prime Minister:** Madam Speaker, I would ask the House to have faith in ICAC and to let ICAC do its work in all independence and we will see, without fear or prejudice, what the ICAC decides.

**Madam Speaker:** Next question, hon. Jhugroo!

#### **PROGUARD LTD - PUBLIC BODIES – CONTRACTS**

**No. B/582) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance and Economic Development whether, in regard to the contracts awarded to Proguard Ltd., he will give a list thereof, over the period July 2005 to 10 December 2014, indicating in each case the -

- (a) awarding body;
- (b) procedures followed for the allocation thereof, and
- (c) total amount of money paid therefor.

**Mr Lutchmeenaraidoo:** Madam Speaker, as the request spans over a period of nine and a half years and may involve all the 204 Public Bodies falling under the purview of the Public Procurement Act, the information is being compiled and will be tabled at the earliest.

### **SSR INTERNATIONAL AIRPORT - NEW TERMINAL - CONTRACT**

**(No. B/583) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the new terminal of the Sir Seewoosagur Ramgoolam International Airport, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd., information as to the -

- (a) initial and final contract value thereof, indicating if final payment has been effected therefor;
- (b) procedures followed for the award of the contract therefor, and
- (c) reported shortcomings in relation to the infrastructural conditions thereof, since the coming into operation thereof to date.

**The Ag. Prime Minister:** Madam Speaker, in regard to part (a) of the question, I am informed by the Chief Executive Officer of the Airports of Mauritius Co. Ltd that the initial contract value for the construction of the new terminal at the Sir Seewoosagur Ramgoolam International Airport amounts to USD 305,813,752. The final contract value has not yet been finalised for the following reasons -

- (i) The last remedial works will be completed by end of October 2015, and
- (ii) The final accounts will be settled by end of November 2015.

However, it is currently estimated by the Engineer, Louis Berger Group, that the contract value will not exceed USD 306.1 m., that is, approximately 0.098% above the initial contract value. The final payment will be effected by end of November 2015.

Madam Speaker, in regard to part (b) of the question I am to inform the House that Airport Terminal Operations Ltd, as a private company, is not governed by the Public Procurement Act 2006. Accordingly the following procedures, in line with the requirements of EXIM Bank were followed -

- EXIM bank has submitted a shortlist of three Chinese contractors, that is -

- (i) Beijing Construction Engineering Group Company Ltd;
  - (ii) China International Water & Electric Corporation, and
  - (iii) China State Construction Engineering Corporation Ltd.
- An invitation for bids was issued by ATOL on 08 June 2009 and bids were received on 07 September 2009.

Madam Speaker, I would like to point out that since September 2008 the responsibility for the Airport Sector was transferred from the Ministry of Tourism and External Communications to the Prime Minister's Office.

- The Board of ATOL set up a Monitoring Committee and an Evaluation Committee to evaluate the Bid Proposals. The Evaluation Committee, comprised representatives of Aéroports de Paris ingénierie, Louis Berger Group and ATOL. The Evaluation Committee recommended that two companies namely Beijing Construction Engineering Group Company Ltd and China State Construction Engineering Corporation Ltd had the capacity to perform the Project.
- The Financial Proposals of the two companies were opened and were as follows -
  - China State Construction Engineering Corporation Ltd = USD 316 m.
  - Beijing Construction Engineering Group Company Ltd = USD 360 m.
  - Louis Berger Group carried out the evaluation of the Financial Proposal and concluded that China State Construction Engineering Corporation Ltd had submitted a substantially responsive Financial Proposal.
  - ATOL, at its 10<sup>th</sup> Board Meeting of 27 November 2009, approved the award of the tender to China State Construction Engineering Corporation Ltd at a revised contract amount of USD 305,813,752. after a Value Engineering Exercise.
  - The EPC Contract between ATOL and China State Construction Engineering Corporation Ltd was signed on 30 December 2009.

Madam Speaker, as regards part (c) of the question, I am informed that a comprehensive list of snags was drawn up after the issue of the Taking Over Certificate on 31 May 2013, and China State Construction Engineering Corporation Ltd was tasked to attend to these defects during the Defects Liability Period of two years. These snags did not have a

direct impact on the overall operation and service quality in the processing of passengers of the Terminal at its opening on 12 September 2013.

On 15 September 2014, another list of defects was brought to the attention of Aéroport de Paris Management requesting for urgent remedial action.

Madam Speaker, in February 2015, I personally requested ATOL to ask its Engineer to submit a report certifying that the foundations, structure and viaduct installations and the curtain wall portion of the building have been constructed as per the approved design and are functioning well. Louis Berger Group, the Engineer, submitted a report on 26 February 2015 certifying that foundation, structure and roof of the new terminal was successfully tested according to British standards and Centre for Window and Cladding Technology standards. Louis Berger Group stated that latent defects associated with skylight installation have been identified and are being rectified. I am tabling a copy of the Engineer report, Madam Speaker.

I am further informed that China State Construction Engineering Corporation Ltd has to date attended to most of the shortcomings, except for the following -

- Rusting and paint peeling on steelwork at passenger bridges and on viaduct balustrade. This is being attended to and will be completed by end of October 2015.
- Repair of Terracotta Paving both landslide and airside. The remedial works will be completed by end of October 2015.
- Intermittent water leakage through the roof system which is requiring the replacement of all the pressure plates on the roof. The works will be completed by end of October 2015.

All the remaining remedial works are being carried out at no additional costs to ATOL.

**Mr Jhugroo:** Thank you, Madam Speaker. Being given that ATOL is a private company and is not governed by the PPA, can the hon. Ag. Prime Minister confirm whether it was AML which is a public company which launched the tendering procedures?

**The Ag. Prime Minister:** Madam Speaker, in the answer it would appear that ATOL launched the tender. I am informed that ATOL launched the tender and it was not in the public procurement regulations. ATOL was not in the Schedule to the regulations. This is something that needs to be looked at in the future, Madam Speaker. That there are no

loopholes in that respect and all relevant companies including subsidiaries of public owned companies are correctly included in that Schedule.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** According to my information, it is AML. Never mind. So,...

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** So, can the Ag. Prime Minister confirm whether the reinvestment of the loan is done by Airports of Mauritius Ltd. and not by ATOL?

**The Ag. Prime Minister:** Madam Speaker, I have it here. An invitation for bids was issued by ATOL on 08 June 2009. As far as the repayment is concerned, I presume it is ATOL that runs the terminal, but it may also be guaranteed by Government, etc., if a substantive question is asked, I will reply.

**Mr Jhugroo:** Can we know for what reasons an open international tender was not carried out?

**The Ag. Prime Minister:** Madam Speaker, there are two ways to proceed. If the funds are being provided at concessionary rate by some State, in this case it is China EXIM Bank, they may request for special tender procedures for instance including only their nationals. That is obviously a risk that we are taking in that once we are getting cheaper loan facilities, the actual cost of the building may be more expensive. That is something in terms of good governance that this Government will have to look at, what extent we accept such concessionary loans and what is the real effect, whether it is in fact cheaper or more expensive at the end of the day.

**Madam Speaker:** Hon. Jhugroo, last question!

**Mr Jhugroo:** Being given that we heard from the Ag. Prime Minister that the repairs will be done without any extra cost, can we know whether the materials used are worth for the price we paid for?

**The Ag. Prime Minister:** I don't have that information, but I am told, Madam Speaker, when Government was being set up in January, we did ask for a full report from the independent engineer. The report was provided. I am tabling that report and I can only go by the report of the engineer.

**Madam Speaker:** I suspend the sitting for one and a half hour!

*At 1.07 p.m. the sitting was suspended.*

*On resuming at 2.40 p.m. with Madam Speaker in Chair.*

**PRIME MINISTER (FORMER) - ALLEGED MONEY LAUNDERING &  
FRAUDULENT TRANSACTIONS**

**(No. B/584) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Attorney General whether, in regard to the alleged cases of money laundering and fraudulent transactions by the former Prime Minister involving Centurion American Express credit cards and the purchase of properties in the United Kingdom, he will state if the National Crime Agency of the United Kingdom has solicited the assistance of his office in relation thereto and, if so, indicate the outcome thereof.

**Mr Yerrigadoo:** Madam Speaker, I wish to inform the House that the information requested is privileged pursuant to section 20 of the Mutual Assistance in Criminal and Related Matters Act, which provides, *inter alia*, that documents exchanged between the Central Authority and a foreign State cannot be disclosed.

**Madam Speaker:** Hon. Jhugroo, no supplementary? Next question! Hon. Bhagwan!

**CASINOS DE MAURICE –  
FINANCIAL, STAFFING & INDUSTRIAL RELATIONS SITUATIONS**

**(No. B/585) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance and Economic Development whether, in regard to the casinos, he will, for the benefit of the House, obtain from the Casinos de Maurice, information as to the financial, staffing and industrial relations situations thereof, indicating if -

- (a) losses are being incurred thereat;
- (b) they are overstaffed;
- (c) a mutually agreed retirement scheme and a 14<sup>th</sup> Month Bonus Scheme for the employees thereof are implemented thereat
- (d) arrears disputes are pending thereat, and

- (e) where matters stand concerning the Grand' Baie and Flic-en-Flac casinos and an eventual strategic partner therefor.

**Mr Lutchmeenaraidoo:** Madam Speaker, Mauritius is probably the only country in the world where casinos lose money. It is surprising that the casino business operated by the SIC Management Services has been consistently making losses since 2009. The accumulated losses as at 31 July 2015 have reached Rs591 m. Any company in such a critical financial situation would have been forced to retrench or close down. Indeed, under the Companies Act, it would have become technically insolvent. To prevent the closure and protection of employment, SIC has had to inject a total amount of Rs700 m. into the casino companies.

I would like here to ask hon. Members for how long could we continue using public funds to finance casino deficits.

Upon taking office, I gave an additional grace period of six months for the casinos to stop making losses and to break-even. Unfortunately, to my disappointment, the casinos are still in the red.

Madam Speaker, regarding part (b) of the question, the SICMS is currently managing three casinos while it has staff for six casinos. In fact, the manpower requirement for these three casinos is only 300. But, as at date, casinos employ 850 staff, resulting in an excess of 550 employees. The forthcoming opening of the Grand' Baie Casino and the one in the West will absorb a maximum of 200 employees and still leaving an excess of some 350 employees. It is of utmost urgency that we rightsize the work force to save the business. Otherwise, there would be no alternative but to close or dispose of the casinos. In fact, the previous Government intended to sell the casino business.

In respect of part (c) of the question, I am informed that Management has taken a series of cost-cutting measures to improve the financial situation of the casino business. Despite these measures, the casinos are still facing financial difficulties. Faced with this situation, Management has come up with a scheme for employees to take voluntary early retirement. The scheme was offered to 317 employees aged 50 and above. To date, 34 employees have taken advantage of the scheme.

Madam Speaker, with regard to the 14<sup>th</sup> Month Bonus for 2014, the cost of which is Rs22 m., I am quite surprised that the Union is still insisting on payment of the bonus in such a heavily loss making company.

As regards to the total back-pay of Rs50 m. arising from the arbitration award and payable in five equal instalments, the first two instalments have already been paid to the employees in June and September 2014. A third settlement due in June 2015 has yet to be paid. Management has informed the Union that the company is currently not in a position to make payments and the Union is demanding payment in full and immediately.

With regard to part (e) of the question, I am informed that work in respect of the casino to be located at the Grand' Baie Conference Centre is in progress. This casino will be managed by a new company, the Grand' Baie Casino Limited. The existing staff of casinos, especially of beach casinos, will be offered employment in Grand' Baie Casino Limited on new terms and conditions. The objective is to ensure the financial viability of the business. The Union is not agreeable to this. I must stress that maintaining existing terms and conditions, which provide for payment of the 14<sup>th</sup> month bonus irrespective of financial situation, will impact negatively on the business. I would be in favour of rewarding employees based on a scheme linked to profitability and performance.

As far as the Flic-en-Flac casino is concerned, I wish to inform the House that, following an expression of interest for a strategic partner, two proposals have been received and same are being evaluated.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** Can the hon. Minister inform the House whether last year a steering committee was set up to analyse the situation in the casinos? The terms of reference was prepared by the Financial Secretary, and even Mr Jack Bizlall was a member of that committee. Can we know whether he has received recommendations from that steering committee for implementation, which would have given a way to redress the financial situation, and what action has been taken following the steering committee's report?

**Mr Lutchmeenaraidoo:** I am not aware of this steering committee, but there is an inter-ministerial committee, which has been set up by Cabinet, that meets to decide on the way forward for the casinos.

**Mr Bhagwan:** Can the hon. Minister inform the House whether the whole problem of casinos arose, especially the way one person was appointed, Mr R. P. – I won't mention the name – which has created some unusual situation among the staff because he was there before – I won't go into the problem he has had – and that appointment created lot of problems within the mood itself in the casinos?

**Mr Lutchmeenaraidoo:** Well, Mr Raja Pillay, my old friend, *a jeté l'éponge. Il a quitté.*

**Mr Bhagwan:** Can the hon. Minister inform the House whether he is satisfied that - with regard to the Grand'Baie Casino, the whole refurbishment, the works which had been carried out – all the procedures have been followed for the award of contracts, and if there have been shortcomings in the award of contracts?

**Mr Lutchmeenaraidoo:** Concerning Grand'Baie Casino, the project is being managed by a Project Manager Committee and Project Implementation Committee. Name of Project Manager: Claude Wong So and Associates; Architects: Lam Po Tang and Siew Architects; MNA Engineer: Profile Ltd; QS: Apex Surveillance Ltd., MNA Services; then, there are probably, others also and their job is to ensure that the project goes ahead. Now, has there been anything done which is contrary to good governance, I will look into. But I would think that with people like Wong So and Siew on the Board, I have been quite satisfied that they are following procedures.

**Mr Bhagwan:** One question, Madam Speaker, if you will allow me. Human beings are human beings. All these people have been working in the casinos and I won't go into all the political appointees. I call it the 'fat cats' working there, earning big money while doing nothing. Can the hon. Minister, at least, inform the House whether he is aware that two employees have passed away, from what we have heard? *Il y a un grave problème au niveau des employés, il y a une angoisse;* as I said, human beings are human beings. What humane attitude the hon. Minister can have to make these employees, at least, not to continue with the nightmare? We have been given the figure of some 350 employees, already two have passed away with stress. So, what additional measures the hon. Minister intends to take to see to it that the whole administration looks at the problem of the employees in a more humane attitude?

**Mr Lutchmeenaraidoo:** I beg to differ with the hon. Member on this issue, I have to. In fact, the situation has been so in the casinos because there have been too many political appointees. We all know it, from all sides of the House. Now, how do you manage a group of people? We have 350 persons over-employed; they do not have a place there. We have suggested VRS to 350 of them, only 36 have accepted and they are insisting for a 14-month when the company is losing money. I take the case of British American Insurance. The employees have accepted reduction in wage just to preserve employment. The same is being

done for Apollo Bramwell also. So, I am quite surprised about the behaviour of the union there, No. 1, and No. 2, the fact that we are doing the maximum to save employment. The question is not to improve on what they are getting already but to save employment. And I am in a situation, Madam Speaker, where we will have to thrash it out. The former Government decided to sell the casinos. I have given them six months to break even, they could not make it. So, we will reach a point, probably, a breaking point. I wish that we do not reach the breaking point and that we come to an agreement whereby we can preserve employment but, as it is now, we have, I must say, a union that is used to having their own way. I have nothing against unions. I have been a unionist myself, but it is just becoming very close to being unmanageable, then the Inter-ministerial Committee will have to meet and decide on the fate of the casinos.

**Mr Ramano:** Madame la présidente, est-ce que je peux savoir du ministre qui seront les actionnaires de la nouvelle compagnie, Casino Mauritius Ltd?

**Mr Lutchmeenaraidoo:** La compagnie de Grand' Baie sera 100% gouvernementale, SIC. Si j'ai bien vu, on a demandé à des intéressés s'ils veulent bien s'installer dans les Plaines Wilhems, Flic-en-Flac et autres, on a eu deux intéressés. Donc, ils travaillent dessus actuellement. Mais, en général, nous avons la majorité. Au fait, j'avais insisté en 1984 que le gouvernement prenne la majorité des casinos, parce que je pensais que c'était les jeux et qu'il fallait donc contrôler. Je le regrette aujourd'hui. Je le regrette parce que, finalement, on a créé des compagnies où il y a eu tellement d'ingérence politique que je me pose la question aujourd'hui si le gouvernement doit garder la majorité dans les casinos.

**Mr Bérenger:** Madam Speaker, the hon. Minister of Finance has told us that there have accumulated losses of Rs591 m. and that the casinos are still in the red, without giving us figures. The figure of Rs100 m. losses per year has been published in the press, sans *une mise au point*. Can we know what is the amount of loss monthly?

**Mr Lutchmeenaraidoo:** In 2014, the casino has lost R140 m. So, the SIC had to inject more funds. Casinos are presently losing around Rs3 m. per month, mainly due to the fact that we have more than doubled the number of workers which we should have normally.

**Mr Bérenger:** On this issue of the strategic partner, I understand that there is no strategic partner elsewhere. There will be no strategic partner at Grand' Baie, the new casino in the Conference Centre, but surprise, surprise, there will be a Local Strategic Partner in the

case of Flic-en-Flac. Now, can I know, a Local Strategic Partner, what is he going to bring in the business in Flic-en-Flac that cannot be brought in the other casinos?

**Mr Lutchmeenaraidoo:** This is the information which I have been given. Local Strategic Partner would be a local partner, who, according to the old formula, would be 51% Government, 49% private sector. I am just putting the question now to the House, I say: how long can Government continue using public funds? Government is losing public money to finance a casino business. The House would understand that we are in a situation where we have to take decisions. Now, do we need a Strategic Partner in a casino? This is an issue which is a policy. But I am very much tempted now to either sell over those casinos to those who want to buy or then to allow others who want to buy majority in which the State reduces its shareholding of those casinos. It might be a solution.

**Mr Bérenger:** A last one, with your permission, Madam Speaker. Can I ask the hon. Minister whether the Chairperson of SIC, Mr Nakhuda, has informed him, has given him a copy of a letter received three days ago, dated 26 September, signed by someone totally genuine, Jack Bizlall, where very serious allegations are made, where he says that, according to him, there is a conspiracy to take over *pou dipain diber* - as he says in the letter...

*(Interruptions)*

To take over *pou dipain diber*! That is, a conspiracy to take over *pou dipain diber* - that's dirty business - as far as the casinos are concerned, and where he requests a full enquiry, since it is very fishy the way this new company is being set up at Grand'Baie. So, my question is: has the hon. Minister been informed by the Chairperson of SIC of that document?

**Mr Lutchmeenaraidoo:** Well, I will ask for a copy of this letter. If the Chairman of the SIC has it, we will look into it.

*(Interruptions)*

Yes, if he has got it, we will have to look into it, no doubt. But, I must say, again, they informed the House that the union has been behaving in the most improper way all the time and it is the union which is pushing the employees just to resist everything. Well, they will reach a point where *les élastiques se cassent à force de tirer*. We are not very far from the moment where we will have to decide, Government will have to decide on the future of casinos.

**Mr Jhugroo:** Does the hon. Minister of Finance agree with me that, one of the reasons that the business of the Casino de Maurice is being affected, is the opening of casinos all over the island? So, would the Minister of Finance consider to stop giving new permits for the opening of the casinos all over the island, in a way to prevent our nation to become a *nation de zougader*, as always mentioned by my friend, hon. Rajesh Bhagwan?

**Mr Lutchmeenaraidoo:** The policy of Government is clear on the question of gaming and betting. We are dead against and we have taken decisions in the Budget. It was a long way into discouraging betting and gaming.

For casinos, as long as they are within the premises of hotels, that is, within the premises of areas where there are hotels, it might be tolerated. But it should never become a problem for the country. We don't want to encourage Mauritians to go and play in casinos.

**Madam Speaker:** Last question, hon. Bhagwan!

**Mr Bhagwan:** One last, Madam Speaker, thank you. The hon. Minister has stated and I have stated as well that one of our problems is employees who, without doing anything, have been appointed on political grounds. This is one of the *faits* of the financial mess of the casinos. Can the hon. Minister inform the House whether since the new Government has taken over, he can order an inquiry to see that there are political agents who have obtained promotion and *a, b, c, assizer prend casse!* I won't say the other word '*b*'! This is what is happening, whether it will...

(*Interruptions*)

*Mo pas assizer baise casse mwa!*

(*Interruptions*)

Can the Minister, at least, order an inquiry and see, as stated by the hon. Leader of the Opposition, the issues raised by Mr Bizlall; and also political agents who have been appointed? The Government, which is blaming other governments, is taking the same way.

**Mr Lutchmeenaraidoo:** The employees are mostly political employees named by all parties here concerned! Now, I am very...

(*Interruptions*)

I have again to spell it out I am not looking for a fight! I am just saying that on the other side of the House I know of one person who, on the eve of the elections of 2005, said “*monn reussi fonce enkor 8 dimounes dans casinos!*” So, let us not look for a fight on this issue.

I think that all parties which came to power have been misusing the casinos. What is funny is that people from the Government’s side would phone me and say: “you know *ena ene bann MMM pe nommer lot coter.*” On the other side, I have friends there also who phone me and say: “*ena problème cot nou cote la li pe craze nou depi elektions.*” So, I think that most of us are, in fact, having to deal...

(*Interruptions*)

*Non, non!* We are having to deal with people and those people have all their own Ministers, MLAs and so I would treat this...

(*Interruptions*)

No, I would treat this...

(*Interruptions*)

**Madam Speaker:** Allow the Minister to reply!

**Mr Lutchmeenaraidoo:** I would treat this with a lot of reserve because it again proves one thing that we are dealing with the mess which has been created by people in this House and before.

**Madam Speaker:** Yes, next question hon. Bhagwan!

#### **MBC – EDITORS/JOURNALISTS - APPOINTMENT**

**(No. B/586) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the News Department of the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) name of the incumbent of the post of Head thereof, indicating the terms and conditions of employment thereof, and

- (b) number of Chief Editors and news editors/journalists posted thereat respectively, indicating in each case, the –
- (i) names;
  - (ii) date of appointment, and
  - (iii) terms and conditions of employment thereof.

*(Withdrawn)*

### **MBC - ANIMATORS/PRODUCERS –TERMINATION OF CONTRACT**

**(No. B/587) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Broadcasting Corporation Television, he will, for the benefit of the House, obtain therefrom, over the period January 2015 to date –

- (a) the list of the programmes thereof which have been cancelled, indicating in each case, the reasons therefor, and
- (b) information as to the names of the animators or producers whose services have been terminated, indicating in each case, the –
  - (i) date of termination of the contract of appointment, and
  - (ii) reasons therefor.

*(Withdrawn)*

### **ALBION – CITÉ MARCEL CABON - SEWERAGE**

**(No. B/588) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to Cité Marcel Cabon, in Albion, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to where matters stand as to the sewerage water overflow problem which is representing serious health hazards thereat, indicating if –

- (a) remedial measures will be taken to alleviate the inconveniences being caused to the inhabitants of the housing estate found thereat as a result thereof, and

- (b) the land issue for the provision of a leach field thereat has been resolved and, if so, give details thereof.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, the Wastewater Management Authority is planning to construct a leaching field for which financial provision has already been made in the 2015/2016 Budget.

In my reply on 10 February, I informed the House that a plot of State land had been identified for the construction of the leaching field. My colleague, the Minister of Housing and Lands, or at least his Ministry, informed me that the land is leased as a building site but the lessee has never occupied the land and has not demonstrated interest to go ahead with any building project.

I am informed that the Ministry of Housing and Lands is proceeding with the cancellation of the Lease Agreement and the vesting of the land into my Ministry within a fortnight.

According to the Wastewater Management Authority, the procurement exercise and the works will be completed within seven months. To forestall your supplementary question, yes, there is being pumping on and off to alleviate the suffering of the people in that area.

**Mr Bhagwan:** Madam Speaker, can I make a request to the hon. Vice-Prime Minister that at least the officials of the Wastewater Management Authority could have a meeting with the inhabitants there – we will brief the people there - but at least to give them some hope that the project is going on? There is some PR exercise. It is a small community residing behind the Government School - as has been the case with Verger Bissambur where the Wastewater Management Authority carried out a PR exercise. At least the people will know that progress is coming and work will start soon there.

**Mr Collendavelloo:** I will certainly transmit to the Authority, but, in the meantime, perhaps the hon. Member would wish to meet the people and tell them what I have said today because he meets them very often.

*(Interruptions)*

I have also visited the site, we all know. We have common interest in this matter. So, participate!

**Mr Bhagwan:** Being given that the Vice-Prime Minister himself said that, we all know that there is a Government School there, when we say regularly - last time the hon. Vice-Prime Minister gave us a reply that it would be one off, so I am happy to hear that it would be on a regular basis. But the difficulties with the Wastewater Management Authority are that when the people talk when there are emergencies like when we have the December and January rainy season, at least a sort of network could be set up with the people and the Wastewater Management Authority as a hotline or something like this so that emergency works can be carried out whenever there are emergencies.

**Mr Collendavelloo:** Yes, of course, the use of the word 'regular' does not mean at regular intervals. It means as and when required, in emergency situations. The hon. Member has himself phoned the Wastewater Management Authority on occasion arising and the Authority has always been glad to help in this matter, as in other matters.

**Madam Speaker:** Next question, hon. Rutnah!

#### **PORT - LIQUEFIED PETROLEUM GAS – STORAGE**

**(No. B/589) Mr S. Rutnah (Third Member for Piton & Rivière du Rempart)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the port area, he will, for the benefit of the House, obtain from the Mauritius Ports Authority, information as to if new storage facilities for Liquefied Petroleum Gas have been constructed and commissioned thereat, since 2011 to date and, if so, indicate –

- (a) the name/s of the promoter/s thereof, and
- (b) if same have been constructed on freehold land or on land belonging to the Authority and, if in the latter case, further indicate the –
  - (i) extent and location thereof;
  - (ii) procedures followed and terms and conditions thereof, and
  - (iii) shareholding of the company/ies at the time of application therefor and subsequent thereto.

**The Ag. Prime Minister:** Madam Speaker, in regard to part (a) of the question, I am informed by the Director General of the Mauritius Ports Authority (MPA) that since 2011

only one company, namely, Petredec (Mauritius) Ltd has constructed and commissioned a Liquefied Petroleum Gas (LPG) storage facility in the Port area.

As regards part (b) of the question, the storage facility has been constructed over 1.11 hectares of land at Mer Rouge belonging to the MPA.

I am also informed that established procedures for land allocation have been followed by the MPA and a Lease Agreement was signed on 27 July 2011. Furthermore, the project was approved under the Non-Citizens (Property Restriction) Act on 05 May 2011.

Madam Speaker, the rental paid by the lessee is as follows –

- For period 24 February 2010 to 31 December 2011, at the time of acceptance of the lease, an amount of two million three hundred and seventy thousand and six hundred and thirty rupees (Rs2,370,630);
- For period 01 January 2012 to 31 December 2014, Rs1,280,000 annually;
- For period 01 January 2015 to 31 December 2019, Rs1,600,000 annually;
- For period 01 January 2020 to 31 December 2024, Rs2,000,000 annually, and
- For period 01 January 2025 to 31 December 2029 Rs2,500,000 annually.

I am tabling a copy of the lease agreement outlining the other terms and conditions thereof.

I am further informed by the MPA that at the time of application, Petredec (Mauritius) Ltd, a local company incorporated on 09 April 2009, was wholly owned by Petredec Investment Ltd, a foreign company incorporated in Cyprus. The ultimate beneficiaries are Mr Christopher Stedman, Mr Charles Fearn, Mr Giles Fearn and Mr Richard Fearn for 69.7% of the total shareholding. As regards the remaining 30.3%, the beneficiary is the National Shipping of Saudi Arabia which is quoted on the Saudi Arabia Stock Exchange. The shareholding of Petredec (Mauritius) Ltd has remained unchanged to date.

**Madam Speaker:** Yes, hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Can the hon. Ag. Prime Minister enlighten the House as to whether this company Petredec was actually given a Freeport licence?

**The Ag. Prime Minister:** Madam, Speaker, Petredec Ltd has a Freeport licence but it was given derogation to supply the local market for 2 years as from September 2013.

**Mr Rutnah:** If the Company was given derogation not to comply with the requirement of the freeport licence, who and what procedures were followed by whom to give such derogation to a company which was supposed to bring investment into our country rather than sending all the profit somewhere to Cyprus or Saudi Arabia.

**The Ag. Prime Minister:** Madam Speaker, I must say that the port also has the ambition to become a regional port supplying petroleum products. This must be borne in mind. However, Madam Speaker, it is the BOI that granted the freeport licence and gave the derogation. I don't have the actual information that the hon. Member is seeking.

**Mr Jhugroo:** Thank you Madam Speaker. Can we know whether tender procedures were followed to allocate this contract to Petredec and if so, can we know when tenders were launched and, if not...

*(Interruptions)*

contract for the construction of the new storage LPG gas to construct there, whether there were any tender procedures which were followed and, if yes, when? If not, why there have not been any tender procedures before giving it to Petredec?

**The Ag. Prime Minister:** Madam Speaker, we are talking about the lease of a land and all the appropriate procedures were followed but it is not the practice as for State Land to ask for tenders for leasing a land.

#### **UNIVERSITY OF MAURITIUS -VISITOR'S REPORT - RECOMMENDATIONS**

**(No. B/590) Mr S. Rugoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Visitor's Report dated 25 February 2013 on the 'Restructuring of the University of Mauritius', she will, for the benefit of the House, obtain from the University, information as to if -

- (a) the recommendations thereof have been approved by the Board of the University and;
- (i) if not, why not and;

- (ii) if so, indicate where matters stand as to the implementation thereof and obtain copy of the evaluation report on the results achieved as at to date, if any, and;
- (b) consideration will be given for the redefinition of the mission, vision and objectives of the University in the light of the present day socioeconomic challenges facing Mauritius.

**Mrs Dookun-Luchoomun:** Madam Speaker, in reply to part (a) of the question, the University of Mauritius has informed that the then UoM Council unanimously approved the visitor's report in toto in March 2013.

With regard to part (a) (ii) of the question, as at date, a large number of the recommendations have either been implemented or are in the process of being implemented. A few carry heavy financial implications and will be considered in due course.

Madam Speaker, the University of Mauritius Council has been closely following up the progress of implementation of the recommendations. Five progress reports have already been submitted, the next progress report will be submitted during the forthcoming Council meeting.

With regard to part (b) of the question, Madam Speaker, I wish to inform the House that the University of Mauritius launched its strategic plan for the period 2015/2020 in January 2015. In the course of the formulation of the plan, extensive consultations had been carried out with the relevant stakeholders. In light of the discussions, the earlier visions and missions statements were revisited.

As for the strategic objectives, these have been realigned to more adequately address the socio-economic challenges of the country. In this connection, the University of Mauritius has identified six strategic directions with clear objectives, key action and key performance indicators for each of them. These strategic directions are excellence in teaching and learning, excellence in research and innovation, strategic partnership for internationalisation, enriching student experience, sustainable community engagement and long lasting financial sustainability. A number of core areas to transform the economy have been identified in the economic mission statement vision 2030 presented by the Rt. hon. Prime Minister. Interestingly, some of the ideas in the strategic plan of the University closely parallel the policy directions enunciated in the economic mission statement.

**Madam Speaker:** Hon. Rughoopur!

**Mr Rughoobur:** Thank you Madam Speaker. The hon. Minister just stated that the report has been implemented; there were three divisions that were to be created. The planning facilities and services and I think there was a third division – academy I think. I would ask the hon. Minister to confirm that these three divisions have actually been created and adequately staffed and also to confirm because these days we are speaking about the issue of employability. These issues were addressed in that report and the Vice-Chancellor lately stated that there is no mismatch between what are the courses that are being offered by the University and the expectation of the job market. Can she please elaborate on this issue of employability?

**Mrs Dookun-Luchoomun:** To start with, Madam Speaker, as far as the restructuration is concerned, it is on. The three sections mentioned by the hon. Member are the academia, the planning department and the resource department. As for the planning and academia, it has already been done. As far as the resource and facilities section is concerned, first of all, a Committee of the Council has to sit and prepare a report after which only the appointment of the person concerned will be considered. As far as, employability and the courses are concerned, initially it is true that there has been a mismatch in the past but a lot of care is being taken now to ensure that there are consultations between the University of Mauritius, other Tertiary Education Institutions and the private sector. These consultative meetings have been on since 2013, but we have had more consultations done and what is being done right now is that we are trying to come up with a series of courses which have been proposed by the private sector so as we ensure that our students once they leave University are adequately equipped to enter the world of work, thereby enhancing their employability.

**Madam Speaker:** Hon. Fowdar!

**Mr Fowdar:** Thank you Madam Speaker. I wanted to ask the hon. Minister whether her Ministry is working together with the HRDC in order to look into the issue of carrier guidance, a major cause of labour mismatch on the job market.

**Mrs Dookun-Luchoomun:** Certainly, Madam Speaker. The Human Resource Development Council is working closely with the Ministry and with all the Tertiary Education Institutions with a view of ensuring that the courses that are being dispensed will help students to get employed more easily. Furthermore, a career service centre is being set

up at the Registrar's Office in the meantime the HRDC, the Ministry and the Tertiary Education Institutions are working together.

**Mr Baloomoody:** The hon. Minister, while mentioning about the implementation of the report, stated that, due to financial constraint, some proposals could not be implemented. If you look at the report of the activities for 2013/2014, it is clearly said that the University of Mauritius still faces financial challenges because of the increasingly competitive tertiary education environment, reduction in Government grants and rising cost of higher education and research. So, can I know, through the hon. Minister, what Government intend to do to assist the University of Mauritius?

**Mrs Dookun-Luchoomun:** First of all, Madam Speaker, it would be good to emphasize that the University of Mauritius obtains its funding from the Tertiary Education Commission and for the 2015/2016 budget year, they received Rs504 m. Over and above this, the University of Mauritius has fee-paying courses from which it obtains funds. There is the University of Mauritius Trust from which it obtains further funds for specific projects and what is also important is that there is an audit being carried out at the level of the University of Mauritius to see where expenses can be cut down and to try to see how more efficiently the funds could be made use of.

**Madam Speaker:** Last question hon. Rughoobur!

**Mr Rughoobur:** There has also been another recommendation of the report to set up a unit where the private sector may participate along with the University to ensure that the issue of mismatch is addressed.

**Mrs Dookun-Luchoomun:** Madam Speaker, in my answer earlier I mentioned that, as from 2013 only, such consultative meetings are being held between the University of Mauritius and the private sector.

**Madam Speaker:** Next question, hon. Rughoobur!

## **SUGAR CANE LAND - GOVERNMENT & MSPA - AGREEMENT**

**(No. B/591) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Agro-Industry and Food Security whether, in regard to the Agreement signed between Government and the Mauritius Sugar Planters Association for the Grant of 2000 acres of Sugar Cane Land, in April 2008, he will state -

- (a) if the procedures for the acquisition of all the 2000 acres of land have been completed and, if not, why not;
- (b) the expiry date of the said agreement, and
- (c) if plots of the land so acquired have been allocated and, if so, indicate in the case of each beneficiary thereof, the -
  - (i) names and address thereof;
  - (ii) extent and location of the plot of land allocated;
  - (iii) criteria used for the allocation of the plot of land thereto, and
  - (iv) conditions of the allocation thereto.

**Mr Seeruttun:** Madam Speaker, at the outset, I wish to inform the House that my Ministry has no record of any agreement signed in April 2008 between Government and the Mauritius Sugar Planters Association related to the grant of 2000 acres of sugar cane Land.

However, Government has, in fact, an agreement with the Mauritius Sugar Producers Association, most commonly known as the MSPA, which was signed on 22 April 2008 and provides, *inter alia*, for the transfer by the latter to the Government, of 2000 *arpents* of sugar cane lands over a period of ten years.

It is equally worth to underline, Madam Speaker, that a question on the same matter was addressed to me earlier this year by the First Member for Beau Bassin and Petite Rivière, hon. Bhagwan, namely PQ No. B/250 and to which I tabled a reply accordingly at the sitting of 31 March 2015.

With regard to part (a) of the question, I am informed that procedures regulating acquisition of all the 2000 *arpents* of land have been worked out jointly by my Ministry and the Ministry of Housing and Lands. These procedures comprise no less than 10 steps, the key ones being, identification of sites, assessment of suitability for specific purpose, preparation of formal survey report and finalising deed of sale for each site. The responsibility for all land acquisition is vested in the Ministry of Housing and Lands.

As at to date, 761 *arpents* have already been acquired and 779 *arpents* are in process of being acquired, which account for a total land area of 1540 *arpents* representing 77% of the lot agreed upon by the said parties.

Madam Speaker, I wish to inform the House that out of the 2000 *arpents* which would be acquired, 1200 *arpents* are earmarked for agriculture and 800 *arpents* for housing and other social infrastructure projects.

With regard to part (b) of the question, the Government-MSPA Agreement on the 2000 *arpents* will expire on 31 December 2017.

As regards part (c) of the question, land already acquired under the Government-MSPA Agreement has been released for the following purposes-

Purpose	Extent ( <i>Arpents</i> )
Agriculture	460
Housing	161
University Campus	100
SME Park	30
Other Social Infrastructure	10
Total	761

That makes a total of 761 *arpents* that has already been acquired and vested to the Ministry of Housing and Lands and Agriculture.

Out of the 460 *arpents* of land acquired and vested in my Ministry for agricultural projects, I am informed that 400 *arpents* have so far been allocated on lease to 52 Co-operative Societies or Agro-Based Companies. Allocation has been made on the basis of the following set of criteria -

- profile of promoter/s;
- nature of proposed activities;
- experience in proposed area of activity;
- relevance and feasibility of project proposals;
- place of residence of members of Co-operative Society/Agro-based Company;
- export potential;
- degree of innovation/modernisation, and
- financial capacity for project implementation.

I am tabling the names of the lessees, the extent and location of land allocated as well as a specimen copy of the standard lease agreement embodying all the conditions governing the said lease for agricultural purpose.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. The hon. Minister has been talking of almost 400 *arpents* of lands that have been allocated for agricultural purposes. May I ask him to confirm how much of these lands are actually being utilised for the purpose for which they have been allocated, that is agricultural purposes?

**Mr Seeruttun:** Madam Speaker, these are questions which myself, I have put to the officers of my Ministry to see to it that all the lands that have been vested to the lessees are being optimally used, that is, being cultivated. I have set up a land squad in my Ministry to go and look out for all those lands that have been abandoned. So far, I have been told that we have retrieved some 20 *arpents* of lands that are known to be abandoned lands, but this exercise is still ongoing and as and when we see lands that have been abandoned; we are going to retrieve these lands and give them to those who really want to carry out agricultural activities.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can I know from the hon. Minister how many *arpents* of lands have been allotted for housing purposes and how many *arpents* have been used so far for the construction of social housing?

**Mr Seeruttun:** As I mentioned in my reply earlier on, so far within that 761 *arpents* that have already been vested to the Government, 161 *arpents* have been put for the housing project and I believe these are being used by the Ministry of Housing and Lands for the construction of low-cost housing.

**Mr Rughoobur:** Will the hon. Minister, please, ensure that all those lands that have been given to the different cooperative societies that are not being used or being abandoned, they are all retrieved and there was a proposal for the setting up of a land bank, I would like to know the status to date?

**Mr Seeruttun:** In fact, Madam Speaker, at the level of the Ministry, we do have a land bank whereby lands that are vested for agricultural purposes are being released to cooperative societies and individuals for the purpose of doing agricultural activities be it for

food crops cultivation or for breeding purposes. So, as and when we have cases where people are not using those lands for that particular purpose, they are being retrieved and given back to real growers and breeders.

**Madam Speaker:** Hon. Fowdar!

**Mr Fowdar:** Thank you, Madam Speaker. I wanted to ask the hon. Minister whether he will ensure that the land that would be granted as lease would be made in a very transparent manner to those who want to use it for agricultural purposes and furthermore, being given the fact that there is a pressing need for social housing, whether he would allocate more of the land available for housing purposes rather than for agricultural purposes?

**Mr Seeruttun:** Madam Speaker, as you are aware, the Government is well conscious about the problem of housing and I am sure the Minister concerned is looking after that and where the land is being put at the disposal of the Government for that particular purpose are being used for that purpose.

As regards the transparent way in which the lands are being allotted to growers; as I mentioned earlier in my reply, we have a sort of criteria set and these are being dealt by a Committee which looks after that and I am sure if we apply those criteria, then the exercise would be carried out in a proper way.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** I am sure the hon. Minister must be aware of La Chaumière region where we have a very productive cooperative society for vegetables. Can the hon. Minister inform the House whether he can look into the file – there was a request from the La Chaumière Cooperative Society for additional land which they have obtained in the past, through Medine Sugar Estate - and within that land which has been reserved for agricultural purpose, the request of the La Chaumière Multipurpose Co-operative Society, which is a very productive and effective Cooperative Society, can be taken into consideration?

**Mr Seeruttun:** Madam Speaker, from the list of beneficiaries of land for that particular project, I can find here that we have allocated 30 *arpents* in the region of La Chaumière to different cooperative societies. So, I will take note of the hon. Member's request and see to it that those who are really in need of that will be given the plot of land.

**Madam Speaker:** Next question, hon. Uteem!

## NATIONAL LOVE BRIDGE PROJECT

**(No. B/592) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Finance and Economic Development whether, in regard to the Love Bridge Project being implemented by the Curepipe Starlight Sports Club, he will state if Government proposes to inject funds thereinto and, if so, give details of the project, including the –

- (a) amount of funds that will be committed thereto, and
- (b) eligibility criteria to benefit therefrom.

**Mr Lutchmeenaraidoo:** Madam Speaker, I wish at the very outset to clarify that the National Love Bridge Project is not being implemented by the Curepipe Starlight Sports Club, contrary to what it is inferred in the question.

In the Budget Speech, I announced the concept of *parrainage* as a new approach for empowering vulnerable families and getting them out of the vicious circle of poverty. Under *parrainage*, when a company takes under its wings a specific forsaken locality, it is accepting to take responsibility for accompanying its inhabitants all along until they are able to stand on their own feet. The involvement is generational.

Following my announcement in the Budget speech, various organisations in the private sector and civil society have expressed full support in this new approach. Among them, Mr Harold Mayer submitted the ‘Love Bridge Project’ which is based on the principle of ‘*Une Famille Accompagnatrice Parraine Une Famille Vulnérable*’. My Ministry along with the National CSR Committee held several consultative meetings with relevant stakeholders including high profile representatives of the private sector, NGOs and the Civil Society.

During those meetings, the private sector has pledged to channel part of CSR funds towards implementation of the project. I am informed that a company named Lovebridge Ltd is being set up by the Joint Economic Council and the Mauritius Employers’ Federation with the participation of various private sector companies to implement the project on a national scale.

In fact, to enlighten hon. Members further, I am, Madam Speaker, circulating a soft copy of the presentation of the project.

As regards the amount of funds to be provided by Government, it is proposed to earmark, as seed capital, an amount of Rs100 m., out of the unspent CSR contributions of companies remitted to the MRA so as to kick start this national project.

With regard to part (b) of the question, the project will target poor families living in deprived localities identified by the National Empowerment Foundation and those found eligible under the Social Register of Mauritius.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker, for the clarification by the hon. Minister of Finance and Economic Development because we were at a loss about what this Love Bridge Project is. The hon. Minister Finance and Economic Development mentioned that money would be spent out of the CSR fund which is collected by MRA for unspent CSR fund. So, may I know from the hon. Minister of Finance and Economic Development whether he has received requests from other NGOs to get funds from this unspent CSR fund?

**Mr Lutchmeenaraidoo:** Madam Speaker, yes, we have decided, in fact, that the money paid to MRA which are funds which have to be spent under the CSR scheme, which comes to around Rs165 m., this whole money will be channelled back to NGOs. So, if there are NGOs which have applied for, they would be, in principle, eligible.

**Mr Bérenger:** When the hon. Minister presented the Budget in March, the idea was *parrainage* by the big companies, each big company would choose *une poche de pauvreté* and there would be *parrainage* of that *poches de pauvreté* by the big companies and I remember, theatrically, the hon. Minister saying - “As soon as I have finished reading my Budget speech, I am meeting these companies and it is on.” So, apart from this company to be registered from what I have just understood, a company to be called Love Bridge is going to be registered, can I have the list of companies which have agreed to *parrainer les poches de pauvreté* and which the hon. Minister must have met immediately after presenting the Budget?

**Mr Lutchmeenaraidoo:** But, I always stick to my words. We have 38 companies which have already adopted, mainly, *les cités ouvrières* and their job is quite tough because they are being asked to take care of those *poches de pauvreté* on the very long term. You cannot change, empower people overnight or just by feeding them or by assisting them. Assistance there is of no use. So, those companies have accepted to go on a very long-term. When I say ‘very long-term’, I mean that it is generational, that, in fact, when they move into

a *poché de pauvreté*. I take one company in Moka which is investing in a *cité* close to Circonference. This company will adopt, in fact, the whole *cité* for years and years to come. The ultimate result will be that those who possess in this country will learn to share to those who need the most and those who need the most, who are receiving the sharing will have more respect also for the other. I think that this will help into creating a society where there is less difference, less prejudice also.

**Mr Bérenger:** Can we have the list of the companies concerned and the *poches de pauvreté* which each one of them is *parrainé*?

**Mr Lutchmeenaraidoo:** If the hon. Leader of the Opposition comes with the question, I will give it. No doubt. But I don't have it with me.

(*Interruptions*)

You are challenging me on an issue which you know I will win. I have 38 companies which have adopted. I don't have the list with me. If the hon. Leader of the Opposition come with a question, I will circulate it.

(*Interruptions*)

Now, he is doing politics with me. I don't like it.

(*Interruptions*)

It is done. The Leader of the Opposition...

(*Interruptions*)

**Madam Speaker:** Can I ask everybody for his or her comprehension and allow the hon. Minister to reply!

(*Interruptions*)

**Mr Rutnah:** There is a point of order, Madam Speaker!

**Madam Speaker:** What is the point of order!

**Mr Rutnah:** The point of order is whether the word 'bullshitting' all the time is unparliamentary?

(*Interruptions*)

**Madam Speaker:** I will reserve this for later on!

(*Interruptions*)

Hon. Minister of Finance, have you finished or do you have anything else to say?

**Mr Lutchmeenaraidoo:** Yes, Madam Speaker. The list will be circulated when the hon. Leader of the Opposition will put a question requesting the list. I don't have it with me.

**Madam Speaker:** Hon. Ameer Meea, last question!

**Mr Ameer Meea:** Thank you, Madam Speaker. If I heard the hon. Minister well, he said that Rs165 m. was received by the MRA in relation to CSR contribution and that this money will be given to NGOs. Can I ask the hon. Minister how this will be done? On what basis? How the amount by each NGO will be given and if he can give the details of how this sum of Rs165 m. will be distributed?

**Mr Lutchmeenaraidoo:** Well, I am not here to give the other reply. There is a CSR Committee chaired by Mrs Wong who is responsible for managing those funds. So, the CSR Committee will look into the request approved or rejected following their own priorities.

**Madam Speaker:** Next question, hon. Uteem.

#### **BRITISH AMERICAN INSURANCE – AUDITORS’ REPORT**

**(No. B/593) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the British American Insurance and Company, he will state if any investigation has been carried out to ascertain if the auditors thereof for the period 2010 to 2014 had properly carried out their duties in relation thereto and, if so, indicate the –

- (a) outcome thereof and
- (b) actions that will be taken against them, if any.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I understand that the Financial Reporting Council is carrying out an investigation under Section 78 of the Financial Reporting Act. Of course, it is premature to anticipate what action will be taken eventually.

**Mr Uteem:** Thank you, Madam Speaker. The hon. Vice-Prime Minister talked about the enquiry by the Financial Reporting Council. May I know apart from the Financial

Reporting Council whether there is any other investigation being carried out by the Police, ICAC, FSC or any other authorities into the role of the auditors in the BAI scandal?

**Mr Collendavelloo:** Not that I am aware.

**Mr Uteem:** The hon. Vice-Prime Minister may be aware that under the Financial Reporting Council Act, the only sanctions, the only powers which the Financial Reporting Council has, are to give a warning or to revoke the licence of the auditors. Yet, the substantial Minister on TV stated that KPMG would be paying fines and penalties. May I know from the hon. Vice-Prime Minister under which provisions of the law would the auditors be compelled to pay fines and penalties?

**Mr Collendavelloo:** Well, for the moment, I am replying on what the Financial Reporting Council has said. I am not aware of any fine that has been inflicted. The hon. Member said it was KPMG. Perhaps!

**Mr Uteem:** In view of the fact that the law only gives power to the Financial Reporting Council to revoke licence or suspend or give warning, would the hon. Vice-Prime Minister consider amending the law to impose tougher sanctions on auditors of especially public companies who take public funds and then do not carry out the duty as expected under the law?

**Mr Collendavelloo:** I take note, Madam Speaker.

**Mr Fowdar:** I know the hon. Minister is not the substantive Minister. Madam Speaker, I am really worried with this issue of KPMG, which is one of the Big Four companies internationally, and I anticipate that anything happening to this firm will have a direct impact on the economy of Mauritius directly, because Foreign Direct Investment will slow down and investors might be scared to come here. So, I would ask the hon. Minister to transmit to the substantive Minister to look at this issue with caution.

**Mr Collendavelloo:** I will certainly do that, Madam Speaker.

#### **BAI – LOCAL BANKS - DEBT**

**(No. B/594) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Finance and Economic Development whether, in regard to the British American Insurance and Company and the subsidiaries thereof, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the amount of money that

these companies owed to the local banks, indicating the amount thereof that have been written off, if any, as at to date.

**Mr Lutchmeenaraidoo:** Madam Speaker, I am informed by the Bank of Mauritius that under section 26 of the Bank of Mauritius Act 2004, the Bank is required to maintain the confidentiality of information gathered in the performance of its duties. Accordingly, it would not be appropriate for the Bank of Mauritius to disclose any information as to the amount of money that the British American Insurance Company and its subsidiaries owe to local banks or amounts that have been written off as at to date.

**Mr Uteem:** Madam Speaker, I fully appreciate the confidentiality provisions of the Banking Act. We are not requiring any disclosure of names of banks. We just want to know the aggregate amount of exposure and whether this constitutes a systemic risk to the banking sector.

**Mr Lutchmeenaraidoo:** I have given the hon. Member the reply I have from the Bank of Mauritius and it stands good. Now the question is whether without divulging the names we can give the figures. I can look into it.

#### **SME ONE-STOP SHOP – SETTING UP**

**(No. B/595) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Business, Enterprise and Cooperatives whether, in regard to the small and medium enterprises, he will, for the benefit of the House, obtain from the Small and Medium Enterprises Development Authority, information as to the schemes currently administered by the Small and Medium Enterprise One Stop Shop, indicating in each case, the number of enterprises registered thereunder, as at to date.

**Mr Bholah:** Madam Speaker, as the House is aware, it was announced in the Budget Speech that an SME One-Stop Shop will be set up to provide, under one roof, all the support, financing and information, as well as the delivery of all permits and licences that SMEs require to start and grow their businesses. It was to be located in the SICOM Tower at Ebene, but in view of some practical and accessibility problems, especially for those entrepreneurs who will have to travel to Ebene by public transport to solicit any assistance from the One-Stop Shop, my Ministry sought other possible locations.

We have now, with the assistance of the Ministry of Finance and Economic Development, identified the ex-BAI building, which is situated at Pope Hennessy Street, Port Louis, for the setting up of the SME One-Stop Shop. Arrangements are being made with all stakeholders for the coming into operation of the One-Stop Shop before the end of November, subject to all clearances being received and to the Lease Agreement being finalised.

Madam Speaker, meanwhile I am informed that the Small and Medium Enterprises Development Authority is managing since July, this year, one scheme, namely the 'Participation in International Fairs SME Refund Scheme'. Under this scheme, SMEs benefit a grant to finance their participation in international fairs, trade, as well as technology, up to a maximum of Rs200,000 yearly.

Such financial assistance is provided to eligible SMEs to meet the costs of air tickets and accommodation and rental of stands. From July 2015 to date, a total amount of Rs6.1 m. has been approved to fund the participation of 73 SMEs in International Fairs. As the scheme was previously managed by Enterprise Mauritius from January to June, this year, I am informed that, for that period, a total amount of Rs10.8 m. has been approved for 123 SMEs for participation in International Fairs.

Moreover, SMEDA has funded the participation of 62 entrepreneurs from the Furniture, Plastic and Printing Sectors in Technology Fairs in China and Thailand.

I am further informed that, as from January 2015 to date, SMEDA has registered a number of 1,744 new enterprises.

Madam Speaker, my Ministry is also offering two other schemes under the Mauritius Business Growth Scheme (MBGS) to entrepreneurs. These are the 90:10 Payback Technical Assistance scheme and the Start Ups Entrepreneurship Scheme.

The 90:10 Payback Technical Assistance Scheme is a business growth scheme enabling Mauritian-based enterprises to bring in outside technical expertise such as the services of specialists or consultants in very specific fields, in order to assist them how to grow their business and become more globally competitive. Enterprises are given full support for growth, increased productivity, employment creation and competitiveness. Under this scheme, an enterprise may benefit from financial assistance to the tune of Rs3 m. without any collateral and repayable up to a maximum of 1.4 times after a moratorium period of three years. Since January to date, 19 projects have been approved, out of which 14 under SMEs.

Madam Speaker, the Start Ups Entrepreneurship Scheme, which is another scheme offered under the Mauritius Business Growth Scheme, as I mentioned earlier, provides a monthly ‘salary replacement allowance’ of Rs20,000 for a maximum period of one year to creative entrepreneurs who may not otherwise have the necessary income to launch an innovative business. The beneficiary may have to refund a maximum of 1.2 times the amount of the loan obtained should the growth of the enterprise be significant. Since January to date, 12 projects have been approved under this scheme for a total sum of Rs2.88 m.

Madam Speaker, as regards the new schemes, which will be available to SMEs once the SME One-Stop Shop comes into operation, my Ministry is in the process of finalising same, in consultation with all stakeholders. In due course, I will make an announcement on the introduction of the new schemes for the SMEs.

**Mr Uteem:** Madam Speaker, the hon. Minister mentioned that the SMEDA will now move to BAI Tower. May I know in terms of rental, whether the amount that is being paid now is the same as the amount that was budgeted when we voted the budget for SICOM Tower?

*(Interruptions)*

How does the rental of the new venue which SMEDA is going to pay compare to the agreed price? Because the hon. Minister of Finance said he did a very good deal with them.

**Mr Bholah:** Well, this is being looked into now. We are in the process of finalising.

**Mr Uteem:** One of the measures announced in the Budget relating to SMEs was that SMEs registered on the scheme will be exempted from the payment of corporate tax for a period of eight years. May I know from the hon. Minister how many enterprises are now eligible for that tax holiday?

**Mr Bholah:** As I said, lately we had 1,744 enterprises, but we are expecting more once the One-Stop Shop is set up.

*(Interruptions)*

I think after June.

**Mr Uteem:** Is the hon. Minister saying that all these 1,700 or so new SMEs will have a tax holiday of eight years?

**Mr Bholah:** If they qualify as SMEs, yes.

**Mr Fowdar:** Madam Speaker, we have seen in the past that DBM loans given to entrepreneurs mostly have failed because there was no proper guidance. Can I ask the hon. Minister whether he is looking into this matter, whether new loans to be granted would be given only to feasible projects, guided by the Ministry?

**Mr Bholah:** Of course, Madam Speaker. We will look at the bankable projects only.

**Mr Bhagwan:** There are so many incentives for the SMEs. Can the hon. Minister inform the House who is heading the SMEDA these days, whether there has been a change in the Board and whether he has received representation that the Board is not functioning? The SMEs are having lots of problems. Instead, we must have an institution helping the SMEs, to direct them when they have problems. At least the hon. Minister can have a look at the functioning of that organisation and inform us who is actually heading it.

**Mr Bholah:** Madam Speaker, the Board has just been set up under the Chairmanship of Mr Valaydon. In fact, we have revisited the Board, reduced the number of members thereon, but we have also included in the Board institutions such as the MCCI, the Chief Executive of the new MauBank and a member of the BOI.

**Madam Speaker:** Next Question, hon. Quirin!

#### **MAURITIUS PROFESSIONAL FOOTBALL LEAGUE - CONTRIBUTION**

**(No. B/596) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Mauritius Professional Football League, he will –

- (a) for the benefit of the House, obtain therefrom, information as to when it will start the new season thereof, and
- (b) state the financial contribution of his Ministry thereto.

**Mr Sawmynaden:** Madam Speaker, I am informed by the Mauritius Football Association (MFA) that the next season of the Mauritius Professional Football League will kick start on 18 October 2015 with the Charity Shield.

The League itself will start on 25 October 2015.

Regarding part (b) of the question, an amount of Rs16 m. has been earmarked under the budget of my Ministry for the current Financial Year for the professional football, including female football teams.

**Mr Quirin:** L'honorable ministre peut-il nous dire s'il a eu des garanties de la *Mauritius Professional Football League* que ce présent championnat qui va débuter - comme le ministre vient de nous l'affirmer, le 25 octobre - va pouvoir se poursuivre jusqu'au bout en dépit des relations difficiles qui existent entre la MFA et la *Mauritius Professional Football League* ?

**Mr Sawmynaden:** Madame la présidente, il n'y a pas de relations difficiles entre la MFA et la *Mauritius Professional Football League*. Monsieur Georges Chung avait demandé un *Action Plan* des dix clubs. Malheureusement, ils n'avaient pas coopéré et c'est pour ça que Monsieur Georges Chung avait pris la décision d'arrêter la *Mauritius Professional Football League*.

Après avoir rencontré les différents *stakeholders* et la MFA, et quand il est venu me parler personnellement, Monsieur Georges Chung est revenu sur sa décision et *he has announced himself in the press that he is going ahead and he is giving the guarantee that he is going for the full year*.

**Mr Quirin:** Madame la présidente, en ce qui concerne le présent championnat qui va avoir lieu très bientôt il n'y a pas de souci. Mais ce qu'on aimerait savoir, surtout le monde sportif, ceux qui seront concernés par le football, c'est si la *Mauritius Professional Football League* a pris des engagements pour que ce championnat professionnel se déroule dans la durée ? Je veux dire pas seulement cette année-ci, mais les années qui vont suivre.

**Mr Sawmynaden:** Actually, he started last year and this is the second year. Definitely, there are things that we need to reset and I think Mr Georges Chung is determined to go ahead with the Mauritius Professional Football League.

**Madam Speaker:** The Table has been advised that Parliamentary Question Nos. B/575 and B/612 have been withdrawn. Next question, hon. Quirin!

## ATHLETES – DOPING

**(No. B/597) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to doping, he will state the actions

taken by his Ministry in relation thereto, if any, since the weightlifter P. P. was tested positive thereto.

**Mr Sawmynaden:** Madam Speaker, all adverse analytical finding cases of doping in sports, be it in competitions or out of competitions, are dealt with in accordance with the World Anti-doping Code of the World Anti-doping Agency (WADA) of which Mauritius is a member.

In line with Article 7 of the Code, the case of weightlifter P.P is being dealt with by the Results Management Committee of the National Anti-Doping Organisation (NADO). Hearing is still ongoing before the Results Management Committee. The House will, therefore, appreciate that it would not be appropriate for me at this stage to comment on its proceedings.

**Mr Quirin:** Madame la présidente, ce cas de dopage concerne tout le monde sportif local et je crois qu'il serait bon que le ministre nous donne certaines précisions en ce qui concerne ce cas. De ce fait, l'honorable ministre peut-il nous dire quand le ministère a reçu les résultats du test de M. Prithipaul, et quand ces mêmes résultats ont été communiqués aux personnes concernées, c'est-à-dire l'athlète en question et à la fédération d'haltérophilie ?

**Mr Sawmynaden:** Madam Speaker, I think we received, as I was informed, on 08 August after the Indian Ocean Games and the information was immediately circulated to the Federation and to the athlete himself.

**Mr Quirin:** Madame la présidente, je trouve assez surprenant que les résultats du test soient tombés le 11 juin 2015 et que le ministre vient de nous affirmer que ces résultats ont été communiqués, je crois, le 08 août, c'est-à-dire deux mois après ! J'aimerais savoir ; que le ministre nous explique comment cela puisse être possible.

**Mr Sawmynaden:** Madame Speaker, the Anti-Doping Unit is found in South Africa. The result came out there in June, but was only sent to us on 08 August because it had to follow all the procedures regarding all the international federations before it reached the Ministry. So, we received it only on 08 August.

**Mr Quirin:** Madame la présidente, j'aimerais savoir du ministre quand la Fédération Internationale d'Haltérophilie, de même que le *World Anti-Doping Association (WADA)*, ont été informés de ce cas de dopage, et s'il y a eu des courriers qui ont été échangés entre ces deux organismes et l'*Anti-Doping Unit* du ministère de la Jeunesse et des Sports de bien vouloir déposer copies de ces courriers ?

**Mr Sawmynaden:** Madam Speaker, as I mentioned, we received the information only on 08 August and when they got the first result they had to do a second confirmation. This is why it took so long. This is the normal procedure and we need to adapt.

**Madam Speaker:** Next question, hon. Quirin!

### **MAURITIUS SPORTS COUNCIL – SPORTS INFRASTRUCTURE – FEES**

**(No. B/598) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the sports infrastructure, he will, for the benefit of the House, obtain from the Mauritius Sports Council, information as to if the Board thereof has decided to increase all the rental fees thereof which fall under the management thereof and, if so, give the reasons therefor.

**Mr Sawmynaden:** Madam Speaker, I am informed by the Mauritius Sports Council that its Board has decided to increase the rates payable as from 01 September 2015 as the fees collected prior to that date were not even sufficient to cover the overtime payable to handy workers in service and the maintenance cost of the infrastructures.

I am further informed by the MSC that as from 01 September 2015, there will be two different rates applicable - one rate for use of the infrastructures before 18h00 and another rate after 18h00. The two different categories of rates are being made applicable with a view to covering partly the huge expenses incurred for payment of electricity bill as lighting facilities are provided after 18h00.

I am also informed by the MSC that all National Sports Federations and their affiliated clubs as well as their organisations promoting the development of the respective sports are granted the infrastructures free of charge everyday between 15h00 to 18h00, Madam Speaker.

I would like to refer the hon. Member to the reply made to Parliamentary Question No. B/503 where the reason justifying the increase in rates applicable by the MSC has been clearly explained. It is worth pointing out that in spite of the increase the rates applicable by the MSC are still lower than those applicable elsewhere.

**Mr Quirin:** Madame la présidente, malgré la réponse du ministre, j'aimerais qu'il nous dise si cette augmentation - et dans certains cas je dois préciser que les tarifs ont

pratiquement doublé - n'est pas une contradiction en elle-même, et un obstacle par rapport à la pratique du sport en général?

**Mr Sawmynaden:** Madam Speaker, yes, I will just give one example. For badminton court it was Rs100 per hour per court and today it is Rs150 per hour per court before 18h00. Badminton per court is paid by a minimum of two players or four players, which comes to Rs75 per player or Rs38 per player. I don't think it is excessive.

**Madam Speaker:** Yes, hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. This is something I raised at Adjournment Time two weeks ago, but the hon. Minister was not present. I asked whether consideration could be given at least for students and unemployed people who can't afford to pay this increase in fees, if there could be a scheme put in place for them to benefit from the reduced cost.

**Mr Sawmynaden:** Madam Speaker, in my reply I mentioned that between 15h00 and 18h00 it is free of charge. This is after school hours.

**Mr Quirin:** Une dernière question, Madame la présidente. Le ministre vient de nous affirmer, encore une fois, que les infrastructures sportives, dont les piscines, sont gratuitement offertes aux clubs, aux associations sportives et aux fédérations entre 15 heures et 18 heures. Est-ce que le ministre peut nous confirmer, en ce qui concerne les piscines essentiellement, si entre 15 heures et 18 heures, les nageurs, en particulier ceux qui appartiennent à des clubs, peuvent pratiquer leur discipline gratuitement ou bien dans leur cas ils doivent payer une cotisation à leurs clubs?

**Mr Sawmynaden:** Madam Speaker, as I have said, it is free of charge from 15.00 hours to 18.00 hours. So, it is free of charge to everyone.

#### **SAUDI ARABIA – EMBASSY - SETTING UP**

**(No. B/599) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to Saudi Arabia, he will state where matters stand as to the proposed –

- (a) setting up of an Embassy thereat, and

(b) operation of direct flights between Mauritius and Saudi Arabia.

**Mr Sinatambou:** Madam Speaker, I thank the hon. Second Member for Port Louis Maritime and Port Louis East for this highly topical parliamentary question and I am going to respond thereto in a spirit of full transparency.

I take this opportunity to express my sincere condolences to the victims of the stampede at the Holy City of Mecca. I also share the pain and sorrow of those Mauritian families who have not yet got confirmation of the whereabouts of some of our pilgrims and pray for their safe return home.

This Government, Madam Speaker, and, in particular, my Ministry has been doing whatever is necessary to implement the promise made last year during the electoral campaign for the opening of an embassy in the Royal Kingdom of Saudi Arabia.

On 20 January of this year, the Rt. hon. Prime Minister officially wrote to His Royal Highness the King of Saudi Arabia, Late Bin Abdulazziz AL SAUD about Government's decision to establish a Mauritius Embassy in the Kingdom of Saudi Arabia.

On 13 March of this year, the Ambassador of Saudi Arabia to Mauritius with residence in Pretoria paid a Courtesy Call on the Rt. hon. Prime Minister and the opening of the Mauritius Embassy in Saudi Arabia was raised among other issues.

As a follow-up to the letter of the Rt. hon. Prime Minister, hon. S. Soodhun, the Vice-Prime Minister and Minister of Housing and Lands met with the relevant Saudi Authorities on 19 March of this year with a view to facilitating the process for the establishment of a Mauritius Embassy in Saudi Arabia as soon as possible.

On 09 April 2015, my Ministry has, through our High Commission in Cairo, transmitted, through the diplomatic channel, an official request to the Government of Saudi Arabia seeking the latter's *agrément* to the proposed opening of the Embassy of Mauritius in Saudi Arabia.

On 20 May 2015, our Embassy in Cairo sent a Diplomatic Note to the Royal Embassy of the Kingdom of Saudi Arabia in Egypt requesting the Saudi Authorities to indicate any development regarding our request to open an Embassy in Saudi Arabia.

On 01 June, the Saudi Ambassador in Pretoria informed our Mission in Pretoria that he was awaiting a reply from the highest authorities in Saudi Arabia.

On 26 June 2015, my Ministry sent a Diplomatic Note directly to the Embassy of the Kingdom of Saudi Arabia in South Africa regarding the proposed meeting of the hon. Vice-Prime Minister and Minister of Housing and Lands, hon. Soodhun, as Special Envoy, to meet with the highest Saudi Arabian Authorities in order to discuss in greater detail the modalities for the opening of a Mauritius Embassy in Saudi Arabia.

On 16 July of this year, our Mission in Pretoria informed my Ministry that the Saudi Ambassador had not yet received a date for our Special Envoy to travel to Saudi Arabia.

On 27 July and 05 August of this year, our Mission in Pretoria sent reminders to the Saudi Embassy in South Africa. A formal reply from Saudi Arabia is still being awaited.

On 27 August of this year, the Embassy of Saudi Arabia in South Africa informed our Mission that the Saudi Ambassador is still awaiting a reply from Riyadh. It was also pointed out that His Majesty the King of Saudi Arabia would be on a State Visit to the United States of America in early September and will thereafter be attending the United Nations General Assembly. Hence, our Mission has been requested to follow up on this matter in October 2015.

Madam Speaker, my Ministry will continue to monitor this matter with the Saudi Authorities together with our respective Overseas Missions in Cairo and Pretoria.

In respect of part (b) of this Parliamentary Question, Madam Speaker, I wish to inform the House that all matters relating to National Air Access fall under the purview of the Prime Minister's Office.

It may be recalled, in this respect, that on 15 September 2015, the Rt. hon. Prime Minister replied to Parliamentary Question No. B/476 from the First Member for Port Louis South & Port Louis Central in which he informed the House that a Task Force under the Chairmanship of the Secretary to Cabinet and Head of the Civil Service has been tasked with the development of a National Air Access policy. That reply has already been tabled.

I thank you, Madam Speaker.

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

**Mr Ameer Meea:** Thank you, Madam Speaker. We also from this side of the House present our deepest condolences to the families of those who lost their lives in Saudi Arabia and we also pray that we find the missing Mauritians and also missing Hajjis there. This

question of opening of a Mauritian Embassy in Saudi Arabia has been long on the cards. Myself, during the precedent mandate, I have come with various PQ's in the House...

**Madam Speaker:** What is the question of the hon. Member?

**Mr Ameer Meea:** ... and I thank the hon. Minister for giving us various information. May I ask the hon. Minister what is the time frame that he is expecting that all this would materialise?

**Mr Sinatambou:** As the House will have noticed, Madam Speaker, everything has been done on the part of Government and so many diplomatic notes, contacts, verbal, and visits have been made. If it were for the Government we would do it tomorrow but we depend on the Sovereignty of Saudi Arabia and we will have to bear with them and as you will appreciate especially with what has happened now, we have to be patient and understanding.

**Mr Uteem:** Madam Speaker, it is clear that the Ministry is doing whatever they can. However, it is also clear that there seems to be no hurry, no rush from the Saudi side to accede to our request. May I know from the hon. Minister whether any initiatives have been carried out through friendly countries, third party intervention and at least find out why is it that Saudi is not responding to all our requests?

**Mr Sinatambou:** I would not say, Madam Speaker, that the Saudi Authorities are not responding to our request. In fact, I would say that the Saudis are responding to our request. The reality is that there are a number of good things happening. Not later than this month actually while the Rt. hon. Prime Minister is in New York at the United Nations General Assembly, the Saudi Government and the Mauritian Government will be signing a General Cooperation Agreement.

Now, my feeling is that this might well have been a prerequisite expected by the Saudi Authorities although it is not on paper and it is not being said, but clearly, however, I will not say that there is a reticence on the part of the Saudi Authorities; I will not say that they aren't in a hurry. I think that there is a certain diplomatic itinerary that they would like to follow which is being done just at the precise moment in New York together with the Rt. hon. Prime Minister.

**Mr Rutnah:** Given the national interest raised in this question, can I ask if the hon. Minister is aware, firstly, that in 2010, the former Prime Minister promised the opening of an Embassy? Secondly, that in 2011, he promised that a high delegation will be led by the then Deputy Prime Minister for the setting-up of the Embassy and thirdly, that in 2013, the former

Prime Minister himself took the decision to stop all exercise of opening of an Embassy and had an Embassy been opened in Saudi Arabia today, the communication problem that we are having with the pilgrims, would not have happened today.

**Mr Sinatambou:** I don't know whether we would not have had communication problems because, as a matter of fact, there are very good communications between Saudi Arabia and Mauritius in the current crisis. However, I am afraid that to the first three questions...

*(Interruptions)*

It is not an own goal; it is an explanation!

However, the unfortunate fact is that to the first three questions I am afraid that the answer is in the affirmative.

**Madam Speaker:** Yes, hon. Leader of the Opposition!

**Mr Bérenger:** I don't think when we are talking about opening an Embassy in Saudi Arabia and after the tragic events that we have just known, it is not a question of *marquer des points*, but I wanted to know from the hon. Minister why at one point in time it is our Embassy in Cairo that stepped in? Clearly, we have wasted some time before it was sorted out. Now, it is our High Commission in South Africa that is handling the issue. Can I request the hon. Minister to tell us *pourquoi ce cafouillage* and now, is it clear that it is Ministry to Ministry or through their Embassy in South Africa that we will keep on trying?

**Mr Sinatambou:** Now, in fact, to be precise to the hon. Leader of the Opposition there is no *cafouillage*. What happens is that the Mauritian High Commission in South Africa actually communicates with the Saudi Arabian Embassy accredited to Mauritius but located in South Africa. So, Pretoria deals with the Saudi Arabian Embassy accredited to Mauritius. Cairo is the Mauritian Embassy accredited to Saudi Arabia. So, we are tackling every single problem from each angle that we can, not for *cafouillage* purposes, but to ensure speed in delivery and to ensure that we manage to get better results.

**Madam Speaker:** Yes, hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. The hon. Minister just now - and I thank him for his very detailed answer - talked about an agreement that was to be signed this month between the Kingdom of Saudi Arabia and Mauritius. In the same breath, can he inform the House whether it has been possible for our hon. Prime Minister to meet with His Excellency,

the King of the Kingdom of Saudi Arabia while in New York since there was advance notice from the Embassy and the Ministry of Foreign Affairs of Saudi Arabia that indeed His Royal Highness would be in New York. That was, at least, advance notice and a meeting could have been organised and has it been organised, and if not, why not?

**Mr Sinatambou:** I will need notice of this question because that is outside the purview of what I am answering. However, what I can say about this General Cooperation Agreement, either it has already been signed or it is to be signed.

*(Interruptions)*

I am told that it has been signed already on Sunday, and it is going to pave the way for strong and fruitful relationships between the two countries.

**Madam Speaker:** Hon. Ameer Meea, last question on this!

**Mr Ameer Meea:** Just regarding the document that has been signed on Sunday, can I ask the hon. Minister to make this document public?

**Mr Sinatambou:** Well, I will certainly make it public if I find that it can be made public. As you know, there are things between States which sometimes have to stay confidential. I can assure the House, Madam Speaker, that if that document can be made public, I will certainly make it public.

**Madam Speaker:** Next question, hon. Ameer Meea!

## **CORPORATE SOCIAL RESPONSIBILITY - PROJECTS EARMARKED**

**(No. B/600) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance and Economic Development whether, in regard to the Corporate Social Responsibility, he will, for the benefit of the House, obtain information as to the total amount of money received over the past two financial years thereunder, indicating the -

- (a) projects earmarked for implementation, and
- (b) guidelines presently applicable therefor.

**Mr Lutchmeenaraidoo:** Madam Speaker, as the House is aware, the CSR system was put in place in 2009 with the objective to address absolute poverty in the country. The CSR system has become too rigid and cumbersome with its complicated set of guidelines.

It was difficult for companies to allocate funds to eligible NGOs. Accordingly, we removed all the CSR guidelines, but the obligation remains under the Income Tax Act for companies to allocate 2% of their profit after tax towards CSR.

As I had stated in my reply to PQ B/592, we introduced the concept of *parrainage* over and above the CSR to empower vulnerable families and get them out of the vicious circle of poverty in the medium and long terms.

I am informed by the Mauritius Revenue Authority that the 2% CSR obligations amounted to Rs659 m. in 2013 and Rs723 m. in 2014. The unspent amount remitted to MRA was Rs125 m. and Rs149 m. respectively.

With regard to part (a) of the question, I wish to inform the House that around 920 and 1,100 projects had been approved for 2013 and 2014 respectively by the then National CSR Committee.

With regard to part (b) of the question, as explained earlier, there are no guidelines at present.

**Mr Bérenger:** I don't know if I heard the hon. Minister rightly, the law provides that companies have to spend 2% of their profits; they give assistance to NGOs and other organisations, and, if there is a balance, it is sent to the MRA. Did I hear correctly the hon. Minister say that this idea of *parrainage* is over and above the 2%, that is, the companies that agree to *parrainer*, they must spend a full 2% plus whatever the *parrainage* costs?

**Mr Lutchmeenaraidoo:** The *parrainage* is inclusive in the 2%. Some companies might go beyond it.

*(Interruptions)*

Yes. This is what I am saying.

*(Interruptions)*

No. Over and above the CSR. The concept of *parrainage* does not go against the CSR principle.

I will just read the paragraph again – as I have stated in my reply to PQ No. B/592, we introduced the concept of *parrainage* over and above the CSR method/system.

*(Interruptions)*

**Mr Bérenger:** It was not clear. So, I take it that for the companies that go for *parrainage*, it will be within their 2% and whatever additional, whatever is left they can either spend it themselves or as before, send it to the MRA?

**Mr Lutchmeenaraidoo:** Yes, Madam Speaker.

**Madam Speaker:** Hon. Fowdar!

**Mr Fowdar:** Thank you, Madam Speaker. Can I ask the hon. Minister whether he can quantify what is the *manque à gagner* this year as a result of the implementation of the new policy for CSR, that is, not implementing a 2% and leaving it optional for the companies to contribute?

**Mr Lutchmeenaraidoo:** *Je n'ai pas bien compris.* Can the hon. Member put the question again?

**Mr Fowdar:** Can I know what is the *manque à gagner* this year as a result of the implementation of the new policy?

**Mr Lutchmeenaraidoo:** Well, I wish to explain myself once again. Companies have got to pay 2% of their profit to contribute to the CSR Fund. Those companies, which can't spend that money, pay it to the MRA. This amount, which is around Rs150 m. is being now ploughed back in the CSR system. So, there is no question of loss in revenue with the new concept of *parrainage* being introduced.

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

**Mr Ameer Meea:** Madam Speaker, there seems to be a confusion regarding the CSR contribution because now that there are no guidelines, how do you define that a company contributes 2% of its profit to a CSR activity since there are no guidelines, no *paramètres pour dire dans quelle direction la contribution a été faite*?

**Mr Lutchmeenaraidoo:** Yes, it is quite simple. Company A has got Rs100 m. of CSR money to spend; they can spend it on the *parrainage* project or they can also help NGOs. What I mean is that the *parrainage* system is not excluding NGOs from applying for funds from companies. It still goes on as before.

**Madam Speaker:** Yes, hon. Ganoo!

**Mr Ganoo:** May I ask the hon. Minister; in view of the new situation and in view of the experience that we have all learned about what has happened since this CSR project has

been implemented by the former Minister of Finance and Economic Development, is it not time for Government to come up with a legal framework for the sake of transparency so that we know that there is a piece of legislation which set up the CSR Committee, the activities that the CSR can look after and also, the Love Bridge Project, for example, so that there is more clarity in everything that is happening in this domain?

**Mr Lutchmeenaraidoo:** Well, maybe we have to communicate more, that's for sure. In my mind, the project is quite simple in the sense that we are giving the freedom now to companies to use their funds as they wish to. We can't direct them to use their funds. We have to remind the House that the 2% is above corporate tax of 15%. It is their money and it is for them to decide how they spend it, whether it be in the form of *parrainage* or whether it be by subsidising or helping NGOs.

**Mr Bérenger:** Still it makes me very uneasy to listen to what I have just heard. So, there are no longer any guidelines and the hon. Minister is saying that the companies have to calculate 2% of their profits and they are totally free to spend that as they wish. They, therefore, define what is the CSR project. Is there any control? There is no more any guidelines. Is there no checking at all on how those companies decide this is a CSR project and this is not one? There is no control at all.

**Mr Lutchmeenaraidoo:** Why should we control? It is not our money. I have to make it clear. If it was 2% out of money that is owed to income tax, we can ask for information. In the case of the CSR, it is 2% above the corporate tax of 15%. It is their money. This is why I feel that they have to be given the flexibility of spending their money as they want. What we have seen since that decision is that those big companies are now creating foundations. In fact, there are some 18 foundations created.

*(Interruptions)*

But my friend, the hon. Leader of the Opposition is not listening to my reply.

**Madam Speaker:** Hon. Minister, please address the Chair and please proceed! Have you finished?

**Mr Lutchmeenaraidoo:** I have done.

**Madam Speaker:** Okay. The Table has been advised that PQ B/603, B/604, B/605 and B/606 have been withdrawn. Time is over!

Hon. Rutnah raised the point of order earlier on a word which he has heard and asked whether that word is parliamentary. I, personally, did not hear the utterance of the word. I am now asking hon. Rutnah whether he insists on the point of order.

**Mr Rutnah:** No.

**Madam Speaker:** The matter is closed.

## **MOTION**

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

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

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

*Question put and agreed to.*

## **STATEMENT BY MINISTER**

### **SAUDI ARABIA - HAJJ 2015 – INCIDENT**

(4.20 p.m)

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):** Madam Speaker, as we are aware, the sad event Hajj 2015 has been marked by a very tragic occurrence on Thursday 24 September 2015, with a stampede during one of the last rituals of the Hajj, which has killed more than 1000 pilgrims and injured 934 persons in Saudi Arabia.

The Saudi Health Minister, in a statement, pointed out that the crush happened because many pilgrims moved “without respecting the timetables” established by the Authorities.

Regarding the Mauritian pilgrims, I am informed that one of the 11 registered organisers did not respect the time scheduled for the Mauritian pilgrims to go to Jamarat Bridge for the ritual.

During the stampede, six Mauritian pilgrims were injured and were admitted to the hospital. After receiving the necessary medical treatment, they have been able to return to their hotel.

Immediately after the incident, I instructed Mr Samiullah Lauthan, the Head of Hajj Mission, to set up an urgent crisis meeting with the Mauritian operators to assess the situation. It was found that there were 11 missing among the Mauritian Hajjees.

The Hajj Mission immediately started a search campaign. The Mauritian operators joined forces to look into the reported missing cases.

The Hajj Mission also had an urgent meeting with high officials of the Saudi Authorities to seek their assistance.

In order to mobilise all resources, the Hajj Mission met with all the operators in Makkah to make a search plan covering Makkah, Mina, Jeddah and Tai'f. I was in permanent contact with the Hajj Mission to follow up on how the situation was evolving.

On the evening of the day the stampede occurred, the Hajj Mission was able to trace back three Mauritian pilgrims. Searches continued and on Friday, 25 September, another three pilgrims were retraced.

Since Saturday, the Saudi officials arranged for the Hajj Mission to inspect the mortuary where photographs of deceased Hajjees are being displayed for identification. Up to now, Hajj Mission has verified a total number of 1,190 photos. None of them are Mauritians.

With the help of the operators and some Mauritian doctors residing in Jeddah, the Hajj Mission searched all the Mina and Makkah hospitals. As part of the search activities, the Hajj Mission arranged with the Saudi Authorities for the names of the missing Mauritian Hajjees and their ID details to be loaded into a computer system to help in locating them.

The situation becomes more difficult as many victims do not have their ID cards on them.

Madam Speaker, the present situation is that unfortunately, there are still five Mauritian pilgrims missing, who according to the Hajj Mission, were rather close to the area where the stampede occurred.

The Hajj Mission is actively pursuing the search to find the missing Mauritian Hajjees. Crisis meetings are being held on a regular basis. The Hadj Mission is also arranging with Saudi Authorities so that search is carried out via fingerprints.

Presently, all pilgrims have already left Mina and Makkah for Madina. I am in discussions with Emirates Airlines so that Hajjees affected by the stampede, be able to travel to Mauritius as soon as possible.

I will bring up the matter during a meeting with the Senior Vice-President of Emirates, Mr Orhan Abbas, who will be in Mauritius tomorrow morning.

I have given clear instructions to the Hajj Mission to stay back in Makkah till they get final information about the five missing Hajjees.

We expect to get exact information in the coming days. I am in permanent contact with the families of the five missing Hajjees. They are the Jannoo and Nazurally families.

I am briefing them on a regular basis, about how the situation is evolving.

I wish to reassure them of our full support in this difficult moment. Let us all pray for the safety and the recovery of all Hajjees who are affected in the accident.

Madam Speaker, thank you very much.

**Madam Speaker:** I suspend the sitting for half an hour.

*At 4.25 p.m. the sitting was suspended.*

*On resuming at 5.13 p.m. with Madam Speaker in the Chair.*

## **PUBLIC BILL**

*Second Reading*

### **THE MAURITIUS RENEWABLE ENERGY AGENCY BILL**

**(No. XI of 2015)**

*Order read for resuming adjourned debate on the Second Reading of the Mauritius Renewable Energy Agency Bill (No. XI of 2015).*

*Question again proposed.*

**Mr R. Uteem (First Member for Port Louis South & Port Louis Central):** Madam Speaker, I can find no better words to express the importance of renewable energy than those of the United Nations Secretary-General Ban Ki Moon when he said and I quote –

“If energy is the lifeblood of the world economy - then - renewable energy represents an infusion of humanity.”

An infusion of humanity, *développement à visage humain*.

Madam Speaker, there was a time where all energy that we were using came from renewable sources. We would use wood from forests which were naturally replenished and other biomass to make fire and steam. We would use wind power to propel ships over the water and turn windmill to crush grains, we would use animal power to till and toil the soil. Then, came coal and followed the industrial revolution. Coal is a very efficient, effective and reliable source of energy, but is also very polluting. Then, in the last century, we saw the advent of oil and natural gas. Again, fossil fuel, harmful to the environment and it has resulted in global warming and contributed to the depletion of the ozone layer.

Madam Speaker, we are debating this Bill at a time when momentum is gathered around the Conference of Climate Change which will be held later in France. Conference of Parties (COP21) will aim to achieve a legally binding and universal agreement on climate with the aim of keeping global warming below 2 degrees Celsius. Why 2 degrees Celsius? Simply because scientists have estimated this to be the threshold beyond which global warming will become catastrophic and irreversible. But getting all parties to agree on a framework to reduce greenhouse emission within house gas emission is, unfortunately, not going to be an easy task.

Since the adoption of the United Nations Framework Convention on Climate Change in 1992 at the Rio Earth Summit, Government has been unable to agree on action to be taken to avoid climate change. The US refused to ratify the Kyoto Protocol in 1997 and the Copenhagen Conference in 2009, is generally regarded as a failure. But there is hope that an agreement will be reached in Paris later this year because both the European Union and the United States have indicated willingness to cut emission by a certain level compared to what they are doing now.

However, other countries such as India are yet to come up with target levels. And, quite understandably, before poorer countries commit to emission reduction, they would like to receive financial assistance from richer and more polluting countries to enable them to invest in clean energy technology.

Of course, Madam Speaker, in this global initiative, Mauritius does not want to be left behind, and with the introduction of this Bill we are showing our commitment to move away

from sources of energy that are harmful to the environment and to increase our share of renewable energy in our overall energy metrics.

Madam Speaker, this Bill is also being debated only a few days after the Transforming our world: the 2030 Agenda for Sustainable Development was adopted at the opening of the UN Summit for Sustainable Development on 25 September 2015. The post-2015 Sustainable Development Goals will now take over the Millennium Development Goals, and one of the sustainable development goals is precisely to increase substantially the share of renewable energy in the global energy mix by 2030. This only goes to show, Madam Speaker, how important renewable energy is to sustainable growth. Indeed, renewable energy is not only important for environmental reasons but also for economic reasons.

Fossil fuel such as petroleum products and coal represent our major source of import expenditure and we are vulnerable on the volatility of oil prices. Movements in the oil prices affect our cost of production. It affects our cost of living, although I must stress that it would seem that in Mauritius it is only a one-way traffic because only increases in oil prices and coal prices are passed on to the consumers. This Government does not seem to believe in passing the benefit of reduction in the price of oil and coal on the world market to consumers, as both the hon. Vice-Prime Minister and the Minister of Industry, Commerce and Consumer Protection indicated to the House in answers to recent Private Notice Questions.

Renewable energy, on the other hand, in the long run, provides stable operating costs. The sun, the wind, the water, the sea are all free and in abundant supply. So, in the long term, it will be more economic for us to use renewable energy. True, renewable energy requires substantial capital expenditure. But with the improvement in technology and thanks to the mass production in China of silicon cells using solar panels, the cost of operation of renewable energy is constantly being reduced.

Madam Speaker, as our standard of living improves, so does our demand for energy. Household appliances have invaded our house and our pockets, I dare say, resulting in high electricity bills. We tend to use washing machines now instead of dhobis. We use kettles, irons, refrigerators, water pumps, TVs, computers. The list is long. We have become so dependent on electricity today. We are now all used to air conditioning, which is no longer a luxury but very much a key component to ensure a pleasant working environment as well as ensuring a pleasant stay for our tourists.

Tourism is probably one of the sectors where considerable efforts are being made to increase the use of renewable energy, namely in hotels. I am sure that with the right marketing strategy the transition to renewable energy will also attract eco-friendly travellers who will be willing to pay a premium to enjoy a sustainable tourist experience.

Shifting to renewable energy, we also create additional employment opportunities for the installation, operation and maintenance of renewable energy technologies, providing much-needed jobs for the unemployed. We are already seeing the mushrooming of small and medium enterprises involved in solar energy, solar water heaters installation and maintaining of solar panels.

Madam Speaker, when we talk about energy, unfortunately, we tend only to think about electricity. But there is also transport. Transport is a huge consumer of energy sources. Be it Mogas or Gas oil, our road transport sector depends on petroleum-based fuel. A significant amount of the petroleum products that we import is used in transport. In addition, motor vehicles are a major source of air pollution; they emit greenhouse gas.

So, Madam Speaker, I am a little bit disappointed that the hon. Minister of Public Infrastructure and Land Transport has not intervened on this Bill, because we would have liked to be enlightened about what measures, if any, will be introduced to encourage the use of renewable energy in the transport sector. He could have enlightened as to how successful the introduction of carbon tax on motor vehicles has been. Have the taxes achieved their aim of promoting fuel economy and reducing harmful emission? Has the carbon tax actually resulted in an increased use of eco-friendly cars? What is the Government policy as regards alternative fuel vehicles which run on fuels other than traditional petroleum fuel such as ethanol and biodiesel? Is Government going to encourage the use of ethanol and biodiesel through subsidies and other fiscal incentives? What is the Government policy as regards hybrid electric vehicles? Madam Speaker, all these questions are not answered!

Madam Speaker, the use of alternative fuel renewable forces in vehicles is very much on the agenda following last week's scandal where Volkswagen admitted that it had rigged the proprietary software on millions of its diesel cars around the world, so that they would pass emission tests when they were actually spreading smog. This inevitably raises concern that diesel-run vehicles are causing more pollution than may have been thought, hence the call from environmental groups for the use of alternative fuel and clean energy in transport.

In India, as far back as 1995, an environmental lawyer, M. C. Mehta, filed a public interest litigation in the Supreme Court, seeking relief from the serious health risks caused by motor vehicle pollution. The Court responded with a series of orders; most notably, the Court ordered the conversion of all commercial passenger vehicles, be it buses, taxis and three-wheelers to compress natural gas. Last year, the National Green Tribunal, India's environment Court, directed that all vehicles older than 15 years be taken off New Delhi's roads and stated, and I quote –

“It is a constitutional and statutory duty of all the authorities and ministries to provide clean air to the people to breathe.”

Yes, Madam, the right to clean air is a fundamental constitutional right! And, unfortunately, as I said, we have not had the benefit of listening to the hon. Minister responsible for transport, and we are left in the dark as to Government's policy with regard to the use of renewable energy in the transport sector.

Madam Speaker, we have understood the importance of renewable energy and its role in sustainable development well before the introduction of this Bill before the House. In 2008, the *Maurice Ile Durable* initiative was launched with the aim of lowering our dependency on fossil fuel through increased utilisation of renewable energy and energy efficiency measures. My friend, hon. Osman Mahomed, did provide a list of initiatives undertaken by the MID, which he headed for a while, including the scheme that encouraged households to install solar water heating panels. I am aware of the various challenges which MID faced, especially in changing mentalities. We, in this House, have had chances to ask questions to the then Minister of Public Utilities about MID. Certainly, we believe that probably more could have been done, more should have been done under this MID initiative.

Be that as it may, there is one issue on which I hope the hon. Vice-Prime Minister can enlighten us during his summing-up, and that concerns the MID Fund. As the House is aware, there is a 30 cents levy on each litre of petroleum products, be it Mogas or Gas oil, which is supposed to go towards the MID Fund. I would like to know whether, henceforth, the proceeds of this MID Fund will be transferred to MARENA or will it be sneaked back to the Consolidated Fund to finance general Government expenditure or will it be abolished altogether.

Madam Speaker, as hon. Members before me have pointed out, renewable energy is already being used in Mauritius to generate electricity although, unfortunately, the hon. Vice-

Prime Minister, Minister of Energy and Public utilities did not deem fit to enlighten us on the share which each sort of renewable energy contributes to the energy supply.

Hydropower, this is probably the oldest source of renewable energy which has been used in Mauritius to generate electricity. Some of the hydro plants have been operating since as far back as the 1960s, such as *Le Val, La Ferme, Cecile, Magenta*. However, it would seem that we do not have sufficiently high waterfall or sufficiently high reservoir/dam to effectively get bigger turbine to produce any significant amount of electricity from hydropower sources.

Then, there is solar energy. Under the Small-Scale Distribution Generation Scheme, residential and non-residential consumers have been encouraged to produce electricity from renewable technology such as solar photovoltaic system to connect with CEB's low-voltage network system up to 2 MW. Saraco PV farm in Bambous is already producing and selling electricity to CEB, using again solar photovoltaic system.

Bioenergy – bagasse is already being used alone or in combination with coal by independent power producers and continuous power producers. Top cane and leaves can also be used to produce electricity but, Madam Speaker, we can certainly do more. We can plant high-fibre cane to get more bagasse. The Government can come up with a scheme to encourage energy crops; plants which are produced with the express purpose of using their biomass energetically.

There has been discussion in the past of growing what is known scientifically as Arundo donax, but commonly named in Mauritian Creole as 'fatak', which is a plant with a high source of fibre. But this highly invasive plant will need to be properly monitored if the Government decides to encourage the plantation of such Arundo donax plant.

Domestic wastes - Gamma Covanta had a project to use household wastes to create energy. I understand that the project did not go through because of the high costs of sorting other waste and the authorities could not agree on pricing, not to mention the protests by local inhabitants. But using domestic waste to generate electricity is certainly one source of renewable energy which Government will have to look into in going forward. Of course, we will need to provide initiative to local authorities to sort out wastes and would need to have a proper sensitisation campaign to educate consumers/household to sort out wastes because otherwise we will end up burning plastic which is highly polluting, because plastic is after all made up of fossil fuel.

Landfill - Sotravic is already using landfill gas at Mare Chicose to generate electricity. Unfortunately, the landfill gas is limited in supply and will run out in a few years' time but the potential is there, and there are other unexplored renewable sources of renewable energy.

Wind energy, this already a reality in Rodrigues. In fact, I am told that because of lack of energy storage facilities, optimum use is not being made of wind farm in Rodrigues and at times they have to be switched off because they produce too much electricity that is required and they don't have storage facilities.

In Mauritius, a few projects have been announced, namely the wind farm at *Plaine Sophie*, Curepipe Point, the Aerowatt wind farm at *Plaine des Roches* but none is operational so far. Depending on the cost, we can even think about offshore wind farm in the ocean just as we have in Ireland and other countries.

Ocean Energy. Seawater air-conditioning system is common in several small island states. It involves using cold water from ocean depth to provide air- conditioning in building, especially in hotels to replace traditional electrical chillers. There was one notorious project on the Land-based Oceanic Industry in Mauritius that never took off. But that should not be an excuse not to explore the possibility of using this ocean energy.

Wave energy. We are surrounded by ocean and in certain regions of the island the wave movements are strong enough to produce energy. However, there is one legal issue which needs to be addressed before we can fully exploit ocean energy, it relates to the privatisation of the ocean. I understand that legislative change will be required to enable the Government to lease to private producers part of the ocean for them to operate whatever ocean plant they want to do.

Madam Speaker, if we take away energy produce using biomass, namely bagasse, the hard truth is that today the share of renewable energy in our global energy mix is quite negligible. The reason for that is the presence of both technical and economic barriers. Technical barriers – we have knowledge gaps. We do not invest sufficiently in research and development. We tend to borrow from what other countries have developed but, Madam Speaker, we have our own specificities. We have our own physical constraint but the potential is there, and I hope that Marena will be able to play an important role in research and development in devising educational programme and specialise training on renewable energy technologies, no doubt with the help of Arena.

I pause here, Madam Speaker, to note what, in my opinion, appears to be one of the major shortcomings of the Bill. In my opinion, in order for Marena to play a key role in promoting research and development in renewable energy technology, Marena should have expressly, and I stress the word ‘expressly’, been given the power to provide financial assistance for research into renewable energy technologies and for the development, demonstration, commercialisation of renewable energy technologies.

At Section 6 of the Bill, Marena is given powers to receive grants and donation. Marena can raise funds but it should also be able to channel those grants, donation and funds to research institution. It should, for example, be able, after receiving grants from international organisation, to provide funding to the University of Mauritius or even to Ph.D. students preparing their thesis on Renewable Energy Technology.

Apart from the technical barriers, Madam Speaker, cost remains the major barrier to the increasing use in renewable energy. Renewable energy technologies are generally more expensive than energy generated from fossil fuel. If Government is truly committed to increasing the share of renewable energy in our global energy mix, then Government will have to come up with a system of subsidy or fiscal incentive to reduce the cost of production of electricity, using renewable energy technology.

For those renewable energy which by their very nature are intermittent, the Government would have to come up with a scheme to make the cost of energy storage more affordable. But, more importantly, the tariff at which producers of electricity using renewable sources can sell their surplus electricity to CEB will have to be carefully planned so that they are set at a level which makes production of electricity using renewable energy source become economically viable.

Madam Speaker, as Members before me have pointed out, the existing power grid of the CEB today, cannot accommodate much of the energy produced by renewable sources which are variable, which are intermittent. CEB will have to invest not only in new grids but also in new digital meter readers which will have to accommodate a two-way reading so that only next metering is paid for.

But, Madam Speaker, the greatest barrier - in my opinion - to increase the use of renewable energy at the present is one of demand and supply. On the supply side, most renewable energy that we have, in particular, solar and wind are intermittent in nature and cannot be relied upon for the production of electricity for peak demand. For the time being,

only biomass in combination with coal is being used for production of electricity for base load. So, supply is a problem to increase the increased use of renewable energy.

On the demand side, being a small island, we have limited demand for energy. So, increasing energy produced from one particular source will inevitably mean that there is less demand for energy to be produced by another source. So if, for example, we increase the production of electricity using fossil fuel, be it coal, heavy oil or even gas, it would mean that we have less power available to produce wind from renewable energy sources. That is why it is very important that this Government achieves the right mix between fossil fuel and renewable energy.

And, Madam Speaker, in the days to come, Government will have to take swift decision as to the source of energy that it will use in the short, medium and long term. Today, unfortunately, Madam Speaker, we do not have the luxury of time and I am not blaming this Government for this state of affairs. For years, we have drawn the attention of Government of the need to increase our energy production capacity. PNQ after PNQ, the hon. Leader of the Opposition warned the then DPM and Minister of Energy and Public Utilities that time was running out and we needed badly to increase our energy capacity to meet peak demand. But it was always the same story; *tout va bien, Madame la Marquise*, no need to worry, no need to panic. The total mishandling of the CT Power Project and failure to install the 60 MW Plant in St. Louis at time, means that today the Government is having a situation where we are walking on tightrope as far as energy supply is concerned.

The World Bank has addressed these concerns in its report on the assessment of electricity demand, forecast and generation expansion plan. We focus on 2015-2017 period which the hon. Vice-Prime Minister has laid before the House. The World Bank made several recommendations for short-term, namely optimising maintenance schedule, negotiating new power purchase agreement with IPP in Beau Champ, purchasing 60 megawatt units at St. Louis and implementing emergency voltage reduction when necessary, and then at page 57, it is stated, and I quote -

“In fact, even if all of the previous recommendations of this section (...).”

Which I have just mentioned.

“(...) are implemented, the quantitative simulations indicate that there would still be a relevant capacity gap in 2016 and the first semester of 2017. Maintaining the Pielstick units of the Saint Louis thermal plant in operation

would help overcome this capacity gap, since these units have an aggregate injectable power of 25 MW.”

‘Would help’, would not solve the problem but would help. As we have seen from last week’s PNQ, there is a difference in interpretation of the World Bank. We don’t share the same reading that the hon. Vice-Prime Minister has of the World Bank report and I really hope that we are wrong. I really hope that the CEB is right, the hon. Vice-Prime Minister, Minister of Energy and Public Utilities is right and, we and the World Bank are getting it all wrong. But surely, the hon. Vice-Prime Minister would agree with the World Bank when it states at page 58, and I quote -

“However, the island may face capacity shortages if the demand grows as indicated in the high growth scenario, even if all the above-mentioned measures are implemented.”

So, even if everything goes as planned, if we have a high growth scenario, we will still have energy shortage. What is high growth scenario? High growth scenario simply means that growth will be one third higher than the base case. That is, growth would be 5.1% in 2015-2016 and 5.2% in 2016 and 2017.

So, Madam Speaker, things will worsen, if the prophecy of the hon. Minister of Finance and Economic Development materialises and we get above 5% growth. So, if we get above 5% growth, then even all the measures which will be implemented including providing for this 60 MW of St. Louis will not be sufficient, we will have a definite shortage of supply in this country for peak demand. So much for the short term, Madam Speaker, we will have the 60 MW Unit in St. Louis which will use heavy oil, fossil fuel, so there would be no significant increase in the share of renewable energy in the short term, meaning 2016-2017.

Now, let’s come to the medium term, 2018. I have not heard the hon. Vice-Prime Minister disagree with the World Bank that we need to increase our production capacity now to avoid a shortage in 2018. In its report, the World Bank at page 71 states, and I quote -

“The island of Mauritius is expected to experience capacity gaps in 2018, partly as a result of the cancelling of the CT Power project.”

Now, the choice of energy that we are going to use to produce electricity for 2018 will have a definite impact on the share which renewable energy will play for the production of electricity for 2018 and that is why the World Bank recommends at page 72, and I quote -

“(...) the technology alternative recommended for the additional firm generation capacity to be commissioned in the beginning of 2018 is the 2 × 36 MW gas-turbine thermal plant.”

This gas turbine plant will run on high-quality diesel when gas is not available.

Madam Speaker, it is very important to note that the World Bank was only talking about the capacity gap in 2018. The World Bank did not make any recommendation for long-term beyond 2018. In particular, the World Bank did not recommend that the purchase of natural gas-fired turbines without proper and careful planning. In fact, at page 63 of the report, the World Bank stresses and I quote -

“(...) the immediate procurement of a natural gas-fired turbine is not considered in this document, since issues related to the scale of the long-term demand for natural gas in Mauritius have to be carefully factored into the assessment. This requires a more formal long-term planning analysis, (...).”

And this is normal, this is logical. *C'est tout à fait* normal. Before we go and commit ourselves to LNG in the long run, we need a thorough long-term planning analysis. Why? Because we all know, Madam Speaker, that energy will require massive investment in infrastructure namely in the port area and in storage facilities. Then, there is the cost of conversion; liquefied natural gas has to be gassified before they can be used in the turbine. Then, there is the cost of laying the pipelines. So, all this cost money and it only makes sense to incur all these costs if we have sufficient demand for LNG. LNG could be used for transport. In fact, it is not LNG, it is more CNG, compressed natural gas, that is used for transport but again this will necessitate massive investment. The engines of vehicles will have to be adjusted and adopted to be used for CNG. Filling stations will have to be especially equipped and safety measures will have to be implemented to avoid risk of explosion.

So, Madam Speaker, what we are saying is simply that today we are not in a position to commit to LNG, we need long-term planning first. But yet, it would seem that, without such long-term planning analysis, without considering the long-term demand for energy, the Government has already opted for liquid natural gas as a preferred source of energy and if we do use LNG to meet energy demand, then automatically there will be less space available to use renewable energy because we have limited demand for energy. So, if we go on LNG, probably we won't have enough space to use biomass, be it cane or other source of energy crop. Yet, it would seem that the dice have already been casted in favour of LNG. *Les dés*

sont jetés. Otherwise, how can we explain that the second object of MARENA at Section 4(b) of the Bill is and I quote –

“(b) to advise on possible uses of liquid natural gas”.

Why single out LNG? Why not other energies that can be used in combination with renewable energy? I would have had no quarrel if, instead of talking about LNG, the Bill would have said –“any non-renewable energies that can be used in combination with renewable energy source”. At least, we get a mandate rather than specifically targeting LNG.

In an interview in l’Express newspaper of 19<sup>th</sup> September, the Director-General of CEB, Gérard Hébrard, announced that and I quote –

*«Une centrale thermique d'une capacité de 135 à 150 MW aux Grandes Salines. Avec le combined cycle gasturbine, elle va tourner au diesel léger pendant trois, quatre ans à partir de 2018 avant de passer au gaz naturel liquéfié quand ce sera disponible.»*

So, the decision has already been taken and announced by the Director-General that CEB is going for LNG. There will be a plant of 135 to 150 MW at Grandes Salines which will be operated using light diesel until we can use liquid natural gas. Here we are no longer talking about the two 26 MW combined gas turbine which the World Bank has recommended that we install for 2018. We are talking about 135 to 150 MW. So, we are talking about long-term supply and when asked as to why we should not have an open tender for all types of energies as proposed by the hon. Leader of Opposition, the Director-General of the CEB candidly replied and I quote -

*“Nous savons très bien le résultat. Ça équivaudrait à mettre du charbon, qui est le combustible fossile le moins cher, partout. C'est contraire à la politique de l'État.”*

So, here we have the Director-General of CEB who is substituting himself for the Minister of Public utilities. He is substituting himself for the Government and announcing to the public that it is the policy of Government to no longer use coal, even if we can have now recourse to cleaner coal because the hon. Vice Prime Minister, himself, during the Budget Speech made a whole case for coal. He said that he was informed that now we can have a clean coal. I don’t think that we can have coal which does not emit CO<sub>2</sub> carbon, but the hon. Vice-Prime Minister was, at one point, very emotional about coal. At one point, the hon. Minister even

said that: when I hear people talk about coal, it is as if I hear people talking about alcohol. You said it!

*(Interruptions)*

So, I don't know. We don't understand, Madam Speaker, why this sudden change of heart? Before we had done all this long-term planning, why suddenly we have decided - the Government, CEB in particular - to go for LNG? But, Madam Speaker, it is no surprise because I have come to the conclusion that CEB, probably, does not believe in renewable energy sources and I am not the only one who thinks so. The World Bank also said so and I'll quote page 75 of the report -

“The capacity with which renewable generators whose output is highly intermittent in the short-term such as wind and solar plant are assumed to contribute to the supply of peak power is considered as nil in the simulation of the IRP 2013-2022.”

Nil! This assumption may lead to an undervaluation of the attractiveness of this class of generator as alternative for generation system expansion planning. So, what effectively the World Bank is saying is that because the CEB is not factoring any energy from wind and solar plant, they don't even consider these two sources of renewable energy as reliable sources that can be relied upon for base load in the medium and long terms. These are not my words. They are words of the World Bank. So, Madam Speaker, at the very outset we need to change mentalities. We need to change mentalities at the CEB. They should be more open to renewable energy. LNG is not a panacea. It is still fossil fuel. It is still a source of pollution. It is expensive. It requires huge investment and once we opt for LNG, we are locked in for years and this naturally means that there will be less demand available for production of energy from renewable sources. So, my plea, Madam Speaker, today to this Government is not to rush into LNG without a thorough long-term analysis. Don't write-off any source of energy.

So, let an independent expert - here, I don't mean by any stretch of imagination that CEB is an independent expert - come up with the most optimal energy mix for us taking into consideration our size, our geographical location, our locally available resources, and then decide what energy mix to use in the medium and long terms.

Madam Speaker, there is consensus on both sides of this House in favour of the Bill. In days to come, this Government will be called upon to take a decision with regard to energy

sources that we will use for the short-term, medium-term and long-term and such decision will definite have an impact on the use of renewable energy. So, Madam Speaker, let us today take a pledge to increase the share of renewable energy in our total energy supply capacity. It is the very least we can do for our children and for the future generation of this nation.

Thank you.

(5.55 p.m.)

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, perhaps we do not realise, certainly public opinion does not realise that what we are doing today, what the unanimous feeling of the House is today is a ground-breaking revolution for the future of Mauritius. Let me say straightaway that I do not take any credit for what is happening. People before me have clearly laid out what should be the plan for our energy future and I am going in the same track which was unfortunately stopped by the Labour Party in 2013. We have had reports, but we have had public debates, public participation leading to the report of the National Energy Commission by which I stand guided because it is a thorough report, well worked out and from which we can obtain inspiration for our future action. I will be coming with amendments at the Committee Stage, they have been circulated, but let me straightaway say that very rarely we have heard that sort of level of debate as we have heard in connection with that Bill and I thank hon. Uteem for an extremely learned speech which he has made on energy.

Well, we do not have great political differences on this matter, but there is one thing, hon. Uteem has shown that two lawyers can master the field of energy much better than Engineers.

*(Interruptions)*

I am, certainly, completely receptive to the arguments which I have heard, from Engineers as well from hon. Lesjongard, but also from hon. Uteem.

From the hon. Leader of the Opposition, we disagree on one thing, on how we should read the World Bank report. I am not going to go back on this because I believe I have, in the course of the last PNQ of the Leader of the Opposition, set out what is my thinking and my reading of the situation. We can agree to disagree and the future will show us the path. I do

not, therefore, intend to indulge into any controversy because there is no controversy. We are not going to go into whether the growth will be 5.7%, and if it reaches 5.7%, which is very likely, what will happen to our energy future. That is a debate which is not for today.

Four important points have emerged in the course of the debates. First of all, everybody agrees that we have accumulated inexcusable delay in implementing our national strategy on renewables. I dare say when I listened to hon. Mahomed, I also hear the same language, although he is an MP for the Labour Party and he bears the crunch of the attack when we are talking of inexcusable delay. So, everybody agrees that there has been inordinate, unexplainable, unconscionable delay in this matter. The nation is going to pay a price for that delay, but we have to live with it.

Secondly, everybody is conscious of the strategic importance of the use of local and renewable energy - local meaning hydro, etc and renewable means what we have.

Thirdly, there is still a feeling that renewables are full of obstacles, that renewables are unattainable, are costly and ineffective, and I have heard it subsumed in the speech of hon. Uteem when he was talking. Again, that is one of the points where I cannot agree on this.

Fifthly, and that is perhaps the most important one which has been touched by many of those who have taken the floor, in which we have not gone through, it is the legal framework. The legal framework must be reviewed and it is a matter of urgency that we do it if we are going to go forward on our energy planning.

Today, Madam Speaker, CEB imports 225,000 tonnes of heavy fuel oil. In two categories, but, never mind! This produces 1,000 GWh of electricity and this costs the nation Rs5 billion per year, that is 40% of our energy from heavy fuel oil. Then, we have coal which is used by the IPPs, which caters for 43% of our energy. The rest, 18% to 20% - because if we say 20%, probably, it does not adapt - which is renewable energy, which includes the electricity used by the sugar industry, 3% for the sugar industry, 17% which goes to the nation.

Let me give a few facts and figures because that has been the subject of some criticisms from my hon. friends. Hydro, in fact, hydro is before 1960. Major Atchia started it in Réduit, if you remember. You do not remember, of course. In the 1960s, it became anything to use hydro-electricity. All those who were at primary school in my days, remember how we were learning how to do electricity from water which was something

stupendous for us, little kids, at that time. Hydro, we have 3.1%, that is 90.8 GWh; bagasse is 15.5%, that is 456.2 GWh including 334.5 GWh which is injected into the national grid of the CEB.

Then, we have landfill gas. Mare Chicose which produces 21.3 GWh, 0.7%; Solar, mainly Saraco, 24.4 GWh, 0.66%, and then we have the roof tops, small scale and medium scale, which is 4.2 GWh, 0.14%. Those are the figures for renewable energy.

For IPPs, bagasse mainly, in reply to PQ B/391 from my very good friend, hon. Jahangeer, I gave detailed figures on the production by IPPs, that is, coal and bagasse. What is important from these figures is that coal is now about 70% of the production for IPPs. The objective is to have 35%. This is the stated official objective by 2025. This is not enough, we must be ambitious, we must try and do better. The technology has improved vastly in the last two years, the cost has decreased and there is no difficulty in trying to achieve what Réunion is trying to do, what Seychelles is trying to do, that is, to achieve maximum efficiency on the energy front.

The plan, in facts and figures, that we want to achieve by 2025 is as follows – I am sorry for the figures –

Hydro: 2.2%, that will fall down from 3.1%;

Bagasse will be 14.5%;

Small Scale and Medium Scale: 0.6%;

Wind farms: 4.5%;

Solar: 4.6%, and we see that solar will increase from 0.66% to 4.6%

And then waste to energy which will be 8.7%, which is not being accounted for today.

Now, let me deal with wind. There are two projects now. The first one is at Plaine des Roches which is going on smoothly. I understand the turbines are on their way and not only the turbines, but the cranes which are needed to lift these turbines are on their way as well. They are expected to become operational in 2016.

Then we have Plaine Sophie, this has been delayed because of objections, permits and environmental issues which have been raised. We shall see what happens. Next year we will have five solar PV plants generating a total of 10MW and a wind farm of 9.35MW will become operational, that is, the Plaine des Roches issue which will bring the share of

renewable energy to 21%. There we are! We are progressing by next year. Then we will have the rooftops. I shall come later to what we are doing to encourage the rooftops because that is an essential part of the plan although it is not going to increase the share in the energy mix of Mauritius, but it will make the population *prendre conscience* of the importance of the sun in our daily life. We have not forgotten Rodrigues in this matter. In fact, Rodrigues is doing very well and we plan on inserting an additional 200KW in Rodrigues. That is not much, but that is progress.

The CEB, on directives of the Ministry, on my directives, launched a demand for expression of interest and when we thought - I certainly thought - we were going to receive 25 to 30 projects - we have now received 255 expressions of interest for 339 projects because some of them include two or three projects! There has been some scoffing on the fact that once I said 1200, then 1500, then 1800. That is not the point! The point is that while CEB was trying to sort out what was good and what was bad and making the technical analysis, the figures increased and each time that I quoted figures, I was very careful to say more than 1200, more than 1500. It is not *entre les lignes*, it was clearly stated that these were the figures. The final figures today are 1993 MW. Nine projects are not being considered. Of course, this will be followed by a formal request for proposals.

Perhaps it is of interest to see what sorts of projects have been manifested. Solar is the hit, 269 proposals for a total of 1402 MW. Of course, we can't take all that. There is a limit for the intake of solar energy. But, that is an indication of the interest which people, investors have in renewables. Waste-to-energy, we have 17 proposals. There is one which is already in the making and it has already converted waste into compost, so there is an additional step to be done before it can produce energy. Wind, we have 17 projects. Let me say that personally, from the readings that I have had and the people to whom I have talked internationally and locally, the problem of wind turbines is the space that it requires. We can have offshore as hon. Uteem, indeed, some projects are offshore wind turbines, I am a bit sceptical about this. But, engineers are there to guide us, at least they can prove that they can be useful at times as well!

For the biomass, we have eight projects for 74 MW. There is not only *fatak*, we have bamboo. There is the Mauritius Research Council's project for algae which apparently can be fed with some nutrients and that is a very serious study by the MRC which is on board as being a potential for energy. Of course, we have bagasse which falls in that generic of biomass. For hydro, there four further projects, they are mainly in sugar estates where there is

still water to be used for hydro. Then we have what is called 'other technologies'. We have 15 of them, one more eccentric than another like using vibrations on the motorway when cars go by in order to have a sort of windmill to produce energy - I don't know, I have seriosities - or to use tyres to burn them into energy. Leave it to the engineers, at least they will have something to do!

There is ocean. That is interesting, first of all, there is a legal issue because we have an exclusive economic zone. How far can we give the ocean on lease to investors! Let us not forget that there is a precedent and this is the fish farms that we have all round. As hon. Uteem , I will join him on this, I am not too sure of the legality of this leasing of the ocean because we have, in our law, a principle that the ocean does not belong to anyone, but it belongs to the public. Lawyers will try and find a solution to this.

Of course, we all agree that CEB's challenge will be to upgrade its grid. On this we all agree. The National Energy Commission has dealt with this matter and has urged CEB - as I am now urging CEB - to upgrade its grid. It is not only to upgrade its grid, but to have smart chips technology in the meters, encourage people to use electricity at night. It is double usage between day and night – 200 MW to 492 or 500 MW, more than double that we use between the day and the night. So, to have smart metering, we need to upgrade. Of course, it costs money. Nothing in this world is for free. But, it will cost what it costs because we are going to do savings from that, we have got to be ambitious and we have got to do what we say and we have got to say what we are doing.

Let me have one word, I think it is very unfair to accuse CEB of being against renewable energy. I think it is very unfair to try and say that they are protecting their own patrimoine by discouraging renewable energy. They have been historically and traditionally the one to transmit electricity, to produce electricity until the IPPs and they are here to stay, they will have to evolve with time and that will be the policy directive which I will give.

They might be happy, they might not be happy, that is not their choice because there will be - and I will come to that later - legal developments in the field of electricity.

When we come to renewable energy, many of the interveners, Madam Speaker, have talked of the fiscal incentive. But before I come to that - because it is a bit linked - let us talk of the MID Fund, which has been the subject of comments. Well, the MID Fund is going to be wound up like all these funds which were created in the last ten years. The Build Mauritius Fund proceeds from the levy will subsidise renewable energy and Solar Water Heater

Schemes, which probably will become redundant as and when the small scale schemes come into force. There is a sum of Rs219 m. which is earmarked in the Budget to pay CEB the difference between its marginal cost and purchase price of electricity from renewable energy. So, the MID Fund is not lost forever. It is going to be used for this. We have all the projects which I have mentioned, and these payments will be made over some 15 years.

Incentives. First of all, we will have fiscal incentives. We have already announced it in the Budget. We have section 24 of the Finance (Miscellaneous Provisions) Act of 2015 for Solar Investment Scheme. For the moment, it is going to be solar energy for roof tops, households which invest in renewable energy. That will be income tax deductible as from this year. That is a great incentive because we can encourage people, and people will be encouraged to put up roof top solar panels.

One word on standby fee. I don't think anyone has talked about it, but it is good that we talk about it now. In December, last year, regulations were made for everyone who has a Solar PV unit to pay a certain amount to CEB. The idea was that CEB must stand by to provide electricity because solar is intermittent, and they have to pay for it. That was very unfair, and one of the first things I did was to repeal and revoke these regulations and to revoke the standby fee.

That is for small scale, but for medium scale we have the big supermarkets; Super U, Bagatelle. They are not to be compared with people like you and me, Madam Speaker. They are making a profit. What we have done for the moment is to try and insert an ad hoc new tariff for a capacity greater than 50 kilowatts. We will evolve in time. I probably will put in place a committee to hear representations at the level of the Ministry because these people are complaining that CEB is asking took much money from them. So, we will put in place a committee and we will try to sort it out, because we don't want to discourage any of these medium scale generation schemes.

With regard to net metering, hon. Lesjongard has talked about it, as well as hon. Uteem, I believe. The issue is simple. When you have that Solar PV on your roof top, you use electricity and you send the surplus to the grid. But, sometimes, there is no sun and, therefore, CEB must chip in. What will happen is that every month there will be an account kept and probably every six months or every year the 'prosumer' - that is the term which is used, that is, the consumer who is also a producer - will receive the balance in cash.

It is anticipated that, as in all countries, people will produce more electricity than they consume from the grid. We have cyclones, we have the night time. This will be eliminated - and I will talk later on this - by the evolution in battery technology, which enables us to store electricity when it is produced by the solar panel.

The other objection which has been raised by many of us - and I share these qualms - is the cost of renewable energy. First of all, prices are going down. I have discussed with ARENA. ARENA has been analysing renewable energy cost and points out that the levelised cost of electricity of Solar PV has been reduced by 50% between 2010 and 2014. Solar PV module prices in 2014 were around 75% lower than at the end of 2009. China and Malaysia are now on the market and they brought the prices tumbling down. We are perhaps a little bit traumatised by the example of Sarako. Sarako is the most expensive one. It is Rs6.06 per kilowatt hour, but we all know this was a sweetheart price – well, sweetheart, big heart ...

*(Interruptions)*

price. We all know the circumstances, and there is no need to go back on this. I have got the occasion to speak to the promoters about this. I think that it is extremely unfair on the State of Mauritius, on the population, that such a high price is being charged. But, now, we have the market price, because in the expression of interest we have seen what prices are being quoted.

For solar, minimum Rs3.50 and it goes up to Rs9; the average is about Rs4. So, this is the market. This is what has appeared in the expressions of interest, and some of the big firms which have quoted - I am not going to give the names because it is unfair - are quoting very good prices for solar energy, especially for biomass. I shall come to that later on.

So, let us be guided by what the market tells us. Sarako is different. Sarako was hastily concluded, and there will be no Sarako for so long as I am Minister of Energy.

*(Interruptions)*

Of course, justified comments were made on the fact that the sun does not shine all day and that there are cyclones, there are clouds. I have looked at some of the figures - I don't have them in my mind - for Sarako because every time there is a cloud that passes by, it goes down, it is intermittent and CEB has got to chip in in order to stabilise the grid.

Twenty years ago, it was unthinkable to try and bring a solution to this. Today, we have battery storage. I comment the reading of page 117. I won't waste the time of the House by quoting extensively what the National Energy Commission says about battery storage. But that was 2013! Six months ago, Tesla in the United States invented low cost batteries.

Extremely powerful! Of course, China is taking the lead, and we will soon have batteries which will be able to store electricity. This is what people like ARENA tell me, people like Agence Française de Développement tell me. I am not talking of experts who may or may not be influenced by certain local conditions. I have met the World Bank this afternoon at 1.30 during our lunchtime. The World Bank is encouraging us forward and I shall come to the reasons later. We have submitted an application for a grant of some USD 13 m. - when I say 'we', I mean CEB - from the Green Climate Fund.

Now, let me come to therm power. That is easier because solar has got the problem which I have mentioned. Therm power, that is, biomass, bagasse, waste to energy, etc., algae, '*fatak*', bamboos. Let me say one word about '*fatak*'. Yes, a lot of land is required with '*fatak*', but we have the possibility of South-South cooperation with Madagascar where the '*fatak*' will be planted there and pelletized to bring over to Mauritius in order to produce electricity if the project goes forward. Apparently, there is one project where it says that we will be able to have sufficient land to for the plantation of '*fatak*'; we will see.

Let me deal with bagasse. There has been a drop of 200,000 tonnes in the last ten years. The area of land under sugarcane cultivation has dropped by 18,000 hectares. Let me quote what the National Energy Commission said at page 112 -

"Our country over the past decade has lost 18,128 hectares of cultivated sugarcane land. Overall, in 2012, bagasse helped the country avoid Rs954 m. of coal imports. 481.7 GWh of electricity were produced from bagasse, i.e. 17.2% of total electricity generation. However, ten years before, in 2002, bagasse represented 23.2%. It is crucial to reverse the decline of bagasse in electricity generation."

But, how do we do it?

"Greater electricity generation from bagasse could be achieved through the modernisation of the existing coal-bagasse plants and the introduction of new cane varieties with higher energy content."

This is why some people don't know what they are talking about when they say: "Ah, Alteo, there has not been a tender. It is an unsolicited bid." They have a machine on their land, they have reached the end of their life. What do you want us to do, tell them: "Close your machines; send them to wherever in Africa." or else we tell them "Modernise your technology, use other products, try and diminish coal and then, we shall go forward." And

that is what the National Energy Commission recommends, and etc. This is where small planters come in. If we are going to plant high-fibre cane, if we are going to plant 'fatak', where are we going to get the land, other than in partnership with small planters? These people are dying; their sugarcane fields are worth nothing today. Their sugar is negligible, their bagasse even worse. Now they have got a future ahead of them. They will go into partnership with renewable energy, venture capitalist, with local private sector and they will earn their money either by the work or by producing, by providing their land as capital. Their land will increase in value. The hon. Minister Agro-Industry and Food Security is fully on board on that. He is currently examining the Landell Mills Report and one point he has made clear, it is that small planters must be adequately remunerated for the bagasse which they produce and the Ministry, the Government will be behind him in order to make sure that small planters get their due and are not treated unfairly. Of course, we need consensus. Hon. Minister Seeruttun is a man of consensus.

*(Interruptions)*

We have just received a copy of the Parliamentarian where we have read his article and we see what sort of person he is. I have no problem that contrary to his predecessors he will, in his own quiet way, be able to work out a consensus so that the producers, the planters, everybody gets a fair share of that produce.

Now, let me come to another aspect, the reasons for renewable energy. First of all, employment priority. The rush into renewable energy, this is going to be creation of employment not only for young, high-tech young men but also for low skilled people who will need to be working on these solar PV techniques.

Secondly, financial. Right now, there is a rush for investment in the field of renewable energy. The World Bank was telling me just a few hours ago that the financial clean-up that we have done in Mauritius since January is of a nature to encourage investments in the short-term and surely in the energy factor. The international capital funds are just waiting for the appropriate structures to come in on the market. Why? First of all, because in Mauritius they know their investment is secure. We have got a good history on that. And then, they will have power purchase agreements which will guarantee them a return on their capital according to the agreed tariffs and the more technology improves, the greater their profitability will be. This is why today some of them can quote Rs3.50 and not Rs6.60.

The third reason - I don't need to repeat what hon. Uteem had to say - is COP21, it is in December. What is our problem? Our problem is that we never polluted anyone. We are the victims in this matter, but we are going to be influenced by climate change, we are going to suffer tidal changes, we are going to suffer the two-degree increase in temperature and if we don't take part in COP21, we are doomed and that is where I come to SIDS.

Hon. Mahomed, rightly so, quoted his participation in the Samoa SIDS Conference. But what happened? In 2004, Mauritius took the lead. I remember the hon. Leader of the Opposition and the hon. Prime Minister did everything they could to make SIDS a success. In 2003, he became Prime Minister and finally, in 2004, there was that immensely successful SIDS Conference and then, what happened? Just in order to show that 'I am right, I am better than the other one', they killed our leadership in SIDS! Other island States took the lead because we left a vacuum just because of cheap, not even cheap politics, cheap personality conflicts.

That is all that there was. People were rascals. They are rascals to have done what they did. Today, I hear...

**Madam Speaker:** Don't use this word!

**Mr Collendavelloo:** No, they! They, Madam Speaker.!

*(Interruptions)*

Not hon. Members of this House! No, hon. Members of this House are not rascals!

*(Interruptions)*

Outside! To have done what they did. I am sorry, but I really boiled over when I read about what has been done. They made a brave effort at Samoa. Of course, they did everything they could, but if your Head of Government is not there, what do you hope to obtain and today, the Prime Minister, yesterday had to try and reverse the change at the United Nations and I hope it is going to get the consensus around in this House to make Mauritius take the lead.

*(Interruptions)*

Because it is a patriotic duty of one and all. Just as in 2004, today we need to take the lead. We need to participate in AOSIS. We need participate and we need to get the United Nations to recognise, to have all the agencies recognise SIDS as a unit of its own, as a group of its own. Why? Because at COP 21, if we don't go forward as a unified force, if the small islands do not redo what they did in 2004, and apart from Trinidad and Tobago, perhaps it is only

Mauritius that can do this; unify the small islands, make a common force because make no mistake, the big countries in Africa will not make us any gift. They will try and get the biggest slice of the cake. Already now, I will quote later on, what is happening in Ghana, in Rwanda, in Zimbabwe; how they are getting the slice of the cake and we are being left abandoned because the Government of the day between 2005 and 2014 left us, abandoned us. He did not go to Samoa because he had to go to London.

*(Interruptions)*

That is what was happening.

Now, let me just quote a few examples. In 2012, the United Nations launched the 'Sustainable Environment For All' and in Africa, the platform is managed by the African Development Bank. Already other big African countries are using that money; we know we have not done anything with this. We are going to go for it now. Kenya, Tanzania, Ghana, Rwanda are already taking advantage of this and for this year RDC, Angola, Zimbabwe, Malawi and Zambia are getting on the starting blocks. The Danish and the United States Government are putting huge amounts of money in order to encourage renewable energy in Africa because they know it is a safe return on their investments. World Bank, they have launched, since this year, the Scaling Solar Initiative. The sun is being used as a raw material and the World Bank has told us that they will help us in defining the scale of our needs and will provide us technical assistance to draft the tender documents.

The Commonwealth Development Corporation, Norfund, a Norwegian Investment Fund, they have highlighted to put money everywhere in Africa and they have taken over a company called Globalec Africa and they will build up 5,000 MW of electricity. Masdar Power from Abu Dhabi, they have just signed a contract for installing 7 solar farms for a total of 12 MW in Mauritania. I have been to Abu Dhabi, I have discussed with ARENA. They are going to help us and they are going to help us to get the investments. Total is investing 20 MW solar energy in Ghana. Nigeria, Rwanda, Senegal, lastly let us talk of South Africa. ESKOM has failed. It is too late. They have lagged in their maintenance. They have not renewed their capacity. They have just *bangoler* the money and now, today, they are shedding load between 4 o'clock and, I think, 10 o'clock at night. They have got to cut out electricity. So, what do they do, they turn to renewable energy because upgrading their network will be too costly. But they are also turning to LNG. But especially, they have got

one big advantage, it is that they have got Mozambique and they are no longer at war with Mozambique. So, that is going to help them probably sort out their situation.

I am going to Reunion Island next month because I want to enter into a contract between France, Reunion and Mauritius for technical assistance. They are way ahead of us. We can benefit from that technical assistance at very low cost with EDF Reunion. I hope it works. Following the visit of the Minister of Finance in Reunion, there has been an *accord-cadre*. I am going to try and use one paragraph – well, one slice – of this *accord-cadre* in order to try and get the technical assistance from Reunion. What do we need to do now? I am sorry if I have taken more time than expected.

First of all, we have got to restructure our energy sector. CEB must be in competition and cannot continue to reign over that sector. So, without necessarily privatising the sector – although it is still an option – we have to separate production by CEB from other matters. Distributions, marketing, sales and transmission, all these must, in our philosophy, be separate. The State will be there in a supervisory and regulatory role with URA becoming operational very soon, as soon as we can earmark the CEO. This is what Egypt did in February. In February, Egypt did exactly what I am saying in order to separate all this and you know what happened? The United States, which has stopped providing arms to Egypt, immediately rushed with OPIC to come with huge amounts of money to invest in the energy sector. The Overseas Private Investment Corporation now is coming all over Africa. It is telling us – “Update your legal environment and I will help you in the investment sector”.

In Mauritius, we are working with the African Development Bank now on a master plan for renewable energy because we accept that we are not the navel of the world and that we need technical assistance on this.

Let me come to gas turbines before I come to LNG. Briefly, ‘gas turbine’ is not a dirty word. Gas turbines, it’s true that we are traumatised by Nicolay, but if we do it carefully as CEB is planning to do it with the combined cycle gas turbines, we will use diesel oil and then, for the future, if LNG becomes a reality – I say, “well, if LNG becomes a reality” – and I will say a few words on that in a few moments, we will be able to do something successful on this.

I have heard the Leader of the Opposition - and that has become a matter, the only matter of controversy, real matter of controversy - forcefully urged that fresh international tenders for open technology should be launched. I think it is good that we quote his speech –

“I have said that I don’t know how many times over the few years. I said: “let’s call an international tender for offers for 50/100MW, any state-of-the-art technology, including coal, coal-bagasse, heavy oil like diesel oil, Liquefied Natural Gas.”

In a subsequent press conference, I noted that he watered down his speech when he talked of coal. Fair enough! But the fact is that this was clearly okay about 10 years, but, today, we cannot do this. Today, if we have an open tender as Mr Hébrard has said. He is being blamed for having said that. As he has said: “You open a tender for all technologies” as the Leader of the Opposition said himself, well, we will have coal because coal is the cheapest.

*(Interruptions)*

Well, we do not have to go on the cheapest and then people will accuse me of having taken commissions from people. I am not mad! Not yet! I agree he has not been listened to, 10 years ago it should have been done. I agree with this, but today, we have moved in times. I understand that this was done apparently through an expression of interest – I say apparently, because I have not seen evidence of that, but I have been told that this was done, but was not conclusive.

The World Bank - on which my hon. friend Uteem relies so much - did make recommendation to address the power generation situation. But did it consider the option of open tenders? Again, we shall see how each one reads the report. I do not see it in the report.

The next issue is that with COP21, the world has changed and we cannot go for coal except if we are sure that the zero CO2 emissions can be satisfied. Yes, I mentioned it! But it is horribly expensive to sequester CO2 so that it does not go into the air. So, technically, theoretically, it is possible, but I do not think we can do it in Mauritius. Therefore, are we going to pollute the air and lose our credit from the Green Economic Fund, lose all this money because we are not complying? No, I do not think it is safe that we do it. Carbon capture options, although possible, are too way out of this world to be considered.

I now come to Liquefied Natural Gas which will be the last part of my speech. A lot has been said about it. The first time that this cropped up was – I do not know which one comes before which, but I know that the Parsons Report - which I have laid on the Table of the Assembly - and the National Energy Commission, both said that we should consider. They have not made recommendation and we are not going to jump into a sea of gas by

saying this is the panacea to North Hills. I agree with all the comments that have been made on energy, but does that stop us from exploring.

We are doing a pre-feasibility study, a committee has been set up, we shall see what happens, but we cannot just prejudge issues, we have got to stop this habit of just prejudging issues without examining what is the real issue in controversy. Of course, it is expensive. Of course, we have got to transport it. We do not need pipes to bring to Fort William which probably is the site where it could be done, because barges can do the job very well, but it is expensive. But then, it is the economies of scale. If we are going to take LNG only for electricity, forget about it, but if we are going to use CNG for transport, for all lorries and all buses, first of all, the credit that we get from the Green Climate Fund. Secondly, the clean air. Thirdly, the cost effectiveness. Therefore, why not?

There is a third aspect which everybody forgets. Right now, there are 44 ships under construction which are going to use LNG and, probably, in the next five years, we will. Why? Because the big shipping companies want to obtain carbon credit. It is a question of money. Because of this, they are converting the new ships in the shipyard of Norway, the new ships are going out with LNG. But you see what their problem is? There is no bunkering. 33,000 ships sail through the Indian Ocean, 4,000 stop in Port Louis, but if we are bunkering on LNG, this is the feasibility study which we will have to do. I do not profess to know all. This Government, there is one thing about it, there is the modesty of its approach, because we need to tread carefully before we do things, we do not blurt out our feelings, our expressions, but when we read everybody, when we listen to everybody, when I read the National Energy Commission, should I be so mad as to shelve the Manraj Report, as the old Government did?

*(Interruptions)*

Last point, of course! LNG is not renewable energy, why put it in renewable energy! Why not? What is the purpose of that futile debate? We say there is going to be a Commission: "In addition to renewable energy, please, advise us also on LNG." For a simple reason, I am not going to set up a costly agency to advise on one matter which, probably, is going to be a non-starter at the end of the day. So, the MARENA will be headed by competent people who will be able to offer us independent advice on the matter. Let us not forget that the CCGT technology is associated with medium speed diesel engines and these are the best technologies as I stand advised for the moment.

I have not said enough of energy efficiency. It has been mentioned. I totally agree with all the interveners who have mentioned energy efficiency. Energy efficiency is important in Mauritius. I did mention I think that the CWA with EEMO from my Ministry is going to try and save 15% of energy.

To conclude, Madam Speaker, I must say a word about the tariffs. Well, welcome, first of all, that hon. Mahomed raised the matter in the course of the PNQ. It is welcome, but it is extremely surprising. What the MMM/MSM Government did, perhaps the hon. Leader of the Opposition forgets, was to introduce a tariff - 110 (a) where if you consume between 1 to 70 units you get a 30% reduction on your bill. There were 30,000 consumers when that scheme started. They were able to pay less than the ordinary consumers. Now, they killed that scheme. You know 'they', I can't use the term! Alright, 'they'! This is parliamentary! *Zott!*

*(Interruptions)*

They killed the scheme. It is now reduced to 7000! CEB is going to reintroduce the 110 (a) Scheme...

*(Interruptions)*

At the next Board meeting, CEB is going to say that we will extend it and now the estimates of 70,000 poor consumers who are going to benefit from the scheme...

*(Interruptions)*

After I have said all this, I want to hear people who say that I do not understand what I am talking about!

*(Interruptions)*

I think I have to say something now about the Bill that I commend the Bill to the House. Let me do over the formality stages.

Thank you, Madam Speaker.

*Question put and agreed to.*

*Bill read a second time and committed.*

## COMMITTEE STAGE

*(Madam Speaker in the Chair)*

**THE MAURITIUS RENEWABLE ENERGY AGENCY BILL**  
**(NO. XI OF 2015)**

*Clauses 1- 6 ordered to stand part of the Bill.*

*Clause 7 (The Board)*

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

**Mr Collendavelloo:** Madam Chairperson, I move for the following amendments in clause 7 –

- “(i) in subclause (1) –
  - (A) in paragraph (h), by deleting the words “energy;” and replacing them by the words “energy, to be appointed by the Minister;”;
  - (B) by adding the following new paragraph, the full stop at the end of paragraph (i) being deleted and replaced by a semicolon –
    - (j) 2 members of the Rodrigues Regional Assembly, to be appointed by the Chairperson of the Rodrigues Regional Assembly.
- (ii) in subclause (2), by deleting the words “and (g)” and replacing them by the words “, (g) and (h);”

*Amendments agreed to.*

*Clause 7, as amended, ordered to stand part of the Bill.*

*Clauses 8 – 13 ordered to stand part of the Bill*

*Clause 14 (Estimates)*

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

**Mr Collendavelloo:** Madam Chairperson, I move for the following amendment in clause 14 (1)-

“by deleting the words “30 September” and replacing them by the words “31 March”.

*Amendment agreed to.*

*Clause 14, as amended, ordered to stand part of the Bill.*

*Clauses 15 – 22 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 Madam Speaker in the Chair, Madam Speaker reported accordingly.*

**Third Reading**

*On motion made and seconded, the Mauritius Renewable Energy Agency Bill (No. XI of 2015) was read the third time and passed.*

**ANNOUNCEMENT**

**SELECT COMMITTEE ON LIVE BROADCASTING**

**OF PROCEEDINGS - REPORT**

**Madam Speaker:** I have to inform the House that the Chairperson of the Select Committee on the Live Broadcasting of the proceedings of the House and matters ancillary thereto, hon. Bodha has this afternoon, pursuant to Standing Order 70 (14) (a) of the Standing Orders and Rules of the National Assembly, submitted to me the report of the Select Committee. The report is being tabled today.

**ADJOURNMENT**

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):** Madam Speaker, I move for the adjournment of the House for Tuesday 06 October 2015 at 11.30 a.m.

*Question put and agreed to.*

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo) rose and seconded.**

**Madam Speaker:** The House stands adjourned.

**MATTERS RAISED**

(7.05 p.m.)

## CANAL ANGLAIS, VALLÉE PITOT – WASTE COLLECTION, CLEANING

**Mr R. Uteem (First Member for Port Louis South & Port Louis Central):** Thank you, Madam Speaker. I would like to raise a matter which concerns the hon. Minister for Local Authorities and that relates to the collection of waste and cleaning of canals in the region of Vallée Pitot, in particular an area called Canal Anglais which has not been cleaned for several weeks and if the hon. Minister can speak to the people responsible at the level of the Municipal Council of Port Louis to have regular cleaning of that area.

Thank you.

**The Minister of Local Government (Dr. A. Husnoo):** Madam Speaker, I will look into it.

## ROCHE BOIS – ILLEGAL MOTORCYCLE RALLY

**Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East):** Thank you, Madam Speaker, tonight I shall raise a matter of illegal rally which is taking place in my Constituency and I am addressing this issue to the Ag. Prime Minister, the fresh one!

*(Interruptions)*

It is your day today! Madam Speaker, there is illegal motorcycle rally which is held every Saturday very late at night between the Cocoterie and Roche Bois Roundabout. This rally, as I said earlier, is taking place very late at night and the main reason for this rally is illegal gambling. There is illegal gambling taking place there. There have been mini riots there between the participants and the local inhabitants of Roche Bois. Many inhabitants have been to Police station, but up to now the Police has not taken a serious and severe action against the illegal rally there. Apart from that, it is causing great nuisance and discomfort to the people there. There have been cases where people have thrown rocks on the motorway. So, therefore, I am asking the Ag. Prime Minister to direct the Commissioner of Police to make a special investigation and to be there on Saturday evening so that this can be stopped and prevent further incidents. Thank you.

*(Interruptions)*

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):** Madam Speaker, this is not the first time ...

(*Interruptions*)

Madam Speaker, I am going to answer on behalf of my colleague.

(*Interruptions*)

**Madam Speaker:** Order please!

**Mr Soodhun:** This is not the first time that my colleague has raised this issue in this House, I am sure he is going to agree with me and tomorrow I have a first meeting with the Commissioner of Police. It is the first issue I am going to take.

**Madam Speaker:** Hon. Members, I think it is the third time today that I have heard phones ringing in this House. I wish to remind all Members that they have to switch off their mobile phones when coming to Parliament.

Thank you.

#### **ROADS - POLICE RIDERS - NIGHT PATROL**

**Mr V. Baloomoody (Third Member for GRNW & Port Louis West):** I will join my hon. friend to ask the Ag. hon. Prime Minister - I don't know which one - with regard to the fatal accident. All the fatal accidents, all the hit and run cases have occurred during the night recently, most of them. I have been informed by the Police that the riders have just been bought for Rs22 m. and we have invested to have the Police Officers to ride patrol on the road, but they only work during the day. They have only two shifts. There is no rider at night and I, personally, have witnessed this. On Saturday, I have been driving around for religious purposes and I have not seen any rider. So, can I ask the hon. Ag. Prime Minister to see to it that these riders are present at night as it is the most important part of the day that we need them, at night. There is no point for them to be on the roads, on the motorway, as they cause more obstacle during the day, especially at peak hours. So, they should ride at night and ride on the motorway to prevent all these illegal rallies and make sure that there is no hit and run. So, can the hon. Ag. Prime Minister convey the message.

**The Ag. Prime Minister (Mr X. Duval):** Madam Speaker, we agree fully on this issue. In fact, the riders are also working at night, I have witnessed it myself, but when I spoke to the Commissioner of Police, I did raise the issue with him of increasing the Police presence, at all times, that is, on a 24-hour basis and I think this is going to be done. It is

being done obviously, the weekend you have more and in the week days also, but we understand fully the need to increase Police presence at night.

### **SYRIA – REFUGEES**

**Mr A. Ganoo (First Member for Savanne & Black River):** Madam Speaker, I would like to raise an issue which has been high on the agenda on the international plane recently. The issue is still attracting a lot of attention all over the world. I am referring to the human tragedy and the refugee crisis taking place in Syria. The objective of this intervention is to obtain the reaction of the Minister of Foreign Affairs and Government on this tragic issue.

Madam Speaker, the wave of the Syrian refugees continues unabated and the flow of refugees constitutes perhaps the most significant human migration since the Second World War. Millions of Syrians are reported to have been displaced. 50% of Syrian families have left their homes, 4 millions have already taken refuge in neighbouring States while millions have been migrating to European countries in very traumatising circumstances. More than 250 people are reported to have died already in their quest for a safer haven. We are aware of the solidarity unleashed at the international level. The European plan to deal with the refugees, other more distant States like Canada and US have also offered the support as part of the international effort in this burden sharing process. The Pope François has himself launched a moving and poignant appeal to the European Catholics to accept the refugees. The purpose of my intervention is not to embarrass Government as to whether Government favours any diplomatic solution to this very complex Syrian conflict. We would, of course, be interested to know what is the stand of Government on this matter, but principally, I wish to know of Government stand on a purely humanitarian basis, that is, on the refugee crisis perspective. It is being reported that our Government has received requests from Syrian refugees for help and support and the right to have access in our territory. I would like to know whether Government has taken any decision to symbolically open its arms to some of these families.

*Nous sommes, Madame la présidente, nous-mêmes, un peuple d'immigrés, une nation imbue de grande valeur humanitaire et prêts à exprimer et à témoigner de notre générosité et solidarité aux peuples opprimés.* I would, therefore, like to have a reaction from the hon. Minister of Foreign Affairs.

I have done,

Madam Speaker. Thank you.

**The Minister of Foreign Affairs, Regional Integration and International Trade (Mr E. Sinatambou):** Madam Speaker, this is a very sad issue indeed, but also a very complex one. However, I can inform the House that we have received no request from any Syrian at all, but the matter needs to be looked into very seriously and I shall report to the House later on. Thank you.

#### **LOWER VALE & FOND DU SAC – DRAIN WORKS**

**Mr S. Rughoobur (Second Member for Grand' Baie and Poudre D'or):** Thank you Madam Speaker. Well this is a request for the Road Development Authority through the Minister of Public Infrastructure and Land Transport, actually funds have been earmarked for drain and handrailing works in Lower Vale and the second project for drain works at Branch Road in Fond Du Sac. I would request the hon. Minister for Public Infrastructure and Land Transport to please look into the possibility of accelerating the works through the RDA. Thank you.

**The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):**  
Madam Speaker, I will certainly look into the matter.

#### **CHEBEL – TRAFFIC CONGESTION**

**Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière):** Madame la présidente, ma requête, ce soir, s'adresse à l'honorable ministre des Infrastructure Publiques et cela concerne la circulation à Chebel. En début d'année des feux de signalisation ont été installés à l'entrée de Chebel Branch Road afin de rendre plus fluide la circulation dans cette région. Mais, malheureusement les véhicules qui sortent de Chebel et qui tournent à gauche pour aller vers Port Louis ont tendance à accélérer et dès qu'ils accélèrent et à quelques mètres des feux à l'entrée de Chebel, il y a un passage pour piétons avec des feux justement qui permettent aux piétons de traverser la route. Je sais c'est un peu compliqué, il faudrait peut-être déléguer des officiers à venir voir sur place mais j'ai préféré quand même soulever le problème de façon à ce que le ministre soit au courant. Donc, ce qui fait que les véhicules ont tendance à accélérer. Certains oublient qu'il y a un passage pour piétons, d'autres

s'arrêtent quand il ne faut pas, d'autres continuent leur route alors qu'il faut s'arrêter pour permettre aux piétons de traverser. D'un côté de la route, il n'y a pas de feux qui indiquent aux véhicules qu'ils peuvent continuer vers Port Louis, par contre, à droite pour les véhicules qui remontent vers Rose Hill, il y a des feux qui indiquent. Donc, il y a une confusion et je suis persuadé que les honorables députés de la circonscription dont l'honorable Bhagwan ainsi que nos amis de la majorité ont dû constater ce problème. Ce qui fait qu'il faudrait déléguer rapidement des officiers du ministère du MPI et venir voir sur place aux heures de pointe principalement toute la confusion qui y règne et cela afin d'éviter qu'il y ait un accident grave. On fera tout, bien sûr, pour éviter ce problème. Donc, je compte sur l'honorable ministre.

Merci.

**The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):**  
Madame la présidente, nous allons certainement organiser une visite sur place et trouver les solutions qui s'imposent.

*At 7.16 p.m. the Assembly was, on its rising, adjourned to Tuesday 06 October 2015 at 11.30 a.m*

## WRITTEN ANSWERS TO QUESTIONS

### BEAU BASSIN & PETITE RIVIÈRE – PROJECTS EARMARKED

**(No. B/577) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Constituency No. 20, Beau Bassin and Petite Rivière, he will give a list of the projects earmarked for implementation thereat by the National Development Unit during the financial year 2015-2016.

**Reply:** I am tabling a list of future projects for Constituency No. 20, Beau Bassin and Petite Rivière, which has been approved for implementation by the National Development Unit during Financial Year 2015-2016.

In addition, new projects will also be considered under the forthcoming Framework Agreement for the construction and upgrading of roads and associated works.

## DRUGS RELATED OFFENCES - DETAINEES

**(No. B/578) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to drugs, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of persons presently serving sentence/on remand/being detained for a drug related offence.

**Reply:** I am informed by the Commissioner of Police that as at 28 September 2015, 451 detainees were serving sentence and 168 others were on remand, for drugs related offences. Moreover, as at same date 15 persons were being detained in Police cells or detention centres for such offences.

## BANKS - FEES & COMMISSIONS

**(No. B/601) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Finance and Economic Development whether, in regard to the bank charges, he will state if Government proposes to recommend the rationalisation and standardisation thereof.

**Reply:** We are conscious that the fees and commissions charged by the banks are considered to be on the high side. In fact, in my Budget Speech, I highlighted that numerous consumers have complained about excessive fees charged by banks, including on credit card transactions. I also indicated that the Bank of Mauritius is planning to implement the report on abuses of commercial banks released recently.

The Bank of Mauritius (BoM) had commissioned a Task Force in 2014 to look, *inter alia*, into the fees and commissions charged by banks with a view to assessing their reasonableness and fairness with respect to banking services.

The BoM has since persuaded banks to bring down the fees and commissions charged by them. The BoM has also directed banks to offer a free basic bank account, the GO account, which does not require a minimum deposit and offer a free ATM debit card.

Some banks have responded positively by opening GO accounts for their customers and have, accordingly, reduced their fees and commissions on certain services provided to the public. In addition, the BoM requires banks to publicly disclose their fees and commissions to enable consumers to take a better informed decision.

The BoM has, since 2014, been actively monitoring the level of fees and commissions being charged by banks. I am informed by BoM that it will continue to press banks to bring down their fees and commissions to acceptable levels.

I also wish to inform the House that we will soon set up the Office of Ombudsperson on Financial Institutions which will deal with such complaints.

### **PLASTIC BAGS - BAN**

**(No. B/602) Mr J. Leopold (Second Member for Rodrigues)** asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the use of plastic bags in mainland Mauritius, he will state where matters stand as to the proposed introduction of regulations for the ban thereof.

**Reply:** The Environment Protection (Banning of plastic bags) Regulations 2015, with regard to the use of plastic bags in the mainland Mauritius, have already been promulgated on 06 August 2015, and will be effective as from 01 January 2016.

The Regulations shall not apply to the island of Rodrigues. However, consequential amendment to the Rodrigues Regional Assembly (Prohibition of use of Plastic Bags) Regulations 2014, will have to be brought in view of the reference made to the Environment Protection (Plastic Carry Bags) Regulations, 2004. To this effect, my Ministry has already issued a letter to the Rodrigues Regional Assembly on 19 August 2015 for necessary action.

### **SUNNEE SURTEE GOVERNMENT SCHOOL - FAMILY FUN DAY**

**(No. B/603) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Local Government whether, in regard to the Family Fun Day held on the football ground of the Sunnee Surtee Government School, on 13 September 2015, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if it was involved in the organisation thereof and, if so, obtain therefrom –

- (a) a breakdown of the expenses incurred in relation thereto, and
- (b) the names of the other parties who jointly organized the said event.

*(Withdrawn)*

### **HAJJ 2015 – VISA ALLOCATION**

**(No. B/604) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the five hundred additional visas allocated to Mauritian nationals for the Hajj 2015, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to –

- (a) the official designated point of collection thereof and;
- (b) who was mandated for the collection thereof, indicating why his return to Mauritius after collecting same was delayed, further indicating if this incident;
  - (i) resulted in many persons being unable to leave for Hajj and, if so, indicate, the number thereof who finally obtained a visa and left for Hajj, and
  - (ii) is likely to affect the future attribution of hajj visas to Mauritian nationals.

*(Withdrawn)*

#### **FLEET MASTER LTD – FINANCIAL & STAFFING SITUATIONS**

**(No. B/605) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to Fleet Master Ltd., a subsidiary of Iframac Ltd., he will, for the benefit of the House, obtain information as to the financial and staffing situations thereof.

*(Withdrawn)*

#### **LE MORNE VILLAGE & LA PRAIRIE PUBLIC BEACH - EROSION**

**(No. B/606) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the coastal region between Le Morne Village and the La Prairie public beach, he will state the measures, if any, that have been taken to prevent the erosion thereof and the risk of the coastal road thereat collapsing.

*(Withdrawn)*

## UNIVERSITY OF MAURITIUS – BUDGET

**(No. B/607) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Education and Human Resources, Tertiary Education and Science Research whether, in regard to the University of Mauritius, she will state the measures that Government proposes to take to ease out the financial situation thereof with a view to ensuring the smooth running of the courses being run thereat and the quality of education being provided thereat.

**Reply:** The mission of the University of Mauritius is to serve a social mandate in providing tertiary education to both develop the intellectual capital and build capacity at national level. Fulfilling that mandate comes with a cost.

The budget of the University of Mauritius is currently financed through both Government grant and income generated by the University itself. This includes income from student fees as well as funds generated by research commissioned by business and industry both locally and internationally.

Students following full-time undergraduate programmes pay only general fees while other students, that is, part-time undergraduate and postgraduate students pay both general and tuition fees.

Currently, the campus has a student population of 11,800, out of which 8,700 (74%) fall into the category of full-time undergraduate students.

For the year 2015-2016, the estimated budget of the University is Rs925.42 m. to be financed by the Government grant of Rs504 m. and its own income of Rs365.78 m. The own income generated by the University would include student fees, consultancy, donations and rental of its premises. This leaves it with a projected deficit of approximately Rs55.64 m. for the year 2015-2016.

This budget is currently under close scrutiny by the Tertiary Education Commission and my Ministry. The University of Mauritius has already been requested to adopt efficiency measures so as to reduce expenditure and also to ensure judicious use of existing resources.

In this context, an Efficiency Measures Committee has been set up at the University to look into such issues as overtime, teaching hours, calendar week for semester, tapping into

the alumni network as part of fund generating strategy, development of online modules, amongst others.

Moreover, the UoM Council has appointed an independent external auditor to review the utilisation of financial, human and physical resources and to make recommendations for improved efficiency. The exercise of the independent external auditor is currently ongoing and is expected to be completed in 2 months' time.

In addition, my Ministry is working on measures to harmonise operations at the level of all public institutions. Public universities will thus be encouraged to work collaboratively and in a complementary manner to further optimise the use of resources.

I must point out that the commitment of the University to sustain quality in programme delivery and research is deeply embedded in its Strategic Plan of 2015-2020.

Moreover, as announced in the Budget Speech, a more transparent and efficient financing model based on performance of publicly funded TEIs will be introduced.

I wish to reassure the House that, alongside the measures just enunciated above, no compromise will be made on the quality of education dispensed by the University, whether it is at the level of teaching or research excellence.

### **JUVENILE COURT – SETTING UP**

**(No. B/608) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Attorney-General whether, in regard to the juveniles, he will state –

- (a) where matters stand as to the proposed setting up of a Juvenile Court, and
- (b) the actions that are being taken for the protection thereof, either as accused or as witnesses.

**Reply:** As regards part (a), the Government Programme 2015-2019 provides –

- (a) at paragraph 141 that – a new legal framework will be developed for the detention and management of juveniles in custody.
- (b) at paragraph 173 that – Government will introduce a Juvenile Justice Bill to provide for a more modern juvenile justice system.

On 16 December 2011, Cabinet approved the drafting of the Juvenile Justice Bill to repeal and replace the Juvenile Offenders Act. The Juvenile Justice Bill is intended to be a comprehensive piece of legislation which aims to bring the juvenile justice system in Mauritius in line with the United Nations Convention on the Rights of the Child, the General Comment No. 10 on “Children’s rights in juvenile justice”, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, the United Nations Guidelines for the Prevention of Juvenile Delinquency and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty.

A draft Juvenile Justice Bill was prepared by the Attorney-General’s Office in 2013 following consultations with stakeholders, including several Ministries and Non-Governmental Organisations.

The draft Juvenile Justice Bill was submitted to the Ministry for Social Security, National Solidarity and Reform Institutions for its comments in April 2013. The Attorney-General’s Office has also consulted other stakeholders in relation to the draft Juvenile Justice Bill in 2014.

On 03 July 2015, Cabinet took note of the outcome of the recent mission of the Minister of Social Security, National Solidarity and Reform Institutions to Western Australia. The main objective of the visit was to take stock of the juvenile justice and rehabilitation system in Western Australia with a view to developing appropriate strategies for the youth rehabilitation sector in Mauritius. Following meetings the Minister had with various persons, the matters below were agreed to –

- (a) Mr William Cullen, Correctional Consultant, has agreed to work on a Strategic Plan for the Rehabilitation Youth Centre;
- (b) the Australian authorities would provide assistance in the setting up of a Juvenile Court, and in respect of amendments to be made to existing legislations, viz., the Juvenile Offenders Act and the Reforms Institutions Act;
- (c) Australian experts would provide training to the staff of the Rehabilitation Youth Centre, and
- (d) bilateral assistance and cooperation with relevant departments and agencies of Western Australia would be consolidated.

On 27 July 2015, a meeting, chaired by the hon. Minister of Social Security, National Solidarity and Reform Institutions, was held in my presence, that of my officers as well as the Australian expert, Mr Cullen, to discuss, *inter alia*, the Juvenile Justice Bill.

Given the recent appointment of Mr Cullen who is acting as a consultant in relation to the drafting of the Juvenile Justice Bill and the fact that Mr Cullen has not yet made his recommendations, the drafting of the Juvenile Justice Bill is still in the early stages.

Once Mr Cullen has submitted his report and all relevant stakeholders have been consulted, Cabinet approval will be sought in relation to the policy issues which have to be decided before the finalisation of the Juvenile Justice Bill.

As regards part (b), relating to actions that are being taken for the protection of minors, either as accused or as witnesses, I am informed by the Director of Public Prosecutions that in relation to the actions that are being taken for the protection thereof, either as accused or as witnesses, the Office of the Director of Public Prosecutions has set up a fast track procedure for all Court cases involving children victims and witnesses as well as Juveniles. The Child's Victim and Support Unit which has been set up at the Office of the Director of Public Prosecutions acts as a liaison between the investigation phase of the enquiry by the Police, the advice stage and the lodging of the cases in Court. This set-up ensures that children are not further victimised in the judicial process.

Regarding juveniles called as witness in criminal cases, I am informed by the Master and Registrar of the Supreme Court of Mauritius that –

- (a) since July 2012, the Criminal Division of the Intermediate Court has initiated administrative measures for a fast track procedure where priority is given to cases involving juvenile witnesses. Further, the Presiding Magistrate closely monitors cases involving juveniles as witnesses and ensures prompt communication among all concerned so as to avoid delay in the hearing of such cases. The Presiding Magistrate can also hold pre-trial conferences with all Counsel to narrow down issues and ensure that the juvenile witness attends Court on a single occasion and during school vacation, wherever possible;
- (b) video conferencing facilities are also usually available at the New Court House in the afternoons and are used to avoid direct confrontation between the juvenile witness and the accused. In addition, a juvenile always deposes in presence of his/her responsible party;

- (c) although the name of the juvenile appears on the list of witnesses, the Judgment of the Court does not refer to him/her by name.

As far as cases involving juveniles as an accused party are concerned, I am informed that –

- (a) such cases are heard by the Juvenile Court consisting of the District Magistrate sitting in Chambers. For that purpose, it is always the Magistrate's Chambers which is converted into a Juvenile Court;
- (b) juvenile Court hearings are held in camera to protect the identity of the accused, and in the presence of a responsible party of the accused juvenile, as per the provisions of the law;
- (c) such cases are treated diligently and are heard within the shortest possible delay. Hearings are usually conducted prior to normal Court sessions wherever possible, so that the accused juvenile does not have to wait in Court;
- (d) legal aid is granted to a juvenile accused who wishes to avail himself/herself of this facility except for contravention cases, and
- (e) before a juvenile accused is sentenced, relevant reports regarding his/her personal and social circumstances and his/her suitability for a non-custodial sentence are always called for by the Magistrate.

An Inter-Ministerial Committee has been set up to examine all the recommendations of the Committee on the Rights of the Child in its Concluding Observations on the Combined 3<sup>rd</sup> to 5<sup>th</sup> Periodic Report of Mauritius. I am informed by the Ministry of Gender Equality, Child Development and Family Welfare that a psychological support and follow up is provided to any child victim of abuse and violence. Furthermore, various proposals are being made in the Children's Bill to provide support to children within the Court system.

#### **RODRIGUES - CORRECTIONAL YOUTH CENTRE - CONSTRUCTION**

**(No. B/609) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Social Security, National Solidarity and Reform Institutions whether he will state if Government proposes to construct a Correctional Youth Centre in Rodrigues, in view of the considerable hardships caused to minors who are placed on remand.

**Reply:** I am informed that there is currently no Rehabilitation Youth Centre or Correctional Youth Centre in Rodrigues to accommodate either children beyond control or children who have been placed on remand or those convicted for an offence.

In Mauritius, we already have a CYC for boys to accommodate minors who have been placed on remand or convicted for serious offences. Those who have been placed on remand or convicted for minor offences as well as children beyond control are sent to a RYC for boys. As far as girls are concerned, there is only a RYC to accommodate minors who have been placed on remand or convicted for both serious and minor offences. Girls beyond control are also sent to the same institution. With a view to segregating girls who have committed serious offences, a CYC for girls is being set up, and is expected to be operational shortly.

I wish to inform the House that, following discussions and working sessions with a UNODC(United Nations Office on Drugs and Crime) Expert in Criminal Justice, we are in the process of reviewing the rehabilitation system for minors.. In this respect, we are contemplating the establishment of a structure for children beyond control to ensure that they are given proper support and the problems they encounter with their families are effectively addressed with the help of the community.

With regard to Rodrigues, in the absence of either a RYC or a CYC, minors are currently being sent to the RYC/CYC in Mauritius. However, the transfer of these minors from Rodrigues to Mauritius entails a lot of hardships. In case of non-availability of seats on flights and other unforeseen delays, minors are detained in police cell until their transfer. Moreover, minors are removed from their birthplace, families and culture until the end of their committal. They are totally cut off from their parents and loved ones during incarceration as the latter cannot afford to pay a ticket to Mauritius to visit their children. This separation can cause greater damage to a child's development and eventually impede the process for his/her rehabilitation.

In light of the above, I have been informed by the Rodrigues Regional Assembly that a Rehabilitation Youth Centre is being set up at Fond La Bonté Baie aux Huîtres. A building has already been identified for this purpose and renovation works are currently underway. The renovation is expected to be completed by December 2015.

I am also informed that all minors in Rodrigues who have been placed on remand or have been convicted for minor offences as well as children beyond control will be accommodated in this Centre. The purpose of this Centre is to minimise the hardships caused

to both the minors and their families on being sent to Mauritius. However, minors who have committed serious offences will be referred to the CYC in Mauritius.

However, I wish to draw the attention of the House to the fact that this is only a temporary measure. Gradually the rehabilitation system for minors in Rodrigues would be aligned with the revised system in Mauritius.

#### **BUILD MAURITIUS FUND – PROJECTS - AMOUNT DISBURSED**

**(No. B/610) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Finance and Economic Development whether, in regard to the Build Mauritius Fund, he will, for the benefit of the House, obtain therefrom, information as to the projects which have already been executed and financed thereunder, indicating in each case, the –

- (a) cost thereof, and
- (b) amount of funds disbursed therefrom, as at to date.

**Reply:** I wish to inform the House that the Build Mauritius Fund (BMF), set up under the Finance and Audit (Build Mauritius Fund) Regulations 2013, became operational in January 2014. Since then, the Fund has contributed towards the financing of projects in the road, land drainage, land transport and water sectors.

I am informed that for the period January 2014 to August 2015, an amount of Rs964 m. was spent on water projects, Rs717 m. on NDU projects, Rs103 m. on preparatory works for the Mauritius Light Rapid Transit Project and Rs30 m. on the Bus Replacement Scheme.

Detail on the costs and amounts disbursed on projects funded under the BMF is being placed in the Library.

#### **DRUG ADDICTION –**

#### **METHADONE SUBSTITUTION THERAPY PROGRAMME**

**(No. B/611) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Health and Quality of Life whether, in regard to drug addiction, he will state the number -

- (a) of drug addicts island wide, indicating the number thereof treated under the Methadone Substitution Therapy Programme, since its inception to date, on a yearly basis, and
- (b) percentage of inmates at the Brown Sequard Hospital being treated therefor.

**Reply:** I am informed that based on the three Integrated Biological and Behavioural Surveillance Surveys conducted by my Ministry in 2009, 2011 and 2013, it was found that there were around 10,000 injecting drug users in Mauritius.

Since the introduction of the Methadone Substitution Therapy Programme in 2006, 6897 injecting drug users have been induced on the programme as follows -

<b>Period</b>	<b>Number of Injecting Drug Users</b>
2006	25
2007	346
2008	798
2009	825
2010	1,567
2011	1,507
2012	806
2013	479
2014	386
Jan – July 2015	158

I am informed that four patients, who are following the methadone substitution therapy treatment, are presently admitted at Brown Sequard Mental Health Care Centre and they are being provided with their daily doses during their stay. This constitutes 0.71% of the total number of patients at the hospital.

**KEWAL NAGAR - SIR SEEWOOSAGUR RAMGOOLAM**

**- 115TH ANNIVERSARY CELEBRATION**

**(No. B/612) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the celebration of the 115th anniversary of Sir Seewoosagur Ramgoolam at Kewal Nagar, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to the stand thereof as to the alleged manipulation of news by the Corporation in relation thereto.

*(Withdrawn)*

**DR. JEETOO HOSPITAL - CARDIAC CENTRE - SURGEONS**

**(No. B/613) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the Cardiac Centre at the Dr. Jeetoo Hospital, he will state if the Director thereof and the cardiac surgeons attached thereto are entitled to draw overtime payment for work performed outside normal working hours, indicating the -

- (a) number of cardiac surgeons attached thereto;
- (b) total amount of overtime payment effected thereto over the past five years, and
- (c) if the Director thereof is entitled to practise medicine privately and further indicating if consideration will be given for a review of this policy.

**Reply:** I wish to inform the House that there is no Cardiac Centre at Dr. A. G. Jeetoo Hospital but an ICU Unit and I believe that the hon. Member meant in fact to refer to the Cardiac Centre at Pamplemousses operating under the aegis of the Trust Fund for Specialised Medical Care in line with the Trust Fund for Specialised Medical Care Act of 1992.

There are two Cardiac Surgeons at the Centre namely, Dr. T. K. Gunness and Dr. S. Bhagia.

Firstly, Dr. T. K. Gunness was appointed by the Board in a substantive capacity on 01 December 2002 as Director/Cardiac Surgeon. In May 2006, his post was restyled to Director, Cardiac Services in line with the 2003 Pay Research Bureau Report recommendations.

Secondly, Dr. S. Bhagia, an Indian expatriate, has been employed on a contractual basis with effect from 01 April 2014 and his contract renewed for one year.

With regard to part (b) of the question, I am informed that the Director, Cardiac Services is not entitled to the payment of overtime. However, he is paid an on-call / in-attendance allowance. For the past five years, the Director, Cardiac Services has been paid an on-call / in-attendance allowance to the tune of Rs1,678,884 as per paragraph 20.04.11 of the PRB Report 2013.

In addition, the Board has, since 30 October 2009, approved the payment of an allowance of Rs3,000 per hour for extra sessions to be carried out after working hours to curb the outstanding waiting list of patients from Dr. A. S. Bhoyroo who resigned.

I am informed that Dr. T. K. Gunness performs only 4 cardiac surgeries per week during working hours and any additional surgery is considered as extra session. He has thus been paid an amount of Rs19,022,625 for extra sessions carried out for the past five years.

With regard to part (c) of the question, approval has been conveyed by the Board in April 2007 to the Director, Cardiac Services to undertake private practice.

My Ministry is presently reviewing the policy of private practice to ensure that such privilege is maintained in scarcity areas within well-defined parameters.