

No. 35 of 2015



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**TUESDAY 20 OCTOBER 2015**

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Members

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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Madam Speaker	Hanoomanjee, Hon. Mrs Santi Bai, GCSK
Deputy Speaker	Duval, Hon. Adrien Charles
Deputy Chairperson of Committees	Hurreeram, Hon. Mahendranuth Sharma
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Serjeant-at-Arms	Pannoo, Mr Vinod

**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 35 of 2015**

**Sitting of 20 October 2015**

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

**The National Anthem was played**

*(Madam Speaker in the Chair)*

## **PAPERS LAID**

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

### **A. Prime Minister's Office –**

Certificate of Urgency in respect of the following Bills (In Original) -

- (a) The Supplementary Appropriation (2014) Bill (No. XVII of 2015).
- (b) The Arabic-Speaking Union (Amendment) Bill (No. XVIII of 2015).
- (c) The Bhojpuri-Speaking Union (Amendment) Bill (No. XIX of 2015).
- (d) The Chinese-Speaking Union (Amendment) Bill (No. XX of 2015).
- (e) The Creole-Speaking Union (Amendment) Bill (No. XXI of 2015).
- (f) The Sanskrit-Speaking Union (Amendment) Bill (No. XXII of 2015).
- (g) The English-Speaking Union Bill (No. XXIII of 2015).
- (h) The Hindi-Speaking Union Bill (No. XXIV of 2015).
- (i) The Marathi-Speaking Union Bill (No. XXV of 2015).
- (j) The Tamil-Speaking Union Bill (No. XXVI of 2015).
- (k) The Telugu-Speaking Union Bill (No. XXVII of 2015).
- (l) The Urdu-Speaking Union Bill (No. XXVIII of 2015).

### **B. Ministry of Finance and Economic Development -**

- (a) The Annual Report of the Permanent Resident Investment Fund for the year ended 31 December 2014.
- (b) The Public Procurement (Amendment) Regulations 2015. (Government Notice No. 198 of 2015).
- (c) Estimates of Supplementary Expenditure (2014) of 2015.

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

The Report of the Director of Audit on the Financial Statements of the Mauritius Institute of Health for the year ended 31 December 2014.

**D. Ministry of Local Government –**

- (a) Mauritius Fire and Rescue Service (Special Assistance) Regulations 2015. (Government Notice No. 197 of 2015).
- (b) Municipal Town Council of Beau Bassin-Rose Hill (Street Naming) Regulations 2015. (Government Notice No. 200 of 2015)
- (c) District Council of Moka (Fees, Dues and other Charges for Classified Trades) (Amendment No. 5) Regulations 2015. (Government Notice No. 201 of 2015).
- (d) District Council of Moka (Fees, Dues and other Charges for Classified Trades) (Amendment No. 6) Regulations 2015. (Government Notice No. 202 of 2015).

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

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 27) Regulations 2015. (Government Notice No. 199 of 2015)

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

- (a) The Securities (Disclosure Obligations of Reporting Issuers) (Amendment) Rules 2015. (Government Notice No. 203 of 2015).
- (b) The Securities (Public Offers) (Amendment) Rules 2015. (Government Notice No. 204 of 2015).

**G. Ministry of Social Security, National Solidarity and Reform Institutions**

–

The Annual Reports 2012 and 2013 of the Sugar Industry Labour Welfare Fund.



## ORAL ANSWERS TO QUESTIONS

### ELECTORAL REFORM

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Ruling of the United Nations Human Rights Committee in 2012 following the complaint by ‘*Rézistans ek Alternativ*’ regarding the non-compliance by Mauritius with the International Covenant on Political and Civil Rights, he will state –

- (a) where matters stand at the level of the Committee, as at to date, and
- (b) how Government proposes to follow up on the said Ruling, indicating if an electoral reform Bill with ‘*une dose de proportionnelle*’ and to do away with the obligation imposed on every candidate at general elections to declare the community to which he or she claims to belong will be introduced and, if so, when.

**The Prime Minister:** Madam Speaker, as the House is aware, prior to the last General Elections, every candidate at any general election was required to declare his community, pursuant to section 3(1) of the First Schedule to the Constitution.

In 2007, the political party “*Rezistans Ek Alternativ*” challenged the above requirement before the United Nations Human Rights Committee (UNHRC).

The United Nations Human Rights Committee (UNHRC) concluded that the requirement of mandatory classification of a candidate for a general election constituted a violation of Article 25 of the International Covenant on Civil and Political Rights. The United Nations Human Rights Committee (UNHRC) also reminded that Mauritius was under an obligation to provide the complainants with an effective and enforceable remedy and avoid similar violations in the future.

This is precisely what Government is in the process of doing.

In December 2011, following a Judgment of the Judicial Committee of the Privy Council, the political party “*Rezistans Ek Alternativ*” entered two constitutional complaints which are still pending before the Supreme Court.

Consequently, in July 2014, Parliament passed the Constitution (Declaration of Community) (Temporary Provisions) Bill which removed the mandatory requirement for a candidate to declare his community.

However, the above Act applied only to the first general election held after the commencement of the Act. For subsequent general elections, candidates will still have to declare their community, if no change is brought to the law. For this reason, “*Rezistans Ek Alternativ*” has maintained its constitutional complaints which have been fixed to 03 November 2015 for merits.

The House will appreciate that we can only report new developments to the Human Rights Committee once the matter has been resolved at the level of the Supreme Court.

Madam Speaker, in regard to part (b) of the question, as the House is aware, with respect to electoral reform, the Government Programme 2015–2019 provides as follows -

Paragraph 264 -

“Our electoral system will be reformed to introduce a dose of proportional representation in the National Assembly and guarantee better women representation.”

The Government Programme also provides that Government will eradicate fraud, corruption, malpractices and irregularities in all aspects of public life and restore our national values based on discipline, work ethics and good governance. To this end, a Financing of Political Parties Act will be enacted.

Madam Speaker, since the year 2000, there have been several Reports and Commissions that have looked into the electoral system of Mauritius, namely -

- (i) the Sachs Commission (2001);
- (ii) the Report of the Select Committee on the “introduction of a measure of Proportional Representation in our Electoral System (2002);
- (iii) the Report of the Select Committee on the “Funding of Political parties” (2002);

- (iv) the Carcassonne Report (Dec 2011);
- (v) the Sithanen Report (January 2012);
- (vi) Modernising the Electoral System (March 2014).

This Government has pledged to adopt a genuinely decentralised and participative approach in decision making and a consultative approach in matters directly relating to the Constitution of the country in all cases where the interest of the public at large is at stake.

On the other hand, in line with its reporting obligations under the International Covenant on Civil and Political Rights, Mauritius should have submitted its fifth National Periodic Report to the Human Rights Committee in 2010. This was however not done. I am proposing to submit the Report early next year.

Madam Speaker, upon the advice of the Solicitor General tendered on 16 October 2015, Government proposes to inform the Human Rights Committee that Government stands committed to reform our electoral system so as to introduce a dose of proportional representation in the National Assembly and guarantee better women's representation. Furthermore, the Electoral Supervisory Commission will be given wider powers to control and sanction fraud, corruption and conflict of interests during election time and also to monitor political funding and abuse of position of power. The issue of mandatory declaration of community will be addressed in the wider context of the electoral reform proposed by the Government.

Madam Speaker, the last General Elections in December 2014 has in effect acted as referendum and thus people of Mauritius have made an unequivocal choice. I wish to draw the attention of the House, that the proposals of the previous regime, were more in the personal interests of two party leaders rather than in the national interest. The population rather opted for the programme proposed by *L'Alliance Lepep* which was for the clean-up of the country to create a conducive environment for sustainable development and economic growth.

Madam Speaker, this Government has pledged to conduct business on the principles of discipline, transparency and accountability. Good governance is the order of the day and we will restore trust and confidence in all aspects of public and institutional life.

Madam Speaker, I would like to state that I am not prepared to accept a PR model that will disturb the verdict of the Mauritian electorate and frustrate the will of our people. In this respect, I propose to set up a Ministerial Committee to examine and make

recommendations on electoral reforms as proposed in our Government Programme 2015-2019. Appropriate consultations will thereafter be held with all stakeholders.

**Mr Bérenger:** I understand that Government has decided to wait for the case that is coming before the Supreme Court. Do I take it, therefore, that since the last general elections, the Human Rights Committee in Geneva has not been informed of the pending case and of the stand of Government and that it is now, from what I heard, that Government is going to inform the UN Human Rights Committee what is the situation?

**The Prime Minister:** That is so, Madam Speaker.

**Mr Bérenger:** Can I, again, ask there has been no correspondence from their end, from the side of UN Human Rights Committee on that case?

**The Prime Minister:** I am not aware of.

**Mr Bérenger:** Can I know whether there has been locally any representation as far as *Rezistans Ek Alternativ* is concerned - representations to the Government?

**The Prime Minister:** Not that I am aware of, but we are waiting for the verdict of the Supreme Court.

**Mr Bérenger:** The Rt. hon. Prime Minister has reminded us of what was provided for *une dose de proportionnelle*, in both the present Government's Electoral Programme and later on the 2015-2019 Government Programme. Does that include bringing down the threshold for parties to be qualified to 5%?

**The Prime Minister:** Well, I can't answer to that. When we will be taking decision, we will consider that.

**Mr Bérenger:** I am sure the Rt. hon. Prime Minister must be fully aware that, as far as I can see, no one has ever proposed a proportional representation, *une dose de proportionnelle* - rather to use the very words which were used in their programme - no one has proposed a *dose de proportionnelle* that would overturn the result of the electorate. Does the Rt. hon. Prime Minister agree that, in fact, no one has ever proposed that?

**The Prime Minister:** Well, I don't think I'll agree to that. We all know that the kind of amendment that was being proposed by the MMM in the past would certainly have disturbed the verdict of the electorate.

**Mr Bérenger:** I hope the Rt. hon. Prime Minister is not referring to the time when he was in the MMM and proposed what we proposed then. Can the Rt. hon. Prime Minister give me any reference, on what occasion, what proposal did the MMM make at any time down history lane which would have disturbed the result of the elections, that is, the result at the level of constituencies? Can I be reminded? Will the Rt. hon. Prime Minister be kind enough to remind me on what occasion was that proposed, in what form?

**The Prime Minister:** In fact, the MMM has all the time in mind, the same type of amendment based on what had been done in Rodrigues.

**Mr Bérenger:** Reference has been made to Rodrigues. I need not quote from what the Rt. hon. Prime Minister said in the case of Rodrigues on 20 November 2001, where he said - I'll quote - when he was presenting the Bill for *autonomie* -

“Fear has been expressed that a party which obtains a clear-cut majority at the local regional level – that is, constituencies – may find itself without a majority after the allocation of seats on an island region basis – that is, *à la proportionnelle*. With the system proposed, this is unlikely to happen. However, to allay such fear, provision has been made in clause 11(10) for additional seats to be allocated to the winning party so as to preserve its majority.”

And the hon. Prime Minister then continued -

“This is, of course, an exception. The proposed system may not be perfect - in fact there is no perfect system anywhere in the world - but it is the best for Rodrigues.”

As described by the then Prime Minister and now Prime Minister. Will the hon. Prime Minister agree with me that what went wrong in Rodrigues is not the electoral system proposed, it is the fact that the then Chief Commissioner quarrelled with some of his people who left him and he found himself in a minority. It has nothing to do with the electoral system!

*(Interruptions)*

**The Prime Minister:** Well, the result of the electorate had naturally been disturbed. The majority was diminished. I must tell the hon. Leader of the Opposition that he should know that I have always stood by the principle that the verdict of the electorate should not be disturbed. But since my Government at that time, all of them decided that we should go with

that law insofar as Rodrigues is concerned, I brought the Bill in the House and as Prime Minister, was it not my duty to defend it? Could I have done otherwise?

**Mr Bérenger:** Yes, but would the Rt. hon. Prime Minister agree with me that there is no comparison possible between Rodrigues and Mauritius in terms of the number of elected people, Members of the elected Assembly, the size of the electorate and there is no requirement there to declare your community when you have elections for the Regional autonomy Assembly? Will he agree with me that the comparison does not apply at all and that therefore we should work out something for the whole of Mauritius, including Rodrigues, for this National Assembly and not go on this wrong track which he is adopting as if what has happened in Rodrigues - for the wrong reasons, in fact - can be duplicated here in Mauritius?

**The Prime Minister:** Well, in fact, this is what we are doing. I have said it in my answer.

**Mr Bérenger:** Can I be provided with any detail of the Ministerial Committee that is going to be set up? Is it going to be set up even before the case in the Supreme Court takes place? Are we going to inform the UN Human Rights Committee in Geneva that a Ministerial Committee is going to be set up?

**The Prime Minister:** The case is coming very soon. I hope the judgment will not be delayed. It will depend when the judgment is going to be delivered. If there is a long delay, then we will have to act.

**Mr Bérenger:** Can I ask the Rt. hon. Prime Minister whether he will agree with me that there are two completely different things: electoral reform has been with us for a long time and it had nothing and has nothing to do with individuals; *la deuxième république, le partage des pouvoirs* is another matter, but now we are talking about electoral reform and this has absolutely nothing to do...

*(Interruptions)*

**Madam Speaker:** Order, please!

**Mr Bérenger:** This has absolutely nothing to do with individuals. What is being discussed has been discussed for the last 30 years and that, therefore, we should not mix issues; mix the issue of electoral reform with the issue of the *rééquilibrage des pouvoirs entre*

*le Président et le Premier ministre.* Will he agree with me that we will not move forward if we keep on mixing those two issues?

**The Prime Minister:** Well, we don't agree with that.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** I would like to ask the hon. Prime Minister the following: in the decision of the Committee Experts delivered on 15 January 2015, following the communication of *Rézistans ek Alternativ*, I read, at paragraph 15.5, a very important element which is reference to the 1972 Census. Here, the Committee Experts - if I may be allowed to quote - states that it has looked into it and it says –

“The Committee therefore finds, taking into account the State party's failure to provide an adequate justification in this regard (...)”

Here, it was in regard to the Census of 1972 that had not been updated -

“(...) and without expressing a view as to the appropriate form of the State party's or any other electoral system, that the continued maintenance of the requirement of mandatory classification of a candidate for general elections without the corresponding updated figures of the community affiliation of the population in general would appear to be arbitrary (...)”

The fact that it has not been updated –

“(...) and therefore violates Article 25 (b) of the Covenant.”

Having noted what was said at paragraph 15.5 of the experts' opinion delivered, as I stated, on 15 January 2015, could the hon. Prime Minister tell us what exactly does his Government propose to do in order to address this particular remark of the experts that says that the stand of Mauritius not to update this Census of 1972 is itself a violation of Article 26 of the Convention because I am also aware, as everyone else, the hon. Prime Minister would recall...

**Madam Speaker:** Ask your question, hon. Shakeel Mohamed!

**Mr Mohamed:** That's the last part.

**Madam Speaker:** You should give the opportunity as others also want to have the floor! Please, be accurate and short!

**Mr Mohamed:** That's the last part. The hon. Prime Minister would recall that this is also a view and whether he would consider re-actualising this Census as also agreed because I have seen also his partner, the actual Deputy Prime Minister, stating in public that he would be agreeable to that.

**Madam Speaker:** We have understood your question, hon. Shakeel Mohamed!

**The Prime Minister:** Madam Speaker, when we will come with the reform, there will be no reason to deal with any census.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Madam Speaker, may I ask the Rt. hon. Prime Minister whether he is aware of the several representations made by the Rodrigues Regional Assembly or political parties in Rodrigues with regard to the issue of proportional representation in the sense that it does not represent *les vœux de l'électorat* à Rodrigues and that they have requested in the past - and this has never been entertained - that this be amended?

**The Prime Minister:** Madam Speaker, it is a fact that representations have been made on several occasions. Recently, I was in Rodrigues, request has been made officially, I had been around, the feeling of the people in general is that they are fed up with the present system and that there should be remedial action. There should be a new electoral system for Rodrigues and I agree with them.

**Madam Speaker:** Hon. Leopold!

*(Interruptions)*

**Mr Leopold:** Indeed, this proportional system in Rodrigues causes instability because out of six regions in Rodrigues we won four and we are ruling with only one majority in Parliament. So, it causes instability. I would like to ask the hon. Prime Minister - because that system of allocation of proportional seats for the Rodrigues Regional Assembly has caused instability to the First-Past-The-Post system - whether he will consider amending the law shortly.

**The Prime Minister:** I have just said it.



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

**Mr Uteem:** I heard the Rt. hon. Prime Minister mention that there is going to be a Ministerial Committee which will look into this whole electoral reform. May I know from the Rt. hon. Prime Minister whether this Committee will have full powers or will it be bound by the commitment already taken during the elections and set out in the *manifeste électoral* of *l'Alliance Lepep*, namely, that –

*« Une dose de proportionnelle sera introduite ; le seuil d'éligibilité pour les sièges proportionnels sera 5% des votes nationaux recueillis ; une représentativité d'un tiers des femmes sera assurée ; le système de Best Loser sera maintenu. »*

Will this Ministerial Committee be bound by what has been in the *manifeste électoral*?

**The Prime Minister:** We will try to stick to our principles and our promises as far as possible.

*(Interruptions)*

**Mr Ganoo:** May I ask the Rt. hon. Prime Minister, in view of the urgency of the matter and in view of the fact that the Bill, which is passed by the previous Government in 2014 was a sunset Bill, we have to find another formula for the next election, and also, in view of the fact that the Privy Council said in its judgement in 2011, I quote -

“That if the issues cannot be resolved politically, they may be raised before the Judicial Committee in the future.”

And another sentence was –

“It remains open to the applicant to advance a constitutional challenge in the future.”

So, this is the invitation of the Privy Council for the complainant to come before the Privy Council to find a solution. The Privy Council ruled on the matter. Can I ask the Rt. hon. Prime Minister to take up the previous question that has been put? Political reform is a matter of compromise. Wouldn't the Rt. hon. Prime Minister think that it will be better to set up a Committee of the House so that all political parties as well as those outside the House - because we are all for political reforms in this House - can be heard?

**The Prime Minister:** When there have been Select Committees in the past and my personal feeling is that we will never come to a conclusion, we will never come to an agreement. We have taken the responsibility. We want to take the whole responsibility to discharge that burden which is on us and finally re-consult the population. I hope that the population will agree with us.

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** A lot of detailed work has been done in the past; going back to the days when the Rt. hon. Prime Minister was Prime Minister and all the way back to 1982 and later on. A lot of work has been done, both at the Prime Minister's Office level, but also at the Solicitor General, the State Law Office and the Attorney General's Office. A lot of work was done at the Attorney General's Office until the eve of the last elections. I am not saying that the work was completed, but a lot of progress was made. Has the Rt. hon. Prime Minister been able to get help from the Attorney General to trace the latest drafts that had been ready at the level of the Attorney General's, Solicitor General's Office?

**The Prime Minister:** We will certainly consult all these. We will do that.

**Mr Bérenger:** Will the Rt. hon. Prime Minister circulate whatever the latest version prepared at the Attorney General's and Solicitor General's Office is available?

**The Prime Minister:** I do not see any need for me to circulate.

**Madam Speaker:** Hon. Leader of the Opposition, any questions?

**Mr Bérenger:** No.

**Madam Speaker:** That's all. Questions! Hon. Bhagwan!

## **METHADONE SUBSTITUTION THERAPY PROGRAMME – MINISTER OF HEALTH - STATEMENT**

**(No. B/706) Mr R. Bhagwan (First 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 he will state if he has taken cognizance of a letter addressed to him by the President of the association "*Prevention, Information et Lutte contre le SIDA*" requesting the revocation of the hon. Minister of Health and Quality of Life, following a recent statement made by the hon. Minister in Rose Hill with regard to the

drug addicts who are being treated under the Methadone Substitution Therapy Programme and, if so, indicate if he proposes to take any action in relation thereto.

**The Prime Minister:** Madam Speaker, the President of the association “*Prevention, Information et Lutte contre le SIDA*,” commonly known as PILS, has indeed addressed a letter to me on 07 October 2015 following a statement made by the hon. Minister of Health and Quality of Life.

Madam Speaker, as the House is aware, the statement in question was made by the hon. Minister of Health and Quality of Life within the context of a political meeting of “*Mouvement Libérateur*” on Thursday 01 October 2015, but this has been blown out of proportion.

Madam Speaker, the hon. Minister has explained to me that it was just a ‘*boutade*’ and he had no thought of offending anybody or any group through his comments. I do not think, therefore, that it is reasonable to ask a Minister to step down following such a remark made in jest during a political meeting, within a particular context, and which, I must say, did not warrant all the hue and cry, let alone a revocation. I am satisfied that there was no ill-will on the part of the Minister. Besides, the Minister is not guilty of any act of fraud or dishonesty, nor has he committed any breach of the oath of allegiance or the oath for the due execution of his office of Minister.

Madam Speaker, I am informed that since the hon. Minister of Health and Quality of Life had announced that alternative treatment strategies would be introduced for new patients, there has been an uproar from some NGOs. The new treatment proposed using Suboxone followed by Naltrexone, aims at working towards detoxification, rehabilitation and ultimately giving a chance to those persons to reintegrate the mainstream society.

Madam Speaker, my Government aims to rehabilitate drug dependent patients so that they come out of the vicious circle of addiction with the ultimate goal for their economic, social and welfare integration in the mainstream of our society.

Besides, in a spirit of collaboration with the NGOs, on 25 September 2015, the hon. Minister of Health and Quality of Life had a formal working session at the PILS office in Port Louis with Mr Neelen Vencadasamy, President of PILS, Mr N. Ritter, Director and other staff as well as the senior staff of the Ministry to discuss the collaboration between the NGO and the Ministry of Health and Quality of Life.

Madam Speaker, the hon. Minister of Health and Quality of Life has made a statement in this august Assembly on 13 October 2015 that experts from UNAIDS will carry out a full and comprehensive evaluation to assess the relevance, effectiveness, efficiency and sustainability of the Needle Exchange Programme and the Methadone Maintenance Therapy programmes since their inception in 2006 and to come up with appropriate recommendations.

**Mr Bhagwan:** In the reply made by the Rt. hon. Prime Minister, it is clear that the Rt. hon. Prime Minister will not revoke his Minister. The Rt. hon. Prime Minister has informed the House that he has been informed by the Minister of Health and Quality of Life, but following his visit to Cape Town, he met the Executive Director of UNAIDS and requested for a full comprehensive evaluation of the two programmes, namely the Methadone Substitution Therapy and the Needle Exchange Programme and to come up with appropriate recommendations as stated by the Rt. hon. Prime Minister. Will the Rt. hon. Prime Minister request his Minister of Health and Quality of Life to go back to what prevailed until the recent decision from the two programmes namely the Methadone Substitution Therapy and the Needle Exchange Programme?

**The Prime Minister:** I don't see the importance of this question. All this is being taken care of.

**Mr Bérenger:** If I can say something on that. What the hon. Minister of Health and Quality of Life proposed at one side disturbed completely both the Methadone System and the *Seringue* Distribution System and also the confidentiality clauses under which these programmes were being performed. Well, this happened at a given point in time. Can I be allowed to congratulate the hon. Minister that he has gone to Mr Michel Sidibé, Chief Executive Director of USAIDS and UNAIDS - UNAIDS which have been full of praise for precisely those two programmes. I congratulate him that he has requested that very UNAIDS to come with a full and comprehensive evaluation of the two programmes. Can I ask the Rt. hon. Prime Minister would it not be in order to go back to what prevailed until that evaluation is fully carried out and then, *à tête reposée*, whatever changes need to be made will be made?

**Madam Speaker:** I just wish to draw the attention of hon. Members that the question is on the request for the revocation of the hon. Minister of Health and Quality of Life and that the Rt. hon. Prime Minister will not be able to reply to questions which concern the Ministry of Health and Quality of Life. Yes, hon. Uteem!

**Mr Uteem:** The Rt. hon. Prime Minister just mentioned that what was said by the hon. Minister of Health and Quality of Life was a '*boutade*'. In order to avoid this type of

*dérápage*, would the Rt. hon. Prime Minister consider coming forward with a code of conduct for Ministers?

**The Prime Minister:** Well, the amount of *dérápage* that we see everyday from the other side, I am surprised.

*(Interruptions)*

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

### **POLICE - ARBITRARY ARREST**

**(No. B/707) Mr D. Sesungkur (First Member for Montagne Blanche and GRSE)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to alleged arbitrary arrests, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) number of complaints filed over the period 2009 to 2014, indicating if an estimate of the contingent liabilities pending on Government as a result thereof has been made, and
- (b) steps being taken for the prevention of the occurrence thereof.

**The Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that 5 civil cases related to alleged arbitrary/unlawful arrest had been lodged against the Police from 2009 to 2014 and damages amounting to Rs13.5 m. were claimed.

In 2 cases, settlement has been reached between the two parties for a total amount of Rs625,000 without admission of any additional liability, and in the remaining 3 cases the Court decided in favour of the plaintiffs and awarded damages amounting to a total of Rs174,180.

Madam Speaker, as regards part (b) of the question, mention has been made in the Government Programme 2015-2019 for the proposed introduction of a modern legal framework modelled on the UK Police and Criminal Evidence Act to address the abusiveness and arbitrariness of the present system of “Provisional Charges”.

In view of the sensitive and complex nature of the issue, it is imperative to have wide consultations with all stakeholders before introducing a new Bill in the National Assembly. This consultation process, which will take some time, will start as soon as the fresh draft Bill is finalised by the Attorney General’s Office.

I also wish to inform the House that, as announced in the Government Programme, an Independent Police Complaints Commission will be set up and it is expected, among others, to act as a deterrent to any abuse from the Police, including arbitrary arrests. The relevant legislation is presently being drafted by the Attorney General's Office.

**Mr Sesungkur:** Will the Rt. hon. Prime Minister agree that the past few years have been the darkest period of our democracy in regard to the number of arrests of innocent people, I am thinking of Pascale Bodet, Suda Singh and also of political opponents like hon. Sawmynaden, yourself, Madam Speaker, and the hon...

**Madam Speaker:** Hon. Sesungkur, please don't mention names!

**Mr Sesungkur:** So, will the Rt. hon. Prime Minister agree that nobody is above the law, but, at the same time, there should not be blatant abuse as it was the case under the previous regime?

**The Prime Minister:** Well, I have just said that we are looking into the whole matter; we will come with legislation so that what happened will be things of the past.

**Mr Uteem:** Madam Speaker, may I know from the Rt. hon. Prime Minister, being given that we are talking about liberty, a constitutional right, whether we have a time frame as to when this Government will come forward with that much awaited piece of legislation?

**The Prime Minister:** As I have said, the Bill is being worked out by the Attorney General's office. I can't give the exact time frame.

**Mr Ganoo:** The Rt. hon. Prime Minister has given us the number of arbitrary arrests that have taken place and millions of rupees that are being paid by the State as a result of these arbitrary arrests. Can I ask the Rt. hon. Prime Minister whether the Attorney General's Office shouldn't review the limitation period that is given for a citizen of this country to sue the State, especially in case of arbitrary arrest? Today, the period is two years; whether in case of Police brutally only, perhaps, we should not review this limitation period and eliminate it completely?

**The Prime Minister:** These abuses have been tolerated by their past ally; we have said that we are going to do everything so that these things do not happen again, of course, as far as possible. In many countries, more advanced, more democratic, there are always sometimes these unhappy things happening.

### **PROSTITUTION RELATED OFFENCES - ARREST**

**(No. B/708) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to prostitution related offences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of raids carried out in brothels in 2011, 2012, 2013 and 2014 respectively, indicating the -

- (a) number of arrests effected in connection therewith;
- (b) amount of money seized as proceeds thereof, and
- (c) measures being taken to deal therewith.

**The Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that the number of raids carried out in dwelling houses used as brothels in regard to prostitution of related offences are as follows -

<b>Year</b>	<b>Number of Raids</b>
2011	9
2012	5
2013	4
2014	2
<b>Total</b>	<b>20</b>

In regard to parts (a) and (b) of the question, I am further informed that 49 persons, including three minors, were arrested during these raids and a total sum of Rs58,700 were seized as exhibits for the purpose of enquiry.

In regard to part (c) of the question, the following measures are ongoing to deal with prostitution related offences -

- (i) maintain Police presence and mobile patrols in risk prone areas;
- (ii) stop and search on suspected persons and vehicles;

- (iii) undertake crack down and joint operations with the support of different units such as Special Support Unit and Special Mobile Force;
- (iv) pre-position Police Response Team at identified locations;
- (v) deploy Community Policing Officers and Neighbourhood Officers for door to door sensitisation of the community in general, and
- (vi) deploy Field Intelligence Officers from the Divisional Crime Intelligence Unit for information gathering for proactive and targeted actions. I am also informed by the Ministry of Gender, Child Development and Family Welfare that a series of measures is taken by the Child Development Unit to deal with offences related to prostitution and involving children. Some of these measures are as follows -
  - (i) since all cases of alleged child prostitution are referred to the Child Development Unit, the latter carries out a social enquiry and where required, immediate and long-term protective and support services are provided at the six Family Support Bureaux across the island in terms of psychological counselling and legal advice. Sometimes, the child victims are removed from dangerous environment and are placed in safe places where they are taken care of by qualified professionals;
  - (ii) a hotline/help number 113 is available for reporting prostitutions involving children;
  - (iii) assistance such as medical examination is provided;
  - (iv) through its Community Childwatch Committees, the Child Development Unit provides proximity service and surveillance of children exposed to any form of violence, and
  - (v) protocols of collaboration between the Child Development Unit, the Police and Ministry of Health and Quality of Life have been established to ensure continuous care to child victims.

**Mr Sesungkur:** Madam Speaker, will the Rt. hon. Prime Minister agree that our society took a dangerous slope of the past few years when we look at the degree of immorality about the *nation zougader* and the mentality to make easy money ...



**Madam Speaker:** Hon. Sesungkur, your question relates to prostitution related offences, now you are talking of *nation zougader*!

**Mr Sesungkur:** I was elaborating on the state of affairs of our society and how the Government is taking measures to remedy the situation.

**The Prime Minister:** Well, it is said '*l'exemple vient d'en haut*'!

*(Interruptions)*

So, I am not surprised of what took place, but I have already answered: all the steps that are being taken.

**Mr Ramful:** Madam Speaker, I think our law on prostitution, as it stands, provides for the offence of importuning, that is, those who solicit for immoral purposes and also for keeping brothel. However, the law is silent as regards those who incite others to prostitute for financial gains. Would the Rt. hon. Prime Minister consider the possibility of coming with amendments to provide for those offences?

**The Prime Minister:** Well, I will have to look up whether the law is silent.

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

#### **HORSE RACING - COMMISSION OF INQUIRY - RECOMMENDATIONS**

**(No. B/709) Mr R. Bhagwan (First 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 he will state if he has inquired from the Secretary for Home Affairs if he has officially received copy of the Interim Report of the Commission of Inquiry on Horse Racing submitted to him by the former President of the Republic and, if so, indicate the reasons why no action has been taken in regard to the recommendations made by the Commissioner and, if not, will he consider ordering an inquiry to be carried out to trace out the report at the Prime Minister's Office.

**The Prime Minister:** Madam Speaker, in view of the fact that we already have the final Report of the Commission of Inquiry on Horse Racing and that my Ministry has already initiated actions to implement the recommendations, therefore the question of an inquiry to trace out the preliminary report does not arise.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can I ask the hon. Prime Minister whether as recommended in the report, urgent criminal investigation has been set up to investigate concerns that criminal offences of cheating were occurring at the MTC?

**The Prime Minister:** We are acting on the recommendations of the final report.

**Mr Bhagwan:** Can the Rt. hon. Prime Minister inform the House whether in the course of the inquiry he has inquired within the activities of the PMO where senior officers of his Ministry are very close to the MTC or even owners of horses, if not their relatives, like Polar Royale?

**The Prime Minister:** I never felt any necessity for such an inquiry.

**Mr Bhagwan:** Can I ask the Rt. hon. Prime Minister whether he will review the system of having clearances from senior officers of the PMO, giving clearance for the - I would say - hiring of jockeys from South Africa and other countries where themselves are owners of horses, their relatives are owners of horses and they are giving the clearances themselves at the PMO?

**The Prime Minister:** Well, I don't know since when this has existed, it has been in practice and they were cohabiting with those...

*(Interruptions)*

...who had been promoting this, but I have said...

*(Interruptions)*

I have said...

*(Interruptions)*

**Madam Speaker:** Order! Order, please! Order I said! Allow the hon. Prime Minister to reply!

*(Interruptions)*

**The Prime Minister:** I have said...

*(Interruptions)*

**Madam Speaker:** I have said order!

**The Prime Minister:** ... that we are implementing. We can't do everything in one go, in one day. Step-by-step we are putting order insofar as racing is concerned.

**Madam Speaker:** Hon. Jhugroo!

*(Interruptions)*

Hon. Bhagwan, please!

**Mr Bhagwan:** I do respect the hon. Prime Minister. So, I will ask the hon. Prime Minister - *li dire moi bous mo lagel*, I will never *bous mo lagel*!

*(Interruptions)*

You have said so! You have said so!

*(Interruptions)*

**Madam Speaker:** Order! Hon. Bhagwan, please sit down! Please sit down! Are you raising...

*(Interruptions)*

Hon. Bhagwan, please!

*(Interruptions)*

Order, I said! I am on my feet! Hon. Bhagwan, are you raising a point of order? Yes! What is your point of order?

**Mr Bhagwan:** I have heard the hon. Prime Minister, of whom I have a lot of respect personally, stating '*bous to lagel*' when I asked a supplementary question. I am asking the hon. Prime Minister on a point of honour for the respect I have for him and for the respect he has for the House, to withdraw what he has said.

*(Interruptions)*

**Madam Speaker:** Please, sit down! Hon. Prime Minister, did you utter these words?

**The Prime Minister:** I asked him to shut up.

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan, please sit down!

*(Interruptions)*

Hon. Bhagwan, please, I am on my feet! I am on my feet! You have to be silent! Hon. Prime Minister, if you did say this, will you kindly withdraw, but if you say you did not, then I will have again to have recourse to the recordings.

*(Interruptions)*

Is there any comment again on the ruling I have given? Next question, hon. Ramful!

**Mr Uteem:** Madam Speaker, didn't you just give a ruling? Didn't you just ask the hon. Prime Minister to withdraw? I think the hon. Prime Minister did not hear what you just said.

**Madam Speaker:** No. He said. What I said is that if he feels he has said it, that he withdraws. If he said he hasn't said it, then I will have to have recourse to the recordings. This is what I have said and this is my ruling. No debate on my ruling, please!

Next question, hon. Ramful!

#### **VILLE NOIRE - CAVENDISH BRIDGE - RENOVATION**

**(No. B/710) Mr D. Ramful (Third 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 Cavendish Bridge of Ville Noire, in Mahebourg, he will state if the National Development Unit will implement the project for the renovation thereof during the current financial year.

**The Prime Minister:** Madam Speaker, I am informed by the RDA that the Cavendish Bridge is situated along Plaine Magnien-Mahebourg Road (A12). The bridge is a potential Heritage Site but not yet listed as one of our National Heritage Monuments.

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo, you are disturbing the hon. Prime Minister!

**The Prime Minister:** In the year 2000, the RDA constructed footpath on both sides of the bridge to allow safe movement of pedestrian from one side to the other. The footpath is a

metal structure with wooden planks. Furthermore, in July 2011, the bridge was repainted by the RDA in the context of its centenary celebration.

However, it should be highlighted that the wooden planks are subject to theft, decay, wear and tear. Regular maintenance is, therefore, carried out by the RDA.

Madam Speaker, I am also informed that RDA has made a provision of Rs500,000 for better environmental resistant material to replace the wooden planks. However, the implementation will be carried out upon receipt of the decision of the National Heritage Trust Fund as to the type of material that can be used.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Being given that a question was being raised in the past during the previous Government and nothing had been done by the previous Minister, will the hon. Prime Minister consider asking engineers of the NDU to go and carry out a full survey with regard to *l'état* of this bridge at Ville Noire?

**The Prime Minister:** Let's wait! Let's have the advice of what we must use as materials and then we will send engineers, if need be.

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

### **CHILDREN - SEXUALLY ABUSED**

(No. B/711) **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 the children, he will, for the benefit of the House, obtain from the Commissioner of Police, for each of the years 2013, 2014 and since January 2015 to date, information as to the number of reported cases thereof having allegedly been victims of the offence of -

- (a) sexual intercourse with a minor under the age of 16;
- (b) attempt upon chastity, and
- (c) causing a child to be sexually abused.

**The Prime Minister:** Madam Speaker, sexual intercourse with a minor under the age of 16 and attempt upon chastity are criminal offences under section 249 of the Criminal Code

Act. Any person found guilty under such charges is liable to penal servitude for a term between 10 to 20 years depending on the case.

Regarding the offence of causing a child to be sexually abused, sections 14 and 18 of the Child Protection Act provide that any person found guilty may be convicted and sentenced for a period not exceeding 20 years.

I am tabling the number of such reported cases for the years 2013 to date, as submitted by the Commissioner of Police.

Madam Speaker, I am also informed by the Ministry of Gender Equality, Child Development and Family Welfare that the following measures are taken in reported cases of sexual offences -

- (i) the Child Development Unit records the case for social enquiry whilst Police performs the criminal enquiry;
- (ii) children victims of sexual offences are also provided with immediate and long term protective and support services at the level of six Child Development Unit outstations across the island, namely at Goodlands, Flacq, Rose Belle, Port Louis, Bambous and Vacoas as well as at the Drop-in-Centre in Port Louis;
- (iii) there is close networking and collaborative efforts with the *Brigade pour la Protection des Mineurs* and other stakeholders to assist in the identification of victims through crackdown operations;
- (iv) the hotlines 113, 148 and 999 are also available to provide emergency support services to any reported cases of sexual offences on children;
- (v) joint interviews by the Police and Child Development Unit officers to avoid repeated narrations of incident and secondary victimisation;
- (vi) immediate assistance to victims of sexual offences for medical examinations as well as HIV testings and pregnancy tests;
- (vii) psycho-social counselling to victims and their families;
- (viii) children victims of sexual offences who are assessed to be in immediate danger in their family environment are removed therefrom and placed in a place of safety as per the Child Protection Act for alternative *prise en charge* by qualified professionals;

- (ix) as regards victims who live together with their families, ongoing home visits are effected by the Child Development Unit officers on a regular basis to ensure that children are being rehabilitated and geared for normal schooling and/or alternative skilling;
- (x) in some cases, therapeutic activities are carried out at '*Jardin de la Paix*' at Calodyne managed by CEDEM for children victims of abuse inclusive of sexual offences and child prostitution, and
- (xi) sensitisation campaigns are carried out by the Child Development Unit and the National Children's Council.

**Mr Ganoo:** I thank the Rt. hon. Prime Minister for his elaborate answer, Madam Speaker. May I ask him whether it is not time for the authorities in Mauritius also to compile a list of all persons who have been convicted for sexual assault and for whatever offence they have been prosecuted, and it should be available at the Attorney General's Office or at the Ministry of Gender Equality, Child Development and Family Welfare and this list to be readily available and distributed to other law agencies and to places especially which are frequented by children, for example, private primary schools, private pre-primary schools as it is the case in other jurisdictions?

**The Prime Minister:** Well, we will consider this.

**Mr Jhuboo:** Madam Speaker, I am happy to hear what is being done by the Rt. hon. Prime Minister, but, obviously, there is an issue. According to *l'Organisation Mondiale de la Santé*, 20% to 25% of children have had serious child abuse in Europe. In India, it is 50%. According to the figures from the Ministry, in Mauritius, it is 0.3%. Obviously, there is an issue. Can the Rt. hon. Prime Minister inform the Ministry in charge to come with a serious study on child abuse in order to protect the children of our Republic?

**The Prime Minister:** Well, we will try to better the situation. I will pass on this to the Ministry concerned.

**Madam Speaker:** Time is over! Hon. Members, the Table has been advised that Parliamentary Question Nos. B/748 in regard to the proposed renovation of the Plaine Magnien football ground and A/16 in regard to the provision of lighting facilities at Cité Bassin football ground, addressed to the hon. Minister of Youth and Sports, will now be replied by the hon. Minister of Local Government.

The Table has also been advised that PQ Nos. B/731 addressed to the hon. Minister of Finance and Economic Development and B/734 addressed to the hon. Minister of Labour, Industrial Relations, Employment and Training have been withdrawn.

Hon. Members, the hon. Minister of Finance and Economic Development has made a request to the Chair that PQs addressed to him be taken out of turn as he is proceeding on official mission later during the day. I am, therefore, calling PQ Nos. B/714 and B/718 immediately after PQ No. B/712. PQ No. B/712, hon. Dr. Sorefan!

#### **BOI - TRADE AND INVESTMENT MANAGERS- APPOINTMENT**

**(No. B/712) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Finance and Economic Development whether, in regard to the proposed appointment of eight Trade and Investment Managers in strategic cities, as mentioned in the Budget Speech, he will, for the benefit of the House, obtain from the Board of Investment, information as to the number of such managers having been appointed as at to date, indicating their respective –

- (a) date of appointment, and
- (b) posting.

**Mr Lutchmeenaraidoo:** Madam Speaker, I am informed by the Board of Investment (BOI) that following the announcement in the Budget Speech 2015-2016, a recruitment exercise is underway at the BOI for the selection of eight Trade and Investment Managers.

I am also informed by the BOI that so far suitable candidates for the Paris and Johannesburg offices have been identified and appointments will be made shortly by the BOI Board.

**Dr. Sorefan:** Will the hon. Minister consider, when recruiting or appointing those Managers, to go in the same line as the British High Commission has done in Mauritius recently, I think, in January?

**Mr Lutchmeenaraidoo:** I will look into it, Madam Speaker.

**Mr Jhuboo:** I would like to know from the hon. Minister of Finance and Economic Development whether these Managers will have objectives to attract FDI?

**Mr Lutchmeenaraidoo:** Well, they will have to perform.

**Madam Speaker:** Next question, hon. Dr. Sorefan!

#### **BOI – PROPERTY DEVELOPMENT SCHEME**

**(No. B/714) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Finance and Economic Development whether, in regard to the Property Development Scheme, he will, for the benefit of the House, obtain from the Board of Investment, information as to if –

- (a) an in-depth study has been carried out prior to the implementation thereof and, if so, table copy of the report thereof;



- (b) any regulation has been finalised in relation thereto, and
- (c) the residents thereof will be charged local rates/residential tax.

**Mr Lutchmeenaraidoo:** Madam Speaker, one of the measures announced in the 2015-2016 Budget Speech was the restructuring of the IRS and RES schemes as these two schemes have also brought undesirable consequences, the most serious one being that those projects are gated communities which constitute a serious risk to the very fabric of our society.

With regard to part (a) of the question, a Budget Implementation Committee was set up to carry out a comprehensive exercise including a survey with IRS/RES buyers and inputs from members of civil society, professionals of the construction industry and the public at large. I am tabling a copy of the report prepared by the Committee.

Regarding part (b) of the question, on 18 June 2015, a single scheme, namely the Property Development Scheme was laid down in regulations to the Investment Promotion Act based on the recommendations of the committee. The IRS and RES Schemes were revoked.

The new scheme is centered on inclusive development, doing away with gated communities and providing for a wide range of living, employment and leisure opportunities to both locals and foreigners.

The key change that has been incorporated in the regulations is the condition that 25 per cent of the residential properties in a project under the scheme must be reserved for citizens of Mauritius or members of the Mauritian diaspora registered under the Mauritian Diaspora Scheme.

As regards part (c) of the question, any immovable property situated within the jurisdiction of a Municipal City Council or Municipal Town Council is subject to the prevailing local rates, including a residence under the Property Development Scheme.

**Dr. Sorefan:** Madam Speaker, regarding the rate, will the hon. Minister strongly consider those living outside the Municipal Council, that is, the District Council - mainly we have a lot in the Black River District where we have a state within a state with all apartheid going there - pay the rate to the District Council?

**Mr Lutchmeenaraidoo:** Yes, in fact the BOI is working on this.

**Mr Uteem:** Madam Speaker, the hon. Minister of Finance and Economic Development just mentioned that the IRS and RES Schemes certificates have been revoked. May I know from the hon. Minister of Finance what would happen to those promoters who have received

IRS and RES certificates, but have not yet implemented their projects, whether they will have to make a new application or would their IRS/RES licence be converted into a new scheme?

**Mr Lutchmeenaraidoo:** Well, as far as I know, those projects which have been approved can go ahead, unless the Board of Investment decides otherwise.

**Mr Ganoo:** Can I ask the hon. Minister when the 25% of the residences would have been sold to Mauritians, will these complexes be still catered?

**Mr Lutchmeenaraidoo:** In principle, it will not be, because the idea behind it is that we try to build up those projects and integrate as far as possible the local population and diaspora. So, the word ‘catered’ is used to mean building walls around, I don’t know, but it is clear that this new project aims at unifying those development projects within the whole of our society.

**Mr Jhuboo:** I would like to know from the hon. Minister of Finance and Economic Development whether since the Property Development Scheme (PDS) has replaced the RES, is he satisfied with the number of projects approved by the PDS?

**Mr Lutchmeenaraidoo:** Well, the project is quite new. In fact, I have a list of those who have applied for investment under the scheme. There are eight and two have already been issued an approval.

**Dr. Sorefan:** May we know from the hon. Minister how many IRS/RES have been approved, but started and abandoned in the country?

**Mr Lutchmeenaraidoo:** I need to check the information.

**Madam Speaker:** Next question, hon. Dr. Sorefan!

#### **BANK OF MAURITIUS - CMA SMALL SYSTEMS**

**(No. B/718) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Finance and Economic Development whether, in regard to the CMA Small Systems, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to when bids were launched in respect of each procurement exercise carried out therefor in 2009, indicating in each case –

- (a) the names of the –
  - (i) bidders therefor;
  - (ii) members of the Bid Evaluation Committee

- (b) the purpose thereof, and
- (c) if they are operational and, if not, why not.

**Mr Lutchmeenaraidoo:** Madam Speaker, I am informed by the Bank of Mauritius that no bids were launched in respect of the procurement of software from CMA Small Systems AB.

As the Bank of Mauritius was selected by the Committee of Central Banks of COMESA to be the settlement agent for REPSS, the Bank of Mauritius had to adopt a compatible settlement software. Accordingly, the Bank of Mauritius chose the CMA Small Systems AB which was the software service provider of Regional Payment and Settlement System (REPSS) for the COMESA Clearing House.

I am also informed that three other systems were acquired directly by the Bank of Mauritius from CMA Systems AB as they are all inter-linked directly with REPSS, namely -

- (i) The Mauritius Automated Clearing and Settlement System (MACSS);
- (ii) The Cheque Truncation System, and
- (iii) Depository System for Treasury Bills

All the four systems are fully operational.

**Dr. Sorefan:** Madam Speaker, the CMA has implemented RTSX using a dedicated network in some countries, whereby customers do not have to pay swift charges or all local real time settlement. Will the hon. Minister inform the House whether this option was proposed in the technical document of CMA for the RTSX system? If yes, did BOM pay for implementing the dedicated network and yet those to use swift and on what terms and conditions, BOM re-negotiated with CMA? What I am trying to say is that we have a system and BOM has paid a lot of money to the bank, has paid a lot of money to CMA and this is not being functional and, we, Mauritians, when we exchange money bank to bank, we are made to pay swift charges.

**Mr Lutchmeenaraidoo** Madam Speaker, the question might be most pertinent, but I need notice of it.

**Madam Speaker:** Next question, hon. Dr. Sorefan!

**UNIVERSITY OF MAURITIUS & CANBERRA INSTITUTE OF TECHNOLOGY -  
MEMORANDUM OF UNDERSTANDING**

(No. B/713) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Memorandum of Understanding signed between the University of Mauritius and the Canberra Institute of Technology, on 20 February 2013, she will state if there has been, as a result thereof, any –

- (a) exchange of students and of academic staff members;
- (b) joint research project, and
- (c) capacity building for public officer.

**Mrs Dookun-Luchoomun:** Madam Speaker, I am informed by the University of Mauritius that a Memorandum of Understanding between the University and Canberra Institute of Technology was signed on 20 February 2013. The duration of the MoU is of five years as from the date of signature and is renewable by mutual consent of both parties.

With regard to parts (a), (b) and (c) of the question, I am informed that as at date, there has been no exchange of students, of academic staff members, no joint research project and no capacity building of public officers.

The Faculty of Science of the University of Mauritius did express an initial interest to invite the visiting academic staff in Forensic Science in January 2014.

However, the phasing out of the course after having run for three years and due to this phasing out, this need for the visiting academy staff was no longer felt and, consequently, the Faculty of Science did not receive the proposal and the matter has, therefore, not been pursued further.

**Dr. Sorefan:** Will the hon. Minister consider strongly this MoU, because it will be to the advantage of our staff and students and research fellow that we do implement seriously, very soon?

**Mrs Dookun-Luchoomun:** In fact, the Canberra Institute of Technology is a leading institution and can do a lot in the training of a skilled labour force. I, indeed, will ask the University of Mauritius to consider taking full advantage of this MoU.

**ASSOCIATION MAURICIENNE DE BOXE - MANAGING COMMITTEE**

**(No. B/715) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to boxing, he will state if his Ministry recognises the present Managing Committee of the *Association Mauricienne de Boxe* and, if not, why not.

**Mr Sawmynaden:** Madam Speaker, I have to inform the House that the procedures laid down at section 5(4)(c) of the Fourth Schedule of the Sports Act 2013, regarding the removal of the president of the National Sports Federation have not been followed while effecting changes in the composition of the Managing Committee of the *Association Mauricienne de Boxe*.

This matter has become a dispute between the two persons claiming to be the president of the Federation.

In such circumstances, I have referred the matter to the Ombudsperson for Sports who has initiated an enquiry with a view to finding out an amicable settlement in the matter.

**Mr Quirin:** Madame la présidente, peut-on savoir du ministre qui son ministère, actuellement, considère comme le vrai président de la fédération de boxe?

**Mr Sawmynaden:** Madam Speaker, as I have just mentioned, the procedures laid down have not been followed. Now, the case is in front of the Ombudsperson for Sports and we hope that we will reach an amicable settlement.

**Mr Quirin:** Madame la présidente, l'honorable ministre, dans sa réponse, vient de nous informer que les procédures n'ont pas été respectées par rapport à la révocation illégale du président Telvar. J'ai en ma possession copie d'une lettre, provenant du ministère de la Jeunesse et des Sports, adressée à la fédération de boxe, où le ministère affirme que la révocation de M. Telvar, le président sortant ou le vrai président, s'est faite d'une façon illégale. La lettre du ministère le confirme. De ce fait, peut-on savoir - comme il l'affirme lui-même, et qu'il existe des instances de conciliation - pourquoi le ministère, avant d'affirmer que la révocation de M. Telvar a été faite de façon illégale, n'a-t-il pas référé ce cas devant ces instances de conciliation, tel que l'*Ombudsperson for Sports*, avant de venir affirmer que cette révocation a été faite de façon illégale ?

**Mr Sawmynaden:** Madam Speaker, this is an administrative procedure and when I took notice of that, then, I have asked them to put the matter in front of the Ombudsperson because we are talking about sports, so we should reach an amicable settlement.

**Mr Quirin:** Ce qui veut dire, Madame la présidente, que le ministère n'a pas respecté sa propre loi, il a été à l'encontre de ce qui est spécifié dans le *Sports Act*. Peut-on savoir, effectivement, par rapport à cette lettre adressée par le ministère à la Fédération de boxe, qui a signé cette lettre, Madame la présidente?

**Mr Sawmynaden:** Madam Speaker, as I have stated, the matter is in front of the Ombudsperson, it is not a question of who signed or did not sign. We are talking about sports, we need to reach a settlement, we will reach a settlement. Both parties are agreeable to that.

**Mr Quirin:** Madame la présidente, le ministre est en train de fuir devant cette question.

*(Interruptions)*

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

#### **HIGH LEVEL SPORTS UNIT – ATHLETES - ALLOCATION CRITERIA**

**(No. B/716) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the high level sports, he will, for the benefit of the House, obtain from the High Level Sports Unit, information as to if any change has been made in the allocation criteria for Olympic and non-Olympic athletes and, if so, indicate the reasons therefor.

**Mr Sawmynaden:** Madam Speaker, verbal representations have been received from several quarters during cash prize ceremonies organised by my Ministry to reward athletes and coaches who have won medals in major international competitions, to the effect that, over the years, the philosophy behind the scheme pertaining to classifications of sports into Olympic and non-Olympic ones has not been adhered to.

The House may wish to know that initially there was a clear demarcation of sports into these two categories. All national sports federations are affiliated to their respective international sports federations. The international sports federations for Olympic Sports are in turn recognised by the International Olympic Committee and they have to strictly adhere to this charter. This is not the case for non-Olympic federations which have their own respective

rules. Besides, National Sports Federations are listed separately as Olympic Sports and non-Olympic Sports in the Fifth Schedule of the Sports Act 2013.

Furthermore, the number of countries affiliated and the number of licensees for international sports federations in respect of Olympic Sports are significantly higher than those of international federations for non-Olympic Sports. Consequently, in any major competition, the number of participating countries and athletes are also very much higher in Olympic Sports. In the light of the reasons I have just given, the High-Level Sports Unit of my Ministry has deemed it appropriate to revert to the policy adopted initially.

Madam Speaker, as from 01 October 2015, the monthly allowances payable to high-level athletes have been categorised into Olympic and non-Olympic rates. The quantum of monthly allowances being paid to high-level athletes as from 01 October 2015 is as follows –

LEVEL	Range: Quantum of financial package (Rs)	
	Olympic Sports	Non-Olympic Sports
<b>World</b>	26,000 – 32,000	13,000 – 16,000
<b>Inter Continental</b>	13,000 – 20,000	7,500 – 10,000
<b>Continental</b>	6,500 – 11,000	4,000 – 6,000
<b>Regional</b>	3,500 – 5,500	3,500

**Mr Quirin:** Madame la présidente, vu que la nouvelle formule proposée fait une séparation entre les disciplines Olympiques et non-Olympiques, le ministre peut-il nous dire comment son ministère a évalué l'effort des athlètes de ces deux catégories avant de prendre une telle décision?

**Mr Sawmynaden:** Madam Speaker, the answer is in the question itself, Olympic and non-Olympic! We don't need to quantify what effort has been made or not.

*(Interruptions)*

**Mr Quirin:** Madame la présidente, à mon avis, cette décision est non seulement injuste mais elle divise aussi le sport mauricien. De ce fait, je demanderai au ministre de bien

vouloir revoir cette formule pour une autre qui ne pénalise pas principalement les disciplines non-Olympiques.

**Mr Sawmynaden:** Madam Speaker, Olympic is Olympic! It is governed by the Olympic Body and non-Olympic is non-Olympic. It is just like you have on this side of the House the Government and on the other side the Opposition!

*(Interruptions)*

The same thing!

*(Interruptions)*

**Mr Quirin:** Une dernière question, Madame la présidente.

**Madam Speaker:** I will allow you a last question!

**Mr Quirin:** Oui, une dernière question. La nouvelle formule, en fait, fait provision d'une récompense *pro rata* en fonction du nombre de participants dans une compétition. N'est-ce pas une décision injuste vis-à-vis des sportifs, que ce soit des disciplines Olympiques ou non-Olympiques ? En fonction du nombre de participants dans une compétition et la récompense est offerte par la suite en fonction de ça...

**Madam Speaker:** What is your question, hon. Quirin?

**Mr Quirin:** Je demande au ministre s'il ne considère pas cela comme étant injuste de déterminer l'effort par rapport aux nombres de compétiteurs dans une compétition, que ce soit Olympique ou non-Olympique ?

**Mr Sawmynaden:** *Madam Speaker, I think c'est plus injuste envers l'athlète qui pratique un sport Olympique que de voir tout le monde sur la même longueur d'onde. Il faut avoir une sorte de démarcation and this has always been the case even in Mauritius and worldwide.*

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

#### **OCTOPUS FISHING SEASON - YIELDING**

**(No. B/717) Mr J. Leopold (Second Member for Rodrigues)** asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, following the closure of the Octopus Fishing Season 2015 in part of mainland Mauritius, he will state the outcome thereof in terms of the yielding of octopus.



**Mr Koonjoo:** Madam Speaker, I am informed that a two-month voluntary closure of the octopus fishery on a pilot basis was launched on 10 August 2015. The closure applied only to Le Morne and Souillac regions.

The pilot project was initiated by the Indian Ocean Commission through its SmartFish and Biodiversity Projects with the assistance of the European Union and in collaboration with the Mauritius Marine Conservation Society and officers of my Ministry.

The closure of the octopus fishery was implemented after the carrying out of an awareness campaign by the Mauritius Marine Conservation Society with the fishers of the abovementioned regions.

The closure was lifted on 10 October 2015. According to records, the five-day period from 10 to 14 October 2015, a total of about 400 Kg of octopus was captured in Le Morne, Baie du Cap and Riambel, compared to about 60 Kg for the month of June 2015 and about 90 Kg for the month of July 2015 in these same regions.

In view of the very encouraging results obtained during the pilot project, my Ministry has decided to introduce legislation to provide for a close season for octopus fishery from August to October as from next year. In this connection, I have given instructions to officers of the Fisheries Protection Services of my Ministry to carry out an awareness campaign among fishers islandwide.

This is being done in the interest of both the fisher community and the population at large.

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

**Mr Leopold:** Thank you, Madam Speaker. I thank the hon. Minister for coming up with a legislation. In Rodrigues, we have been doing the closing season for four years now and it is ruled by a regulation so, if the hon. Minister comes with a regulation and we have a regulation in Rodrigues, will they not conflict with each other? Is the hon. Minister going to consult the Local Authorities of Rodrigues so that there is no conflict between the two laws as we are in the same Republic?

**Mr Koonjoo:** Obviously yes, Madam.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Madam Speaker, being given that this has been a success for the past four years in Rodrigues and the same has been tried here on a pilot basis, and the Minister is coming with a legislation, can I ask the hon. Minister whether the same will be applied for Agalega and the outer islands?

**Mr Koonjoo:** Naturally yes, Madam.

**Mr Ganoo:** The hon. Minister mentioned only two localities and he just praised the results that have been obtained. Does he intend to extend that ban on octopus to other areas in Mauritius also or will he restrict himself to the two localities?

**Mr Koonjoo:** I just said, Madam, that it will be taken everywhere in Mauritius.

**Mr Leopold:** So, during the closing season in Mauritius, were there any fraudulent operations that were done and, if yes, is the hon. Minister thinking of involving the National Coast Guard in the surveillance of this fishing activity?

**Mr Koonjoo:** Madam Speaker, as far as I know, I don't think that there has been any fraudulent exercise in Mauritius. I don't know much about Rodrigues, but if there is anything like that, naturally it will concern both places to take care of.

**Mr Jhuboo:** Since the hon. Minister will come with a piece of legislation, has he thought of a compensation for the local fishermen during the closure period?

**Mr Koonjoo:** I don't think this has been done in Rodrigues; fishers in Rodrigues are *picker ourites* and they are done...

*(Interruptions)*

They are done there by the ladies, fisherwomen in Rodrigues. Unfortunately, we don't have *picker ourites* in Mauritius, but I presume that ...

*(Interruptions)*

I presume that we will take everything into consideration before putting forward a legislation.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** From a report of the COI, I can see that "*la lutte contre le braconnage a été un défi majeur des éditions précédentes* » and the authorities in Rodrigues decided

« *d'impliquer 200 pêcheurs pour rejoindre l'équipe de surveillance locale.* » So, can I ask the hon. Minister also – I do not blame him for that, he cannot say whether there has been *braconnage* in Mauritius – to see to it that we can involve the local fishermen as part of the *surveillance* when the ban will be operational?

**Mr Koonjoo:** Yes, Madam, I will see to it.

**Madam Speaker:** I suspend the sitting for one and a half hours.

*At 12.58 p.m. the sitting was suspended.*

*On resuming at 2.38 p.m. with Madam Speaker in the Chair.*

### **CASINOS DE MAURICE – WORKERS**

**(No. B/719) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Labour, Industrial Relations, Employment and Training whether he will state if he has received a letter from the State Investment Corporation Management Services Co. Ltd. for a reduction of the workers of the *Casinos de Maurice*, dated 02 October 2015 and, if so, indicate the number of workers proposed for laying off and the actions taken in relation thereto, if any.

**Mr Callichurn:** Madam Speaker, in fact, my Ministry has received a letter dated 02 October 2015 on the State Investment Corporation Management Services Co. Ltd, giving notice, under section 39B of the Employment Rights Act, of its intention to reduce the number of workers at the following Casinos managed by the Company –

- Le Grand Casino du Domaine Ltd;
- Le Caudan Waterfront Casino Ltd.;
- Sun Casinos Ltd.;
- Beach Casinos Ltd., and
- Casino de Maurice Ltd.

In its notification, the State Investment Corporation Management Services Co. Ltd. has not indicated the number of workers proposed to be laid off. It has however, indicated that –

- (i) it proposes to initiate the process of reduction of the workforce, in view of the fact that –
  - out of the five Casinos, two have ceased operation, namely, Beach Casino Ltd in 2009 and Sun Casino Ltd. in 2015;

- the financial position of the companies managing the casinos have been in the red for quite a number of years and to date the accumulated losses stood at Rs581 m., and
- (ii) the management had no other alternative but to initiate discussions on the process for reduction of employees under section 39B of the Employment Rights Act, as all other options, including the offer of a Mutual Agreed Scheme to 317 Casino employees aged 50 and above to take early retirement have not materialised. The option for a Mutually Agreed Scheme had not been accepted by the majority of the employees concerned and only 34 employees accepted the offer.

In line with the provisions of section 39B of the Employment Rights Act, my Ministry has started an inquiry into the matter with a view to determining whether the reason for the intended reduction of workforce is justified or not.

The inquiry has revealed that the number of employees to be laid off has not yet been determined and that the Management has initiated discussions with the Casino Employees Union on the proposed reduction of workforce. Both parties have had two meetings on 12 and 19 October 2015. Another meeting between the parties has been fixed for Monday 26 October 2015.

My Ministry is closely monitoring the situation.

**Mr Bhagwan:** Can the hon. Minister inquire as to whether he has been informed on which ground the SIC is imposing that the employees that would be transferred to the casino of Grand' Baie should leave the union and that they should not join any union? Has the attention of the Minister of Labour been drawn to that particular condition imposed by the SIC Ltd.?

**Mr Callicurn:** Well, I have not been informed of the situation, but I have been informed that the employees currently working at different casinos will be transferred to the casino of Grand' Baie, the newly opened casino.

**Mr Bhagwan:** Can the hon. Minister of Labour explain to the House if the redundancy under the economic grounds applies to the casinos of Mauritius, knowing that overstaffing is the result of the management strategy and Government policy of liberalising the gaming sector and also whether the figures given for the losses have been double-checked by any other third party, by the Ministry of Labour?

**Mr Callichurn:** My Ministry has initiated an inquiry and we are looking into this aspect, but I am given to understand that the economic reason is that the casino is facing a financial difficulty for quite some time now.

**Mr Bhagwan:** Concerning the casino of Grand' Baie, could the hon. Minister of Labour inform the House what are the grounds on which the SIC intends to transfer employees from the SICMS services? Could he also inform the House whether there are new terms of contract and whether the Ministry of Labour has been made aware of these terms and conditions for the new contract which are offered to the workers who are going to be transferred to Grand' Baie?

**Mr Callichurn:** I am given to understand that the new terms and conditions will be applicable to those who will be transferred to Casino of Grand' Baie.

**Mr Mohamed:** Could I ask the hon. Minister whether he could confirm that at some stage during the negotiations between the employees represented by the unions or by themselves and management in presence of the Ministry of Labour that the employer had unilaterally decided to amend one of the conditions of employment that had initially formed part of the Award, namely to ensure that the transport allowance that they were entitled to, be purely and simply cancelled as well as the 14<sup>th</sup> month which they were entitled to as part of their package, forming part of an Award and that also had, unilaterally, on the part of the employer been cancelled without consultations? And, lastly, that the Ministry of Labour rightly, I am informed, indicated to the employer that they were in the wrong.

**Mr Callichurn:** I will certainly look into the matter and I take good note of whatever the hon. Member has stated. But I must say that the negotiation is still ongoing and that no final decision has yet been taken.

**Mr Bhagwan:** Madam Speaker, I will go on the same line as my Colleague. There are several sums which are due to the workers and which are their normal entitlements. So, can the hon. Minister, at least, have a follow-up with his officers along with the SIC Management Services - we are reaching December and they are all human beings - that they be paid whatever sums which are due to them, especially to the lower grades and other grades and not the fat cows which have been appointed on political reasons and doing nothing there?

**Mr Callichurn:** Is the hon. Member referring to the 14<sup>th</sup> month bonus?

**Mr Bhagwan:** Including that and other allowances, sums which are due to them in the course of their normal duties, which have not been paid since months.

**Mr Callichurn:** I will certainly look into the matter.

## MINISTRY OF HEALTH & QUALITY OF LIFE - INFRASTRUCTURAL PROJECTS

(No. B/720) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Ministry of Health and Quality of Life, he will give details of the infrastructural projects undertaken therefor, since January to June 2015, indicating the projects in respect of which the study and design phases thereof have been completed, indicating in each case –

- (a) when the bids therefor will be launched;
- (b) total estimated value thereof, and
- (c) amount of fees paid out to the consultants therefor in each case, if any, as at to date.

**Mr Bodha:** Madam Speaker, I am informed that since the proclamation of the Public Procurement Act 2006, each Ministry and Department is responsible for the implementation of its own infrastructural projects. My Ministry provides technical assistance for the preparation of specifications, designs, cost estimates, bidding documents for floating of tenders and eventually for supervision during implementation and certification of payment claims.

With regard to projects on behalf of the Ministry of Health and Quality of Life, I am informed that since January to June 2015, actions have been initiated for the implementation of six projects as follows -

- New Long Mountain Hospital Phase II comprising conversion of the first floor to accommodate offices, conference room, mess and dormitories. The contract has been awarded for the sum of Rs2,906,000 out of which an amount of Rs1,633,306.60 has already been paid;
- Extension to Pharmacy at Jawaharlal Nehru Hospital for which the preliminary stages have been completed. The working drawings are being finalised and necessary clearances being sought from relevant authorities before seeking the approval of the Buildings Plan Committee. Bids are expected to be launched within the current financial year;
- Floreal Mediclinic project comprising construction of a two storeyed building at the location of an ex-Community Health Centre. Preliminary designs have been completed and bidding documents and final drawings are under

preparation and are expected to be ready by end of November this year for launching of tenders;

- Construction of New Phoenix Community Health Care Centre to replace the old building and provide additional space. The preliminary designs have been completed. The working drawings are being finalised and necessary clearances being sought from relevant authorities before seeking the approval of the Buildings Plan Committee. Bids are expected to be launched by March 2016;
- Extension of the Dialysis Unit at Dr. A. G. Jeetoo Hospital to accommodate additional dialysis machines to cater for more patients. The project is still at a design stage, and
- Rehabilitation of an existing building at Solferino, Vacoas to accommodate a Cancer Centre for which the preliminary designs are being worked out by a Consultant appointed on 14 September 2015.

Madam Speaker, with regard to part (b) of the question, the total estimated value of the abovementioned projects, excluding the Cancer Centre, amounts to some Rs135 m.

As regards part (c), I am informed that no consultancy fees have yet been paid to any of these projects.

**Mr Rughoobur:** Madam Speaker, the information given relates to the current year January to June 2015. I don't know if the hon. Minister has the information - because it was since January 2014 to June 2015 - on the list of projects that has been designed and paid to Consultants. The question was based on the amount of money paid to Consultants, designs ready but tenders that have not been launched.

**Mr Bodha:** I have answered the question with regard to the dates. What I can say to the hon. Member is that we have 33 projects which are at the design stage and 15 projects which are at the construction and supervision stage and they are being monitored by my Ministry. Now, if a specific question is put, I will be able to put a list of all the projects and consultancy fees which have been paid in relation thereto.

**Mr Mohamed:** Madam Speaker, we talked about a list of 30 or so projects. Can the hon. Minister confirm to this House if the Area Health Centre in the area of St. Francois in Plaine Verte, Constituency No. 3, happens to be - if at all, not details required for that - on

that list? Madam Speaker would understand why I am putting that question which is a very old story, indeed.

**Mr Bodha:** I don't have a list, but I can provide the information to the hon. Member.

**Mr Rughoobur:** May I suggest to the hon. Minister like you have in the Ministry of Education, for those big Ministries where you have got huge capital projects, if he would consider proposing to those Ministries, I think, a Project Implementation Unit, like you have in the Ministry of Education, the appropriate resources for the follow-up to ensure whatever project is to be implemented. One is the question of project implementation for the big Ministries but also for the maintenance of those once the projects are completed, like for the Ministry of Health, for example, having a series of buildings to maintain once the projects are completed.

**Mr Bodha:** I think, Madam Speaker, that there have been cases where officers from my Ministry, engineers or others are attached to another Ministry to, in fact, do the design and supervision later. Well, I think if that can help, we will, but what we are doing is we have a meeting with the Ministry and we go project by project to see how to make them happen as soon as we can.

**Mr Jhugroo:** I just heard the hon. Minister, in his reply, saying that there are above 30 big projects in the pipeline. So, can I ask him whether he has got enough professionals in his Ministry to look after the design and monitoring of these projects?

**Mr Bodha:** Madam Speaker, we never have enough professionals. What we do, in fact, we have a list of priorities. But I think the most important priority is the funding of those projects and as soon as there is a funding process, then we can have a hierarchy of priorities and make things happen.

#### **DR. BEERGOONATH GHURBURRUN HOME - GRANT**

**(No. B/721) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the Dr. Beergoonath Ghurburrin Home, she will –

(a) state -

(i) the quantum of funds granted thereto since January 2014 to date, and



- (ii) if she is aware that the employees thereof whose employment has been terminated over the past 24 months have reported to the Ministry of Labour, Industrial Relations, Employment and Training that they have been unfairly dismissed, and
- (b) for the benefit of the House, obtain information as to -
  - (i) if it is being run in strict compliance with the legislation regarding residential care homes, and
  - (ii) the procedures followed for the appointment of the Managing Committee thereof.

**Mrs Jeewa-Daureeawoo:** I wish to inform the House that my Ministry has, in a letter from Dr. Beergoonath Ghurburrun Home dated 05 October 2015, been informed that since 08 September 2015, the name of the Gandhi Breedh Ashram has been changed into that of Dr. Beergoonath Ghurburrun Home.

The quantum of funds granted to the Ashram from January 2014 to August 2015 was Rs12,086,705 for both male and female units. The amount of funds for the month of September has not yet been included as it is the practice that payment for a particular month is effected in the next month. Therefore, payment of funds for the month of September 2015 will be effected in October.

With regard to part (a) (ii), I am informed by the Ministry of Labour, Industrial Relations, Employment and Training that two complaints of alleged termination of employment of two employees during the past 24 months have been received. One of them has been reinstated and for the other one, his claim has been settled by way of compensation.

As regards part (b) (i), I wish to inform the House that the Home was founded in 1965 and has since then been running in accordance with the rules of the Residential Care Homes Act 2003 and the Residential Care Homes Regulations 2005. However, on 17 November 2013, Dr. Beergoonath Ghurburrun to whom the Residential Care Home licence was issued passed away and a relative took charge of the administration of the Home.

I wish to inform the House that the licence of the Home expired on 07 September 2014. Payment of the licence fees by the Home for the period ending 07 September 2015 has been duly accepted and the licence will be issued as soon as proper documentation evidencing that the applicant is a fit and proper person is submitted to the Residential Care Home's Board and the appropriate procedure is followed.

Moreover, inspectors from my Ministry conduct site visits nearly every week to ascertain and ensure that the rules of the Residential Care Homes Act 2003 and the

Residential Care Homes Regulations 2005 are complied with. I wish to point out that during these weekly visits some complaints have been received. One of the alleged complaints concerned non-compliance of choice of food of an inmate. Management was informed of the rights of inmates and proper action was taken. The second complaint concerned the installation of camera in the consultation room of the doctor posted at the Home. The needful has been done and the camera removed. Both complaints have already been dealt with.

Madam Speaker, with an ageing population in Mauritius, there is bound to be an increasing number of homes to cater for the needs of the elderly. I wish to reiterate the commitment of our Government to ensure the protection of the elderly people in our society. This has always been one of our top priorities. We shall leave no stone unturned to ensure that residents of homes are protected from ill-treatment, abuse, violence and non-respect of their rights. In case there is evidence of occurrence of such circumstances, we will see to it that immediate remedial actions are taken and severe sanctions are meted out against the perpetrators or any other person responsible.

It is important to note that an amount of Rs1.4 m. has been budgeted for the installation of CCTV cameras in charitable homes with a view to detecting and preventing abuse, violence and ill-treatment of our elderly people. A survey has already been carried out on the number of cameras required which receive capitation grant. On 06 October 2015, my Ministry has written to the Commissioner of Police to work out the specifications for the supply and installation of CCTV cameras for the purpose of ...

*(Interruptions)*

**Madam Speaker:** Hon. Minister, I am sorry to interrupt you, but you may come with a statement later on, on questions of homes in general. I think you have answered your question and if...

**Mrs Jeewa-Daureeawoo:** Madam Speaker, if you have a look at the length of the question, I am bound to give a lengthy answer.

**Madam Speaker:** Yes, but you have to reply to the question. If you want to come on the question of homes generally, then you can come with a statement.

**Mrs Jeewa-Daureeawoo:** Sometimes we have to give some explanations for hon. Members to understand.

**Madam Speaker:** I am sorry, hon. Minister, this is my ruling. You have to go by my ruling.

**Mrs Jeewa-Daureeawoo:** As far as the procedures followed for the appointment of the Managing Committee at Part (b) (ii)...

*(Interruptions)*

...I am informed by the Ministry of Labour, Industrial Relations, Employment and Training that according to Rules 11 and 12 of the said association, the management of the association is vested in a committee of four persons to be elected every three years at its Annual General Meeting and the four elected members choose amongst themselves, a President, a Vice-President, a Secretary and a Treasurer. That's all.

*(Interruptions)*

**Mr Rughoobur:** This is a serious issue. Can I ask the hon. Minister if she is aware of complaints from former employees who have been forced to resign - I find this is a serious matter - from the home there? Is the hon. Minister aware of this?

**Mrs Jeewa-Daureeawoo:** Well, as from information received from the Ministry of Labour, Industrial Relations, Employment and Training, the two cases referred to alleged termination of employment, that's all. The nature of complaint is alleged termination of employment.

**Mr Rughoobur:** Well, in view of the list of complaints that we receive, may I ask the hon. Minister if she could look into the possibility - as per the registration of Care Homes Act under clause 24 empowers her - of setting up an Advisory Committee, on this specific issue, but, at the same time, look at the overall functioning of those care homes in Mauritius?

**Mrs Jeewa-Daureeawoo:** Well, you will agree with me that it all depends on the seriousness of the complaint. If it is a minor complaint which can be dealt with, let's say, by mediation, for example, choice of food of inmates, well and good. But if there is serious offence, serious complaint, proper actions will have to be taken, rest assured.

**Madam Speaker:** Hon. Fowdar!

**Mr Fowdar:** Thank you, Madam Speaker. Can I ask the hon. Minister whether her Ministry receives annual financial statements from nursing care homes for scrutiny and to ensure that the grants or subsidies given to them are spent judiciously?

**Mrs Jeewa-Daureeawoo:** Well, I have been made aware that the financial statements are forwarded to the Registrar of Associations and as far as my Ministry is concerned, regular visits are made by our officers to inspect the record and if there is any discrepancy identified, my Ministry will take immediate and necessary actions for the security and protection of our elderly.

**Madam Speaker:** Hon. Mahomed!

**Mr Mahomed:** Thank you, Madam Speaker. May I ask the hon. Minister how many inmates are there currently at the Dr. Beergoonath Ghurburrun Home and what is the number of staff currently serving them?

**Mrs Jeewa-Daureeawoo:** Well, there are presently 72 bed capacity: 48 male and 24 female, and about 32 employees.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** May I ask the hon. Minister in this precise case of the Dr. Beergoonath Ghurburrun Home, there has been so far no financial discrepancy registered or noted by her Ministry and that, on the contrary, in the case of this Home, over and above the grants that are granted to the Home, the family has to top up for the proper running of this Home?

**Mrs Jeewa-Daureeawoo:** I am not aware of that.

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

**Mr Fowdar:** Thank you, Madam Speaker. With regard to the accounts submitted to the Registrar of Companies, this is normal practice, but the fact that the Ministry is giving money to the nursing home, I think the hon. Minister should see to it that they have a say on the expenses, so they need to scrutinise the accounts and to see that the money is spent judiciously. Madam Speaker, I also wanted to know from the hon. Minister whether donations - what hon. Ganoo has just mentioned - given to the inmates directly by the parents or well-wishers, whether there are guidelines on how their money is spent or whether they have control on the money, whether the Ministry has control.

**Mrs Jeewa-Daureeawoo:** Well, I don't have the answer now. If my friend can come with a substantive question, I will look into the matter and answer properly.

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

## **TOURISM AUTHORITY - RECRUITMENT**

(No. B/722) **Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the Tourism Authority, he will, for the benefit of the House, obtain therefrom, information as to the -

- (a) number of new recruits thereat, since January 2015 to date, category-wise, indicating in each case, the qualifications held;
- (b) composition of the Enforcement Division thereof, indicating the total amount of contraventions booked over the past six months, and
- (c) total amount of money earmarked for the training of the staff thereof, indicating the amount thereof spent, since January 2015 to date and the categories of staff concerned therewith.

**The Deputy Prime Minister:** Madam Speaker, I am informed by the Tourism Authority as follows -

With regard to part (a) of the question, a Director has been recruited in September, on a two-year contract. He holds a Master in Business Administration and reckons more than 30 years' experience at senior management level in the field of tourism development and hospitality management.

As regards part (b) of the question, the Monitoring and Compliance Unit is currently manned by an Acting Manager and four Tourism Enforcement Officers. Over the past six months, it has established 166 contraventions as compared to 101 contraventions for the corresponding period of 2014.

I wish to inform the House that, in the performance of its enforcement duties, the Monitoring and Compliance Unit is also assisted by Police Officers, Officers of the National Coast Guard and Inspectors of the Ministry of Health and Quality of Life. Moreover, actions have been initiated for the reinforcement of the monitoring capacity of the Unit, with a recruitment of ten additional Tourism Enforcement Officers, which is currently in process.

With regard to part (c) of the question, for the Financial Year 2015-2016, an amount of Rs3 m. has been earmarked for training purposes for the benefit of front liners of the Tourism Industry, including the staff. So far, officers of the grade of Tourism Enforcement and IT have followed a training course on 'Tourism in the Digital Age'.

I further understand that the current training plan is being revisited for implementation during this financial year.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. May I know from the hon. Deputy Prime Minister in my reply to PQ No. B/322, it is a couple of months earlier, the Tourism Authority was to embark on a human resources audit and the need was felt for the recruitment of additional Enforcement Officers. The hon. Deputy Prime Minister mentioned about the recruitment of officers, was he speaking about the recruitment of those Enforcement Officers itself?

**The Deputy Prime Minister:** I read this again, Madam Speaker. I said ‘the recruitment of ten additional Tourism Enforcement Officers’. So, we are recruiting Tourism Enforcement Officers.

As regards the HR audit, I think I will leave it to the new Director who just joined to decide as to whether this is required.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. The hon. Minister has talked about the number of people who have been recruited as goes the question. Would he be able to answer my question as regards the number of people in the same corresponding period who have lost their jobs? If he cannot, I can come with a substantive question.

**The Deputy Prime Minister:** Come with a substantive question!

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can I know from the hon. Deputy Prime Minister whether apart from the one he has informed us who has been recruited, there have been people of minor grades who have been recruited and whether those who were on contract, we still remember those who were having problems, contract workers, whether these have been solved?

**The Deputy Prime Minister:** There are still a number of people on contract, Madam Speaker and I agree that we need to find a solution for these people. There has been no other recruitment except a few people who have been transferred, I think, from SPDC to the Tourism Authority.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** I would request the hon. Deputy Prime Minister if he could consider probably amending the Tourism Authority Act to ensure that the taxis based at hotels are issued with a tourist enterprise licence as well. I know it is not directly related to the question, but if he could?

**The Deputy Prime Minister:** Madam Speaker, they have a taxi licence. I think it is probably enough, too many licences will not help, too many cooks will spoil the broth, Madam Speaker.

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

**AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE  
- SCHOOL CURRICULA**

**(No. B/723) Mr S. Rughoobur (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 African Charter on Democracy, Elections and Governance, she will state the specific and concrete proposals that will be made to lead our students to be fully aware of the substance thereof and of their role in the building process of a democratic society, following the Joint Experts Consultative Meeting held in Abuja, in Nigeria, between 28 and 30 September 2015, to engage the African Ministers of Education in the mainstreaming thereof in the school curricula.

**Mrs Dookun-Luchoomun:** Madam Speaker, I wish to highlight at the outset that the specific objectives of the Joint Experts Consultative Meeting which was held in Abuja (Nigeria) from 28 to 30 September 2015 in order to engage African Union Member States Ministries of Education in the inclusion and mainstreaming of the African Charter on Democracy, Elections and Governance (ACDEG) in the school curricula, are to -

- (i) popularise the African Charter on Democracy, Elections and Governance among young citizens so that shared values reach the grass root level;
- (ii) design activities in the school curriculum to promote the values of this Charter, and
- (iii) to enable students to have an active voice in the promotion of democracy in their country.

This would imply the inclusion of these shared values enshrined in the Charter, into the existing modules or curricular activities at the school level. It would also mean engagement of Ministries of Education in the development of comprehensive training kits and programme on the African Charter on Democracy, Elections and Governance for teachers and students.

Madam Speaker, a New Curriculum Framework is being elaborated which makes provision for the inclusion of cross curricular themes and the development of 21<sup>st</sup> century skills and competencies, which embraces core principles of a democratic society such as -

- Citizenship Education;
- Intercultural Education;
- Values;
- Human Rights Education (which is being integrated in the Form I Social Studies syllabus as from January 2016, on a pilot basis), and
- Sustainable Development.

Work is in progress at the level of the Ministry and at the MIE on the above issues.

However, I wish to point out that according to information obtained, the outcome document of the Joint Expert Consultative Meeting has yet to be tabled and for any decisions to be taken thereon to be binding, the recommendations as may be endorsed by the Specialised Technical Committee (STC) on Education, Science and Technology, need to be adopted at the AU Summit in January 2016.

Therefore, as explained above, the report of the STC has to go through the decision-making process of the AU and adopted by an AU Summit before its adoption.

Nonetheless, Madam Speaker, in spite of the above, I wish to reassure the House that we are leaving no stone unturned in our endeavour through the National Curriculum to instill in the youth those values that would contribute in the building of a more democratic, peaceful, unified and prosperous society.

**Mr Rughoobur:** May I ask the hon. Minister to please ensure, because we are talking a lot about the reforms, whether it is the nine-year schooling or any reform that will be coming - we are looking forward to - that it should be aligned with the recommendations of the African Union? And will the hon. Minister, please, look into this issue and ensure that in her Ministry, the recommendations are taken on board while the hon. Minister is speaking of reform in her Ministry?



**Mrs Dookun-Luchoomun:** As mentioned earlier, Madam Speaker, this is being taken care of, in spite of the fact that the Charter has still not been ratified.

**Madam Speaker:** Hon. Jhugroo!

#### **LE BOUCHON PUBLIC BEACH – ACCESS ROAD**

**(No. B/724) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to Le Bouchon public beach, he will state if consideration will be given for the construction of a secondary access road thereto, as the only one road leading to the beach is narrow and traffic congestion occurs thereat and, if so, when and, if not, why not.

**Mr Bodha:** Madam Speaker, I am informed by the Road Development Authority that the existing access road leading to the public beach is not classified under the Roads Act and as such, is under the jurisdiction of the Local Authority, that is, the District Council of Grand Port.

The upgrading of the existing access road/or the construction of a new secondary access will, therefore, have to be considered by the concerned Local Authority, that is, the District Council of Grand Port.

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

#### **CENTRAL WATER AUTHORITY – NON-REVENUE WATER**

**(No. B/725) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to water supply, he will, for the benefit of the House, obtain from the Central Water Authority, for the period January 2015 to date, information as to the -

- (a) percentage of non-revenue water and
- (b) pipe replacement project works carried out, indicating the costs thereof.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I am informed by the Central Water Authority that -

- (i) the average level of Non-Revenue Water is 58%, that is, for the period January 2015 to date;
- (ii) there are presently 30 ongoing projects to replace 130 kms of pipelines throughout the Island of Mauritius for a total cost of Rs976.9 m. These projects are scheduled to be completed by March 2016, and
- (iii) 200 kms of pipeline will be replaced over the next 8 years for a total cost of about Rs2.3 billion.

I am also informed that under the sewerage projects being implemented by the Wastewater Management Authority, 103 kms of pipes have been replaced as at September 2015.

**Mr Uteem:** Madam Speaker, may I know from the hon. Vice-Prime Minister, what action, if any, is the CWA taking to reduce the non-revenue water?

**Mr Collendavelloo:** Well, first of all, we have got to divide it into two. First of all, there is the physical loss, which is about 45% and the rest is commercial loss. Commercial loss is pilfering, wrong metering, errors, etc.; that is easy to cure. It requires manpower and some brainpower as well.

The second one is physical water losses. Well, we have got 4,000 kms of pipes in Mauritius. 1,570 kms, that is, some 40% require replacement. So, these projects are part of the action plan to diminish the non-revenue water loss. This is part of the development plan of the CWA.

**Mr Uteem:** In 2013, the Government recruited the services of Singapore Corporation Enterprise to prepare a Memorandum for the CWA, precisely to reduce non-revenue water. May I know from the hon. Vice-Prime Minister whether Singapore Corporation Enterprise has completed and submitted its report and what action has been taken since then?

**Mr Collendavelloo:** I understand they are still working, but I am sure this could be the subject of a substantive question and I shall gladly give all the information.

**Mr Ganoo:** Can the hon. Vice-Prime Minister indicate to the House what will be the percentage of the non-revenue water after the works, which he just mentioned, will have been completed? Does he have an idea?

**Mr Collendavelloo:** I wouldn't be able to hazard a guess. So, we are now at 58%. All the plans are intended to reduce it, but I am not aware off-hand as to what is the percentage that we would reach.

**Mr Uteem:** I have not heard the hon. Vice-Prime Minister properly. Can he repeat it - if he has done so - what is the amount that has been spent for this year by the CWA in replacing defective pipelines?

**Mr Collendavelloo:** Well, I don't have the answer year by year. What I know is that we have 30 ongoing projects to replace 130 kms of pipeline for Rs976.9 m. If the hon. Member wants the breakdown year by year, I will have to come back.

**Mr Lesjongard:** Madam Speaker, the hon. Vice-Prime Minister stated that he doesn't have an indication with regard to what would eventually be the percentage loss in non-

revenue water when works are completed. Can we have an indication of what are the international norms with regard to non-revenue water?

**Mr Collendavelloo:** No, I am sorry. This is not a quiz. This is Question Time. I don't have it.

**Dr. Sorefan:** Madam Speaker, may we know from the hon. Vice-Prime Minister if he is aware that in Quatre Bornes, in conjunction with Wastewater Management Authority, they replace the old pipe with the new pipe, but we are still getting water from the old pipe? The new pipe has not been connected to the residents for nearly one year.

**Mr Collendavelloo:** I am sure they will do something about it. This is a matter of so little detail that I am not aware of this for the moment.

**Madam Speaker:** Last question on this, hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. Earlier this year, to justify increasing the contribution to Mauritius Growth Fund, the levy that has been put on petroleum products and where around Rs1.3 billion additional revenue would be raised, the Minister of Finance and Economic Development stated that the rationale for it is to give money to the CWA to replace pipelines. So, may I know from the hon. Vice-Prime Minister how much money has CWA obtained from the STC coming directly from the Rs1.3 billion that have been imposed on petroleum products?

**Mr Collendavelloo:** I will need notice of that.

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

**BAI (FORMER) - BRITISH-AMERICAN INVESTMENTS COMPANY (KENYA)  
LTD - SHARES**

**(No. B/726) 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 shares in the British-American Investments Company (Kenya) Ltd. held by the former British American Insurance Co. (Mtius) Ltd. and its related companies, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to the –

- (a) offers received as at to date for the purchase thereof, indicating in each case, the price and terms and conditions thereof;
- (b) value thereof at the time of the appointment of the conservators of the British American Insurance Co. (Mtius) Ltd., and

(c) current value thereof.

**Mr Bhadain:** Madam Speaker, with regard to part (a) of the question, I am informed by the Financial Services Commission that an acceptable offer has been received for the purchase of 23.3% shares held by the Former British American Insurance Co. (Mtius) Ltd. in British American Investments Company (Kenya) Ltd.

Madam Speaker, British American Investments Company (Kenya) Ltd. is listed on the Nairobi Stock Exchange. At this stage, it would be inappropriate to disclose information of a sensitive nature.

With regard to part (b) of the question, the Conservators were appointed on 03 April 2015 and the quoted share price of British American Investments Company (Kenya) Ltd. was 26 Kenyan shilling per share.

With regard to part (c) of the question, Madam Speaker, the shares of British American Investments Company (Kenya) Ltd. were being traded at 15 Kenyan shilling on 15 October 2015.

**Mr Uteem:** Madam Speaker, is the hon. Minister aware that the Administrators – at that time they were Conservators – had actually informed the FSC that they had received two offers, one for Rs4.1 billion and one for Rs4.7 billion for the sale of the shares in Britam? If this is the case, can I know from the hon. Minister why the FSC did not go ahead for the sale of those shares?

**Mr Bhadain:** This is not the case, Madam Speaker. There was a verbal conversation between the Special Administrator and the Chairperson of the FSC informing that there was an offer, but there was no mention about the figure that the hon. Member has mentioned and also there has been no expression of interest or any documented offers received at that time, when the previous Special Administrators were there. However, as I have just stated, there is an offer which has been received and accepted by the FSC which is, shall I say, more than the loan which has been taken from the Central Bank of Mauritius of Rs3.5 billion at a rate of 3.6% interest payable within one year; it is much more than that, but, of course, I can't give precise details because it is of a confidential nature.

**Mr Uteem:** Can the hon. Minister confirm whether he is aware or not that at the point when the Conservators were going to sell the shares in Britam back in June 2015 to pay the Super Cash Back Gold, the FSC or someone else had requested that the transaction be carried out through a designated broker from South Africa?

**Mr Bhadain:** Again, that's not correct, Madam Speaker. Firstly, the Special Administrators at that time were never going to sell the shares in Britam, Kenya because there is a process to follow. The Central Bank of Kenya has to be informed in such a case. They were looking into the possibilities of getting people to express their interests on those shares.

Now, true it is that there was a company in South Africa whose services had been retained to look into the possibilities of attracting investors to express an interest as well; that was Barclays Investment in South Africa. I must say, Madam Speaker, that to go back on the share price, there is always a premium which is attributable to a shareholding of 23.3%. What you are talking about, it is taken in a big insurance company like that and that premium, today, has been materialised and, hence, the value which has been obtained by the FSC on shares which is well above what has been borrowed from a central bank for repaying the people of Super Cash Back Gold on 30 June 2015.

**Mr Bérenger:** Will the hon. Minister agree with me that the comparison should not be with the money that has been borrowed, but the comparison should be the value of the shares at a given point in time and now? Will he agree with me?

**Mr Bhadain:** Yes, I certainly agree, but the reason as to why I mentioned the loan is to give the assurance that public funds are not being taken to repay the loan which was taken from the Central Bank. With regard to the share price which was quoted, the price of 26 shillings at the time when the Conservators had looked into the matter, the offer now is better than that.

**Mr Bérenger:** I think I heard the hon. Minister say that there is at present a firm offer being considered by FSC, but I think I did not hear him make any reference to what the hon. Minister of Finance has said, that is, that a sovereign fund to be created will be used to buy those shares. Is there any reason why no reference has been made to that statement from the hon. Minister of Finance who had this idea of a wealth fund, sovereign fund to be set up for purchasing those shares, has this been abandoned?

**Mr Bhadain:** Madam Speaker, firstly, let me say that the FSC has already approved the offer. So, we are at an advanced stage and the buyer has also committed to pay 10% into an escrow account which is in the process of being done.

With regard to the sovereign fund, I must say, Madam Speaker, that the Financial Services Commission falls well into my portfolio and this is what has been decided by the

FSC and as Minister for that particular sector, Financial Services, I think it is a big achievement.

**Mr Mohamed:** Is the hon. Minister telling us that the hon. Minister of Finance is not really aware of what has just happened or that they are not on the same wavelength? Is that what he just said to us?

**Mr Bhadain:** Madam Speaker, the hon. Member has the habit of misunderstanding things. I never said that.

*(Interruptions)*

Certainly not! And I can reassure him that the Minister of Finance is well aware of what is happening.

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

#### **COURTS ASIA & HILLBROW (MAURITIUS) LTD. - CLAIMS**

**(No. B/727) 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 claims made by Courts Asia and Hillbrow (Mauritius) Ltd. against the Special Administrator of the British American Insurance Co. (Mtius) Ltd, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to –

- (a) if it agrees with the content thereof, and
- (b) the actions it has taken in relation thereto.

**Mr Bhadain:** Madam Speaker, I am again informed by the FSC that Courts Asia Ltd has written a letter dated 27 August 2015 to the Special Administrator to signify its intention to claim damages for breach of obligations by Iframac Ltd (Special Administrator appointed).

Inasmuch as this is a matter between two private parties, Madam Speaker, it would be inappropriate for me to make any comments thereof.

**Mr Uteem:** Madam Speaker, I heard what the hon. Minister has said, but has he taken cognizance of the letter written by Courts Asia Ltd and the serious allegations made in that letter and does he agree with those allegations bearing in mind the statement made in this very august Assembly by the hon. Minister on the sale of Courts to Mammoth instead of Courts Asia Ltd?

**Mr Bhadain:** I am not aware of any serious allegations, Madam Speaker, but to be honest, Courts Asia Ltd was one of the parties who had engaged with the Special Administrator at that time. They were probably misled by the Special Administrator at that time. They chose to write a letter to the FSC to say that we intend to claim against the Special Administrator. As far as I am aware, there is no case which has been entered to date and these are issues between two private parties. I don't see why we should get into it.

**Mr Uteem:** The reason why we should get into it, Madam Speaker, is because in this august Assembly, the hon. Minister told this House that the offer from Mammoth was better than the offer from Courts Asia Ltd and it is clear from the letter that has been sent to the Administrator that Courts Asia's offer was better and was not even given the chance to improve on their bid or so unlike Mammoth.

**Mr Bhadain:** Well, Madam Speaker, this is certainly not the case and I think that the hon. Member is again misinformed. The offer of the other company, Mammoth Ltd. was better in the assessment which has been conducted by the FSC and the FSC has decided to go ahead with that at a specific period.

With regard to Courts Asia Ltd and Mammoth, they were both informed that the consideration for the FSC and also for this Government was the social aspect. That was the prime consideration. People's jobs had to be safeguarded in the light of the massive fraud which has been conducted with BAI and the people who were running it at the time. These people were in no way party to that fraud, the employees who were working in Courts. 900 employees, Madam Speaker! 720 jobs have been safeguarded out of 900 in Courts. 180 have been compensated well above what the law provides, that is, the Employment Rights Act and also they have integrated the Workfare Programme. I think again, this Government has done the maximum it could and the FSC has rightly taken the decision to go for Mammoth and I have no qualms whatsoever as Minister for this sector about the decision which has been taken by the FSC.

**Mr Uteem:** *Ex facie* the claim, it is clear that what is in the claim is different from what the hon. Minister is saying because in the claim, Courts Asia is stating that they were willing to retain 85% of the employees unlike Mammoth who retained only 80%. They were willing to pay Rs26 m. compensation for people who are going to lose their jobs, whereas Mammoth gave only Rs6 m. and requested the Government to pay Rs6 m. So, in the light of these facts, would the hon. Minister still maintain that the offer of Mammoth was better than Courts Asia Ltd?

**Mr Bhadain:** Absolutely, Madam Speaker. And the reason for that is because those figures which have been quoted by the hon. Member came after the decision of the FSC. When The Board had already decided and evaluated the bids which were in its presence, then the gentleman from Courts Asia Ltd went to the press - we know how the press functions in those issues - to come and say: "I would have done this, I would have done that. I would have employed more people. I would have paid more!" If we are to run a Government like that, then we will run into a brick wall!

**Madam Speaker:** Next Question, Hon. Uteem!

### **VEDIC SOCIAL ORGANISATION – SHELTERS - COMPLAINTS**

**(No. B/728) Mr R. Uteem (First Member For Port Louis South & Port Louis Central)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the shelters administered by the Vedic Social Organisation, she will state if she has received complaints in relation thereto and, if so, indicate the actions taken in relation thereto, if any.

**Mrs Perraud:** Madam Speaker, I am informed that the Vedic Social Organisation is presently managing three shelters for children under Court Orders. Two of the shelters are owned by my Ministry. Management services contract have been signed with the Vedic Social Organisation for the management of the shelters. As regards the third one, a capitation grant per child accommodated is given to that organisation. Various complaints have been received on the functioning of the shelters through letters received at the level of my Ministry. Furthermore, both the internal control of the Ministry of Finance and Economic Development, as well as the Director of Audit, have highlighted shortcomings on various issues in the management of those shelters.

Madam Speaker, as Minister responsible for the development of children, I have been very attentive to what stakeholders in the sector had to say. And the conditions prevailing in shelters were common in our discussions. I have made it a point to visit several shelters personally, in the company of officers of my Ministry, and make an assessment.

In the light of my observations, the hon. Prime Minister and Cabinet agreed upon my recommendation, to the setting up of a Fact-Finding Committee on Residential Care Institutions/Shelters for Children on 17 April 2015. The setting up of a Fact-Finding Committee on shelters only four months after my appointment as Minister of Child



Development is a clear signal that we mean business and will do all that is necessary for the optimal development of children. The report is awaited and its recommendations would be considered for implementations for an enhanced '*prise-en-charge*' of the children placed in Residential Care Institutions/Shelters for children in line with the Convention on the Rights of the Child. Madam Speaker, we have not waited for the conclusion of the Fact-Finding Committee to act or else it would have been very damaging. We have been proactive in our approach and the following measures have been taken –

- (i) meetings were held at the level of my Ministry with the service provider, drawing her attention on all shortcomings and representations made and this was followed through official letters addressed to the latter.

Madam Speaker, I would like, however, to underline that in the light of the shortcomings in respect of this particular shelter, the Management Services Contract has not been renewed and is presently on a month-to-month basis;

- (ii) my Ministry has already called for expression of interest to identify NGOs, and individuals who are willing and who have the capacity to manage shelters for children according to set norms. But, unfortunately, the response was very low. We want and we need to appoint a new service provider following procedures, but we must have people who have the knowledge, the competence but above all a heart to care for children;
- (iii) close monitoring visits are presently being effected by the officers of the Child Development Unit (CDU) to ensure that the best interests of the children accommodated therein are safeguarded at all times.

And as monitoring of work at shelters is important, my Ministry has lately recruited Family Welfare and Protection Officers (FWPOs) to strengthen monitoring and service delivery to the family as a whole. The CDU needs a critical mass of social workers/FWPOs with the right knowledge, skills and attitudes to attend to the needs of complex and difficult cases. There was a need to reinforce and strengthen monitoring and supervision of shelters. FWPOs presently working at monitoring of shelters are doing a good job, bringing into light all potential threats to the physical and emotional well-being of the children in shelters.

We have also recruited, Madam Speaker, new Psychologists because we had only six Psychologists posted at the CDU to cater for six outstations, 21 Residential Institutions,

Foster Care Department, Child Mentoring Programme and cases referred by Family Court and the DPP.

**Mr Bérenger:** I did not hear the hon. Minister give us the composition of that Fact-Finding Committee. Can I know who chaired it and who were the other members of that Fact-Finding Committee?

**Mrs Perraud:** The composition of the Fact-Finding Committee: we have Mr Henry Vellien, Mrs Karuna Rajiah and Mr Cliff Grenade and as Secretary, the Deputy Permanent Secretary of my Ministry, Mrs Jaunbocus.

*(Interruptions)*

**Madam Speaker:** Can the hon. Minister give us an indication of the Chair also? Who is chairing this committee?

**Mrs Perraud:** Yes, excuse me, it is Mr Vellien.

**Mr Uteem:** Madam Speaker, may I know from the hon. Minister when were the complaints received and when were the meetings held by her Ministry?

**Mrs Perraud:** I must inform the House that we got several complaints. I can't actually give a date. Immediately after receiving the complaint letters, anonymous letters or telephone calls, I visited the shelter and after my visit I asked for the setting up of the Fact-Finding Committee and then meet the service provider/Manager.

**Mr Uteem:** Is the hon. Minister aware that the person in charge of this organisation is currently on bail for an offence relating to assault on children and his son-in-law is also interdicted on the ground of sexual intercourse with minor in that shelter?

**Mrs Perraud:** As I have already said, we had many serious allegations. This is one of the reasons why I asked for a Fact-Finding Committee. So, we have to let the Fact-Finding Committee work.

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

#### **PARIS & LONDON EMBASSIES – MAURITIAN DELEGATION - RENTED CARS**

**(No. B/729) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Embassies of Mauritius in Paris and in London respectively, he will state the

number of times they had rented cars to be put at the disposal of the former Prime Minister, of the members of his delegation and of other persons at his request, over the period July 2005 to December 2014, indicating the –

(a) make and model of the cars rented, and

(b) total cost incurred therefor.

**Mr Sinatambou:** Madam Speaker, I have been able to obtain only bits and pieces of information, since the question covers a period of nine years. The information sought is still being compiled and will be placed in the Library of the National Assembly in due course.

**Mr Jhugroo:** Can the hon. Minister inform the House what amount of money has been paid in London with regard to the rental of cars stating their make and model?

**Mr Sinatambou:** The total amount of money paid for cars rented for the former Prime Minister over the period is £257,130.96. That is an average amount of Rs13.2 m.

**Mr Jhugroo:** Can the hon. Minister inform the House how many times cars had been rented for the former Prime Minister in London when our Mauritian Embassy has in its fleet two BMW series 5 and one series 7?

**Mr Sinatambou:** In fact, our mission in London has one Mercedes 250, one BMW X5 make and one BMW series 7 30. And the number of times for which cars have been rented over that period in London is 36.

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

*(Interruptions)*

Hon. Jhugroo, I have already asked for the next question, you should have asked your question quickly. Yes, hon. Lesjongard!

*(Interruptions)*

Hon. Jhugroo, just tell me, are you challenging the ruling I just gave. When I have asked for the next question, you can't come back on this question.

*(Interruptions)*

### **CEB - ST LOUIS POWER STATION - BIDS**

**(No. B/730) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Tender CPB-20-2015 for the development of the St Louis Power Station, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) number of bids received;
- (b) names of the bidders therefor, indicating in each case the -
  - (i) bid value thereof, and
  - (ii) name and make of the engine manufacturer associated therewith, and
- (c) price quoted in respect of each engine therefor.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I am informed by the Central Electricity Board that at the closing date of 01 October 2015, the Central Procurement Board received five bids. The names of the bidders and the price quoted are posted for public information on the website of the Central Procurement Board. I am tabling a copy as posted on the website.

With regard to part (b)(ii) and (c) of the question, I am informed by the CEB that it has no information at this stage as the Central Procurement Board is currently carrying out the evaluation of bids.

**Mr Lesjongard:** Madam Speaker, in a reply on 01 September, the hon. Vice-Prime Minister himself stated with regard to engine manufacturers that we do not have many of them running around the world. Does he confirm that this is the case with this tender?

**Mr Collendavelloo:** Well, there are not many people who manufacture these machines. The matter has not changed in the last three months.

**Mr Lesjongard:** May I ask the hon. Vice-Prime Minister whether he is aware that one of the engine manufacturers in the present tender has been imposed fines of the order of USD150 m. by a court of justice for paying bribes to secure contracts?

**Mr Collendavelloo:** I am not even aware of what are the engine manufacturers who are in the bid. I am not aware of the engine makes. Only the CPB has got that information.

**Mr Bérenger:** It is a bit surprising, I am sure the hon. Vice-Prime Minister must be aware of the Volkswagen issue, which MAN is a subsidiary of Volkswagen and it is now across the world that MAN was fined by courts of law for bribes for falsifying figures. Can I know whether those assessing those offers will take into consideration such matters or will they stick to purely technical issues?

**Mr Collendavelloo:** I am not aware whether MAN is one of the engines quoted. The CEB ...

**Mr Bérenger:** You should know.

**Mr Collendavelloo:** I am sorry.

**Mr Bérenger:** Everybody knows this.

**Mr Collendavelloo:** Well, everybody may know, but I do not know.

**Mr Bérenger:** You should know.

**Mr Jahangeer:** In view of a strain situation we have actually, one of the bidders according to the website which the hon. Vice-Prime Minister mentioned, namely VWSCs, are suing the Government and, at the same time, they are bidding for the same project. Will the hon. Vice-Prime Minister inquire about the eligibility of the VWSCs in accordance with section 3 of evaluation and qualification criteria, taking into consideration the corruption case of the VWSCs in Malta?

**Mr Collendavelloo:** This is a matter which will be taken up by the CPB and I do not interfere in procurement matters.

### **JIN FEI PROJECT – RELOCATION - PLANTERS**

**(No. B/731) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Minister of Finance and Economic Development whether, in regard to the planters of the Riche Terre region who had been relocated in the wake of the implementation of the Jin Fei Project, he will state where matters stand as at to date.

*(Withdrawn)*

### **SUBOXONE - DRUG SUBSTITUTION THERAPY**

**(No. B/732) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the proposed introduction of Suboxone as a new substitution therapy for the treatment of the drug addicts in replacement of Methadone, he will state if amendments will be introduced to the Schedule of the Dangerous Drugs Act to cater therefor.

**Mr Gayan:** Madam Speaker, let me first of all say that the proposed introduction of Suboxone only applies to those who wish to join the programme for drug therapy. Suboxone, Madam Speaker, is a branded product containing two components: Buprenorphine and Naloxone.

Buprenorphine which is a dangerous drug is already listed in Schedule II of the Dangerous Drugs Act 2000, whereas Naloxone is an opiate antagonist and is not considered as a dangerous drug. There is, therefore, no need to amend the Dangerous Drugs Act for the listing of Suboxone.

**Dr. Joomaye:** I would like to ask the hon. Minister if he is aware that introducing Suboxone will automatically facilitate the import and the traffic of Subutex which contains Buprenorphine on the local market.

**Mr Gayan:** Well, whatever will be done, Madam Speaker, will be done by Government under strict control.

**Mr Leopold:** Would the hon. Minister agree that Suboxone and Methadone are just substitutes for risk management and also to prevent the propagation of HIV/AIDS among drug users, especially IV drug users? I would like to ask the hon. Minister whether he is coming with a comprehensive treatment so that drug users get off of Suboxone, Methadone or other dangerous drugs.

**Mr Gayan:** Well, that is the ultimate objective of Government not to have anybody on any of these therapies, but we have to start somewhere and this is why we consider that Suboxone is more likely to wean off people from drugs than Methadone.

**Dr. Joomaye:** Is the hon. Minister aware that the implementation of any new substitution programme needs a pilot project, studies and all these will take time. In the meantime, will the hon. Minister consider bringing back the Methadone programme as it was because it would take months and the patient won't have medication in the meantime?

**Mr Gayan:** Madam Speaker, let me once again say that all those who are on Methadone therapy are continuing to get the Methadone therapy. What is being considered is an alternative for the new ones who wish to join the programme. We have started a programme where we consider that a screening has to be done so that these people are motivated to get off the drugs; this is the whole purpose. And let me also say, Madam Speaker, that we have heard a lot about Suboxone and all this. In 2005, Mr Nicolas Ritter declared –

*« (...) ne pas comprendre pourquoi les autorités mauriciennes n'ont toujours pas réalisé que le Subutex a davantage de côté positif et qu'il peut nous aider dans ce travail. »*

Mme Nathalie Rose, Coordinator of CUT said –

*« Nous ne pouvons pas être plus royalistes que le roi ! Dans le monde entier, les avantages du Subutex ont été reconnus. Alors, à quand le tour de Maurice? »*

So, we have not invented anything, Madam Speaker, it is already there.

**Mr Mahomed:** Madam Speaker, when the subject of Suboxone was first evoked in Parliament, the hon. Minister had suggested that we do some search on Google and I have done some googling, and my question is as follows.

*(Interruptions)*

Is the hon. Minister aware that the subject of Suboxone does not have a clean sheet at all? And I am to refer here to a report that I found upon googling, “30 Years of Harm Minimisation – How Far Have We Come?” An Australian perspective! And, in there, it is said that the record of Suboxone is even worst than Methadone as Suboxone is poorly accepted by drug addicts. Is the hon. Minister aware of such a report?

**Mr Gayan:** Well, my information, Madam Speaker, is that Suboxone is an approved treatment for opioid dependence that had a significant role in expanding access to effective opioid dependence treatment. Suboxone is a fixed dose combination tablet containing Buprenorphine and Naloxone in a 4:1 ratio. The tablet which is administered sublingually - that is, you place a tablet under the tongue - is an established substitution treatment for opioid dependence. It is currently available in Europe, the United States and in more than 30 countries worldwide.

**Mr Bérenger:** In a PQ that I asked earlier on, I congratulated the hon. Minister because when in Cape Town he met Mr Michel Sidibé, the Executive Director of UNAIDS, and they are very serious people. I am sure they will come here, they will look at all these Methadone, Suboxone - Saxophone ...

*(Interruptions)*

All these different drugs and so on! They are very, very serious people and they are going to make recommendations. So, can I appeal to the hon. Minister, we should not be discussing the details and quoting Mr Ritter and so on. Let us give the UNAIDS the chance to do a good job and make recommendations, but, in the meantime, why not go back to what prevails. Because what has happened now is that the way Methadone is distributed has changed, people are not turning up. The way seringues are in front of the Police Station, people are not coming along and the confidentiality that used to prevail is being challenged and you know once this is damaged, it becomes very difficult to repair. So, I appeal to the hon. Minister why not go back gently to what prevails, give UNAIDS the chance to make firm recommendations.

**Mr Gayan:** Madam Speaker, let me say once again that it was not *de gaieté de coeur* that we had to decentralise the distribution of Methadone. There were serious security issues - I can see hon. Bhagwan shaking his head in agreement. He knows the problems that I also know in Beau Bassin.

*(Interruptions)*

What the hon. Leader of the Opposition has said, that people are being discouraged from attending the compounds of the Police Station where this is being done is not true. The number that we had at the beginning of decentralisation - people who are taking the Methadone - is still the same today. What has happened is that the NGOs have informed the Ministry that there are about 200 people who would like to join the programme. For these people we have said, let us see if they can be motivated to get out of it so that they do not become dependent for life on Methadone. Let me also say that out of the 200 whom we started to screen - when I say 'we', it's the Ministry - only 100 turned up, the others have remained untraced; the NGOs have not been able to help us to find them out. There is no contact address. So, there is a problem and this is what we are trying to address. When I met Mr Michel Sidibé in Cape Town, I explained to him all these difficulties. I explained to him how the Needle Exchange Programme, for example, which was being distributed at 10,000 per month last year has shot up 60,000 this year. There is a problem ...

*(Interruptions)*

People must listen to what I am saying! What has happened is that needles are being distributed both by the NGOs and by the Ministry. Where the Ministry is distributing needles there has been no increase. The increase has only happened where the NGOs are distributing. So, there is an imbalance and I need to understand why this is so. I explained all this to Mr Michel Sidibé and he has agreed to assist. In fact, I will be sending him the letter today to invite him to come to carry out this evaluation. Let us see what comes out of that evaluation.

**Mr Mohamed:** In 2013, I myself visited the World Health Organisation on this particular issue of Methadone distribution and I also met Professor Zullino of the CHU in Geneva where this particular issue of Methadone distribution was discussed. In 2013 itself, Professor Zullino and a team from the World Health Organisation were sent to Mauritius with the idea of analysing our Methadone distribution methodology, whether we could improve it, identify the *lacuna*, see whether the dosage was right and to ensure that not only it was provided but it could be properly monitored and that it brought positive result. That report was given to the Ministry of Health sometime in 2014. Could the hon. Minister consider tabling this report and telling us why does he not consider implementing that report first that the World Health Organisation themselves standby since they sent their own people and experts to Mauritius to study it, prepare it and give it to us?



**Mr Gayan:** Well, Madam Speaker, I am a bit confused. I heard the hon. Member speak of a report carried out by HUG, the hospital in Geneva, or WHO. Well, I am not aware of such a report, but if there is one we will certainly look for it. But let me also say that we had lots of reports on this, but since the programme started in 2006 until today, Madam Speaker, out of about 6,000 people who have been on this programme only 40 have been rehabilitated. Only 40 over 9 years! We are saying, we need to look at it and look at it very seriously.

### **ALLIED HEALTH PROFESSIONS BILL - INTRODUCTION**

**(No. B/733) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the proposed introduction of the Allied Health Professions Bill to regulate the activities of chiropractors, physiotherapists, psychologists, speech therapists, nutritionists, dietitians, phytotherapists and homeopathy practitioners, he will state where matters stand.

**Mr Gayan:** Madam Speaker, with the assistance of the Commonwealth Secretariat, my Ministry has prepared a draft Health Professions Bill which is going to cater for 20 professions which had not yet regulated. The Bill was posted on the Website of my Ministry from 10 February to 30 April 2015 to seek views and suggestions from members of the public in general and stakeholders in particular.

The draft Bill is now at the Attorney General's Office for finalisation.

**Dr. Joomaye:** I would like to ask the hon. Minister if he is aware that any complaint has been received by the Medical Council of Mauritius or his Ministry regarding any of these professionals who might be doing illegal practice of medicine.

**Mr Gayan:** Madam Speaker, I receive these kinds of representations on a daily basis. This is why we need to regulate all these professions.

**Dr. Joomaye:** I would like to know whether there will be necessary amendments brought to the Medical Council Act to give it enough powers to refer cases of illegal practice of medicine to the Police directly.

**Mr Gayan:** Well, let the Bill come to the House. If there are amendments to be made, I am sure the hon. Member will make them and we will consider.

## YOUTH EMPOWERMENT PROGRAMME - UNEMPLOYED GRADUATES - PLACEMENT

**(No. B/734) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the unemployed graduates, he will state the -

- (a) number thereof aged between 18 and 30 registered with his Ministry, as at 31 December 2014, indicating the number thereof having obtained placements under the Youth Empowerment Programme, and
- (b) steps taken by Government to assist them secure employment.

*(Withdrawn)*

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

## SOCIAL AID & PENSIONS - BENEFICIARIES

**(No. B/735) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to social aid and pensions, she will state the -

- (a) number of people with disabilities or unhealthy conditions who are benefitting therefrom, since 31 December 2014 to date, indicating the main causes of the disabilities and unhealthy conditions;
- (b) amount of funds disbursed therefor in 2012, 2013 and 2014 respectively, and
- (c) steps being taken to improve the living conditions of the beneficiaries thereof.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I would, first of all, thank the hon. Member for this particular question as I consider this to be indeed an opportunity to speak on a subject which concerns the population at large and is therefore of significant importance.

I am informed that about 51,200 persons with disabilities have been benefiting from social aid and pensions since December 2014 to date.

The main causes of the disabilities as reported by the Medical Unit of my Ministry are diabetes with its complications such as blindness, renal failure, amputations and non-healing wounds, cerebral-vascular accidents, cardiovascular diseases, cancer, old age debility, epilepsy, hearing impairment, Alzheimer, dementia, congenital disorders and injury.

As regards part (b) of the question, the amount of funds disbursed thereof in 2012, 2013 and 2014 are as follows –

Year	Amount (Rs) Billion
2012	Rs1,992,945,285
2013	Rs2,067,418,202
2014	Rs2,275,546,042

As regards part (c) of the question, there are indeed a series of measures taken by my Ministry to improve the living conditions of persons with disabilities benefiting from social aid and pensions. There are around 20 measures, but, Madam Speaker, due to time constraints I will enumerate only a few of them.

1. Persons with disabilities who are beneficiaries of Basic Invalidity Pension benefit from free travel bus pass. Students with disabilities too benefit from the same facility.
2. To enable easy access to public places, free parking coupons are provided to eligible disabled persons.
3. Training of informal carers is given to relatives of family members who take care of people with severe disabilities.
4. Financial assistance provided by Government for treatment abroad has been increased from Rs500,000 to Rs800,000. On top of that, the National Solidarity Fund provides an additional assistance of Rs200,000 and meets the return airfare of two persons.
5. Assistance is also provided by the National Solidarity Fund for the purchase of assistive devices such as –
  - nappies to persons suffering from incontinence and bedridden;
  - spectacles;
  - dentures, and
  - medical bed.

Madam Speaker, it is also to be noted that apart from the provision of the above-mentioned facilities, my Ministry has also increased significantly the pension rates and social

aids provided to persons with disabilities causing an increase in expenditure of around Rs60 m. monthly.

We have also noted with serious concern that, children who are below the age of 15 and who are either bedridden or who suffer from disabilities of not less than 60% are not entitled to the Basic Invalidity Pension. They qualify only for Social Aid which is means-tested. This means that these children are entitled to Social Aid only where their parents earn less than Rs350,000 yearly. My Ministry is in the process of bringing a positive change in this area whereby it is proposed that children who are below the age of 15 and who are either bedridden or who suffer from disabilities of not less than 60% will benefit from Invalidity Pension irrespective of the annual earning capacity of their parents.

Moreover, with a view to revamping the Medical Unit, we are in the process of recruiting more medical practitioners to –

- (i) enable more domiciliary medical visits to be effected with a view to providing even more efficient medical care to patients, and
- (ii) facilitate the timely determination of applications.

I also wish to highlight that currently the extent of disability suffered by a person is determined in accordance with the Sixth Schedule of the National Pensions Act as well as with the help of comprehensive medical guidelines prepared by medical specialists. We intend to include these guidelines in the National Pensions Act to give it “*force de loi*” in the near future. This will not only ensure transparency, but will also make it mandatory for medical practitioners to comply with these guidelines in practice.

Beneficiaries of pension or social aid will henceforth be notified by way of letter two months preceding the date on which their pension or social aid is due to be discontinued. This procedure will allow beneficiaries to undergo their medical re-boarding with a view to determining whether they are eligible for the pension or not.

With regard to persons who are assessed by the Medical Board as being permanently disabled, these persons will be entitled to Basic Invalidity Pension for life without the need for them to constantly attend the Medical Board to undergo medical re-boarding to determine their eligibility.

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

**Mr Sesungkur:** Is the hon. Minister aware that the current practice at her Ministry level is that the only means of livelihood of these persons are being suppressed abruptly and then procedures restarted? So, can the hon. Minister consider to give a humane approach to the whole system and show some flexibility in the approach and to ensure that the only means of livelihood of these people are not suppressed and that they benefit from the pension and social aid for a period of transition? Thank you.

**Mrs Jeewa-Daureeawoo:** Yes. Madam Speaker, this is what I have said in my answer. That's why I am revisiting the Medical Board and see to it that we can facilitate the timely determination of applications.

**Madam Speaker:** Hon. Mahomed!

**Mr Mahomed:** Thank you, Madam Speaker. With regard to disability pension to people who have lost either arms or legs, many at times - and which we know they are not going to be in good condition again, their arms and legs are not going to grow again - they have to be revisited by doctors apparently for obvious reasons because doctors are paid an allowance for that. So, may I ask the hon. Minister what is being done at the level of her Ministry to address this problem?

**Mrs Jeewa-Daureeawoo:** Well, if you had listened carefully to my reply, I have already mentioned that this is being taken care of and they will no more have to attend the Medical Board.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Madam Speaker, we listened carefully.

*(Interruptions)*

Can we know from the hon. Minister the number - if she has the figures - of people who were in receipt of these disability aid and pensions in 2014, but who no longer receive those social aid and pensions in 2015?

**Mrs Jeewa-Daureeawoo:** Unfortunately, I don't have the figure. If you can come with a substantive question.

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

## **QUATRE BORNES - DECONGESTION PROGRAMME**

**(No. B/736) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to Quatre Bornes and the vicinity thereof, he will state if consideration is being given for the elaboration of a Decongestion Programme therefor, respectively for the -

- (a) short term, and
- (b) long term.

**Mr Bodha:** Madam Speaker, I am fully aware of the acute congestion problem at Quatre Bornes the moreso during peak hours in the morning and in the afternoon. The Traffic Management and Road Safety Unit has worked out a Traffic Management Scheme with a view to making the most effective use of the existing road system and this scheme will basically involve the following -

- Restrictions on turning movements along roads where traffic flows will be reversed [d'Epinay Avenue and Osman Avenue];
- Conversion of roads into one-way [Buswell Avenue, d'Epinay Avenue, and Avenue des Rosiers and Avenue Ylang Ylang];
- Re-routing of buses along Odette Ernest Avenue and Murphy Avenue;
- Provision of traffic lights at major road junctions [junction at Osman Avenue and St. Jean Road and Murphy Avenue and St. Jean Road];
- Provision of pelican crossings on roads which have high traffic volumes and high pedestrian flows [St. Jean Road near Post Office, Candos-Vacoas Road near Kalimaye, and Palma Road near Taxi Stand];
- Provision of additional lanes on roads which have high traffic volumes [extension of the left merging lane along St. Jean Road up to the left turning lane going towards Tulipes Road and extension of the left filter lane along St. Jean Road at the junction at La Louise for traffic heading towards Candos];
- Relocation of bus stops at Palma Road near taxi stand, Candos-Vacoas Road near kalimaye and Victoria Hospital.

We have also tried to reduce the number of parking on the main roads.

Madam Speaker, I am informed that the traffic scheme will be implemented in phases. In the short term, that is, Phase 1 has already started with traffic signs and road markings being provided on site for one additional lane along St Jean Road for traffic heading towards La Louise. This additional lane will be operational in two weeks' time during the afternoon peak from 15.00 hrs to 19.00 hrs.

In the longer term, it is proposed to implement the following measures -

- Extension of the left merging lane along St. Jean Road up to the left turning lane going towards Tulipes Road with the provision of raised footpath, and
- Extension of the left filter lane along St. Jean Road at the traffic lights at La Louise.

**Mr Ramano:** Le nombre de problèmes est vraiment énorme. Une des solutions peut-être c'est que si on pourrait envisager de déplacer le *taxi stand* de La Louise dans un autre endroit pour mieux régler le trafic dans la région de La Louise.

**Mr Bodha:** Madame la présidente, toutes les propositions sont les bienvenues. Je propose, au fait, d'en parler avec l'honorable Ramano.

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

**Dr. Sorefan:** Is the hon. Minister aware that recently from La Louise to the St Jean round-about, we have seven traffic lights in a way to decongest, but is he aware that this is causing a lot of problems? Every 500 metres, we are having traffic lights and since they are not synchronised, we have to stop and that is creating a lot of problems at St Jean Road.

**Mr Bodha:** I will definitely look into the matter, Madam Speaker.

**Madam Speaker:** The Table has been advised that the following PQs have been withdrawn: PQ B/737, B/744 and B/745. Next question, hon. Shakeel Mohamed!

### **SUBOXONE - IMPORTERS**

**(No. B/737) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to Suboxone, he will, for the benefit of the House, obtain from the Pharmacy Board –

- (a) a list of the importers thereof, and
- (b) information as to the cost thereof as opposed to Methadone.

*(Withdrawn)*

### **HALAAL FOOD - REGULATIONS**

**(No. B/738) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to *halaal* food, he will state where matters stand as to the proposed amendments to be brought to the Food Act and the regulations made in relation thereto, indicating when the regulations that had been finalised last year would come into operation.

**Mr Gayan:** Madam Speaker, I am informed that the matter regarding the proposed amendments to be brought to the Food Act and regulations is still being looked into. Contact has been established with the *Halaal* Research Committee which is headed by a Mufti.

However, the issues that remain to be determined are as to whether the regulations for *halaal* foods have to be made under the Public Health Act or under the Trade Laws, inasmuch as no definitive conclusion has been reached, whether it is a health issue or a certification issue, marking or labelling issue.

**Mr Mohamed:** I thank the hon. Minister for his answer. The same question was put some few months back when the hon. Minister was being replaced by another Minister here and the same answer was given actually: “it was being worked on.” Is the hon. Minister aware that ever since 2011, the then Minister of Health had already chaired several committees, had already had meetings with representatives of various mosques and organisations concerning *halaal* certification, representative from the State Law Office and had even prepared draft regulations that were already approved as far back as 2011. Is the hon. Minister aware of that?

**Mr Gayan:** Well, I am aware, Madam Speaker, that this issue has been studied for a number of years, but the problem is that I put the question to my officers and the answer that I was given was that it is impossible for a doctor or for any inspector to know whether something is *halaal* or is not *halaal*. It is impossible medically or from a public health point of view to know that. So, this is why I said that it looks more like a trade issue where the customer has to be sure that the person or the supplier is a reputable and reliable supplier that is supplying *halaal* food, but it is not a health issue. This is why it has taken so long and it is likely to take a bit longer. This is why I have, myself, given instructions to my staff to contact the Jummah Mosque. The people there informed my Ministry that there is a mufti who is the expert on *halaal* issues and I have asked my officers to get in touch and to work out something. It is not that we are unwilling to do something, but we need to do something that is implementable, enforceable and that is workable. As it is, it is impossible for my



inspectors to go and say whether this is *halaal* or this is not *halaal*. It is a question of, as they say in latin, ‘*caveat emptor*’, the buyer must beware.

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

**Mr Mohamed:** Is the hon. Minister aware - I mean, since he has just said that it is impossible as such for inspectors to look at things and to decide what is *halaal* and what is not – that not only in various other jurisdictions, as the hon. Prime Minister put it: “more democratic than us”, such laws already exist and are being enforced by Central Government? Is he also aware that the Food and Agriculture Organisation of the United Nations, together with the World Health Organisation, have a book, a standard which they go by, which is called Codex Alimentarius Commission and in the Codex Alimentarius, this is where the definition of what ‘*halaal*’ is, as a guidance to other jurisdictions to implement it in our local laws? Therefore, if this has already been worked upon at the time when the former Minister of Health in 2011, was then Minister of Health, it had already been looked into and all the legal issues have been worked out, why is it that today it seems as though - I am not accusing the hon. Minister of anything, Government may change, people may go, new ones can come in - officers of the Ministry of Health and Quality of Life have a serious issue with trying to find hurdles, not to stop the implementation of a project that has already started long time back and to which there is no problem, but they keep on inventing new ones?

*(Interruptions)*

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

**Mr Gayan:** Madam Speaker, my information is that there is a *Halaal* Industry Development Corporation and the Trade Description Act, in the countries that we have talked about, that regulates the issue of *halaal*. And ‘*halaal*’ from what I understand is an expression that means that –

“The food or goods neither is nor consist of or contains any part or matter of an animal that is prohibited by Hukum Syarak (...)”.

It is not that we are not looking into the matter, but the issue is: is it a health issue or is it a trade issue? That is the main concern that we have because it is impossible - from what I am told by my officers - for enforcement purposes for them to go and say this is *halaal* if the label says something else.

**Madam Speaker:** One last question because time is over already!

**Mr Mohamed:** Is the hon. Minister aware - with regard to solutions to the problems that may exist, but in my humble view do not exist – that what was proposed in 2011 was precisely that there would be a National *Halaal* Certification Committee set up under the

aegis of the Ministry of Health and Quality of Life and on that committee there would be muftis of various schools of thought who are qualified to work together with officers of the Ministry, thereby circumventing the alleged problems of enforcement that they may have? So, the solution was worked out by the then Minister who is now the Speaker.

**Madam Speaker:** You have made your point; allow the hon. Minister to reply!

**Mr Gayan:** Madam Speaker, I also explored this avenue and then I was told that my predecessor in the Ministry was looking at the *halaal* issue. And then, there is the issue of who is going to certify whether vegetarian food is really vegetarian. So, there are all sorts of issues that come into play.

*(Interruptions)*

Madam Speaker, this House is aware of the problems that India is facing today with beef that is being exported and sold in India. So, we have a serious problem. I say again, we have contacted the mufti. Let us see what the mufti says and we will be guided by what the mufti says.

## ANNOUNCEMENT

### PQ NO. B/709 – PRIME MINISTER - WORDS WITHDRAWN

**Madam Speaker:** Hon. Members, I have a short announcement to make. In the course of the Prime Minister's Question Time today, hon. Bhagwan raised a Point of Order to the effect that the Rt. hon. Prime Minister uttered the words "*bous to lagel*" to his address.

Since the Rt. hon. Prime Minister was in a sitting position at the time when the above words were supposed to have been uttered, I asked the Rt. hon. Prime Minister as to whether he had uttered such words to the address of hon. Bhagwan and the Rt. hon. Prime Minister replied, I quote –

"I asked him to shut up".

Hon. Members, the words "shut up" are not in order and I, therefore, invite the Rt. hon. Prime Minister to kindly withdraw the above words.

*(Interruptions)*

**The Prime Minister:** Madam Speaker, my apologies and I withdraw.

*(Interruptions)*

**Madam Speaker:** Order, please!

*(Interruptions)*

Order!

## **MOTION**

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

**The 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 Deputy Prime Minister rose and seconded.**

*Question put and agreed to.*

## **STATEMENT BY MINISTER**

### **IOIG 2019 – MAURITIUS - HOST COUNTRY**

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Madame la présidente, je dois informer cette auguste Assemblée que, suite à la tenue, aujourd'hui même, de la réunion du Comité International des Jeux (CIJ) à l'île de la Réunion, on vient de m'informer que l'organisation des jeux des îles de 2019 a été retirée aux Comores. Le CIJ a pris cette décision après avoir étudié le dernier dossier et la présentation faite par la délégation comorienne.

Selon les membres du CIJ, les Comores n'ont pas respecté les conditions imposées lors de la dernière réunion, en conséquence le CIJ a demandé à la délégation mauricienne si l'île Maurice pouvait considérer la possibilité d'organiser les dixièmes jeux des îles de l'Océan Indien.

Madame la présidente, suite à leur demande et dans l'intérêt des jeux, nous avons favorablement répondu à cette requête, dont j'ai le plaisir d'annoncer que les prochains jeux des îles de l'Océan Indien seront organisés à l'île Maurice en 2019.

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded the following Bills were read a first time -*

- (a) The Supplementary Appropriation (2014) Bill (No. XVII of 2015)
- (b) The Arabic-Speaking Union (Amendment) Bill (No. XVIII of 2015)
- (c) The Bhojpuri-Speaking Union (Amendment) Bill (No. XIX of 2015)

- (d) The Chinese-Speaking Union (Amendment) Bill (No. XX of 2015)
- (e) The Creole-Speaking Union (Amendment) Bill (No. XXI of 2015)
- (f) The Sanskrit-Speaking Union (Amendment) Bill (No. XXII of 2015)
- (g) The English-Speaking Union Bill (No. XXIII of 2015)
- (h) The Hindi-Speaking Union Bill (No. XXIV of 2015)
- (i) The Marathi-Speaking Union Bill (No. XXV of 2015)
- (j) The Tamil-Speaking Union Bill (No. XXVI of 2015)
- (k) The Telugu-Speaking Union Bill (No. XXVII of 2015)
- (l) The Urdu-Speaking Union Bill (No. XXVIII of 2015)

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

*At 4.23 p.m. the sitting was suspended.*

*On resuming at 5.07 p.m. with Madam Speaker in the Chair.*

### *Second Reading*

## **THE NATIVE TERRESTRIAL BIODIVERSITY AND NATIONAL PARKS BILL (NO. XVI OF 2015)**

*Order for Second Reading read.*

**The Minister of Agro-Industry and Food Security (Mr M. Seeruttun):** Madam Speaker, I beg to move that the Native Terrestrial Biodiversity and National Parks Bill (No. XVI of 2015) be read a second time.

As set out in the Explanatory Memorandum, the main object of this Bill is to make further and better provision for the protection, conservation and management of native terrestrial biodiversity, and giving effect to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (the CITES) and any other biodiversity related Convention to which Mauritius is or may become a party. The Bill also provides for the identification, control and management of reserved lands and private reserves.

In fact, Madam Speaker, the Native Terrestrial Biodiversity and National Parks Bill will replace the existing Wildlife and National Parks Act which was enacted in the year 1993.

After more than 20 years now and with major developments in the areas of biodiversity conservation and management, there is need to further strengthen the protection of our endemic fauna and flora and genetic resources.

Madam Speaker, I must state that this Bill is long overdue and I am advised that the Ministry has been working on it for the last ten years. Wide consultations have been held with relevant stakeholders along with inputs from specialised international agencies. It appears that the issue of biodiversity was not a priority for the previous Government.

Madam Speaker, Mauritius is a signatory party and member of a number of biodiversity related international instruments. These are namely –

- (a) The United Nations Convention on Biological Diversity (CBD);
- (b) The Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES);
- (c) The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation;
- (d) The Convention on Migration of Wild Species (CMS);
- (e) The Ramsar Convention on Wetlands;
- (f) The International Union for Conservation of Nature (IUCN), and
- (g) The African Eurasian Waterbird Agreement (AEWA).

Madam Speaker, at the 70<sup>th</sup> UN General Assembly held in September this year, world leaders embraced the 2030 Agenda for Sustainable Development with new goals and targets set to transforming the world. And Goal 15 specifically refers to biodiversity protection and reads as follows: protect, restore, and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, halt and reverse land degradation and halt biodiversity loss.

A set of targets clearly spells out the need to take urgent and significant actions to reduce the degradation of natural habitats, halt the loss of biodiversity and protect and prevent the extinction of threatened species. There is also the need to introduce new measures to prevent the introduction of invasive alien species and reduce their impact on land and water ecosystems and control or eradicate the priority species.

Madam Speaker, the Bill is therefore being introduced at a very opportune time as it will address the new agenda for sustainable development through protection of our biodiversity.

Biological diversity – or biodiversity – the term given to the variety of life on earth and the natural patterns it forms and as we see it today is the fruit of billions of years of evolution, shaped by natural processes and, increasingly, by the influence of humans. It forms the web of life of which we are an integral part and upon which we so fully depend. This diversity is often understood in terms of the wide variety of plants, animals and microorganisms. Scientists reckon that there are actually about 13 million species on earth.

Biodiversity also includes genetic differences within each species – for example, between varieties of crops and breeds of livestock. Chromosomes, genes and DNA – the building blocks of life – determine the uniqueness of each individual and each species. Yet, another aspect of biodiversity is the variety of ecosystems such as those that occur in deserts, forests, wetlands, mountains, lakes, rivers and agricultural landscapes.

In each ecosystem, living creatures, including humans, form a community, interacting with one another and with the air, water, and soil around them. It is the combination of life forms and their interactions with each other and with the rest of the environment that has made Earth a uniquely habitable place for humans. Biodiversity provides a large number of goods and services that sustain our lives.

We, therefore, have a duty, an obligation towards our people today and tomorrow to protect this biodiversity and to ensure that it is used for the benefit of one and all. Protecting biodiversity is in our self-interest. Biological resources are the pillars upon which we build civilisations.

I must here add that my Ministry, with the technical and financial support of the United Nations Development Programme/Global Environment Facility is presently preparing a National Biodiversity Strategy and Action Plan (NBSAP) as well as the Protected Areas National Expansion Strategy. A Strategic Plan to enhance forest and tree cover has also been prepared and will target the planting of 500,000 trees over the next five years. This will improve the habitats for our fauna and flora and will also help to mitigate the effects of climate change.

Madam Speaker, it is important to mention that today we have only 2% of pristine native forests left though our forest cover represents 25% of total land area.

This Bill, together with the strategies and action plans will address the critical issues and threats to our biodiversity and native forests. Economic development is essential to meeting human needs and to eliminate poverty. However, the sustainable use of nature is essential for the long-term success of development strategies.

A major challenge for the 21<sup>st</sup> century will be making the conservation and sustainable use of biodiversity a compelling basis for development policies, business decisions and customer desires.

Madam Speaker, our country is still recognised today as a biodiversity hotspot with some unique endemic flora and fauna still well preserved. Our Pink Pigeon, Kestrel, Echo Parakeet and passerine birds are well-known conservation success stories. Similarly, our Mauritian endemic bat species, the *Pteropus niger* is unique and is the subject of many studies. Our national parks, the Black River Gorges National Park and the Bras D'Eau National Park which are proclaimed national parks under the law and which harbour rich native forests, are popular tourist attractions which are visited by a large number of visitors every day. Restoration programmes are ongoing in these forests to remove invasive species such as Chinese guava plants and other invasive plants. Conservation management areas have been created and these areas will be given special protection under the new law.

The Vallée de Ferney and the Vallée d'Osterlog Endemic Garden are endemic forests which harbour a rich biodiversity with rare native plant species. Many privately owned forests, including large areas of mountain and river reserves also harbour rich native flora and fauna which are well preserved, but no legal protection is given to these endemic areas and this Bill will help to address such issues. More parks will be created to provide the people with more green spaces for leisure and recreation.

Our islet nature reserves, such as Round Island, Ile Aux Aigrettes, Ile D'Ambre are examples of protected nature reserves, Islets nature parks, where restoration and conservation programmes are ongoing by the NPCS with the collaboration of NGOs. The Rivulet Terre Rouge Estuary Bird Sanctuary is another protected area and is a migratory bird site for a large number of winter birds from the northern hemisphere. This site is under legal protection and is a designated Ramsar site.

I will be shortly coming with a new legislation for the protection of all Ramsar sites and the control of developments on and around wetlands which are habitats for a large number of species.

Madam Speaker, the enactment of the Native Terrestrial Biodiversity and National Parks Bill will be a major or rather critical step to strengthen the protection of our natural resources and halt biodiversity loss.

Part I of the Bill covers preliminary matters, including interpretation of the various terms used in the Bill and also its application.

Part II of the Bill provides for the setting up of the Native Terrestrial Biodiversity and National Parks Advisory Council which shall advise the Minister on matters relating to native terrestrial biodiversity, reserved land and conservation generally. The Council will also advise on the assessment of the state of wildlife resources and the effect of land use and environment activities on wildlife and wildlife habitat and will make recommendations with regard to the conservation of wildlife. The Council will appoint subcommittees and co-opt such other members as it considers appropriate to assist it.

Part III of the Bill provides for the setting up of the National Parks and Conservation Service which shall consist of such scientific, technical, administrative and other public officers. There shall be a Director of the Service who shall be a public officer and who shall have administrative control of the Service. I wish here to point out that the National Parks and Conservation Service already exists and there is a Director presently whose functions have been generally reviewed in the new Bill.

Part IV of the Bill deals with national parks and other reserves. It provides for the declaration by proclamation by the President of any State land to be a National Park or special reserve where the land is of natural, scenic, scientific, educational, recreational importance or value and preservation is necessary. It also provides for the designation of private land as may be prescribed to be a private reserve for its protection and restoration.

Though the ownership such designated private reserve will remain vested in its owner, the latter will have to seek the approval of the Minister for the alteration or sale of the designated private reserve. Section 13(3) provides for the compulsory acquisition of a private reserve for the public benefit. Section 14 provides for the owner of a private reserve to maintain the reserve to the satisfaction of the Director who will have the responsibility to assist the owner to maintain the reserve.

Furthermore, there is provision to declare any land adjoining a private reserve or a reserved land to be a buffer zone for that land. The purpose of declaring a buffer zone is to ensure that the activities in such buffer zones are monitored and impacts of such activities are not detrimental to the protected reserves. Here, I am bringing an amendment to section 15(1) to provide for the delimitation of the buffer zone to be within an area not exceeding 200 metres of the reserved land instead of one kilometre. The one kilometre buffer zone is an internationally accepted standard for protected areas. However, given the small size of our



island and limited land resources, I am, therefore, proposing a buffer zone of not exceeding 200 metres.

Madam Speaker, these provisions have been made in order to ensure the protection of lands of high and unique biodiversity value.

Part V relates to the setting up of CITES Authorities. As I mentioned earlier, Mauritius is party to the Convention International Trade on Endangered Species of Flora and Fauna, or the CITES as commonly referred to. This convention is an international agreement between Governments which aim to ensure that international trade in wild animals and plants does not threaten their survival. International wildlife trade is estimated to be worth billions of dollars annually and includes hundreds of millions of plant and animal species. The trade is diverse, ranging from live animals and plants to a vast array of wildlife products derived from them, including food products, exotic leather goods, wooden musical instruments, timber and medicines. Levels of exploitation of some animal and plant species are high and the trade in them, together with other factors, such as habitat loss, is capable of heavily depleting their populations and even bringing some species close to extinction. Though many wildlife species in trade are not endangered, the existence of the CITES agreement is important to safeguard these resources for the future.

Because the trade in wild animals and plants crosses borders between countries, the effort to regulate it requires international cooperation to safeguard certain species from over exploitation. The CITES works in this spirit of cooperation and accords varying degrees of protection to more than 35,000 species of animals and plants listed in the three appendices of the CITES. Hence, each Government is required to set up its Management Authority to implement and enforce the legislation relating to species conservation and issue permits in accordance with the CITES. Accordingly, a Scientific Authority will also be established to advise the Management Authority on all CITES related matters.

Part VI provides for a better protection of our endemic flora and will regulate the propagation and sale of native plants. The section also makes provision for the hunting of wildlife and game. Here, I wish to bring an amendment to add a new subsection 26(4) to provide for the Minister to authorise the hunting of wildlife at night on the advice of the Director. We are all presently aware of this serious problem as regards the endemic bat population which has reached a large number and is causing significant damages to fruit plantations. However, because of its protected status and the existing legal provision

prohibiting hunting at night, we are bound by the existing legal provision and cannot authorise its culling at night. Hence, this section will allow for a derogation to be made for hunting of wildlife at night in exceptional circumstances and where human life or national interests prevail.

I wish here to point out that human and wildlife conflict is an international issue and many countries do resort to culling as and when such conflicts represent a threat to human life and agriculture where livelihoods of people are directly at stake. At times, bold and unpopular decisions have to be taken by Government in national interest. However, all necessary measures will be taken to ensure the survival and sustainability of the population of the species.

Furthermore, as regards hunting of game, sections 27(b) (iii) of this Bill, forbids hunting of deer with bows and arrows in view of the humane aspects. However, I have received representations that this new provision will negatively impact on tourism-related activities. I am here bringing an amendment to section 27(2) to empower the Director to authorise a person to hunt game for any purpose and by any method on such terms and conditions as maybe prescribed. Appropriate regulations will be made to regulate this activity to ensure that all security measures are adhered to and those practising such sports are in possession of valid licences and authorisation.

Part VII provides for the control of wildlife and will specifically address the major threat posed by invasive species to biodiversity. It will provide for the setting up of the Invasive Alien Species Committee for the purpose of controlling the introduction of exotic wildlife in Mauritius and preparing a prohibited list of wildlife species which shall not be allowed to enter Mauritius. The importation of exotic wildlife including pet animals will be regulated through a system of permits and licences and payment of the prescribed fee.

This part also provides for the setting up of a Special Technical Committee for the purpose of controlling wildlife in Mauritius. In cases where any species of wildlife has attained pest level, the Special Technical Committee will advise on the control of such species in the national interest for such period and in such manner as it may determine. Here again the problem we are presently facing with the bats will be addressed in a legal manner and in the national interest. This part will also provide for the control of species which, though small in numbers, but may constitute a threat at strategic locations such as for example, the airport.

Part VIII provides for the issue of CITES Export and Import permits by the Management Authority for species or derivatives thereof which are listed on the CITES lists of species or as may be prescribed.

Part IX provides for the registration of persons who intend to trade in prescribed species and keep records of such trade.

Part X deals with the powers of the officers and incorporates the provisions of the existing Wildlife and National Parks Act together with some changes.

Part XI deals with the financial provisions and other changes in the National Parks and Conservation Fund to consist henceforth of the levies payable by monkey export companies for the export of live monkeys and derivatives thereof. So far these companies have been paying the levy under protest as there was no legal requirement for such payment.

Part XII deals with offences and penalties and also for regulations to be made for the purpose of this Act, coordination with other laws and for the repeal of the Wildlife and National Parks Act and its regulations. It also provides for the consequential amendments and transitional arrangements.

Madam Speaker, nature supports such diverse industries as agriculture, cosmetics, pharmaceuticals, pulp and paper, horticulture, construction and waste treatment. The loss of biodiversity threatens our food supplies, opportunities for recreation and tourism, and sources of wood, pharmaceuticals and energy. It also interferes with essential ecological functions. Our need for products of nature we once ignored is often important and unpredictable. Time after time we have rushed back to nature's cupboard for cures to illnesses or for infusions of tough genes from wild plants to save our crops from pest outbreaks. Many breeds of the main farm animal species are currently at high risk of extinction. While the loss of individual species catches our attention, it is the fragmentation, degradation, and outright loss of forests, wetlands, coral reefs, and other ecosystems that poses the gravest threat to biological diversity.

We all know that ecosystems provide a range of goods and services which include provision of food, fuel and fibre, provision of shelter and building materials, purification of air and water, detoxification and decomposition of wastes, stabilisation and moderation of the Earth's climate, moderation of floods, droughts, temperature extremes and the forces of wind, generation and renewal of soil fertility, including nutrient cycling, pollination of plants,

including many crops, control of pests and diseases, maintenance of genetic resources as key inputs to crop varieties and livestock breeds, medicines and other products, cultural and aesthetic benefits.

The long-term viability of species and ecosystems depends on their being free to evolve in natural conditions. This means that we have to learn how to use biological resources in a way that minimises their depletion. We have to make development sustainable, to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs. This new Act will usher in a new era of environmentally sound economic development. As a Government, we need to provide the critical role of leadership, particularly by setting the appropriate rules and regulations to guide the use of natural resources and to protect, conserve and sustainably use our biodiversity.

The amendments which I am proposing to bring at Committee Stage to section 15 (1), section 26 and section 27 (2), as I have said earlier have been circulated and I will be moving accordingly at Committee Stage.

Madam Speaker, I am confident that this Bill will have the support of everyone as it will give better protection to our parks, native forests and our native fauna and flora.

So, I now commend the Bill to the House.

**Mr Sawmynaden rose and seconded.**

(5.34 p.m.)

**Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière):** Madam Speaker, the Native Terrestrial Biodiversity and National Parks Bill is quite comprehensive and its presentation to this National Assembly was long overdue as stated by the hon. Minister. It replaces the Wildlife & National Parks Act (1993) which had replaced the Wildlife Act 1983. We welcome its presentation and I congratulate the hon. Minister for bringing this comprehensive Bill to the National Assembly for approval.

Madam Speaker, this Bill has improved conservation matters on several fronts, namely alignment with the CITES, conservation of biodiversity on private lands, protection of freshwater biodiversity, invasive alien species, management and auditing of the national parks and conservation fund amongst others.

Madam Speaker, at the time the hon. Minister is presenting this Bill, it is of paramount importance that we analyse what is the state of our biodiversity in Mauritius. I was having a look the other day at the very interesting interview of our President of the Republic on TV 5 and she had to say -

*“La survie de la race humaine dépend de la survie de la biodiversité. Nous sommes imbriqués dans cette nature que, malheureusement, nous ne respectons pas ! ».*

It is a fact that we have a population that does not care. The majority of us do not care for the protection of our environment despite all efforts which have been made and which are still being made and also our children at school. Biodiversity needs urgent attention. If you ask me, I will say that biodiversity is at ICU level.

Madam Speaker, Mauritius, Rodrigues and also our outer islands still hold exceptional biodiversity of global significance. Despite massive habitat destruction which is occurring every day, invasion by alien species and other threats that have led to many extinctions and to a biodata that is today amongst the most threatened in the world. Decisive conservation actions have saved some species from virtually certain extinctions and conservation and restoration management actions which are still being done and which need to be innovated, tested or improved. Often, we have had encouraging results and sometimes not. However, apart from the classic threats of habitat destruction and fragmentation invasive species and diseases, extinction depths are broken down mutualisms that are besetting the islands, and not only here, Rodrigues, our outer islands, Agaléga, St. Brandon, and others. I was just talking to the hon. Minister about St. Brandon, the urgent need to look about St. Brandon and also our islets.

Certainly, the threats we are facing are being worsened day by day or at least hindered by progress. We progress, but we have problems of environment. We also have the low and declining commitments to biodiversity conservation which needs to be addressed and remedied and which I am sure this piece of legislation will consolidate and with the hon. Minister at the head of the Ministry, I am sure we will see positive results in the months or days to come. The country should seek to implement its law to protect biodiversity rather than to seeing to relax or even to ignore them. There is also much room for improvement in terms of capacity building and evidence-based approach to conservation and restoration action. As well as in prioritisation of tasks particularly concerning restoration of habitats and finally, it appears essential to encourage NGOs actions to move towards more or

encompassing and sustainable efforts like embracing an ecosystem approach and community involvement in conservation in a more meaningful manner keeping species centred action only when it is absolutely necessary. This is a global situation, Madam Speaker, and you have been involved in that sector for many, many years and you have your contribution as well.

Madam Speaker, we must not only be concerned with our national environmental issues, but also with the global issues and we feel that it is in this kind of legislation that we shall determine the future of biodiversity on Planet Earth and what will our grandchildren see tomorrow on this planet. We are in fact shaping today the biodiversity spectrum of future Mauritius.

Madam Speaker, concerning global issues, as we all know, France will be hosting and presiding the 21<sup>st</sup> Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, COP21, known as 'Paris 2015' from 30 November to 11 December. COP21 will be a crucial conference, as it needs to achieve a new international agreement on the climate, applicable to all countries, with the aim of keeping global warming below 2°C. France as well as the international community will therefore need to play hard to ensure convergence and to facilitate the search for consensus by the United Nations. Mauritius as a SIDS needs to ensure that the interests of the Island States are safeguarded, as we are quite vulnerable to the impacts of climate change which has also a direct impact on the degradation of the biodiversity, and I am sure Mauritius will be present in that conference and will be submitting our Mauritius Report.

Madam Speaker, in fact, in spite of the fact that Mauritius is a tiny nation, the Republic of Mauritius has played over the years an active role in world environment fora as we are fully aware that sustainable development of the Blue Planet can only be achieved through coordinated international plan of implementation. We are party to almost all the important environment related conventions and we are duty bound to ensure compliance. It is precisely, what I guess, that we are doing today by replacing the Wildlife and National Parks Act of 1993 by this new legislation, the Native Terrestrial Biodiversity and National Parks Bill.

*Avant d'entrer dans le vif du sujet des différentes sections du projet de loi*, I wish to make a general remark concerning enforcement of environmental legislations in Mauritius. We all agree that it is almost useless to make legislations if we do not give ourselves the means to effectively enforce same. And it is most crucial that not only stakeholders, but the

public at large should be fully briefed on the rationale as well as the final outcome of these legislations. Environment Education is a never-ending process as we need to change some bad habits - and we are a nation of bad habits - that sometimes have been around for centuries; especially on environmental matters, we are still lagging behind despite the efforts made over the years by the Governments of the day.

Madam Speaker, decision-makers need *enfin* to fully grasp that “Sunlight is said to be the best of disinfectants”. It is therefore essential that decisions are clear, transparent, fully explained and reports readily accessible. This is why when I was Minister of Environment, the then Government when we were amending the Environment Protection Act, there was no clarity on the preparation of the EIAs and we made amendments in the legislation to bring more transparency to the preparation of the EIAs and the public at large. These decisions should not only be transparent but fully explained and reports accessible and we made the reports accessible in the local authorities. Where there is a lack of transparency, people are ready to believe that there is *anguille sous roche* and that the promoter or developer is actually benefiting from more favourable conditions or from derogations as compared to others. And then *la polémique s’enflamme et personne ne se soucie vraiment de la vérité en tant que telle*.

I personally think that with the passing of the Freedom of Information Act, once in force, will provide an additional leverage to environmental activists in the preparation of statutory hearings and hence give more weight to their arguments.

Madam Speaker, environment protection and conservation cannot be achieved solely through the introduction of legislations. We need to get our people, especially the younger generation on board so that we can develop a new environment culture amongst our people. The fact that there is so much heated debates every time an environment issue crops, be it on stray dogs, be it on culling of bats, export of primates, construction of a hotel at Le Chaland as it is these days, clearly indicate there is a lack of transparency in the process. To effectively promote environment stewardship, first of all, we need to create a conducive environment and it starts with freedom of access to information. No way out, Madam Speaker.

Let me now come to the Bill proper. As I said earlier, it seems that the primary objective is to make the protection and the preservation of a terrestrial biodiversity in our Republic CITES-compliant, but it is also clear that it is the Ministry’s wish to be entrusted

with new powers in regard to the management of terrestrial biodiversity in the country, and we have no problem to give, as far as we are concerned, more powers so that it should be effective powers in the public interest.

The Wildlife and National Parks Act of 1993, which had replaced the Wildlife Act of 1983, is actually the main piece of legislation providing for the protection of flora and fauna. Though it is quite a comprehensive piece of legislation, there are some weaknesses.

First, it is still not fully compliant to CITES, as it appears that to some extent the Convention is still unimplemented - I would like the hon. Minister, at least, to have a look at that. The Wildlife Regulations of 1998 did cater for some of these weaknesses.

In a sense, Madam Speaker, this piece of legislation is, as I said, long overdue and we have to support it. But we need to have a closer look at the new provisions of this Bill, which shall, undoubtedly, be a powerful instrument for ensuring management of conservation issues in Mauritius and Rodrigues. The Bill also caters for the conservation of biodiversity on private lands and the protection of freshwater biodiversity. The sensitive issue concerning management of invasive alien species has also been addressed.

However, Madam Speaker, a few of the issues need some clarifications. Section 2 of page 7 -

“‘protected life’ means such species of wildlife as may be prescribed.”

This list should appear as an appendix to the Bill, and its composition agreed with conservation agencies. All native and endemic species of Mauritius and Rodrigues should be listed, or at least construed to be on the ‘protected wildlife’ list.

On section 26, ‘Hunting of Wildlife’ –

“Notwithstanding subsections (1) and (2), the Director may in writing, subject to such terms and conditions as he considers appropriate, authorise the hunting of wildlife”.

It should be ‘wildlife only’. I shall come later on to the issue of bats.

Section 36, ‘Special Technical Committee’, we propose that it should apply to introduced species only.



There is need to define the ‘Strategic Location’ on section 37. This control should apply to introduced species only. If a native species become a threat to a ‘strategic location’, its control can be decided by the Native Terrestrial Biodiversity and National Parks Advisory Council.

Madam Speaker, despite some shortcomings, this Bill is a step in the right direction. *Mieux vaut tard que jamais!* However, all our efforts to ensure that this piece of legislation is CITES-compliant may *tombe à l’eau* because of the timing. I would have wished that the hon. Minister could have come earlier before with the issue...

*(Interruptions)*

What?

**Madam Speaker:** No comments, please!

*(Interruptions)*

**Mr Bhagwan:** *To rêve Ramgoolam même matelot!*

*(Interruptions)*

**Madam Speaker:** No comments from a sitting position!

**Mr Bhagwan:** *Linn fini allé li mo kamarad!*

*(Interruptions)*

I am saying the timing. I think the issue of bats should have been addressed earlier.

*(Interruptions)*

Madam Speaker, with regard to some clarifications and suggestions, I have asked...

*(Interruptions)*

**Madam Speaker:** Please!

**Mr Bhagwan:** I will come to one of the sections, Madam Speaker, again, to raise the issue of two specific matters.

*(Interruptions)*

I wish to raise the issue of management of National Parks. Criticisms have been levelled concerning the day-to-day management of the parks and the behaviour of visiting public. We all agree that a National Park is not a beach - we have to go on Sundays and see what is happening at the Plaine Champagne area. A National Park is not a beach where you have your picnic, nor is it a fair. It is a fair *pendant les congés publics* and every Sunday.

There is urgent need for the hon. Minister to have a fresh look at the whole issues, now that there would be a new legislation. Madam Speaker, for so many years - without being personal - before, all the then Ministers of Agriculture were busy with the question of sugar and very little time was addressed to the questions of conservation, of wetlands or of our mountains. I am not saying it unfairly. We were all busy...

*(Interruptions)*

I was busy with the sugar sector. I think there is urgent need to look at these issues now that we are having an eco-tourism in the region of Plaine Champagne, Eau Bleue and even in the north. So, there is an urgent need for the Minister to have a fresh look and have a re-engineering of that section. At Pétrin, there is a small office which is not well-equipped. I have asked some questions and they have told me that '*ena voleurs*'. I think this is not an excuse. We are living in a modern world. We are on full swing on the tourism sector, on the eco-tourism. As I said, at Pétrin there is a small and nice office, but there is lack of equipment. So, we should have modern IT equipment as well as literatures. It is not a negative criticism, but a positive observation which I am making to the hon. Minister.

Madam Speaker, Le Daguët in Port Louis is a sort of reserve land. We did create, I would say, a *Parcours de Santé* in Le Daguët. The best local fruits we can have in Le Daguët; it is some ten minutes from here, near the Champ de Mars. You can go and see now that Le Daguët has been transformed. You have no squatters; you have temples. But there is a complete destruction of, I would say, the specificity of Le Daguët. This is under the jurisdiction of the Ministry of Agro-Industry and Food Security. Formerly, you even had an office with *gardes forêt* in the region. I won't mention the Midlands region. So, there are conservation zones, there are specific zones. Formerly, when we were at the primary schools, it was a great day for us to go there for a picnic or go in all these conservation zones and then come back and write an essay. But, today, there is a real problem of degradation. There is a problem of law and order, of public danger. And we are talking about these invasive species! You just have to go in the Plaine Champagne region and see how these invasive species *sont*

*en train d'envahir* this beautiful treasure of ours. So, I am making an appeal to the hon. Minister to have a fresh look at all these issues, and of our mountains which should also be included.

Madam Speaker, I was very happy to see that the hon. Minister went to Ilot Gabriel. So, in this piece of legislation, there are some islets which have been earmarked as closed reserves: Ile aux Fous, Ile aux Vacoas and Rocher des Oiseaux. Also we have open reserves: Ile d'Ambre, Ile aux Flamants, Ile aux Fouquets and others. There is an Islets National Park which falls under the Ministry of Agro-Industry and Food Security, following the presentation of a report made then by the Director of Audit. Then, the Government of the day, from 2000 to 2005, created a sort of, Islets National Park under the jurisdiction of the Ministry of Agro-Industry and Food Security. We have to go and see the state of our islets today. I think the hon. Minister...

*(Interruptions)*

No, I have said that you have been to Ilot Gabriel. I have not been unfair to you. I know...

**Madam Speaker:** Please, address the Chair!

**Mr Bhagwan:** I have congratulated you for that. So, there is need to have – I won't say holistic – a sort of management plan, well-prepared, taking into consideration the different sections of this legislation and the powers of the Minister, at least, to put some order in all these islets. We all know. I won't go into the saga of giving islets to individuals, private operators and so on. Mauritians must, I would say, make the maximum of these treasures and put it also in our tourist map in terms of *trajet touristique*. So, this is what I had to say on the islets.

Madam Speaker, before concluding, I will come to this issue of culling of bats. I have been the one who has raised this issue in Parliament for so many times in the past. Today, I can say it is a hell. We all know what is happening. For the past years, we have seen the population of bats increasing and the only action which was initiated '*zot ine fini*' and we all know what has been the traffic in that, same as the Trust Fund giving *tôle*. It was a lucrative business for certain individuals.

Madam Speaker, the Ministry has issued a communiqué recently, going on the same line as the issuing of nets. It is good! But we have to *encadrer* the population, not only those who have private orchards, big orchards, but all those even in the urban areas, private

individuals who go to the Ministry and have nets, give them a sort of training, even help them with specialised personnel to use these nets. We all know that the nets have not given results. Today, having myself been a supporter of drastic action by the Ministry and I did draw the attention of the Minister that we need some PR, there is need to do PR, explain to the population and I know that the population at large wants to have their *letchis* and their *mangues*. We all know, whatever the ONG will say, but this is the real problem. There is a *litige* on the numbers; the ONG is saying they see so many and the Ministry, through its technicians, is saying that there is so many. *Entretiens*, Madam Speaker, *je suis en train de prendre connaissance, la question* s'internationalise. We have our reputation on the international fora. Là, je vois –

« Dans une “*position statement*” rendue publique jeudi, l’IUCN prévient que l’abattage de l’espèce de chauve-souris unique à Maurice est susceptible d’occasionner un rehaussement de sa classification sur la liste rouge des espèces menacées (...). »

So, I won’t go into all the press articles which have been published on this issue.

I think the Minister *doit embricader* the Mauritius Wildlife Foundation. We have a Wildlife Foundation. They have prepared reports by experts showing the attitude of Mauritians towards the Mauritian fruit bats. So, 560 *mauriciens*! We all know the problem. They have even prepared other reports by somebody from the Bristol University. This question of shooting of bats also, a case where in Australia – New South Wales (NSW), I think, they started into culling of bats and then they had to backpedal. So, what I am asking the Minister, this issue will become a very hot issue on the international front. We have to take a decision. Where I stay, Madam Speaker, the name itself is Clos Verger, it is a verger, we have all the trees.

*(Interruptions)*

I am not talking for me. From what I have gathered from the South, from the North, from the East, there is a real problem. I am not putting myself against the NGOs; there is a real problem, there is a *litige* on the quantity. The Minister must now inform, there should be more information going on TV, using radio, having programmes and also we are coming with amendments to give powers to the culling at night. That also is very important for the Minister to have a mapping and also *informer*. The Minister has a great task, his officers also *d’informer la population et de convaincre aussi l’IUCN*.

I appeal to the Minister, at least, to communicate with the IUCN, give the figures and also appeal to the officers of the Ministry. Today, we are having legislation; we are having problems, environment cut across party politics, Madam Speaker. I can congratulate the Minister; he is somebody who will listen when we give suggestions. So, it is Mauritius with more reputation. Whenever we will criticise, the Minister will go in an international fora; when the IUCN will be criticising Mauritius, *cela fait mal. Alors*, what I am appealing to the Minister, on this very delicate issue, is to bring everybody on board. Let's have a trial and see the results. We will see next year, instead of regressing, it is becoming more and more. We all know, however, if we have cyclones, then there would be no need to have this SMF. This is what I had to say on the issue of bats.

Madam Speaker, this Bill is a very important Bill. I am sure, with amendments, the Minister will have unanimity in the House - whatever amendments we can have - and everything will depend on its implementation. Formerly, we had *garde forêt*; people were afraid of *garde forêt*; now it is foreign ranger, I think. We have a Director of National Parks and Gardens; we have a Director and Directors. So, the implementation of these different sections of this legislation will be here to evaluate its implementation.

I appeal to the civil servants, all the responsible persons in the different sections of the Ministry, to see to it that there is progress, physical progress, we can see the difference in Pétrin, in Le Daguët, at, I would say, Les Gorges where we go every Sunday, it is more like a fair, we see takeaway everywhere. So, this is where it should be result-oriented and what we are doing this afternoon, we are preparing for the future and biodiversity is something very important, it is the treasure of our republic.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Jhugroo!

(6.06 p.m.)

**Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien):** Madam Speaker, let me, first of all, congratulate my very good friend, hon. Minister Seeruttun, for bringing this very precious piece of legislation which was long overdue.

Madam Speaker, the native biodiversity protection has always been a high priority for this Government. Indeed, Mauritius was among the first countries in the world to have signed the Convention on Biological Diversity. Over the years, Mauritius has joined most of the major Conventions dealing with biodiversity, namely, the Convention on International Trade

in Endangered Species of wild Fauna and Flora, Convention on Migratory Species of wild Animals, Nagoya Protocol on Access and Benefit Sharing.

Madam Speaker, Mauritius is regarded internationally as a biodiversity hotspot with a high level of endemism of its flora and fauna.

Under the current legislation, very little protection is provided to the native plants.

It is worth noting that Mauritius has some 691 native species of flowering plants out of which 273 are endemic to Mauritius. However, not less than 80% of these species are considered as threatened. This new Bill will bring a better protection to the native flora and fauna and will set up the necessary framework and provide adequate tools for the conservation and management of our native terrestrial biodiversity. Not only does this Bill provide for Government to identify and proclaim any State land as national park or special reserve but goes to the length of designating private owned land as private reserve, if such land is of natural importance or value to the State. Even any adjoining land with all its bio diverse fauna and flora, within a perimeter of up to 200 metres, may be protected by being declared as a buffer zone as just mentioned by the hon. Minister in his Second Reading.

This measure, Madam Speaker, proves the equity and sense of justice of this Government by striking the right balance between respect for private property and the vital need for protection and conservation of our biodiversity.

Madam Speaker, it is commendable to point out that this Bill will also provide for the protection of freshwater biodiversity. This biodiversity was previously not taken care of. Freshwater biodiversity includes all native species of flora and fauna occurring in rivers, lakes and dams. This rich diversity of species previously benefited from little protection and attention. You may wish to note, Madam Speaker, that past surveys have revealed the presence of 18 species of fish and 10 species of crustaceans out of which 3 species of crustaceans have been described to be unique to Mauritius. This new Bill will enable the National Parks and Conservation Service to protect and conserve this important area of our biodiversity which has, unfortunately, not been duly considered so far. The sustainable utilisation of this resource will be regulated under this Bill.

Madam Speaker, the Black River Gorges National Park was established in 1994 as the first national park for Mauritius and covers an area of 6574 hectares. This park is a very popular ecotourism site among both locals and foreigners. Several amenities have been

provided to visitors' satisfaction. This Bill will make better provision to enhance the national park to become an important world-class ecotourism site. A Management Plan for the next five years will be further produced to cater for this.

The Mauritian fruit bat population, as just mentioned by the former orator, Madam Speaker, has increased quite significantly for the past 10 years. It is true that the former orator brought to this House several Parliamentary Questions with regard to bats. I have also addressed the same issue in the past. Thanks to the hon. Minister of Agro-Industry and Food Security who is doing his best to get rid of the nuisance caused by the bats for the past 10 years.

In 2006, the population was estimated to be around 26,000 bats to reach an estimated 90,000 bats in 2013. During the past few years no major cyclones were recorded in Mauritius. Cyclones naturally regulate the bat population, Madam Speaker. Nowadays, bats are causing considerable damage to our highly prized seasonal fruits such as *letchis*, mangoes and *longanes*. The production of these fruits has decreased considerably. There is a noticeable shortage of these fruits on the local market and this contributes to the soaring prices. There is an urgency, Madam Speaker, to address the situation. This new Bill will allow the control of wildlife which otherwise can reach pest status just like the Mauritian fruit bat. For those who fear for the survival of our endemic fruit bat, let them be reassured that this Bill provides for safe control measures that can, in the long run, only be for the benefit of the species.

Madam Speaker, in recent years, there has been an increase in importation of pets, namely birds, by individuals, pet shops and breeders. However, there has been uncontrolled release of these species in nature. Some of these species have become invasive and are affecting our native biodiversity. Examples are the catfish, crayfish and apple snail. The latter caused serious damage to the water lilies; this is what we have witnessed in the SSR Botanical Garden. The new Bill, Madam Speaker, will allow the control of importation of exotic wildlife and regulate their trade and breeding. An Invasive Alien Species Committee will also be given legal recognition under this new Bill.

Before concluding, Madam Speaker, allow me to address the issue of the composition of the Advisory Council. It is my humble opinion that appointing one person from either the private sector or an NGO involved in tourism or outdoor recreation would be depriving the Council from the expert advice of the drop-down sector. Furthermore, the NGO representative would more appropriately be from an NGO dealing with

conservation/environmental issues rather than one NGO involved in recreation/tourism. I, therefore, propose an amendment to Part II section 5 (1) (j) of the Bill to read as follows –

“a person from the private sector (...).”

Additionally to include a subsection (1) (k) which would read as follows –

“a person from a Non-Government Organisation involved in conservation of natural resources or environment related issues.”

To conclude, Madam Speaker, I would like to congratulate once more the Minister of Agro-Industry and Food Security for introducing this piece of legislation as it will provide enhanced protection to the biodiversity resources of the Republic of Mauritius and allow the Government to meet its obligation at international level.

Thank you.

**Madam Speaker:** Hon. Jhuboo!

(6.17 p.m.)

**Mr E. Jhuboo (Third Member for Savanne & Black River):** Thank you, Madam Speaker. I would like to thank you for giving me the opportunity to comment on the Native Terrestrial Biodiversity and National Parks Bill. The necessity to come with such a piece of legislation was already mentioned in the National Parks Bill of 1993 and was long overdue. However, I would like to highlight some issues which, in my humble opinion, would deserve further consideration.

The hon. Member and the hon. Minister have proposed some major amendments, which I welcome. But, to start with, at paragraph 5, and I quote –

“The Board of the Council shall consist of a Chairperson, an officer from the Ministry, the Director, the Conservator of forests, a representative from the Ministry of Education, Environment, Tourism, University of Mauritius, two persons specialised in conservation, a person from the private sector, a person from an NGO involved in tourism and outdoor recreation.”

But, Madam Speaker, no mention is made for a person from a Non-Governmental Organisation involved specifically in the conservation field. I would like here, Madam Speaker, to draw the attention of the House and make a special plea for the Mauritius



Wildlife Foundation. The Mauritius Wildlife Foundation is not an ordinary NGO. It has intensively contributed to the preservation of special and several species, which was almost instinct. *A savoir le Cateau Vert, Pigeon des Mares, Kestrel, the Mauritian foodie, le Cardinal Rouge, Olive White Eyes, the Seabirds, le lézard de l'île Ronde, la restauration de l'île aux Aigrettes et j'en passe.*

A ce titre, Madame la présidente, le rôle de la *Wildlife* a été crucial, déterminant et je pense que l'écarter de ce conseil serait se priver d'un savoir-faire, de l'expérience, d'une connaissance de notre flore et de notre faune, acquise au fil des années. Ne pas profiter de cette expertise sera, à mon avis, une profonde erreur, et je pense que la *Wildlife*, à ce titre, devrait être sur ce conseil.

Par ailleurs, Madame la présidente, la partie IV du *Bill* concerne *The National Park and other Reserves* et l'alinéa 15 fait référence au *Buffer zones* et je cite –

“The Minister may, by notice published in the Gazette, declare any land adjoining a private reserve or a reserved land within an area of one kilometre to be a buffer zone (...).”

And the Minister proposed to bring an amendment, reducing the distance from “1 kilometre” to “200 metres”.

Je pense que cette mesure va dans le bon sens. Elle a inquiété beaucoup de propriétaires de domaines terriens notamment dans la région de l'Ouest, dans ma circonscription, la région de Bel Ombre et de ses alentours est proche du *National Park*. Et à ce titre, avoir un *Buffer zone* d'un kilomètre aurait aligné tous les projets qui sont autour notamment un projet de golf, un projet de villa qui aurait amené de l'emploi dans la circonscription. Donc, c'est un amendement que je soutiens.

Un autre point, Madame la présidente, est l'alinéa 17, et je cite –

“(...) the Director may (...) issue a licence authorising any person to –

- (a) sell goods;
- (b) provide services to visitors, or
- (c) carry out any other activities of a commercial nature.”

I think it is a valid proposition, especially in line with the vision of transforming Mauritius into an eco-tourism destination.

Mais force est de constater que la réalité est tout autre. Aujourd'hui ceux qui ont réussi le pari l'écotourisme ne sont que des domaines privés à l'instar de Médine, Bel Ombre, Ferney, St Felix, Domaine D'Andrea, Lakaz Chamarel et bien d'autres. Les quelques incursions de projets écotouristiques sur les terres de l'État se sont toujours soldés par des échecs. Ces domaines mentionnés ont réussi tout simplement car ils ont la visibilité sur l'investissement. Tous ces développements se font sur des terres privées alors que dans le cas de ce projet de loi, l'État louerait à des opérateurs privés des terres afin de les permettre de réaliser des projets d'écotourisme sur celles-ci avec un droit de regard et un *management plan* bien établi, bien régulier, et qui est une bonne chose. Mais cependant le problème reste entier car il demeure dans la durée du bail qui est de sept ans. Aucune personne qui est saine d'esprit et avisée ne prendra le risque d'investir des sommes importantes dans les *lodges*, dans des infrastructures, dans la restauration avec pour horizon un bail de sept ans. Ce qu'il faudrait proposer, c'est d'exciser la parcelle nécessitant des gros investissements, l'assujettir d'un bail industriel donc plus long et réserver la durée de sept ans pour l'autre partie de la réserve.

Si l'État souhaite que les terres qui lui appartiennent soient bien gérées, administrées, protégées, il faut qu'elles soient capables de donner la visibilité à ses locataires.

Par ailleurs, Madame la présidente, une proposition qui est importante et qui ne figure pas dans ce projet de loi, ces terres de l'État appartiennent aux mauriciens, appartiennent à notre nation et pourtant ils ne connaissent même pas l'existence. Il faudrait que les portes de ces domaines soient accessibles à des périodes bien spécifiques et ouvertes à nos compatriotes afin qu'ils puissent les visiter.

Concernant la clause 27, et je cite –

“(...) No person shall hunt –

(a) any game –

(ii) from a vehicle;

(b) any deer –

(i) with a firearm of 0.22 (...)"

Je tiens à attirer l'attention de la Chambre sur ces points qui sont inclus dans ce *Bill* et qui ont pour but de contrôler le braconnage mais qui viennent interférer directement dans le management des domaines privés. En effet, le *culling*, ce qu'on appelle couramment l'abattage des cerfs sélectifs pour approvisionner les supermarchés, les bazars, la grande distribution se fait généralement en voiture le soir à l'aide d'un 0.22 car c'est un petit calibre qui permet de ne pas déranger la faune et la flore. Pour ne pas pénaliser l'activité de ces domaines, cette clause devrait s'appliquer au *reserve land* seulement et non pas aux domaines privés car les uns étant de l'élevage extensif et les autres de l'élevage intensif.

Quant au point 27, l'alinéa 3 du *Bill*, Madame la présidente, il était impérieux que le ministre ne prenne pas de décisions sur ce sujet, surtout des décisions hâtives. Et je le félicite pour l'amendement qu'il a proposé, qui est celui concernant la pratique du tir à l'arc. En effet, la chasse à l'arc est un sport qui prend de plus en plus d'ampleur, certains pays utilisent même ce mode de chasse comme outil moderne de *game management*. De nombreux archers viennent à Maurice pratiquer ce sport car ils découvrent de nouveaux territoires. Il y a une gestion des cheptels qui est bien faite. Les chasseurs apprécient de plus en plus la chasse qui est difficile, qui est sportive et qui donne plus de chance au gibier. De par la proximité des terrains de chasse et les hôtels de la côte Ouest et du Sud, les chasseurs amènent leur famille qui séjournent et de ce fait une double économie se met en place: l'hébergement et la chasse.

Ce qu'il faudrait, Madame la présidente, c'est que la chasse à l'arc soit régulée par les autorités compétentes, sous les mêmes conditions que le *game licence*, que l'enregistrement du chasseur à l'arc soit rendu obligatoire, qu'un stage d'apprentissage avec la fédération de tir à l'arc à Maurice soit rendu obligatoire parce qu'il existe une fédération de tir à l'arc et qu'un *temporary game licence* soit issu pour les chasseurs étrangers.

Madame la présidente, je crois que ce projet de loi va dans le bon sens à part des vives inquiétudes que j'ai énumérées et auxquelles le ministre a répondu, je le remercie et je le félicite pour ce *Bill*. Il est primordial de transmettre aux générations futures ce patrimoine écologique dans un meilleur état qui nous a été transmis.

Merci de votre attention.

(6.26 p.m.)

**Mr M. Gobin (First Member for Rivière des Anguilles & Souillac):** Thank you, Madam Speaker, for giving me the opportunity of speaking on this Bill this evening. I will join in all the congratulations that have been said tonight. I think it is unanimous. We are all congratulating the hon. Minister for introducing this Bill to the House.

I do not want to say more than what has already been said on the policy. I do not want to say anything more because all has already been said, there is unanimity. We need to protect our biodiversity, our wildlife. What I want to mention are just a few issues on which I am appealing to the hon. Minister to ensure that we have results. I am appealing, first of all, to the hon. Minister to ensure full coordination between the Director of the National Parks, the Customs and the Police. I mention particularly the Customs because at the point of entry, whether be it at airport or at the harbour, we have seen over a number of years in the past, introduction of – I think the definition is “exotic wildlife” from other countries particularly Madagascar, recently, where the species are beautiful to the eye, but very dangerous to our local wildlife.

Such has been through two points of entry: the harbour and the airport. If this Bill is to be properly enforced, we need rigorous training of Customs Officers/Police Officers, including the Anti-Drugs Smuggling Unit - why not, they are vigilant for drugs. We need officers to be vigilant for importation of ‘dangerous’, if I may say, wildlife which can cause untold damage to our local wildlife. It is high time that constant training be put in place and, I presume, the Director of the Natural Parks and Conservation Service will bear responsibility for that and ensure that there are tangible results.

I note that in this Bill, Madam Speaker, wider powers are being given to the Director of National Parks and Conservation Service. He already has wide powers; I think there are wider powers being granted; with wider powers comes wider responsibility, heavy responsibility. There have been echoes in this House this evening: have we taken stock of whether the existing national parks are properly being managed? Are the existing traders operating in the current national parks helping to maintain biodiversity or the contrary? The Director is being empowered under clause 17 now, which will eventually be section 17, ‘to grant licences to sell goods, provide services to visitors.’

I am appealing to the hon. Minister to ensure that such licences are given with very strict conditions pertaining to maintenance of the biodiversity. It is to be noted that this licence under clause 17 would be granted with the approval of the hon. Minister. Hon. Minister, you will bear the responsibility ultimately! I am appealing to you to ensure that such licences are given with strict conditions, not only on paper *bien plastifié dans la main du trader*; we need enforcement. We all go to our national parks, the first one being *Les Gorges*.

We see street racing now with motor bikes in the area on certain days. Just to name that! I am appealing to you, hon. Minister, to make sure that the National Parks and Conservation Service is not only a scientific service, it is a service which needs to be managed properly and that includes enforcement.

On the second point I wish to highlight tonight, I have some reservations with respect to Part VI of the Bill, more particularly concerning the question of ‘Hunting of game’. If we look at clause 27, Hunting of game, subparagraphs 3 (a) and 3 (b), it says -

“(3) (a) Subject to paragraph (b), a person or anyone authorised by him may hunt any game found straying on any cultivated portion of that person’s land or damaging that person’s crop”.

Justifiably so, if game is damaging a person’s crop, it is legitimate that that person would be hunting, but it is provided right after that –

“(b) (i) Where a person, acting under paragraph (a), kills any game, that person shall forthwith send the carcass to the nearest police station”.

What is more interesting is that the Police Officer in charge of the station shall forward the carcass to a Social Security Officer! Unfortunately, my good friend, the hon. Minister of Social Security is not here. The Police Officer in charge of the station shall forward the carcass to a Social Security Officer for disposal! I have serious reservations, Madam Speaker. First of all, whether the Police Officers now will have to handle the carcass, at what time of the day or night, on Sunday?

Now, there is a Police Station at Grand Bassin. What if game is shot, brought down in the cultivated land around that protected area? It is a protected area; there are parts being cultivated upon. Would that carcass be taken to Grand Bassin Police Station? I am putting

the question, I don't have the answer. Now, once the carcass is taken to the Police Station, it will require the Police Station to find a vehicle to put that carcass. Will it be in the Police car or the Police van?

*(Interruptions)*

We have seen that for a number of years, *il n'y a pas de solution magique*. There is a problem of Police attending to cases right now. The law practitioners in the House know the situation well. I won't say it is an excuse, but very often we hear that *le véhicule de la Police est sorti, nous n'avons pas* attend to that case or patrol in the area or go there and attending to Police duties. Now, the Police Officer in charge of the Station shall forward the carcass but how will that happen? Next point, where does the carcass go to? A Social Security officer, for disposal! How will the poor Social Security Officer - I assume that it is on a weekday, if it is on a Sunday I don't know how that will take place - dispose of the carcass? Why are we bringing the Police into this and why are we bringing the Social Security Officer in this disposal of the carcass? I am suggesting that if a person hunts game on his land, on which he cultivates, the onus should be on him to dispose of the carcass. Of course, I perfectly understand the fear that we will see the carcass being dumped in river or being dumped in other private land, but I don't think that the solution is to give this responsibility to the nearest Police station, followed by the Social Security Officer for disposal. I am sure my good friend, the hon. Attorney General will come up with an acceptable solution.

Next point, Madam Speaker, concerns the very important question of firearms. As it is, in the regulatory set up, game licence is issued by the Commissioner of Police. This Bill is bringing one further layer of licensing. The first layer is the licence issued by the Commissioner of Police that is issued under the Firearms Act. This Bill brings a second layer, and that is in clause 28 -

- (1) "Where a person has been issued by the Commissioner of Police with a game licence (...)."

Then comes step 2 -

"(...), he shall apply to the Director (...)."

Mighty powers of the Director, here, once again!

"(...), he shall apply to the Director of the National Parks for an authorisation to hunt such game as may be prescribed".

The Bill is utterly silent - deafening silence - as to what happens if the Director of the Natural Parks refuses the licence to hunt games. That person therefore holds a game licence issued by the Commissioner of Police. He is probably the holder of a firearm but has no licence from the Director of National Parks to hunt game; what will he do with the firearm? Keep it for himself; display it in his living room? I think the Bill should provide that - if the Director of National Parks refuses, he shall immediately notify the CP who then will require the immediate surrender of the licence. Otherwise, we will be having cases where firearms are being bought with a game licence without the corresponding, the corollary approval of the Director of National Parks to hunt game and we don't want to take risks when it comes to firearm be it for game or otherwise.

In the interest of time conservation, Madam Speaker, I will stop here.

Thank you.

**Madam Speaker:** Hon. Dayal!

(6.39 p.m.)

**The Minister of Environment, Sustainable Development and Disaster and Beach Management (Mr R. Dayal):** Madam Speaker, the essence and importance of biodiversity in the proper management of the ecosystem cannot be overemphasised. It is the be all and end all of everything. The word 'bios' - life from the Greeks encompasses the whole realm of nature. Nature is life and nature is God and man has to harmonise all his acts and doings *de vivre en symbiose avec la nature*. This Bill is, therefore, timely and of prime importance as this Government is embarking in a holistic approach of healing Mother Nature starting from our motherland. Biodiversity is also the natural capital of humanity and causes the proper functioning of our living environment. However, this very important feature of the environment is under threat from human activities and the adverse impacts of climate change amongst the others.

On the global front, the United Nations Environment Programme reports that pressure on biodiversity continues to increase; habitat loss and degradation from agriculture and infrastructure development, overexploitation of resources, pollution and invasive alien species remain the predominant threats. Climate change is increasing in importance and will have profound impacts on biodiversity. The state of global biodiversity is continuing to decline with substantial and ongoing losses of populations, species and habitats.

The benefits human obtains from biodiversity are at risk. Hence, our obligation as a living entity in the cradle of nature to ensure the harmonisation of our needs and the needs of other species that make the richness of our ecosystem by striking the right balance which we are doing through this Bill. Our native terrestrial biodiversity and National Parks should be at the forefront of our mind while engineering our development plans for sustainable development.

In Mauritius, our flora and fauna have relatively high level of diversity and endemism as a result of the island's location, age, isolation and varied topography. As per a recent survey, Mauritius has 691 species of which 273 are single island endemics and another 150 are mascarene endemics. The total extent of green forests cover in Mauritius is about 25% of the total land area. The forest cover is composed of planted forest, native forest 2% and shrub land 14%. 1% of the native forest is considered to be of good quality while 9% of this area is highly degraded because of unwarranted human interference within the concept of nurturing nature.

The urgency of climate change calls for the greening of our planet and our land mass. We must plant more trees in an aggressive manner. It is good to know that forests are the lungs of our planet and cover one third of all land and are home to 80% of terrestrial biodiversity. It is also vastly used as a source of medicine and a single mature tree produces approximately 118kg of oxygen per year and two mature trees can supply enough oxygen annually to a small family. One tree can absorb as much carbon in a year as a car produces while driving 50,000 km and one tree can absorb one tonne of carbon dioxide in its life.

Hence, our project of planting of trees along our main roads in collaboration with my colleagues, the Minister of Public Infrastructure and Land Transport, hon. Nandcoomar Bodha, and the Minister of Agro-Industry and Food Security, hon. Seeruttun, and all other relevant stakeholders. I am coining this exercise with the '*Embellir Maurice*' campaign where stakeholders will join the process. This reminds me of a young boy of 15 years from Germany by the name of Felix Finkbeiner who has made a plea through the United Nations Environment Programme for planting 1 trillion trees across the globe by 2020.

The forests of the Republic of Mauritius are small in area, no doubt, but perform vital functions; the most important of them being soil and water conservation. The roles of forests in reducing soil erosion, carbon sequestration, conservation of biodiversity and genetic resources, pollination and providing recreation and ecotourism activities are now widely



recognised and valued. However, pressures from human activities and natural factors have highly modified Mauritius' ecosystems. The major threats to terrestrial biodiversity are the loss and the degradation of habitats, posing the risk of loss of species, development in general, combined with the introduction of invasive species of plants and animals has had a disastrous effect on the native flora and fauna and their habitat. Pollution, pests and diseases and natural disasters have further exacerbated the problems. As a result, the Republic of Mauritius is one of the world's biodiversity hotspots. Indeed, according to the International Union for the Conservation of Nature, Mauritius has the third most endangered terrestrial flora in the world.

Therefore, Madam Speaker, I would like to congratulate my colleague, the hon. Minister of Agro-Industry and Food Security for coming up with the Native Terrestrial Biodiversity and National Parks Bill whose main purpose is to make further and better provision for -

- (a) the protection, conservation and management of native terrestrial biodiversity and giving effect to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and any other biodiversity-related convention to which Mauritius is or may become a party to, and
- (b) the identification, control and management of reserve lands and private reserves and for related matters.

The new Bill also provides for the broadening of the functions of the Advisory Council in that the latter will also assess the state of wildlife resources and the effects of land and environmental activities on wildlife and wildlife habitats. Both the forestry services and the National Parks and Conservation Service, are presently not empowered to assess private land for the purpose of preventing felling of trees and bad filling of wetlands on private lands.

In this regard, I note with much satisfaction that the new Bill makes provision for -

- (a) designation of private reserves for the purpose of protecting, enhancing or restoring natural ecosystems, wildlife habitat or habitat of rare, threatened or endangered plants or animal species and for the retention of significant botanical, zoological, geological or morphological features of land.

We have seen the case of Grand' Baie and we are aggrieved by it.

- (b) the ownership to be retained by the private landowner and for compulsory acquisition for the benefit of the public.
- (c) assistance from the Director to give assistance to maintain the private reserves.
- (d) the establishment and function of a management authority and a scientific authority to regulate the export and import of Convention on International Trade in Endangered Species, listed species would enable better control and protection of our biodiversity.

Climate change could cause the proliferation of invasive plants since they are generally more tolerant to a wider range of environmental conditions in comparison to native plants. Invasive plants species can also displace important native vegetation because the invasive species often lack natural predators. This leads to a competition for space and food and as a result of which the growing population of bats may become a threat to human activities.

In fact, today, we are all aware that fruit growers and the public are facing a serious problem in that their yield is largely affected by the growing population of bats. It is, therefore, critical that the population of bats be kept under control in a scientific manner, without endangering the species. This new Bill, which comes at an opportune time, provides for the control of wildlife upon authorisation whenever it attains pest status and for the setting up of a special Technical Committee to advise on this issue.

Reducing the rate of biodiversity loss requires the implementation of multiple and mutually supporting policies which involve conservation, sustainable use and recognition of biodiversity values. It is indeed imperative that we recognise the value of our biodiversity which is the very basis for life on earth. Controlling loss of biodiversity is one side of the coin. Reversing the situation and enhancing biodiversity are the most appropriate action that is warranted and this is exactly what this Bill provides for. It requires as they always advocate, the cleaner, greener and safer Mauritius and is based on human factor engineering all throughout.

Biodiversity is God gift to us and what we do of it is our gift to God. Therefore, priority should be to protect the gift of Mother Nature in terms of local fruits and endemic species by striking the right balance which this Government is trying hard to achieve. Australia has already adopted a legal framework for the culling of bats where orchids are more affected and where native food resources are extremely scarce and cultivated fruits provide the only alternative to starvation.

Moreover, where serious economic loss is proven and other methods have failed, we should not forget that economic progress, human well-being and social prosperity can only emerge from a healthy and vibrant environment. Madam Speaker, I am sure that the new regulatory framework will allow better protection of our native terrestrial biodiversity and ensure that the children of tomorrow will have a better legacy. The flourishing and genetical resilience will depend on the quality of protection provided today.

Before ending, I would like to comment on two aspects raised by hon. Bhagwan. First, we are reviewing the Environment Protection Act. Second, le Dauguet was left abandoned. There were no toilets. We are providing two toilets and we are reopening it on the 30<sup>th</sup> of this month for public access.

*(Interruptions)*

Third, we are providing security as well. We also heard that there are certain aspects which we are not looking at in terms of mapping. Let me tell you that when I was replacing my good friend, hon. Seeruttun, I held a meeting in the presence of the Commissioner of Police and the Commanding Officer with all the top guns of the Ministry of Agro-Industry and Food Security. I must tell you that we planned systematically to do the culling exercise in a manner where no prejudice would be caused to nature and we wanted to do it in a manner whereby we achieve the target for the mission that we set out.

Thank you very much.

(6.52 p.m.)

**Mr Seeruttun:** Madam Speaker, first of all, I would like to thank all hon. Members on both sides of the House for their intervention and keen interest in the Native Terrestrial Biodiversity and National Parks Bill. I have taken good note of the valid suggestions made by each one of them and also the views expressed on the different aspects covered by the Bill. The House will appreciate that any Bill is not a finality in itself and is to be reviewed, updated in the light of ground experiences gathered, progress made in other jurisdictions and new elements emerging out of revisited Conventions and agreements.

Mauritius has made significant progress in the area of biodiversity. However, there is room for further improvement. I have taken note of the points raised from a few of my friends

who spoke before me. I will start with my good friend, hon. Gobin, when he talked about the carcasses.

*(Interruptions)*

I have been told that the reason why we have to go to the Police is a question of accountability, usually to record a theft. Whenever an animal is found dead, it has to be reported to the Police. So, that is a reason why it has been taken to Police. It is for determining the ownership of that particular animal that was killed. Why it is sent to the Social Security Office? The reason being to forward it to an orphanage. That is a reason. We felt that that particular carcass could be used for consumption.

As regards firearms, I am sure the hon. Member will agree with me that we do need some kind of coordination between the Commissioner of Police and the Director of National Parks so that whenever permits and licences are awarded to those who applied for firearms, the Director of National Parks also be made aware of who are the detainees of those firearms so that there could be a better control of who are those who are allowed to carry out hunting.

There was one question raised by hon. Jhuboo with regard to the use of bows and arrows. We have mentioned that we are going to come with regulations to make sure that all the necessary precautions are being taken to ensure that those who are going to practice that kind of sport are first trained to use that kind of weapon and also they are given a kind of licence that prove that they have the necessary training. If we have people from abroad who come here, they have to come up with some kind of licences that are awarded in their country of origin. So, we are working on that kind of regulations to ensure that things are being done in a proper manner.

Hon. Bhagwan mentioned about the problem of cleanliness in the park's area. That's the question we are trying to address and I am sure we will see some differences in the near future because we also feel that things have to be improved in that area as well.

The question about training those people who are given nets to protect their trees from bats being infesting their fruits, there again the officers of FAREI are giving technical advices on how to do it. As you also know, we are encouraging people to prune their trees and go towards, what we call, dwarf plants so that trees are not grown too high and this would avoid bats being attracted to those trees.

With regard to PR, we have to communicate with the international organisation. We have established contacts with them. We have been trying to tell them how it is affecting our fruit production here, but probably we need to do more. So, we are looking into that as well. I think I have covered most of the points raised by those who intervened before me.

Madam Speaker, so, to end, I will say this Bill is a step in the right direction, an attempt to provide and improve a legal and institutional framework to tackle emerging issues in the local wildlife landscape. The institutional arrangement proposed in the Bill attempts to build consensus with all parties concerned and also set up mechanism for indepth and continuous consultations, not only to protect our biodiversity, but to use it judiciously and sustainably.

So, to conclude, I thank all Members again and commend the Bill to the House.

Thank you.

*Question put and agreed to.*

*Bill read a second time and committed*

## **COMMITTEE STAGE**

*(Madam Speaker in the Chair)*

### **THE NATIVE TERRESTRIAL BIODIVERSITY AND**

### **NATIONAL PARKS BILL**

**(NO. XVI OF 2015)**

*Clauses 1 to 14 ordered to stand part of the Bill.*

*Clause 15 (Buffer Zones)*

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

**Mr Seeruttun:** I move for the following amendments in clause 15 –

“(a) in clause 15, in subclause (1), by deleting the words “of one kilometre” and replacing them by the words “not exceeding 200 metres”.

*Amendments agreed to.*

*Clause 15, as amended, ordered to stand part of the Bill.*

*Clauses 16 to 25 ordered to stand part of the Bill.*

*Clause 26 (Hunting of wildlife)**Motion made and question proposed: “that the clause stand part of the Bill.”***Mr Seeruttun:** I move for the following amendments in clause 26 –

“(b) in clause 26, by adding the following new subclause –

(4) Notwithstanding subsection (1), the Minister may, on the advice of the Director, authorise, in writing and on such terms and conditions as he may determine, the hunting of wildlife by night.”

*Amendments agreed to.**Clause 26, as amended, ordered to stand part of the Bill.**Clause 27 (Hunting of game)**Motion made and question proposed: “that the clause stand part of the Bill.”***Mr Seeruttun:** I move for the following amendments in clause 27 –

“(c) in clause 27, in subclause (2), by deleting the words “he considers appropriate, authorise a person to hunt game for scientific or game management purposes by any method which he may approve” and replacing them by the words “may be prescribed, authorise a person to hunt game for any purpose and by any method which he may approve.”

*Amendments agreed to.**Clause 27, as amended, ordered to stand part of the Bill.**Clauses 28 to 54 ordered to stand part of the Bill.**First Schedule and Second Schedule ordered to stand part of the Bill.**The title and the 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 Native Terrestrial Biodiversity and National Parks Bill (No. XVI of 2015) was read the third time and passed.*

## ADJOURNMENT

**The Prime Minister:** Madam Speaker, I beg to move that this Assembly do now adjourn to Friday 23 October 2015 at 3.00 p.m.

*Question put and agreed to.*

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

**Madam Speaker:** The House stands adjourned.

(7.05 p.m.)

## MATTER RAISED

### HAJJ PILGRIMAGE 2015 – ORGANISATION

**Mr R. Uteem (First Member for Port Louis South & Port Louis Central):** Thank you Madam Speaker, I would like to raise a specific matter on the problems relating to the organisation of Hajj pilgrimage of 2015.

Madam Speaker, Hajj is one of the five pillars of Islam and every Muslim must perform pilgrimage to Makkah in Saudi Arabia at least once in his lifetime subject to having the means and to be physically fit to perform also.

This year, around 1,150 Mauritians went for Hajj pilgrimage, but this time around, unfortunately, five of our compatriots were killed during the stampede which occurred on 24 September 2015, in Mina near Makkah. I extend our heartfelt condolences to all the families of the victims.

Madam Speaker, the Islamic Cultural Centre Trust Fund Act sets up the ICC Trust which has as one of its object to deal with matters relating to the organising, facilitating, monitoring and supervision of Islamic pilgrimage to holy places and that is why I am raising this issue before this august Assembly, because the Minister concerned namely the Minister of Arts and Culture, under the Act, is given powers to supervise and give directions of a general nature to the ICC.

Every year, Madam Speaker, there are issues whenever there is organisation of Hajj. There are issues with who gets the licence to organise Hajj. There are issues as to how the Hajj organisers behave or carry out their duties and functions in Saudi. There are issues as to how visas are allocated. At some point, it was on a list, but this list seems to have been

outdated because people who are not on the list have been going for Hajj and also this list does not take into consideration the age and health conditions of people to whom priority should be given. There are issues with the Hajj Mission itself, the composition, whether we need more people who are fluent in Arabic language, because that is the language spoken in Saudi Arabia, whether the Hajj mission should have doctors and we have seen it this time around where there were lots of Mauritians injured, we did not have sufficient doctors to give first-hand aid, we did not have sufficient medicines like even painkillers to meet these.

So, every year there is a lot of these problems which are recurring. I will make an appeal to the Minister concerned, if he can have a relook at the organisation of Hadj. There was a report made by hon. Reza Issack, but it was never signed by the then Director of the ICC, so, it was never implemented. Maybe, it is time to have a fresh look at the whole organisation and get people from the public, people who have experience and who can come and contribute and give ideas as to how to improve the organisation of Hajj.

But, of course, Madam Speaker, today what I really want to raise is the specific issues of what happened in Makkah on 24 September. I have taken the time to go and meet the families of the victims. I have taken the time to go and meet Hajj organisers, eyewitnesses and even the members of the Hajj Mission so as to get a complete picture. And it would seem that everyone that I have met, confirmed that, at one point in time, there was a road that was blocked. We don't know for what reason, but there was a road that was blocked and that forced a number of pilgrims to go back and meet pilgrims coming from the other direction. So, it was extremely hot and this clash resulted in the death of what the Saudi authorities have stated to be 769. But what generally from information we gathered from different countries is that it exceeds 2,000 people.

All these families now want to know exactly what has happened so that such incident does not happen again. We are not the only ones in Mauritius who are asking questions. In Algeria, for example, the Government stated that they will demand compensation for the families of the deceased and for the injured. In Bangladesh, they condemned the disrespectful handling of the bodies after the 24-September incident in Makkah, the way the Saudi security officers removed bodies from the site, seemed as if they were dumping garbage. We all saw pictures on the Internet of lorries taking bodies and piling them up bulldozers.

Nigeria also went further as to raise the issue in the House of Parliament in Nigeria, and the House there demanded for the immediate takeover of the investigation of the incident



by international investigators since there were still conflicting reports as to the cause of the incident. It stated that this became necessary in order to prevent further occurrences.

In Mauritius, unfortunately, the first reaction from the hon. Vice-Prime Minister Soodhun was to blame one particular Hajj organiser, and then it was reported in the press that after the meeting with the Saudi authorities - it was reported in the press, I am not saying that that is correct – that apparently the Vice-Prime Minister congratulated the Saudi Arabia. I have no doubt that it is probably Saudi propaganda about what actually happened. But may I make a humble request in the name of all the victims of the deceased in Mauritius that officially the Government of Mauritius asks for an independent inquiry into what happened exactly so that people in Mauritius can complete their grief.

Thank you.

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):**  
Madam Speaker, as it is a very sensitive issue, with your permission, I would like to reply to certain points raised by hon. Reza Uteem.

Hajj organisation is an extremely challenging exercise for years. The Government, the Islamic Cultural Centre, the Hajj Committee and the Hajj Mission have spared no efforts to ensure that the best possible conditions are created for our Hajjis. For the benefit of the House, I deem it necessary to elaborate on the different steps of the Hajj organisation 2015.

There is a transparent selection exercise of Hajjis as well as the designation of 11 operators. In the past, it was about 34 operators. Initially, our quota of 1,040 Hajjis was maintained and it was only on 10 September that Saudi authorities informed us that our request for 500 additional visas was approved. Only Mauritius in the whole world obtained 500 more visas. It was on my request, when I met the Minister of Hajj in March this year. Due to short notice, only 115 persons responded positively. We had contacted 3,350 people who were on the list of future Hajjis.

To make the necessary arrangement, it is to be recalled that the officer who went to take the visas in South Africa was caught up in administrative procedures at the airport of Johannesburg and he missed his flight. However, all the additional 115 Hajjis were able to reach Saudi Arabia before the closing of the Hajj terminal on 17 September.

As part of the pre-Hajj mission, I had the privilege of going to the Kingdom of Saudi Arabia in March 2015 to start preparations for our Hajjis and I signed a different Hajj protocol agreement with the Saudi Minister of Hajj.

The Government also negotiated the best deal in terms of airfare, fixed at Rs35,000 with Emirates Airline, whereas last year it was Rs46,000 in spite of the dollar being Rs30 and today it is Rs36.

Training sessions were provided to Hajjis at the seat of ICC, except for the last additional batch of 115 as time did not permit. With regard to the accommodation of Hajjis, the officer-in-charge of the ICC was sent to Saudi Arabia to inspect the three buildings booked in Makkah and four in Madina and rated as three-star plus, prior to finalisation of contracts of operators. Operators were asked to sign two contracts for the first time: one with the Hajjis and a second one with the ICC.

Vaccination was provided to all Hajjis in five regional hospitals prior to departure. Saudi officers were in Mauritius for the allocation of visa in August.

Moreover, I personally chaired meetings with the relevant authorities such as Atom, IML, the Customer Department, the Police Force and the Ministry of Health and Quality of Life in the presence of the Board Members of the ICC to make sure that the departure and the arrival of the Hajjis would take place in the best possible condition. I do not think that we have any complaint from any Hajji for the arrival and the departure in Mauritius. This year, just to correct my good friend, it was 1,179 Mauritians who accomplished the Hajj.

As regards the Hajj Mission, I must specify that the team was made of six competent and apolitical persons and one among the six was a well-known interpreter in Arabic. The team which proceeded to Saudi Arabia was led by Mr Samioullah Lauthan, Chairman of ICC; everybody unanimously accepted.

Madam Speaker, it would be important for me to clarify certain issues. Every Hajji will definitely tell you about the heat which rose to around 45° in Saudi Arabia. This caused quite some health hazards to many Hajjis, but they were all attended to by the medical teams of Saudi Arabia. I personally intervened with the Government of India so that we could get the services of Indian doctors in all the regions of Makkah, Mina, Arafat and Madina from the dispensary of the Indian Government.

One of the complaints made by the Hajjis was that air conditioners were not functioning in Mina. I must state that this was not a problem affecting particularly Mauritians, but many Hajjis from other countries also had to bear such a situation. The Hajjis also complained of long delays before buses were released for the trip to Madina. Hon. Members would surely appreciate that this occurrence was due to the fact that management of the transport facilities was done by the Saudi authorities and not by the Mauritian authorities.

We are all aware that a tragic event occurred in Mina as mentioned by the hon. Member during Hajj this year. It would appear that because of the non-respect of the predetermined timetable, it happened that Mauritian Hajjis were present on site at the time of the incident. The aspect is being investigated into. Initially, we had a group of 11 persons missing. Gradually, the Hajj Mission was able to trace 6 of them. At this point, I must place on record that the Hajj Mission has to be commended for all the efforts that are deployed to undertake the search. Even certain operators and all the other Hajjis as well as some of our compatriots residing in Jeddah worked as a team to organise a search campaign. I was in permanent contact with the Hajj Mission to gather any update about how the situation evolved night and day.

I can assure the House - my hon. friend and the Janoo family know - that I was in contact whole night and day, giving them all the information. This was also supported by the Janoo family in Mauritius. I had given clear instructions to the Hajj Mission to stay till they got the final information. I can say that we are the only organisation that stayed and we attended the funerals of all the five Mauritians. I was there, not at the funeral, but in Makkah and this had been done in Mina. We are the only country that stayed there till the end of the funeral. Unfortunately, we got information about the death of five missing Hajjis.

While I was on official mission in Saudi Arabia, this *démarche* was much facilitated by the fact that I brought the DNA samples. I can tell you that I was the only Minister who brought along with me to Saudi Arabia the DNA samples - this has been proved by the Minister of Health of Saudi Arabia - to help in the identification of corpses. My good friend knows the situation in which the dead bodies were. I am not going to say what I have seen and witnessed personally. I am not going to reveal it.

The funeral, as I mentioned, of the deceased Mauritian Hajjis, took place in Mina. I would like to mention that we have informed and I have insisted that the names should be put at the entrance of the cemetery so that at any time their family want to pay a visit, they can do

so. We will get the permission, there is no problem. I would like to present once more my sincere condolences to the Janoo and Nazurally families.

I have to inform hon. Members that during my recent visit to Saudi Arabia, we were the only country who has been able to meet Prince Mohamed Bin Salman Bin Abdulaziz, the Saudi Minister of Health, the Minister of Foreign Affairs and the Minister of Hajj. We have had long discussions about the Hajj organisation. They have reassured me that next year, they will come up with more advanced security measures for Hajjis.

A dedicated committee has been set up by the Crown Prince immediately after the incident to reflect on how best the organisation of Hajj 2016 could be planned. I have been invited by the Prince to come up with proposals, if any. I shall consult all the stakeholders and submit appropriate proposals for consideration by the committee.

At our level, the ICC is undertaking a survey whereby Hajjis have been called upon to talk about their experience, advice, suggestions and improvements that may be brought in the organisation of Hajj in future. I avail myself of this opportunity to invite suggestions from all hon. Members in case these could contribute towards improving Hajj organisation for next year.

Thank you, Madam Speaker.

*At 7.25 p.m. the Assembly was, on its rising, adjourned to Friday 23 October 2015 at 3.00 p.m.*

## **WRITTEN ANSWERS TO QUESTIONS**

### **CHILDREN'S BILL - INTRODUCTION**

**(No. B/739) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the proposed introduction of a Children's Bill which would harmonise the different pieces of legislation dealing with the children, she will state where matters stand.

**Reply:** I am informed that a Draft Children's Bill was submitted to my Ministry by the Attorney General's Office in October 2012 and discussions had taken place on the provisions of the Bill in 2013 and 2014.

Upon my assumption of office, I personally chaired various meetings where the Bill was re-examined in the light of a list of policy issues brought up by the Attorney General's Office in June 2015. In that respect, consultations are still ongoing with other Ministries.

The Children's Bill is a complex and elaborate piece of legislation and will have far reaching implications on the development and well-being of the Mauritian child. My Ministry will soon engage with the Attorney General's Office on the legal implications of policy issues agreed upon by my Ministry and other concerned Ministries and the Bill will then be finalised. It is expected that the Bill will be introduced in the National Assembly before the end of the present session.

### **METHADONE SUBSTITUTION THERAPY PROGRAMME**

**(No. B/740) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Health and Quality of Life whether, in regard to the Methadone Substitution Therapy Programme, he will state if he has been apprised of the comments made by Dr. D. M. of Reunion Island in relation to -

- (a) his Ministry's decision not to administer Methadone as a treatment against drug addiction to new patients, and
- (b) connections of Professor H. with the Go Medical Company, a supplier of Naltrexone.

**Reply:** I wish to inform the House that I have indeed taken note of the comments made by Dr. D. M. of Reunion Island. The comments are of general nature and reflect the personal opinion of Dr. D. M. in relation to the policy of the Government regarding the Harm Reduction Programmes.

The House may be interested to note that following interactions with officers of my Ministry who attended the '14<sup>ème</sup> Colloque VIH et Hépatites' organised by the Indian Ocean Commission in Seychelles last week, Dr. D. M. addressed an email dated 15 October 2015 to me stating the following –

*“Je suis le Dr. David Mété, médecin au CHU de la Réunion et responsable de la Fédération Régionale d'Addictologie de la Réunion (FRAR). J'ai le plaisir de vous adresser en attaché mon curriculum vitae.*

*Je vous adresse cet email dans les suites de mon intervention lors du Colloque VIH Océan Indien aux Seychelles. Les représentants de votre ministère m'ont informé que la nature de mes propos avait heurté.*

*Je souhaite vous assurer par ce message que telle n'était pas mon intention et sachez que j'en suis désolé. Je vous exprime l'expression de mon sincère respect ainsi que de ma plus haute considération. Les propos que j'ai tenus sont ceux du médecin spécialisé en Addictologie que je suis, ils ont été tenus en mon nom personnel et n'engagent en rien les autorités des Seychelles, de la Réunion ou du CHU de la Réunion.*

*Les échanges que j'ai eus avec vos représentants ont été très riches et m'ont permis d'élargir ma vision de la problématique des drogues à l'île Maurice.*

*En tant que médecin addictologue, je ne peux que saluer l'introduction de nouvelles options dans le programme mauricien (Suboxone, soutien psychosocial)."*

With regard to part (b) of the question, I am afraid I am not aware of any connections between Professor H. and the Go Medical Company.

### **FLIC EN FLAC - ACCESS ROAD**

**(No. B/741) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the project for the urgent provision of a new access road to Flic en Flac, he will state where matters stand.

**Reply:** I am informed by the RDA that an alignment for a proposed "New Link Road to Flic en Flac has been identified. The project is approximately 7.0 km long and starts near Junction Palma Road (B2) & Geoffroy Road (B91) at Beaux Songes. The proposed road crosses the Rivière Noire Road (A3) at Cascavelle and ends at the Flic en Flac Road (B34) in the region of Flic en Flac/Wolmar.

In November 2014, following a tender exercise, Scene-Ries Consult Ltd was appointed as Consultant for the Environmental, Social and Traffic Impact Assessment for the proposed alignment. The consultancy fees were to the tune of Rs2.2 m.

In May 2015, the Consultant submitted a preliminary report and proposed the following, amongst others -

- Construction of approximately 7.0 km of single carriageway road;
- Construction of two grade separated junctions on Palma Road (B2) at Beaux Songes and on Riviere Noire Road (A3) at Cascavelle;

- Construction of a bridge over an approximate length of 40 m, and
- Laying of about 10.0 km of roadside drains;

The estimated cost of the project, as submitted by the Consultant is Rs1.5 billion which is, according to the RDA, on the high side.

I am informed that the RDA is now reconsidering the whole project proposal of the Consultant in view of the high cost involved and given the fact that the alignment passes through environmental sensitive areas such as marshy lands, hunting ground and flood-prone areas as well as residential areas.

### **LOCAL GOVERNMENT ACT - AMENDMENT**

**(No. B/742) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Local Government whether, in regard to the Local Government Act, he will state when proposed amendments will be introduced thereto, indicating the main avenues of the reform that will be proposed.

**Reply:** In the Government Programme 2015-2019, it was announced that Government will amend the Local Government Act to consolidate democracy at local level and promote better participation of Local Councillors in the management of community affairs.

As the House is aware, in April this year, the first phase of amendments to the Local Government Act were undertaken as there was an urgent need to make Local Councils, especially the Municipal Councils, fully functional.

The House will recall that during the debates pertaining to the amendments brought to the Local Government Act in April 2015, I stated that a second phase of amendments to the Local Government Act will be undertaken. In this context, my Ministry has carried out a first round of consultation with major stakeholders, including the Electoral Commissioner, the Ministry of Housing and Lands and the 12 Local Authorities.

The feedback and suggestions obtained have been examined and it has been noted that these pertain mainly to a few sections of the existing legislation which would need to be amended with a view to addressing some loopholes in the existing legislation, so as to bring more clarity in certain procedures and interpretation. Unfortunately, no proposal has been received for the formulation of any major policy orientation.

As the way forward, therefore, further consultations with major stakeholders are ongoing, besides exploring the legislative experience on local government matters of other Commonwealth countries such as the UK, Australia and New Zealand with a view to picking up therefrom what could be of relevance for our local context.

Although the main avenue of reform has not yet been fine-tuned, the fundamental issues of local democracy such as the sharing of responsibilities between central government and Local Authorities, the duties and functions of Local Councillors, the equilibrium that has to be struck between local autonomy and accountability, local government financing and decision-making processes involving the local government officers and elected councillors are being studied for review.

As soon as we complete the consultation process and firm up the proposals to consolidate democracy at local level, we shall introduce a Bill to the National Assembly to that effect.

### **STREET VENDORS & HAWKERS - FESTIVE SEASON**

**(No. B/743) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Local Government whether, in regard to the street vendors and hawkers, he will, for the benefit of the House, obtain from the –

- (a) local authorities, information as to the measures that will be taken in relation thereto during the forthcoming festive season of December, and
- (b) Municipal Council of Port Louis, information as to where matters stand as to the construction of the appropriate structure for the accommodation thereof, in Port Louis.

**Reply:** I wish to refer the hon. Member to the reply I made on 01 September 2015 to Parliamentary Question B/374 on the issue of relocation of hawkers operating in Port Louis.

I wish to inform the House that with a view to setting in place an appropriate mechanism to control hawkers during the end of year festivities, I have had consultative meetings with the Mayors of all the Municipal Councils. It was noted from the discussions that the situation was under control and manageable in all towns except in the City of Port Louis.

I shall arrange to place in the Library of the National Assembly, the list of measures which each Local Authority is taking during the forthcoming festive season.

As regards the Municipal City Council of Port Louis where the problem seems to be more complex, the House may wish to note that the following measures have been taken to ensure a better control of hawking activities during the end of year period –

- a press notice has been published highlighting the consequences of street vendors and hawkers operating along the roads, drains and pavements;



- “No Hawkers” sign plate will be fixed in strategic places;
- the “No Entry” sign at Farquhar Street has been removed to enable smooth vehicle flow;
- illegal structures fixed by the Street Vendors and hawkers are being removed.
- handrails will be placed at strategic places to prevent hawkers from exposing their wares along pavements, and
- identification badges will be issued to those hawkers paying a trade fee for “seller of foodstuff and none foodstuff (mobile) (except on public beaches and 500 metres from any markets).

I propose to meet the Lord Mayor in the coming days to find out how the situation is evolving on site and to consider whether other measures should be envisaged during that period.

With regard to part (b) of the question, I mentioned in my reply to Parliamentary Question B/374, the construction of the appropriate structure to accommodate the hawkers is an integral part of the Port Louis redevelopment and the decongestion programme and the Port Louis vision 2013 project, initiated by the Ministry of Public infrastructure and Land Transport.

The conceptual proposal to accommodate some 1000 hawkers at both the Victoria Station and Immigration Square has been presented to all concerned stakeholders and their feedbacks are awaited to finalise the project.

### **SUGAR - EXPORT**

**(No. B/744) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Agro-Industry and Food Security whether, in regard to sugar, he will state if the bigger US sugar allocation to Australia in the Trans Pacific Partnership will have any impact on our export thereof under the tariff rate quota.

*(Withdrawn)*

### **DEUX FRÈRES – INHABITANTS - RELOCATION**

**(No. B/745) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the proposed relocation of the inhabitants of Deux

Frères who are facing potential danger due to the prevailing risks of landslide, he will state where matters stand.

*(Withdrawn)*

**MINISTRY OF HEALTH AND QUALITY OF LIFE – MEDICAL  
PRACTITIONERS - RECRUITMENT**

**(No. B/746) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the medical practitioners who were recently recruited to serve as Medical and Health Officers in his Ministry, he will state the –

- (a) criteria used for the selection thereof, and
- (b) probation period of satisfactory performance after which they will be eligible for confirmation on the permanent and pensionable establishment of his Ministry.

**Reply:** Since 15 October 1997, the Public Service Commission has delegated powers to my Ministry to employ Medical and Health Officers/Senior Medical and Health Officers on a purely temporary month-to-month basis to palliate for shortage of doctors.

Several conditionalities are attached to such delegation of powers, namely that the employment is made against vacancies and candidates should have the required qualifications as laid down in the Scheme of Service, they should not have retired in the interest of the Public Service or on medical grounds.

I am informed that a first selection exercise was carried out as far back as 1998 under such delegation. Thereafter, several selection exercises have been made as follow: 2004 (7 candidates), 2005 (63), 2006 (30), 2007 (133), 2008 (12), 2009 (173), 2010 (84) and 2011 (69).

With regard to part (a) of the question, my Ministry carried out a similar exercise in August 2015 to cater for those doctors who are presently on study leave without pay. The same criteria were used in addition to experience, clinical knowledge, management of cases and personality.

You may wish to note that my Ministry reported 119 vacancies to the Public Service Commission on 05 March 2015. The post was advertised on 07 April 2015 and we are still awaiting for the outcome. The House is aware that it is imperative for my Ministry to have adequate manpower to run existing and new services as we are dealing with the lives of

people. Hence, my Ministry had to employ 60 doctors on a temporary basis under delegated power to palliate for such shortage.

Part (b) of the question does not arise inasmuch as the Medical and Health Officers/Senior Medical and Health Officers selected have been employed on a purely temporary month-to-month basis. Such employment does not give them any claim for permanent appointment. Should vacancies occur in the grade of Medical and Health Officers/Senior Medical and Health Officers, they will have to apply and will have to compete along with other applicants.

The House may wish to note that the selection exercise carried out by my Ministry is independent of the one to be made by the Public Service Commission.

The House is aware that families have made a lot of sacrifices to send their children to study medicine. However, it is impossible for the Ministry to recruit all unemployed doctors in the public service.

My Ministry is doing a manpower planning exercise to define our needs for the medical profession and eventually, we may adopt the French system of ‘Numerus Clausus’ to define our future manpower requirements. My Ministry is also negotiating with friendly countries to export our doctors to take up employment in the region and in other African countries within an agreed framework.

#### **AIRMATE LTD – EMPLOYEES – TERMINATION OF CONTRACT**

**(No. B/747) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to Airmate Ltd., he will state the number of employees thereof whose contract of employment has been terminated since December 2014 to date, indicating the reasons therefor in each case.

**Reply:** I am informed that for the period December 2014 to 16 October 2015, Airmate Ltd has terminated the contract of employment of 11 workers – 6 for misconduct, 4 for poor performance and 1 whose services as ‘Manager Legal’ were no longer required.

Additionally, 5 workers ceased to be in employment with the company for having committed a breach of contract and the company has not renewed the contract of employment of 62 workers whose determinate contracts of employment had come to an end during the same period, as their services were no longer required.

### **PLAINE MAGNIEN - FOOTBALL GROUND - RENOVATION**

**(No. B/748) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Youth and Sports whether, in regard to the proposed renovation of the Plaine Magnien football ground, he will state where matters stand.

**Reply (Minister of Local Government):** I am informed by the District Council of Grand Port that the upgrading of the Plaine Magnien football ground was undertaken by the National Development Unit and works started in June 2013. The practical handing over exercise was effected on 19 December 2014 with a maintenance period of one year.

I had representations from Members for Mahebourg and Plaine Magnien, i.e. hon. Jhugroo, hon. Hurreeram and hon. Thierry Henry.

A visit was held on 02 September 2015 to assess the situation regarding the football ground. It revealed the following shortcomings –

- proper leveling of the football ground has not been carried out at several places;
- chipping has been used instead of top soil or rocksand for leveling of the ground;
- watering of the grass was not being done, and
- 8 manhole covers were missing.

These shortcomings have been communicated to the National Development Unit for necessary action at its end and the final handing over is expected to be held on 19 December 2015.

I am further informed that a revised estimate is awaited from the Central Electricity Board to supply electricity and spotlight at the football ground and for which an amount of Rs800,000 is available. Given that the football ground was closed during construction works, the existing cloakroom was damaged by vandals. The required reinstatement works have been estimated at Rs400,000 and will be undertaken by the Council jointly with the National Development Unit.

### **HARRY LA TOUR STADIUM - RENOVATION**

**(No. B/749) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Youth and Sports whether, in regard to the proposed renovation of the Harry La Tour stadium, in Mahebourg, he will state where matters stand.

**Reply:** Necessary actions have already been initiated by my Ministry for the renovation of the Harry La Tour stadium following request made by the Chief Whip, hon. Jhugroo, the PPS hon. Henry and hon. Hurreeram. The renovation works will comprise the demolition and reconstruction of the boundary wall along the La Chaux Street over a length 120 metres, construction of a spectators' stand to accommodate approximately 700 persons and replacement of 100 metres of damaged chain link fencing near the proposed spectators stand. The project also includes upgrading works to the cloakrooms and other related amenities.

Preliminary drawings have already been completed and very soon a tender exercise will be carried out for the implementation of the project.

#### **PARASTATAL BODIES/STATE-OWNED COMPANIES – CHAIRPERSONS, CEOs & MANAGERS – APPOINTMENT**

**(No. A/9) 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 Chairpersons, Chief Executive Officers, General Managers and Managing Directors of the parastatal bodies/State-owned companies falling under the aegis of his Ministry, he will give a list thereof, indicating in each case, the terms and conditions of appointment thereof, including the salary and other benefits drawn.

**Reply:** There are at present five parastatal bodies/State-owned companies operating under the aegis of the Prime Minister's Office, namely -

- (i) Gambling Regulatory Authority;
- (ii) SBM Holdings Ltd;
- (iii) Air Mauritius Ltd;
- (iv) Mauritius Duty-Free Paradise, and
- (v) Media Trust.

The information requested by the hon. Member has been placed in the Library. However, in regard to SBM Holdings Ltd and Air Mauritius Ltd, as already indicated in replies to previous Parliamentary Questions, these companies are listed on the Stock Exchange of Mauritius and are governed by their Memorandum and Articles of Association

and the Companies Act. It would, therefore, not be appropriate to provide the information asked for by the hon. Member for these two companies.

### **ROCHE BOIS POLICE STATION – STAFF & VEHICLES**

**(No. A/10) 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 Roche Bois Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of –

- (a) staff posted thereat, grade-wise;
- (b) vacancies existing thereat, and
- (c) vehicles attached thereto.

**Reply:** In regard to part (a) of the question, there are forty-three Police Officers posted at Roche Bois Station in the following grades –

(i)	Inspector:	1
(ii)	Police Sergeant:	4
(iii)	Police Corporal:	4
(iv)	Police Constable/Woman Police Constable:	34

With respect to part (b) of the question, there are twelve vacancies as follows –

(i)	Police Sergeant:	2
(ii)	Police Corporal:	2
(iii)	Police Constable/Woman Police Constable:	8

As regards part (c) of the question, two vehicles are presently operational at Roche Bois Police Station, namely one 4 x 4 van and one motorcycle.

644 Police Constables passed out on Saturday 17 October 2015. All Police Divisions will be reinforced accordingly.

### **SAVANNE & BLACK RIVER – NDU PROJECTS**

**(No. A/11) Mr E. Jhuboo (Third 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 Constituency No. 14, Savanne and Black

River, he will give a list of the projects being implemented thereat by the National Development Unit in the current year, indicating in each case the –

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

**Reply:** The list of projects to be implemented in Constituency No. 14 by the National Development Unit during this financial year has been placed in the Library. The cost of projects cannot be assessed at this stage.

### **POLICE STATIONS, DIVISIONAL HEADQUARTERS & DETENTION CENTRES – CONSTRUCTION**

**(No. A/12) 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 proposed construction of Police Stations, Divisional Headquarters and Detention Centres, he will, for the benefit of the House, obtain from the Commissioner of Police, a list thereof, indicating where matters stand in each case, including the –

- (a) cost thereof;
- (b) amount of funds earmarked therefor, indicating the amount of money already spent in relation thereto, and
- (c) expected start and completion dates thereof.

**Reply:** The information has been placed in the Library of the National Assembly.

### **MISSIONS OVERSEAS - AMBASSADORS/HIGH COMMISSIONERS - APPOINTMENT**

**(No. A/13) 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 the Ambassadors/High Commissioners posted in our Embassies/High Commissions, he will give a list

thereof, indicating in each case the –

- (a) posting, and
- (b) terms and conditions of appointment thereof, including the salary, allowances and other benefits drawn.

**Reply:** The information requested for has been placed in the Library of the National Assembly.

### **BLACK RIVER GORGES NATIONAL PARK - PATROLS**

**(No. A/14) 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 Black River Gorges National Park, he will state if he is aware of the chaotic environmental situation prevailing thereat and, if so, indicate -

- (a) the measures he proposes to take in relation thereto, and
- (b) if consideration will be given for the setting up of enforcement teams to deal with the offenders thereat.

**Reply:** I am informed that there is no “chaotic environmental situation” prevailing at the Black River Gorges National Park. This has been confirmed by the National Parks and Conservation Service which is responsible for the management of the National Park.

A site visit was also conducted at the Black River Gorges National Park by officers of my Ministry in the presence of officers of the Forestry Department. In the course of this visit, no environmental problem/nuisance was noted.

I am further informed that several measures are taken to ensure the safety and security of the endemic fauna and flora as well as visitors. Regular monitoring and patrols are effected by the *Police du Tourisme* as well as Enforcement Officers of the Ministry of Agro-Industry and Food Security throughout the National Park.

I have also been informed that as at today, no case of environmental pollution has been reported at my Ministry nor at the *Police de L'Environnement* in the region of the Black River Gorges National Park.

### **CHEMIN GRENIER - MARKET FAIR - CONSTRUCTION**

**(No. A/15) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Local Government whether, in regard to the proposed construction of the Chemin Grenier new market fair, he will state where matters stand as to the implementation thereof, indicating the expected start and completion dates thereof.

**Reply:** I am informed by the District Council of Savanne that -

- (i) a project proposal for the construction of a new market fair at Chemin Grenier has been submitted to the Project Plan Committee for examination and recommendation to the Government;



- (ii) land has been identified for the project and procedures have been initiated by the Ministry of Housing and Lands for its acquisition and eventual vesting in the Council;
- (iii) adequate parking space would be made available;
- (iv) roads, electricity and water facilities would be made available, and
- (v) the estimated cost of the project is Rs75 m.

I have further been informed that once the project is approved, financial clearance would be sought for the implementation of the project and same would be included in the budget proposal for 2016/17. The project duration would be approximately one year if all utilities are brought to the site and clearances are obtained from other stakeholders such as Road Development Authority, Traffic Management and Road Safety Unit, Ministry of Health and Quality of Life and the Mauritius Fire and Rescue Service.

#### **CITÉ BASSIN - FOOTBALL GROUND - LIGHTING**

**(No. A/16) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Youth and Sports whether, in regard to the Cité Bassin Football Ground, he will state if consideration will be given for the provision of lighting thereat and, if so, indicate the proposed time frame set for the implementation thereof.

**Reply (Minister of Local Government):** I am informed by the Municipal Council of Quatre Bornes that the Cité Bassin Football Playground is the property of the Sugar Industry Labour Welfare Fund. However, being given that the football ground is being used by the football team of the region, it is presently being maintained by the Municipal Council in terms of mowing of grass and marking thereat.

I am informed that the provision of lighting at the football ground may be considered by the Municipal Council subject to its vesting in the Council and availability of required funds.