

**FIFTH NATIONAL ASSEMBLY****PARLIAMENTARY  
DEBATES  
(HANSARD)****SECOND SESSION  
TUESDAY 03 JULY 2012**

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<b>THE CABINET</b>	
<b>(Formed by Dr. the Hon. Navinchandra Ramgoolam)</b>	
Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues
Dr. the Hon. Ahmed Rashid Beebejaun, GCSK, FRCP	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Vice-Prime Minister, Minister of Finance and Economic Development
Hon. Anil Kumar Bachoo, GOSK	Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping
Dr. the Hon. Arvin Boolell, GOSK	Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Abu Twalib Kasenally, GOSK, FRCS	Minister of Housing and Lands
Hon. Mrs Sheilabai Bappoo, GOSK	Minister of Social Security, National Solidarity and Reform Institutions
Dr. the Hon. Vasant Kumar Bunwaree	Minister of Education and Human Resources
Hon. Satya Veyash Faugoo	Minister of Agro-Industry and Food Security
Hon. Devanand Virahsawmy, GOSK	Minister of Environment and Sustainable Development
Dr. the Hon. Rajeshwar Jeetah	Minister of Tertiary Education, Science, Research and Technology
Hon. Tassarajen Pillay Chedumbrum	Minister of Information and Communication Technology
Hon. Louis Joseph Von-Mally, GOSK	Minister of Fisheries
Hon. Satyaprakash Ritoo	Minister of Youth and Sports
Hon. Louis Hervé Aimée	Minister of Local Government and Outer Islands

Hon. Mookhesswur Choonee	Minister of Arts and Culture
Hon. Shakeel Ahmed Yousuf Abdul Razack Mohamed	Minister of Labour, Industrial Relations and Employment
Hon. Yatindra Nath Varma	Attorney General
Hon. John Michaël Tzoun Sao Yeung Sik Yuen	Minister of Tourism and Leisure
Hon. Lormus Bundhoo	Minister of Health and Quality of Life
Hon. Sayyad Abd-Al-Cader Sayed-Hossen	Minister of Industry, Commerce and Consumer Protection
Hon. Surendra Dayal	Minister of Social Integration and Economic Empowerment
Hon. Jangbahadoorsing Iswurdeo Mola	Minister of Business, Enterprise and Cooperatives
Roopchand Seetaram	
Hon. Mrs Maria Francesca Mireille Martin	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sutyadeo Moutia	Minister of Civil Service and Administrative Reforms

## Members

## Members

## PRINCIPAL OFFICERS AND OFFICIALS

<i>Mr Speaker</i>	Purryag, Hon. Rajkeswur, GCSK, GOSK
<i>Deputy Speaker</i>	Peetumber, Hon. Maneswar
<i>Deputy Chairperson of Committees</i>	Deerpalsing, Ms Kumaree Rajeshree
<i>Clerk of the National Assembly</i>	Dowlutta, Mr R. Ranjit
<i>Deputy Clerk</i>	Lotun, Mrs B. Safeena
<i>Clerk Assistant</i>	Ramchurn, Ms Urmeelah Devi
<i>Clerk Assistant</i>	Navin, Mr Gopall
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**MAURITIUS**

**Fifth National Assembly**

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**SECOND SESSION**  
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**Debate No.12 of 2012**

**Sitting of 03 July 2012**

**The Assembly met in the Assembly House, Port Louis,**

**At 11.30 a.m.**

**The National Anthem was played**

*(Mr Speaker in the Chair)*

## ANNOUNCEMENT

### OBITUARY - MR MATHIEU ANGE LACLÉ

**The Prime Minister:** Mr Speaker, Sir, it is with great sadness that we learnt of the passing away of Mr Mathieu Ange Laclé on 24 June. Mr Laclé was actively engaged as a Social Worker, particularly in Port Louis. He was also a prominent member of the Jeunesse Ouvrière Chrétienne. Before joining active politics in the mid 70's, Mr Laclé worked at Bhujoharry College, Port Louis.

He first stood for public office in 1977 as a candidate for the Municipal Council Elections in Port Louis under the banner of the *Movement Militant Mauricien* and was elected in Ward 1. He became Lord Mayor in 1978. Mr Laclé won three successive Municipal Council Elections in 1982, 1985 and 1988 in Ward 1 and he served as Municipal Councillor until September 1990.

In 1982, he stood as a candidate for the latest Assembly Elections in Constituency No. 1 Grand River North West and Port Louis West under the banner of the MMM/PSM alliance and was returned as First Member. He again stood as a Candidate in Constituency No. 1 for the General Elections of 1983, 1987 and 1991 and was returned as the First Member of that Constituency every time.

On 01 of October 1991, Mr Laclé was appointed Parliamentary Private Secretary attached to the Prime Minister's Office. On 16 November 1993, Mr Mathieu Laclé was appointed Minister of Fisheries and Marine Resources, a post which he occupied until December 1995. In 1993, he was one of the founder Members of the *Renouveau Militant Mauricien*. After the dissolution of the RMM, Mr Laclé joined the *Mouvement Socialiste Mauricien*. He subsequently left the MSM and adhered to the Labour Party.

In 2005, Mr Laclé stood as a candidate for the National Assembly Election under the banner of the *Alliance sociale* in Constituency No. 1, but was not returned. He was appointed as Adviser to the Ministry of Fisheries in 2005.

Mr Laclé was appointed as vice-Chairperson of Le Morne Heritage Trust Fund Board in March 2006 and subsequently appointed as acting Chairperson in April 2010.

Mr Mathieu Laclé has made a significant contribution to the Le Morne Heritage Trust Fund Board and especially for the realisation of the International Slavery Monument. He devoted the latter part of his life to the education of children and the empowerment of the inhabitants of

Le Morne through training and entrepreneurship courses. He also dedicated a lot of his time to the improvement of the welfare of fishermen.

Mr Speaker, Sir, Mr Laclé will be remembered as a person of great modesty and humility, always ready to help those in need.

M. le président durant ses 35 années d'engagement politique et social, Mathieu Laclé s'est bâti la réputation d'un politicien de proximité par excellence. Il était toujours à l'écoute des doléances des membres du public. On se souviendra de cet homme exceptionnel qui trouvait toujours du temps pour accompagner personnellement ces mandants et les membres du public dans leurs démarches pour des solutions à leurs problèmes. Un digne serviteur du petit peuple.

Mr Speaker, Sir, may I request you to be kind enough to direct the Clerk of the National Assembly to convey the deep condolences of the Government and of the Assembly to the bereaved family.

**Mr Bérenger:** Mr Speaker, Sir, I join in with what the hon. Prime Minister has just said and I would request you to direct the Clerk to convey our condolences to the family of late Mathieu Laclé.

**Mr Speaker:** I associate myself with the tribute paid to the late Mr Mathieu Ange Laclé by Dr. the hon. Prime Minister and the hon. Leader of the Opposition and direct the Clerk to convey to the bereaved family the assurance of our sincere condolences.

#### **PAPERS LAID**

**The Prime Minister:** Sir, the Papers have been laid on the Table –

**A. Prime Minister's Office –**

- (a) Certificate of Urgency in respect of The Private Pension Schemes Bill (No. XVI of 2012).
- (b) The Annual Report of the Civil Status Division for the year 2010.

**B. Ministry of Energy and Public Utilities –**

The Annual Report of the Central Water Authority for the period July 2009 to December 2010.

**C. Ministry of Education and Human Resources –**

- (a) The Annual Report of the Mauritius Institute of Education for the period July 2009 to December 2010.

(b) The Report of the Director of Audit on the Financial Statements of the Human Resource Development Council for the year ended 30 June 2009 (In Original).

**D. Ministry of Agro Industry and Food Security –**

The Annual Report of the Tea Board for the financial year 2010.

**E. Attorney General's Office –**

(a) The Reports of the Director of Audit on the Financial Statements of the Curatelle Fund for the years ended 30 June 2008 and 30 June 2009 (In Original).

(b) The Institute of Judicial and Legal Studies (Continuing Professional Development Programme) Regulations 2012 (Government Notice No. 124 of 2012).

**F. Ministry of Health and Quality of Life –**

The Radiation Protection (Personal Radiation Monitoring Service) Regulations 2012 (Government Notice No. 125 of 2012).

**G. Ministry of Industry and Commerce and Consumer Protection –**

(a) The Mauritius Standards Bureau (Certification Mark) (Amendment) Regulations 2012 (Government Notice No. 126 of 2012).

(b) The Annual Report 2008/2009 of the State Trading Corporation.

**H. Ministry of Education and Human Resources –**

The Report of the Director of Audit on the Financial Statements of the Human Resource, Knowledge and Arts Development Fund for the 18-month period ended 31 December 2010.

## ORAL ANSWERS TO QUESTIONS

### BEAU BASSIN CENTRAL PRISON - WOMAN POLICE CONSTABLE N.R. AND MR S. S. - ACCESS

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the case in which Woman Police Constable N. R. and Mr S. S. were arrested, he will, for the benefit of the House, obtain from the -

- (a) Commissioner of Police, information as to -
  - (i) if they were released on *parole* and, if so, the reasons therefor;
  - (ii) the occupation of Mr S. S;
  - (iii) if Mr S. S. had any previous conviction;
  - (iv) if the detainee whom they met had any previous conviction, and
- (b) Commissioner of Prisons, information as to -
  - (i) the content of the memo addressed thereto by the Inspector of the Midlands Police Station;
  - (ii) if the two Prison Officers facing disciplinary proceedings had precedents.

**The Prime Minister:** Mr Speaker, Sir, in reply to Parliamentary Question No. B/304 on 19 June 2012, the Acting Prime Minister described the circumstances in which Woman Police Constable N.R. and Mr S.S. had had access to the Beau Bassin Central Prison on 30 May 2012.

The Commissioner of Prisons, on the strength of a request submitted by an Assistant Superintendent of Prisons on the same day, wrote to the Commissioner on that very day concerning a case of alleged impersonation involving WPC N.R. and an accomplice.

Regarding part (a) (i) of the question, as already stated by the Acting Prime Minister in his reply, WPC N.R. was arrested on 31 May 2012 and brought before the District Court of Rose Hill on 01 June 2012. Provisional charges have been lodged against her as follows -

- (i) “Aiding and Abetting” in the commission of a misdemeanour to wit: Usurping Public Function in breach of Section 182 coupled with Section 38(3) of the Criminal Code Act, and
- (ii) “Forgery by Public Officer” in breach of Section 106(c) of the Criminal Code Act.

Mr S.S. was arrested on 01 June 2012 and he appeared before the District Court of Rose Hill on the same day. Provisional charge for “Usurping Public Function” in breach of section 182 of the Criminal Code Act has been lodged against him.

Both of them were remanded to Police Cell up to 08 June 2012. However, on the instructions of the Senior Magistrate of the Bail and Remand Court, they were released on parole on 02 June 2012. Police had no objection to their release as that part of the Police enquiry had been completed. An objection to departure has been lodged against both WPC N.R. and Mr S.S.

As regards part (a) (ii) of the question, I am informed by the Commissioner of Police that Mr S.S., born on 06 October 1969, had stated to the Police on 01 June 2012 that he is an individual bus operator and a cane planter.

Regarding part (a) (iii) of the question, Police crime records indicate that Mr S.S. has one previous conviction in a case of assault before the Black River District Court on 23 October 1991. He was sentenced a fine of Rs200 plus Rs50 costs.

Regarding part (a) (iv) of the question, Police crime records indicate that detainee S.R. had three previous convictions as follows -

- (i) on 20 June 1996, for unlawful removal of stones. He was fined Rs400 plus costs;
- (ii) on 24 January 2009, for assault. He was fined Rs2,000 plus costs, and
- (iii) on 15 October 2009, for drug dealing and cultivation of cannabis. He was sentenced to 12 months imprisonment and fined a sum of Rs50,000 plus costs.

Regarding part (b) (i) of the question, I am informed that in a memo dated 30 May 2012 entitled ‘Interview of Prisoners’ the Inspector of Police of the Midlands Police Station Mr T. S wrote to the Commissioner of Prisons to allow access to PC D.N. and Woman Police Constable N.R to Beau Bassin Central Prison to interview prisoner S.R in connection with the case OB No. 179/11.

In regard to part (b) (ii) of the question, I am informed by the Commissioner of Prisons that the two Prison Officers facing disciplinary proceedings do not have precedents. Both officers have been interdicted from duty.

I am further informed by the Commissioner of Prisons that following a report of a team led by the Deputy Commissioner of Prisons, Mr S., disciplinary proceedings were initiated on 18 June 2012 against Prisons Officers N. and L. for neglect of duty under section 4(c) of the Code

of Offences against Discipline. These proceedings are continuing and are expected to be completed within a fortnight.

Mr Speaker, Sir, notwithstanding the ongoing investigation, in view of the serious security shortcomings and breaches that appear to have happened both at the level of the relevant Police Station and the Beau Bassin Central Prison in relation to the circumstances in which two unauthorised persons were allowed gate access to the Central Prison, I have decided that a Fact-Finding Committee chaired by Senior Magistrate be instituted to enquire into and report on the incident.

**Mr Bérenger:** Mr Speaker, Sir, I am glad to have heard the hon. Prime Minister stating that this is a very serious matter indeed: two unauthorised people barging into the Central Prison, meeting somebody who had been sentenced for a drug offence and then walking out of the Central Prison. Now, as the hon. Prime Minister told us, they were remanded to Police Cell until the 8<sup>th</sup>. Yet, when they appeared before the court on 01 June has an enquiry been carried out as to why the Police did not object to them being released on parole? Has an enquiry been carried out? Who decided?

**The Prime Minister:** In fact, Mr Speaker, Sir, to make matters clearer, when they were arrested on 01 June, they were brought before the District Court of Rose Hill on the same day; when the provisional charges were lodged against them, the Police actually objected to bail. So they were then remanded into Police Cell up to 08 June 2012.

However, when they reappeared at the Bail and Remand Court, the Senior Magistrate instructed that they be released on parole because the Police enquiry had been completed. So, then the Police had no objection because the Senior Magistrate had instructed that they be released on parole.

**Mr Bérenger:** Did the Police object? Being given that the enquiry was still on, being given the seriousness of what had taken place, did the Police object to the Senior Magistrate deciding along those lines?

**The Prime Minister:** Mr Speaker, Sir, my understanding is that the Police objected to bail at the Rose Hill Court. That is why they were remanded to Police Cell on 08 June 2012. When they reappeared at the Bail and Remand Court, the counsel for the accused asked that they be released, as usually counsel would do. But, the Senior Magistrate then said that since the Police enquiry had been completed, she saw no reasons why they should be kept in jail. Then,

the Police said alright. The Police enquiry had been completed and, therefore, they did not object. But, it was on the instructions of the Senior Magistrate.

**Mr Bérenger:** That took place on the 1<sup>st</sup> and then they were brought before court again on 04 June. I am sure that the Commissioner of Police must have been made aware of the seriousness of this whole affair. Can I know why Police did not object this time to bail when the two accused were brought before the court on the 4<sup>th</sup> this time?

**The Prime Minister:** I have no details of the appearance from the court on the 4<sup>th</sup>, but once they had not objected at the time the Police enquiry had been completed. I suppose they followed the same line, because it was on the instructions of the Senior Magistrate at the time.

**Mr Bérenger:** The hon. Prime Minister has told us that he is setting up a Fact-Finding Committee chaired by a Magistrate or Senior Magistrate; I am sure that the hon. Prime Minister will agree with me that it's a very, very unacceptable situation where Police objects to bail, then they are left out on parole. I am sure that the Commissioner of Police must have been aware of the situation in the meantime. Then, on the 4<sup>th</sup>, again, there is no objection to bail and they are released on a bail of Rs3,000. Will this be brought, therefore, to the attention of the Fact-Finding Committee to be chaired by the Senior Magistrate?

**The Prime Minister:** The short answer is yes, Mr Speaker, Sir, because we have found other things that have come to light as the inquiry has proceeded. That is why I think that there should be a Fact-Finding Committee chaired by a Senior Magistrate.

**Mr Bérenger:** Can I know at what point the Commissioner of Police became aware of the situation?

**The Prime Minister:** I suppose he became aware. I did not ask him actually when exactly he became aware of the situation, but he was probably made aware as soon as the matter happened.

**Mr Bérenger:** Can I know whether there is any evidence of any political interference in that matter, being given what has taken place: objection to bail, left out on parole, no objection to bail?

**The Prime Minister:** No. There has been absolutely no interference, Mr Speaker, Sir. As I said, let us be very clear, the Police did object to bail the first time. That is why they were remanded to cell on 08 June 2012. When they came again in front of the Senior Magistrate of

the Bail and Remand Court, she - I think it's she - then instructed that they be released on parole being given that the Police inquiry had been completed. So, the Police then did not object.

**Mr Bérenger:** We have been told that the detainee, whom they illegally interviewed, was in Prison for a drug offence. Has the Police enquiry established any previous connection between Mr S. S. and that detainee?

**The Prime Minister:** Between Mr S. S. and?

**Mr Bérenger:** And the detainee.

**The Prime Minister:** Not that we have seen so far, Mr Speaker, Sir. Why would he want to go in and look, but the Police are enquiring into it and they are going to find out, I am sure.

**Mr Bérenger:** May I know from the hon. Prime Minister whether the Police enquiry has established what exactly took place in that prison? Who identified Mr S. S. as being an intruder? What happened? How did they manage - after having been identified, supposedly - to leave the prison? What exactly happened in that prison?

**The Prime Minister:** In fact, a lot of things have come to light, Mr Speaker, Sir, and the false pretences, let's say. But how this came to light is that there is an Intelligence Section in the prisons. It is the Intelligence Section which realised that this has happened, and it was brought to the attention of the Commissioner of Prisons at the time by the Assistant Superintendent of Prisons. It is then that the whole process has started.

**Mr Bérenger:** I want to know if the Intelligence Section came into operation after having understood the situation. Why were the two persons, especially Mr S. S, not arrested on the spot? Why were they allowed out?

**The Prime Minister:** They were already out when this came to light, Mr Speaker, Sir. This is my understanding.

**Mr Bérenger:** My information is to the effect that they identified whilst they were in the prison by either the Intelligence or the SSS Section. If they were allowed to go out, then who discovered after they had left that they were there unlawfully? What happened?

**The Prime Minister:** That is what I explained, Mr Speaker, Sir. That is not my information. I don't know whether the hon. Leader of Opposition has got this. My information is that, under false pretences, they had come into the prison. It's after they had already left that the Intelligence Section of the prisons found out that this has happened. They immediately made

the Commissioner of Prisons aware of what has happened, and that is what started the whole process.

**Mr Bérenger:** We have been informed, Mr Speaker, Sir, that, in fact, the detainee in question had three previous convictions, the last one being for a drug offence. Can we know whether the police inquiry or the prison inquiry has established whether he was also involved in any incident inside the prison involving cell phones, drugs and other matters?

**The Prime Minister:** That information has not been brought to my attention, Mr Speaker, Sir. In fact, what he has done was cultivation of cannabis, and on 15 October 2009 he was sentenced to 12 months' imprisonment and a fine of Rs50,000 plus costs.

**Mr Bérenger:** Mr Speaker, Sir, can I ask the hon. Prime whether he has discussed with the Commissioner of Police if it was in order for an Inspector of Police at Midlands Police Station to address a memo directly to the Commissioner of Prisons or whether he should have gone through his hierarchy including the Commissioner of Police, and when did the Commissioner of Police came aware of that memo from his officer directly to the Commissioner of Prisons?

**The Prime Minister:** We are going to look at all the procedures. That is why, I think, the Fact-Finding Committee should look at all this; in what circumstances the memo was sent to whom. It is only afterwards that the Commissioner of Police took note of what has happened.

**Mr Bérenger:** It has been reported, Mr Speaker, Sir, that, in fact, the lady Constable drove in the police car attached to the Midlands Police Station to the prison. Has the police inquiry established that and, if yes, who gave authority to that woman Constable to use the police car attached to the station, what has been the involvement of the Inspector of Police if it has been established, and what action has been taken since?

**The Prime Minister:** I have also heard that there was a police car, but I am now told that there was no police car involved. The inquiry will find out, Mr Speaker, Sir, if somebody is trying to hide facts. I am sure that the Fact-Finding Committee will find out.

**Mr Bérenger:** We are told that the two prison officers facing disciplinary procedures had no precedents. Can I know whether the inquiry so far has established that only these two were involved? Can I know specifically where did that interview take place? I find it very strange that there should be only two prison officers involved. Where did the interview of that detainee take place, and how many prison officers were involved in the whole matter?

**The Prime Minister:** The inquiry will certainly establish all these, Mr Speaker, Sir, but I am told that this is quite routine that they send a memo. It is a standard memo that is sent, and then the inquiry takes place. I take it that he must have been put in a cell for the inquiry to take place.

**Mr Bhagwan:** The hon. Prime Minister has just told informed us that there has not been any political intervention according to his information. Can the hon. Prime Minister double check whether there has been ministerial interventions at any point in time with the police, and whether that aspect will be taken by the Fact Finding Committee, and also give us the residential address of Mr S. S?

**The Prime Minister:** All this will be established. I can guarantee the House that there has been no interference by anybody including Ministers or Members of Parliament and, in fact, as we can see, things are proceeding.

**Mr Bodha:** Mr Speaker, Sir, may I ask the hon. Prime Minister whether the detainee has been released since?

**The Prime Minister:** No.

**Mr Bodha:** He is still in prison?

**The Prime Minister:** I can't see how he would be released. On what basis would he be released?

**Mr Bodha:** His sentence is over.

**The Prime Minister:** No.

**Mr Obeegadoo:** Mr Speaker, Sir, the memo we were referring to, as the hon. Prime Minister is surely aware, is the authority on a prescribed form which a Superintendent of Police gives to a police officer to go to prison. I heard his explanations earlier. Will he tell us if on that memo or authority was a name mentioned as to an accompanying officer accompanying the Woman Police Constable, and who was that person supposed to be? Pending the findings of the Fact Finding Committee, will he ensure that we revert to past practice which is that only a Superintendent of Police can issue such authority?

**The Prime Minister:** I can say, Mr Speaker, Sir, that on the memo they had used a different name, namely that of a police officer who was not actually there at the time.

**Mr Ganoo:** The hon. Prime Minister told the House that the detainee was convicted for cultivating *gandia* in 2009, and he must have served this term of imprisonment of one year. Can

he tell the House what was the reason for his detention in Beau Bassin prisons? Was he serving sentence for any other offence?

**The Prime Minister:** I will have to look into the details of that, Mr Speaker, Sir. It was for cultivation of cannabis that he was sentenced to 12 months' imprisonment and a fine of Rs50,000 plus costs. I will have to check into the details for exactly why.

**Mr Uteem:** Mr Speaker, Sir, the hon. Prime Minister referred to the order given by a Senior Magistrate on 02 June. 02 June was a Saturday. May I know from the hon. Prime Minister whether he is in a position to state who made the application, and where was the bail motion heard?

**The Prime Minister:** In fact, two things, Mr Speaker, Sir. I just want to correct something. In fact, the detainee has been released on 16 June because he had served his term of imprisonment. The second question was whether 02 June was a Saturday. I am not sure whether it was a Saturday.

**Mr Uteem:** It was a Saturday. I asked whether the hon. Prime Minister is in a position to state who made the application, and where was the hearing held.

**The Prime Minister:** For some time now they do, especially if it is weekend, where there is the usual problem of somebody who is arrested on a Friday and then has to stay in jail Saturday and Sunday. Now this has been changed. The Bail and Remand Court had sat, and they decided.

**Mr Ameer Meea:** Can I ask the hon. Prime Minister whether Mr S. S was on bail at the time the incident took place?

**The Prime Minister:** No, he was not on bail. The short answer is no.

**Dr. Sorefan:** Mr Speaker, Sir, last time, when I asked this question, the then Ag. Prime Minister couldn't confirm. Can the hon. Prime Minister confirm whether this Mrs N. R is the same person who...

**Mr Speaker:** The Member cannot ask the hon. Prime Minister to confirm. He should put his question!

**Dr. Sorefan:** Will the hon. Prime Minister inform the House whether Mrs N. R. was awarded any medal, if so, when, and by whom?

**The Prime Minister:** Mr Speaker, Sir, there is some confusion on this. There are two persons having practically the same name also, I must say. The Woman Police Constable joined

the service in 1993 and she was confirmed on 03 November 1994. Now, in accordance with Section 4 of the National Awards Act of 1992 and the Regulation 8 of the National Awards Regulation of 1993, all members of the Police Force, including the Special Mobile Force, the Prison service, the Fire services, they are eligible for a President's Long Service and Good Conduct Medal after they have completed 18 years service. That is practically automatic. It is not the Prime Minister or the President or whoever. It's just done like this. So, she was awarded a President's Long Service and Good Conduct Medal because she had done 18 years of service this year along with 509 other Police officers.

At the material time, when she was awarded the medal there was nothing adverse against her. That is why she was awarded the award, but there is another person who is a civilian, who has a very similar name. In fact, the name is practically the same, but there is a 'Devi' in-between and she obtained a medal for long and meritorious service on the same date but they are not the same person because one of them is, as I said - perhaps I should add, Mr Speaker Sir, I have looked into that because I think the matter was raised that, according to Section 10 of the National Awards Act, the President may cancel a national award conferred upon any person. When the award is cancelled, the person has to send that award and public notice is given of such cancellation. Now, I will consider the advisability of having the award cancelled under that section, but I think I will have to wait for a little while until the inquiry is completed.

**Mr Ganoo:** Mr Speaker, Sir, according to the Police Act all Police officers are issued with a Warrant Card and should carry it with them. Can we ask the hon. Prime Minister whether in this case Mr S. S. was asked to produce his Warrant Card when he was at the Beau Bassin Prisons?

**The Prime Minister:** Mr Speaker, Sir, that is why I said there is a serious breach of security here, because it seems all this was done in a very, very sloppy manner.

**Mr Obeegadoo:** I would like to go back to this very serious issue of the memo or authority. Does the Prime Minister hold information about the circumstances in which a senior officer of Midlands Police Station would have given an authority to the Woman Police Constable to go, accompanied by somebody who was not there at the station at the time and in relation to a case – the Prime Minister mentioned the cause number - which we don't know whether it had any relation to that particular detainee and if I can add, will he recommend to the Commissioner

of Police, right now, that the practice be stopped and that only Superintendents can issue such authority until we have the Fact-Finding Committee?

**The Prime Minister:** In fact, he is looking at that, how all this happened, under what authority this happened, whether it was done correctly or not. I can assure the hon. Member that this is being looked at by the Commissioner of Police and I am sure he will take appropriate action. As I said earlier, Mr Speaker, Sir, we are finding more and more evidence of a serious breach because different names were on the memo. It's called a memo. I don't know why it is called a memo for the interview. All this will be looked into obviously.

**Mr Bérenger:** Mr Speaker, recently, we had numerous cases of portable telephones, drugs in the prison itself. In fact, what has taken place is very serious - *tout un symbol* - when law and order is of special concern to everybody. Can I request that the Senior Magistrate to be appointed should look not just into that incident, but into procedures that have failed at the Police level, the Midlands station level and, especially at the Prison level and review different procedures, not just look at what has taken place and gone wrong, but review the different procedures and make recommendations?

**The Prime Minister:** I share the concern of the hon. Leader of the Opposition. That is why I think the Fact-Finding Committee should look at all this. I think we should ensure that the whole procedure be looked at, otherwise we will get the same thing again.

**Mr Speaker:** Time is over! Questions addressed to Dr. the hon. Prime Minister. Hon. Jhugroo!

#### **MBC – FOOTBALL MATCHES - BROADCAST**

**(No. B/405) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the broadcast of the football matches of the Euro 2012, the last World Cup and the last FA Carling Cup, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, in each case, information as to the price paid therefor, indicating from whom they were purchased.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Director-General of the Mauritius Broadcasting Corporation that the Corporation has not been broadcasting football matches of the FA Carling Cup for the past three years.

The FA Carling Cup, I am sure the hon. Member knows, is different from the English Football Premier League and the FA Cup which are major football competitions in the UK.

I am further informed, Mr Speaker, Sir, by the Director-General that the Corporation paid an amount of Euro 20,000 to acquire the rights for the live broadcast of eight football matches of the EURO 2012 competition. The rights were purchased from the TV Media Sports which is the sole distributor designated by UEFA for the Sub-Saharan African Region.

In regard to the World Cup 2010 competition, the rights for the broadcast of the matches were negotiated with and obtained from the FIFA through the African Union of Broadcasters for an amount of USD 100,000.

**Mr Jhugroo:** Would the hon. Prime Minister agree with me that the MBC telecasting only eight matches from EURO 2012 competition has caused a lot of frustration among poor people who could not afford to have private channels?

**The Prime Minister:** I explained. Last time, I think, I answered this question. Even if the MBC wanted, it could not, because it had to take that package.

**Mr Jhugroo:** Can the hon. Prime Minister inform the House for what reasons in year 2009, the Director-General of the MBC stopped the deal between MBC and the Trans-Image Communication which is an agent of UEFA, FIFA, EPL and FA and through whom the MBC had telecasted all the matches...

**Mr Speaker:** Sorry, the hon. Member will have to come with a substantive question.

**Mr Jhugroo:** I have got another supplementary.

**Mr Speaker:** Yes, last one!

**Mr Jhugroo:** I have got some more.

**Mr Speaker:** No!

**Mr Jhugroo:** Is the hon. Prime Minister aware that in year 2009, UEFA invited broadcasters from world over, including Mauritius, to send their commercial bid for EURO 2012....

**Mr Speaker:** I am sorry. This question relates to EURO 2012, last World Cup, FA Carling Cup, what price was paid and from whom it was purchased.

*(Interruptions)*

It is so long that I cannot understand the question. Put your question anew.

**Mr Jhugroo:** Is the hon. Prime Minister aware that in year 2009, UEFA....

**Mr Speaker:** What is UEFA, I don't know.

**Mr Jhugroo:** UEFA invited broadcasters from world over, including Mauritius to send their commercial bid to broadcast for EURO 2012 and the MBC failed to bid for EURO 2012, despite repeated reminders by Trans-Image Communication?

**Mr Speaker:** No, no, this is a statement, not a question.

**Mr Jhugroo:** It is not statement, it is question.

**Mr Speaker:** The MBC failed to bid for EURO 2012 through that agency. Yes?

**The Prime Minister:** The Director-General, himself, gave an interview, I think, in "L'Express" of 28 June where he says that, in fact, the MBC sent a courier to UEFA, which is the Union of European Football Association, to be able to get rights.

They wrote: '*La réponse le même jour indiquant que pour l'Afrique Sub-Saharienne, l'UEFA propose un total de huit matchs aux stations publiques, matchs inaugurals et finals inclus.*'

He goes on to say that on the same day, we have asked for a deal for all the matches and the UEFA replied that this is not possible. That is why they had to stick to what was told.

**Mr Bhagwan:** Can I know from the hon. Prime Minister whether at any point in time the MBC, having failed to obtain the rights, has had any discussion with the local agent of the Canal Satellite, which is MC Vision, to have shared rights for the transmission of these matches in the public interest?

**The Prime Minister:** I can't say that the MBC failed because they were not given the right. They were told they have to take the 8 matches, this is the package for Sub-Saharan Africa and this is what they did. They did not fail as the hon. Member mentioned. They just had to take what was on offer.

**Mr Jhugroo:** Mr Speaker, Sir, to clear the information of the hon. Prime Minister, is he aware that the telecasting of the 8 matches, which is meant for Sub-Sahara zone, is the lowest package which is meant by FIFA for the countries in the African region where football, as sport, is not popular, are not actively supporting this event financially?

**Mr Speaker:** According to the Standing Orders, the hon. Member is making a statement. The first part is alright, the hon. Prime Minister will answer.

**The Prime Minister:** Well, the hon. Member himself has said even if he had Rs500 m. he would not have got it because he was told this is the package that we have to take - 8 matches.

Mr Speaker, Sir, we must be careful. Sometimes people have their own agenda. For some minor reasons, if they have a problem with x, y, z, they will give some information which is not necessarily correct. That is not the information that I have.

*(Interruptions)*

**Mr Speaker:** I see that the hon. Member is not agreeable. He must accept the answer given by the hon. Prime Minister. If he has a different view and different information, he can raise the matter at Adjournment time and the Prime Minister will respond to this. Next question, hon. Ms Anquetil!

#### **NOUVELLE FRANCE – ROAD ACCIDENT**

**(No. B/406) Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the road accident which occurred in Nouvelle France, on Thursday 10 May 2012, in which the cyclist, Mr J. T. died, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out into the circumstances thereof and, if so, indicate the outcome thereof.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that on Thursday 10 May 2012 at about 18 00 hours, following an anonymous call, a team of Police officers of Nouvelle France Police Station attended to a case of road accident at La Vigie Road, Nouvelle France.

On reaching the spot, they learnt that a group of seven cyclists had been knocked down by a private car. The driver had stopped some 200 metres ahead of the spot of the accident, and then ran away in a private van which was following his car.

Three of the cyclists, including Mr J. T., were badly injured. SAMU personnel called on the spot at 18.09 hours and examined them, but Mr J. T. had already passed away. The two other injured cyclists were conveyed to a private clinic in the Plaine Wilhems area for treatment.

Police initiated an inquiry and on the following day, one Mr D. T., a 37-year old inhabitant of Nouvelle France was arrested. He was brought to Nouvelle France Police Station where he gave a statement, in the presence of his Counsel, and he admitted that he was himself driving the car involved in the accident. He also stated that he is a holder of only a Provisional Licence to drive a private car, and at the time of the accident, he was drunk – his own admission.

He confessed that following the accident, he had failed to stop, did not provide assistance to the injured person, nor did he report the accident to the Police or to the emergency services.

A provisional charge of “Involuntary Homicide” was lodged against Mr D. T. at Grand Port Court, and he was remanded to Police cell.

On the same day, Police arrested one Mr A. T., a 29-year old inhabitant of Quartier Militaire and cousin of Mr D. T. In his statement, Mr A. T. explained that on that day, aware of the fact that Mr D. T. was drunk and not in a state to drive, he was following him in his van when the accident occurred. Subsequently, he took Mr D. T. in his van and drove away.

A provisional charge of “Conspiracy” was lodged against Mr A.T. before Grand Port Court and he was remanded to Police cell.

On 14 May 2012, one Mrs S. P., a 45-year old inhabitant of Nouvelle Découverte, called at Nouvelle France Police Station, and gave a statement in which she mentioned that she was in the company of Mr D.T. in the car when the accident occurred. She confirmed the versions of both Mr D. T and Mr A. T. and after enquiry, Mrs S. P. was allowed to go.

On 17 May 2012, Mr A. T. was released on bail after furnishing a surety of Rs30,000 and a recognizance of Rs100,000. Mr D. T. was also released on bail on 23 May 2012, after furnishing a surety of Rs200,000 and a recognizance of Rs500,000.

Police inquiry into the matter has been completed and the file will be referred to the Office of the Director of Public Prosecutions for advice.

**Ms Anquetil:** Mr Speaker, Sir, can the hon. Prime Minister inform the House whether Government will propose to come forward with a set of regulations for cycling on specific roads?

**The Prime Minister:** In fact, there are regulations of 1996. There are some regulations already there, but then, there were new regulations that were coming into effect, these are now being again looked at because we have a new Road Traffic (Amendment) Act which is coming into effect, it is nearly ready. So, that will be taken care of.

**Ms Anquetil:** M. le président, est-ce que le Premier ministre pourrait indiquer à la Chambre, suite à cet accident, s'il y aurait la possibilité de revoir le mécanisme pour contrôler les conducteurs qui roulent avec un *learner* pendant des années ?

**The Prime Minister:** That is a good question I would say, Mr Speaker, Sir, because at the moment my understanding is that when you have a provisional licence, that is a learner, it

remains valid until the trainee driver obtains his driving licence, if ever he obtains. I think this will have to be looked at. At the moment, it is like this. It is like this in other countries too, I must say, Mr Speaker, Sir. I tried to check. But this is something that perhaps we can look at. Obviously, if somebody has a provisional licence 20 years ago and he is still driving with the provisional licence, there is something wrong somewhere.

**Ms Anquetil:** Mr Speaker, Sir, being given the circumstances of the death of Mr T., can the hon. Prime Minister inform the House if considerations may be given to introduce bicycle lanes into the traffic system on specific roads?

**The Prime Minister:** I think that is a good suggestion. It all depends whether we have the means - the Minister of Finance will be able to tell us - but there is a survey that is being carried out, I believe, by the MPI, and for the new roads, this is being provided for. But whether we can do it for more, this will have to be looked into. I must also say, Mr Speaker, Sir, that the provisional driving licences, for those who have it, they are authorised to drive on roads other than motorway or roads specified in the Fifth Schedule of the Road Traffic Regulations of 1993. They have to do so under the supervision of a person who is a holder of a driving licence for at least two years. Perhaps I should again say, Mr Speaker, Sir, that even somebody who gets a licence, passes the exams - we are planning to introduce, I think there are some difficulties that we are looking at - they will have a licence, but they will have to carry a plate to say they have just obtained their driving licence. Some countries do it, others don't, but we want to introduce this here.

**Mr Seeruttun:** M. le président, est-ce que l'honorable Premier ministre peut nous informer si les autoroutes à Maurice sont aux normes internationales et si c'est le cas, est-ce que les cyclistes sont autorisés à rouler sur nos routes ?

*(Interruptions)*

**Mr Speaker:** I am sorry again, hon. Seeruttun. This matter concerns one Mr J. T. If the hon. Member wants to come with a question of security on roads, he has to come with a substantive question. Hon. François!

**Mr François:** I have a general question, Mr Speaker, Sir. Is there any arrangement with regard to driving licence for any continuous progress courses with MITD for all drivers?

**Mr Speaker:** Can the hon. Member repeat his question, I will see whether it is relevant?

**Mr François:** Mr Speaker, Sir, being given that there is a concern with regard to road accident, may I ask the hon. Prime Minister ...

(*Interruptions*)

**Mr Speaker:** I am sorry! This is not relevant to the question. Hon. Obeegadoo!

### **STATE & PARASTATAL BODIES – RECRUITMENT**

**(No. B/407) Mr S. Obeegadoo (Third Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the State and parastatal bodies, he will state if Government will consider amending the relevant legislation to provide for recruitment exercises to be carried out following public advertisement for the filling of the post of the head thereof.

**The Prime Minister:** Mr Speaker, Sir, in regard to State bodies, appointment of a Head of Ministry or Department is made by the relevant Service Commission on the basis of the existing scheme of service or in accordance with the relevant constitutional provisions.

In regard to parastatal bodies, appointment of Chief Executive officers is made in conformity with the relevant legislation applicable to the parastatal body. The mode of appointment, I must say, does not exclude recruitment by way of public advertisement and this has happened in the past.

May I also bring out, Mr Speaker, Sir, that the Office of Public Sector Governance (OPSG) is carrying out a sensitisation programme on key governance issues including, *inter alia*, recruitment of heads and Senior Executives of parastatal bodies and the evaluation of the effectiveness of the CEOs, individual directors and the Board as a whole.

Furthermore, the World Bank has, in its Report on Observance of Standards and Codes also recommended that OPSG should develop “*a set of Board appointments guidelines that use international good practices and techniques to build higher performing Boards*”. This recommendation is also being considered at the level of the OPSG.

The OPSG is expected to submit its recommendations once it has completed its programme of sensitisation and consultations. When the report is received, all its implications will be studied, including the need for any amendment to existing legislation.

**Mr Obeegadoo:** I have one supplementary question, Sir. The hon. Prime Minister himself has just said that public advertisement is the exception rather than the rule as regards parastatals. Given that any self respecting democracy requires a fair degree of transparency and

openness and meritocracy, will he agree to stop allowing the practice whereby nominations to head parastatals are effected on the basis of socio-cultural organisation lobbying or political allegiance and have it based on merit and merit only in 21<sup>st</sup> century Mauritius?

**The Prime Minister:** Mr Speaker, Sir, I must tell the hon. Member that no socio-cultural organisation has ever approached me to name X, Y, Z; it is possible that we have named, but they have not approached me to name X, Y, Z. That is not the case.

The other day I was talking to two hon. Members from the Opposition who were kind enough to give me a copy of the report and they were also under the impression that the socio-cultural organisations have also - we are looking into that, because they mentioned two cases and I am looking into that. But it is not true to say it. When you name the socio-cultural organisation it has a connotation of communalism involved in that, Mr Speaker, Sir. That is not the case and certainly not with me. But I must say to the hon. Member that it is not as easy as he says. When the hon. Member was in Government, he himself had the same problems.

*(Interruptions)*

But the problem is also that a Government needs ...

*(Interruptions)*

**Mr Speaker:** Order! Listen to the answer!

**The Prime Minister:** ... people who will carry out its policies. They must be an element not just of competence, but also of trust. That is also something that we have to take into account. We cannot advertise publicly and get somebody there who does not agree with Government policy; that also we have to take into consideration.

**Mr Ganoo:** Does not the hon. Prime Minister think in the interest of transparency, for the interest of this Government and governments to come also, we should ponder upon the advisability of legislating to set up a Service Commission for parastatal bodies? Just as we have a Public Service Commission, Disciplined Forces Service Commission, a Local Government Service Commission, why not set up a Service Commission for all parastatal bodies?

**The Prime Minister:** We will have to look at the suggestion. I do not think it is a bad suggestion. But we will have to look at all the implications that this suggestion might have.

**Mr Jhugroo:** Can I ask the hon. Prime Minister for what reason the MBC has done so many recruitments since 2005 without advertising for the posts?

*(Interruptions)*

**Mr Speaker:** Order! This question concerns the posts of the head thereof not...

(*Interruptions*)

Please sit down!

(*Interruptions*)

Please sit down! Read the question well before putting supplementaries! Yes, hon. Bhagwan!

(*Interruptions*)

**Mr Bhagwan:** Mr Speaker, Sir, in the recent past the hon. Prime Minister has made public statements that *il allait être sans pitié contre les canards boiteux, surtout en ce qu'il s'agit des* heads of the parastatal bodies who have been appointed by Government. Can the hon. Prime Minister let us know what action he intends to take concerning certain of these *potentats* on whom we are spending millions of rupees as heads of these parastatal bodies, which are not performing?

**The Prime Minister:** Yes, this is why I set up this Office of Public Sector Governance under my Office, Mr Speaker, Sir, to look at all this. As I said, they are going to give a report to me and this is why we are waiting, in fact, because we also want to make sure that the *canard boiteux* is not walking around with one foot.

#### **FOOTBALL PREMIER LEAGUE - BROADCAST**

**(No. B/408) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the matches of the Football Premier League, scheduled to start in August 2012, in the United Kingdom, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to where matters stand as to the negotiations for the live broadcasting thereof, indicating the number of matches that the Corporation proposes to broadcast live, including the number of the Big 4 or Big 5 matches.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Director-General of the Mauritius Broadcasting Corporation that negotiations to obtain the rights for the broadcast of the matches of the English Football Premier League for the 2012/2013 season are currently under way.

Mr Speaker, Sir, since 2007, the House has on more than one occasion been informed of the difficulties - I have just mentioned it again - being encountered by public broadcasters,

including, therefore, the MBC, to acquire the rights for and to broadcast live matches of the English Football Premier League. In the circumstance, the MBC can broadcast only those matches, as I explained, which are available to public broadcasters.

**Mr Bhagwan:** Mr Speaker, Sir, last year I asked a similar question and I drew the attention of the hon. Prime Minister that not many Mauritians can afford to pay these private channels and it would be good for Government to take a decision to put these private channels in the *centres communautaires* to allow people, who cannot afford to pay these channels, at least, to watch these matches. We have many people who cannot afford the fees asked by the private channels.

**The Prime Minister:** This suggestion was made I think, in the past. We have to look at it as to whether we can afford it or not, Mr Speaker, Sir, but, probably, the answer would be that we will look at it positively. I suppose practically all of the Members watch the European football matches; even some of the private channels could not show it. I do not know whether the hon. Member is aware, but even some of the private channels could not show it.

I have also been told that other channels as Al Jazeera is actually bidding huge amounts for different programmes. This also would be a constraint for others, but all this will be looked into.

**Mr Bhagwan:** Last year, the Director of the MBC gave us a pretext that he was giving the population of Mauritius the chance to see the Bundesliga, but the Mauritian people are not interested in the Bundesliga.

*(Interruptions)*

It is the German Football League, so people are not interested, and it had been widely advertised that Mauritians are interested in the private league. Can I ask the hon. Prime Minister to request the MBC not to show the alternative of Bundesliga, the people want to see the Premier League?

**The Prime Minister:** I think that is a very good point.

*(Interruptions)*

#### **PREVENTION OF CORRUPTION ACT – DECLARATION OF ASSETS**

**(No. B/409) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Prevention of Corruption Act, he will state if

consideration will be given for amendments to be brought thereto to make it mandatory for the Chairpersons, the Chief Executive Officers and the General Managers of the parastatal bodies and of the public owned companies, the Mayors, the Chairpersons of the District Councils and the Chief Executive Officers of the local authorities to declare their assets, and if so, when and if not, why not.

**The Prime Minister:** Mr Speaker, Sir, as I explained in my reply to PQ B/907 in December last, the Prevention of Corruption Act provides for a Parliamentary Committee for the monitoring of the ICAC and one of the main functions of the Parliamentary Committee is precisely to make report to the Assembly where it considers that it is expedient that the attention of the Assembly be directed to, *inter alia*, the need for further legislative reforms.

I also informed the House that the Parliamentary Committee constituted after the 2010 General Elections did come up with suggestions for amendments to be brought to the Prevention of Corruption Act and the Declaration of Assets Act. However, the Committee subsequently decided to have a fresh look at the whole issue as they wanted to come up with more comprehensive amendment proposals, not just on declaration of assets.

But, as the House is aware, the National Assembly was prorogued on 14 March 2012 and after resumption, the Parliamentary Committee has been reconstituted. The Parliamentary Committee, I have been told, is actually examining the whole issue and it intends to come up with the appropriate recommendations, I believe, probably this week. I think there is a meeting scheduled for the 05 July, that is, this week.

Necessary amendments will be brought to the relevant legislation in the light of the recommendations of the Parliamentary Committee as announced in the Government Programme at paragraph 12 of chapter 5, and I want to quote –

“Government will introduce amendments to reinforce the existing legal framework taking into consideration the observations of the Parliamentary Committee on ICAC”.

Mr Speaker, Sir, notwithstanding this, I wish to point out that appropriate amendments have already been brought to the relevant legislation making it mandatory for Municipal and District Councillors to declare their assets. That has already been done.

As a matter of fact, the House will recall that the Declaration of Assets Act was amended in 2011 through section 165(7) of the Local Government Act 2011, to provide that any Councillor of the Municipal City Council, Municipal Town Council or District Council shall

deposit with the Chief Executive of the Municipal City Council, Municipal Town Council or District Council, as the case may be, a declaration of assets and liabilities in relation to himself/herself, his/her spouse and minor children and grand-children and the children of age. The Chief Executive shall thereafter transmit that declaration to the Independent Commission Against Corruption.

**Mr Bhagwan:** Can I add on the list - I think I have forgotten - the advisers? We have seen so many advisers who are involved in corruption these days. Can I also make a request to the hon. Prime Minister to add on the list the political advisers who are being appointed?

**The Prime Minister:** We have to wait and see whether they are actually found to be guilty or not guilty. I don't want to say because – I don't think there is a big problem in adding the list. I don't see why not.

**Mr Li Kwong Wing:** Mr Speaker, Sir, may I ask the hon. Prime Minister whether consideration will be given to amend the Criminal Code to criminalise not only the false declaration of assets, but also the possession of unexplained wealth of the Heads and CEOs of these bodies?

**The Prime Minister:** I think that this is already there, but I will look into it again. I think it is already there.

**Mrs Hanoomanjee:** I understand that the list, which has been given by my colleague, hon. Bhagwan, is not exhaustive and the hon. Prime Minister has himself said that there is a Parliamentary Committee looking into this. Can I ask the hon. Prime Minister whether he would also consider adding on that list the Chairperson and the Members of the Public Procurement Board?

**The Prime Minister:** I think that would be there. In fact, we are doing a few things already. For example, I could tell the hon. Member, at the MRA, everybody who is employed on a permanent basis, that is, is fully employed, has to sign a declaration of assets now; everybody from A to Z has to sign and that was not the case before.

#### **DRUGS - 'MAGIC' & 'BEN LADEN'**

**(No. B/410) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the drugs commonly known as "Magic" and "Ben Laden", he will, for the benefit of the House, obtain from the Commissioner

of Police, information as to the quantity thereof estimated to have been introduced in the country, indicating the measures that have been or will be taken to prevent the proliferation thereof.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that there is no evidence of the existence in Mauritius of any new type of drugs known as “Magic” or “Ben Laden”.

However, according to intelligence gathered by the Police, the terms “Magic” or “Ben Laden” are being used by drug addicts and others to carry on their illicit activities under cover. Such terms may have been given to a particular mixture of drugs. It is quite common for drug addicts to use their own jargon and attribute nicknames/codes when referring to dangerous drugs with a different percentage of purity.

The Mauritius Revenue Authority has also confirmed that there has been no seizure of any new type of drugs known as “Magic” or “Ben Laden”.

On its part, the National Agency for the Treatment and Rehabilitation of Substance Abusers, that is, NATReSA has informed that no case of “Magic” or “Ben Laden” has been recorded or reported.

Despite the fact that there is no evidence of the existence of the two new types of drugs in the country, nevertheless, it is important to ensure that our citizens are not exposed to any illicit drugs and that is why the law enforcement agencies have enhanced their vigilance, so as to report on any new suspicious substances which would eventually be subject for examination by the Forensic Science Laboratory.

#### **RODRIGUES - DRIVING SCHOOL & INSTRUCTOR LICENCE**

**(No. B/411) Mr J. F. François (Third Member for Rodrigues)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to Rodrigues, he will, for the benefit of the House, obtain from the Commissioner of Police, information as the number of holders of the Driving School and Instructor Licence, as at to date, indicating the number of applications therefor which are pending and when same are expected to be finalised.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that presently one person holds a Driving School Licence and Instructor’s Licence in Rodrigues.

However, with the increase in the number of persons applying for a Driving Licence and the number of vehicles in Rodrigues, the Police have reviewed their policy and will issue such additional Driving School Licences and Instructor's Licences as may be necessary.

The Police is in presence of five applications for Driving School Licence and Instructor's Licence. Action has already been initiated to process the applications under the Road Traffic (Driving Schools and Instructors) Regulations, prior to the issue, of course, of the additional Driving School Licences and Instructor's Licences in Rodrigues.

**Mr François:** I have a supplementary question, Mr Speaker, Sir. In the same line, being given that there is an increase in road traffic users, road accidents, and together with about 500 driving licence applications per year, will the hon. Prime Minister request for a prompt update and standards of the traffic section, with regard to oral traffic test and traffic management in Rodrigues?

**The Prime Minister:** This will come up later on. We are going to have new test and all those things. We have to be more strict because if they are taught wrongly, they will drive wrongly.

**Mr Speaker:** Time is over! Questions addressed to hon. Ministers!

#### **METHADONE SUBSTITUTION THERAPY PROGRAMME**

**(No. B/417) Mrs S. B. Hanoomanjee (Second 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 an evaluation of the effectiveness thereof has been carried out and, if so, indicate the -

- (a) findings thereof, and
- (b) future course of action in relation thereto.

**Mr Bundhoo:** Mr Speaker, Sir, with your permission, I wish to inform the House that the rate of HIV infection due to injecting drug use showed an increasing trend from 2001, when four new cases were detected. The number of cases increased yearly as follows –

<b>Year 2001</b>	<b>Year 2002</b>	<b>Year 2003</b>	<b>Year 2004</b>	<b>Year 2005</b>
4	14	151	455	846

Given this alarming trend, in 2006, the hon. Prime Minister, Dr. the hon. Navin Ramgoolam, decided to introduce the Harm Reduction Services, as a strategy to address this problem.

The Methadone Substitution Therapy Programme and the Needle Exchange Programme form part of the Harm Reduction Services which Government is providing to the community of injecting drug users since then.

Mr Speaker, Sir, I would like to stress that with the implementation of the Harm Reduction Programme, there has been -

- (a) a decreasing trend in the number of new HIV Infections resulting from injecting drug use as follows –

Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011
448	445	396	404	410	273

- (b) a reduction in the number of new cases detected every month from 55 during the period 2006 to 2010, to a monthly average of 33 new cases as from January 2011.

Mr Speaker, Sir, this represents a significant drop of 30% in the number of new cases registered in 2011 compared to the average number of cases registered in 2010.

Mr Speaker, Sir, in 2011, that is, five years after the start of these two Harm Reduction Programmes, the National AIDS Secretariat of the Prime Minister's Office jointly with the Ministry of Health and Quality of Life decided to conduct an evaluation. The services of an International Consultancy Firm, namely the AIDS Projects Management Group from Australia were thus enlisted to conduct the exercise.

As regards part (a) of the question, Mr Speaker, Sir, the main findings of the report are as follows -

- (i) the Harm Reduction Strategy is being successfully led by the Ministry of Health and Quality of Life, because of the effective integration and collaboration between Government and Non-Governmental Organisations;
- (ii) After implementation, these two programmes have been scaled up all over Mauritius, despite significant constraints, to a large number of opioid dependent people;

(iii) the waiting list for Methadone Substitution Therapy has been significantly reduced. Further, there is a very high retention rate of consistently over 90% of beneficiaries as follows -

	Year 2009	Year 2010	Year 2011
No of persons induced (Cumulative)	1,994	3,536	5,068
No. of persons retained	(91.2%)	(91.8%)	(92.8%)

(iv) the Needle Exchange Programme is well structured, with a focus on the provision of clean injecting equipment to the users;

**Mr Speaker:** This question is about Methadone Substitution Therapy Programme and not Needle Exchange Programme.

**Mr Bundhoo:** Mr Speaker, Sir, the question is about the findings thereof. I am telling the findings and, in fact, there are 20 findings.

**Mr Speaker:** I am sorry. My ruling is about the Methadone Substitution Therapy Programme and if your evaluation report concerns needles, keep it and next time you will come with it.

**Mr Bundhoo:** Mr Speaker Sir, I beg to differ, this is about the harm...

**Mr Speaker:** No, I am sorry, I have given my ruling. This question relates to methadone. That's all.

**Mr Bundhoo:** I am going to table it.

Mr Speaker, Sir, concerning part (b) of the question, I wish to re-emphasise that my Ministry has already taken several measures to further improve the Harm Reduction Services. They include -

- (i) at some dispensing points, where there are high rates of attendances, the opening time has been extended from 3 to 6 hours daily;
- (ii) as from November 2011, CCTV cameras are being installed at methadone dispensing sites and methadone preparation points, which I will table;

- (iii) since November 2011, the support of peer leaders has been enlisted to ensure a user friendly environment. This has resulted in a reduction of conflicts at dispensing points;
- (iv) Methadone Drop in Centres, which provide a package of integrated services to the beneficiaries have already been set up at Ste Croix and Dr. Bouloux AHC at Cassis. It is proposed to set up similar centres in each of the five health regions;
- (v) prevention programmes are being strengthened, and include talks and distribution of educational materials regarding HIV and AIDS and other blood borne diseases, and
- (vi) my Ministry is working in collaboration with the National Aids Secretariat of the Prime Minister's Office and the NGOs to consider a review of the induction process.

Mr Speaker Sir, I am informed that, in view of stigma and discrimination, female injecting drug users are less inclined to join the induction programme. In this respect, my Ministry is enlisting the support of NGOs to encourage the female injecting drug users to attend dedicated sessions of Day Care Induction.

**Mrs Hanoomanjee:** Mr Speaker, Sir, the hon. Minister has mentioned new cases; he has mentioned the needle exchange programme. But my question was on the Methadone Substitution Therapy, and the figures he mentioned are new cases. Can I ask the hon. Minister whether the evaluation report that has been made, mentioned that, instead of gradually phasing out the dependence of drug addicts on narcotics, most of the drugs addicts have become physically dependent on methadone?

**Mr Bundhoo:** Yes, the report did make mention of that, and I have suggested that we carry out a study in order to ensure there is withdrawal even from the dependency of methadone.

**Mrs Hanoomanjee:** Since the hon. Minister has said that the answer is in the affirmative, can he say now whether he has commissioned another study or there is a committee looking on other substitution products, such as suboxone or naltrexone ...

**Mr Speaker:** I am sorry, this question is not relevant. Hon. Obeegadoo!

**Mrs Hanoomanjee:** Mr Speaker, Sir, can I just make a point?

**Mr Speaker:** I will come back to the hon. Member.

**Mr Obeegadoo:** A two in one, Sir. Will the hon. Minister agree to make public this report on methadone, since it is of national interest and, on the same point, the strategy to look into the effectiveness of methadone to wean off drug addicts from their addiction? Has it taken into consideration experience of other countries that are looking for substitutes which, in terms of chemical makeup, have been established to be more effective, such as suboxone?

**Mr Bundhoo:** Mr Speaker, Sir, let me put it in perspective. First, I will consider the possibilities of rendering the report public. Second, it is this very Government and this very Prime Minister ...

*(Interruptions)*

...that have decided in 2006 to introduce the methadone therapy. Again, it is this very Government, this very Prime Minister that have decided ...

*(Interruptions)*

...to set up a Commission to see how the methadone therapy is working.

*(Interruptions)*

Now, Mr Speaker, Sir, for the benefit of the hon. Member, I am going to inform him that, again on 13 June, this year, this very Prime Minister has requested ...

*(Interruptions)*

... his Minister to consider the possibility looking at alternative, and specifically speak with the World Health Organisation in Geneva.

**Dr. S. Boolell:** Mr Speaker, Sir, may I ask the hon. Minister of this very Government whether he could give the statistics concerning those who are consuming methadone and hard drugs at the same time?

**Mr Bundhoo:** Mr Speaker, Sir, I have to remind the hon. Member that this Opposition to which he belongs since 2000-2005 did nothing, and we did that!

*(Interruptions)*

Second Mr Speaker, Sir, the figures is 5,000, and the success rate is almost 90%.

**Mr Uteem:** Mr Speaker, Sir, is the hon. Minister aware that, as a result of this Methadone Substitution Therapy, there has developed a secondary market in methadone, which is called methadone *labave*, where people who consume this methadone spit it out and then sell it to others? So, it has developed new drug traffic in methadone.

**Mr Bundhoo:** Mr Speaker, Sir, this is precisely ...

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Bundhoo:** ... why we have installed guardrail, we have put CCTV camera, in order to ensure that this kind of transaction does not occur.

**Mr Obeegadoo:** The distribution of methadone, as the hon. Minister must be aware, is raising very serious issues. Quite apart from CCTV cameras and extension of opening hours, there is need for more appropriate supervision of drug addicts while they are there. Problems we know at Brown Sequare, at St George Street, at Vallée Pitot require more comprehensive supervision with the police and medical personnel. Will the hon. Minister undertake to look urgently into this matter?

**Mr Bundhoo:** Mr Speaker, Sir, may I, with your permission, lay a copy of the letter addressed to my Ministry from the Prime Minister's Office. I will read, with your permission, paragraph 3 -

“It would be appreciated if assistance could be sought with the relevant authorities in Geneva for the deputation of a team of experts to review the methods of distribution of methadone as well as the monitoring of those who are undergoing the treatment”.

Therefore, this very Prime Minister has already initiated action.

**Mrs Hanoomanjee:** Mr Speaker, Sir, in the light of the findings of the report, can the hon. Minister precisely give us at least two or three short term strategies which the Ministry is putting into place to correct what is happening in the methadone therapy?

**Mr Bundhoo:** Mr Speaker, Sir, I have already answered to that. It is ...

*(Interruptions)*

**Mr Bundhoo:** Can I please?

**Mr Speaker:** Let the hon. Minister answer the question!

**Mr Bundhoo:** The report was given to me in August or September last year. After having gone through the report, this is when we decided to set up CCTV camera, guardrail in order to ensure that the distribution is done in a proper manner, and to avoid what hon. Uteem said earlier.

Secondly, I have to remind that it is the Prime Minister's Office that has instructed the Ministry of Health to seek assistance from Geneva, and I have just read the letter. I have already

given two clear examples of actions being initiated. Furthermore, we are trying to see what best we can to make the problem of methadone substitution therapy become as human as possible.

**Mr Speaker:** Hon. Mr Barbier!

**Mr Barbier:** Mr Speaker, Sir, just for clarification, I would like to know from the hon. Minister whether the methadone substitution therapy is for a certain period of time or for lifetime to the drug addicts, because there is so much confusion around.

**Mr Bundhoo:** Mr Speaker, Sir, it is for a certain period of time. The whole strategy is to withdraw them from the methadone substitution therapy as soon as possible, so as they can be back on the mainstream of life.

**Mr Ameer Meea:** Mr Speaker, Sir, to come back to what hon. Dr. Boolell just asked the hon. Minister, and for which we did not have an answer, I would like to know whether the hon. Minister is aware that, in fact, drug addicts do take methadone at the same time that they take drugs. May I know if he has statistics for that and also what he intends to do in relation to this?

**Mr Bundhoo:** Mr Speaker, Sir, I have to say that this is mentioned in the report and this is precisely why the Office of the Prime Minister has requested us to seek support from the World Health Organisation.

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, may I ask the hon. Minister whether he can give us figures of the number of people who are on methadone treatment, who have now been withdrawn from the methadone treatment?

**Mr Bundhoo:** The information sought will be circulated.

**Mrs Hanoomanjee:** Thank you, Mr Speaker, Sir. The hon. Minister has mentioned about short-term strategies, CCTV surveillance cameras. Can I ask the hon. Minister whether he thinks that CCTV Cameras will effectively act as a substitute for methadone which is relevant to my question?

**Mr Speaker:** The hon. Member is asking the hon. Minister his opinions. Ask him questions! Hon. Dr. S. Boolell!

**Dr. S. Boolell:** Mr Speaker, Sir, may I ask the hon. Minister whether he has been made aware in his report that no methadone substitution therapy is effective without the rehabilitation of the subject, including his employment so that the guy stays off the drugs?

**Mr Bundhoo:** Mr Speaker, Sir, I have to inform the hon. Member that the Office of the Prime Minister first addressed the issue of HIV, drugs and the methadone substitution has given results.

We are now also addressing the issue of reinsertion of those under methadone. I have to tell you of the last visit of the hon. Minister of Labour, Industrial Relations and Employment in Geneva. He went there and attended the centres and subsequent to that, we had a meeting and we are working on the policy of reinsertion.

**Mrs Hanoomanjee:** I, again, ask the hon. Minister, whether CCTV cameras can act as a deterrent to those taking methadone and whether this can act as a substitute, because my question related to a substitute to methadone which the hon. Minister, himself, said has failed?

**Mr Bundhoo:** Mr Speaker, Sir, the hon. Member having been Minister of Health before, I am sure she will appreciate that we have a substitute for methadone which is suboxone. She will also appreciate that the cost of introducing suboxone is extremely high and the efficiency has yet to be confirmed.

Secondly, what I said about CCTV cameras and guardrail have nothing to do with substitution. It is to do with ensuring security of the patients, the people working at the point of distribution and also the people living in the vicinity.

**Mr Obeegadoo:** Mr Speaker, Sir, since the hon. Minister keeps quoting this report as the foundation of all public policy initiatives in this area, can he give us any valid reason why he cannot today, table a copy of this report for the whole nation to take cognizance of its contents?

**Mr Bundhoo:** Mr Speaker, Sir, I did not say that I would not circulate the report. I said that I would, in due course.

**Mr Speaker:** Last question!

**Mr Ameer Meea:** Mr Speaker, Sir, can I ask the hon. Minister in order to assess the effectiveness of the methadone substitution therapy if he has information or statistics on the number of drug addicts who are taking methadone and at the same time have been arrested by the Police with drug in their possession?

**Mr Bundhoo:** Mr Speaker, Sir, I have already replied to part (a) of the question. Whereas with regard to part (b) of the question, this is in relation to the Police and this is not under my control.

#### **HOSPITALS - CLEANING - TENDERS**

**(No. B/418) Mrs S.B. Hanoomanjee (Second Member for Savanne & Black River)** asked the Minister of Health and Quality of Life whether, in regard to the cleaning of the public hospitals, he will state if tenders therefor were launched in November 2011 and, if so, indicate the -

- (a) names of the bidders
- (b) value of the bids, and
- (c) name of the successful bidder.

**Mr Bundhoo:** Mr Speaker, Sir, I am informed that my Ministry launched tenders for the procurement of cleaning services for toilets, bathrooms and sluices for all hospitals on 27 October 2011. The closing date for the submission of bids to my Ministry was 30 November 2011. Thirteen bids were received.

With regard to parts (a) and (b) of the question, I am tabling the information asked for.

With regard to part (c), I wish to inform the House that there has been no successful bidder.

**Mrs Hanoomanjee:** Can I ask the hon. Minister who is the existing contractor and if he knows who are the shareholders of that company?

**Mr Speaker:** The question is quite clear. It's about the tendering procedure; the person who has won the tender. The Member cannot go back; she should come with a different question!

*(Interruptions)*

The question relates to what? Can the Member read the question for me?

*(Interruptions)*

That's it!

**Mrs Hanoomanjee:** In fact, Mr Speaker, Sir, why I asked that question was because when there is no successful bidder, it is the existing contractor who continues to work.

**Mr Speaker:** Who is doing the work now?

**Mrs Hanoomanjee:** This is what I asked.

**Mr Speaker:** Re-phrase your question well!

**Mr Bundhoo:** Mr Speaker, Sir, I don't have the information on me right now, but...

*(Interruptions)*

Can I finish, please! But I am to understand that in these circumstances it is the previous contractor who is allocated the contract on a month-to-month basis and when they fail to do so in specific regions, a short contract is issued after a tendering exercise.

*(Interruptions)*

**Mrs Dookun-Luchoomun:** May I ask the hon. Minister whether a former tender exercise was also cancelled because of lack of qualified or successful bidder?

**Mr Bundhoo:** Mr Speaker, Sir, yes, a former tender exercise was cancelled while hon. Mrs Hanoomanjee was Minister. Then, we issued a new tendering exercise and this also is cancelled. There is a new tendering exercise on the way now.

**Mr Uteem:** Mr Speaker, Sir, with respect to those who submitted a bid, may I know from the hon. Minister whether the existing contractor also submitted a bid which has been rejected?

**Mr Bundhoo:** Mr Speaker, Sir, I don't have the information on me.

*(Interruptions)*

**Mr Ameer Meea:** Mr Speaker, Sir, can I ask the hon. Minister why the two tender exercises have been cancelled?

**Mr Bundhoo:** The first one was cancelled in 2009, because of certain allegations in the press. The second one was cancelled because the Central Procurement Board was not made aware of the preliminary works of the tendering exercise. The third one which has not gone through, again, because of allegation and this has been referred to the Police. An enquiry is still on.

**Mr Speaker:** I will stop here. We will continue with the supplementary questions after lunch.

*At 1.01 p.m. the sitting was suspended.*

*On resuming at 2.34 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** The Table has been advised that PQ Nos. B/427, B/428, B/443 and B/444 have been withdrawn. Supplementary questions on PQ B/418!

**Mrs Hanoomanjee:** Thank you, Mr Deputy Speaker, Sir. Since the hon. Minister has mentioned that the bidding exercise has been cancelled twice or even thrice, can he say whether his Ministry has contacted for that purpose the Public Procurement Board to find a way to go

round this problem? Because he knows that each time if the bid is cancelled, automatically the existing contractor will continue to work.

**Mr Bundhoo:** In fact, Mr Deputy Speaker, Sir, the bidding exercise has already been issued and the closing date is at 11 July of this year.

**The Deputy Speaker:** Is it a supplementary question?

**Mr Ameer Meea:** Yes, it is a supplementary question. The hon. Minister informed us that the contract is being renewed on a monthly basis. Can I ask him since when this is the case, that is, the contract is being renewed on a monthly basis?

**Mr Bundhoo:** For some of the hospitals, it is since 2009 and for three hospitals, it is since 2011.

**Mr Jhugroo:** Can we know from the hon. Minister what amount is being paid to the contractor annually?

**Mr Bundhoo:** I don't have the figure in hand.

#### **NTC BUILDING - ÉBENE - SALE**

**(No. B/419) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the project for the selling of the building of the National Transport Corporation in Ebène, he will, for the benefit of the House, obtain from the Corporation, information as to where matters stand.

**The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Deputy Speaker, Sir, I am informed by the National Transport Corporation that, with a view to improve its financial situation, it had decided to sell its new building located at Ebène Cybercity.

I am also informed that following a bidding exercise, a letter of award has been issued to the Executive Business Computational Institute, the highest bidder, on 13 June 2012.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, can the hon. vice-Prime Minister give us the price that has been quoted by the executive company and if this price is within the Valuation Office for this building?

**Mr Bachoo:** Mr Deputy Speaker, Sir, the letter of award issued to the highest bidder for the sum of Rs126 m., I am made to understand that NTC has estimated it to be so.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, this is a case of mismanagement by the NTC whereby a building has been built without any planification for the use of it and the decision to sell this building has been taken for more than a year. I remember this has been debated in this House and still the building is vacant and nothing is getting out of this building. We know that rent money is dead money. Can I ask the hon. vice-Prime Minister, in the meantime, if he would look into the matter - we have many offices, many Ministries in Ebène where we are paying huge amounts of money like the Ministry of Housing and Lands, the Valuation Office – or he would consider to move offices, where Government is paying millions, to the NTC building and, at the same time, save this money which is being paid to private owners as rent?

**Mr Bachoo:** Mr Deputy Speaker, Sir, the award has already been issued to the highest bidder. It means that once the deed of sale is already signed, then we won't have any power over the building. It has already been given to them.

**Mr Bhagwan:** Can we know from the hon. Minister what was the total cost paid by the National Transport Corporation for the construction of the building, including architect and other related fees, and how much interest has been paid since construction has been completed as at to date, the total cost of the construction and other related costs with interest and how does it tally with the sale price?

**Mr Bachoo:** Mr Deputy Speaker, Sir, unfortunately, regarding the interest, they have borrowed money recently to the tune of about Rs70 m. As far as the estimated cost of the building is concerned, including the consultancy services and other related costs, up till now it is Rs114,951,524.56. That is the estimated cost but, up to now, the actual expenditure is about Rs100 m. There are other costs; probably they are going to claim us.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, I asked a question regarding the valuation of the building. Has there been expert valuation of this building before launching the bid?

**Mr Bachoo:** Mr Deputy Speaker, Sir, I don't know who were those who evaluated the building, but I am made to understand that the value of the building is about Rs125 m.

**Mr Bhagwan:** Can the hon. vice-Prime Minister give assurance to the House, the country and the nation whether at the end of the day the travelling public – they are paying and we are subsidising the National Transport Corporation – won't lose at the end of the transaction between the cost of construction and other related costs and the sale of the building?

**Mr Bachoo:** Mr Deputy Speaker, Sir, being given that the building was already there and I don't know what prompted the Board at that particular moment in time to take the decision, but there was a report of Deloitte which recommended that the building has to be sold because, otherwise, NTC was already faced with financial problems and I sincerely believe that we are taking the right direction, because our concern must be to renew our fleet. It is only then that we will be able to serve the purpose.

**Mr Bhagwan:** Mr Deputy Speaker, Sir, again, there has not been any forward planning and Government has been subsidising the National Transport Corporation year in year out and, here, we are, at the end of the day, losing money. Can the hon. vice-Prime Minister inform us also whether initially prior going into the construction project, the National Transport Corporation sought the approval of the Minister before going ahead with the construction of the building?

**Mr Bachoo:** Mr Deputy Speaker, Sir, normally the Minister can only give directive of general nature. The Board decided and felt, at that given point in time, that they have to move from Vacoas to Ebène Cybercity but, unfortunately, we found *c'est peine perdue*. It is better for us to stay where we are and try to concentrate in renewing our fleet. This is what we are doing.

**Mrs Hanoomanjee:** Mr Deputy Speaker, Sir, can the hon. vice-Prime Minister say how much it had cost the NTC to put up that building and for how much the highest bidder has purchase the building?

**Mr Bachoo:** I have already answered this question.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, can I ask the hon. vice-Prime Minister if he will consider setting up an inquiry into this matter? Because more than a hundred million of rupees have been invested in a building where nothing has been used, nothing has been done.

**The Deputy Speaker:** This point has been made.

**Mr Ameer Meea:** I am asking the hon. vice-Prime Minister if he will set up an inquiry to try ...

**The Deputy Speaker:** The hon. Member has put his question, he must let the hon. vice-Prime Minister answer now!

**Mr Ameer Meea:** ...to bring the people to task for those who took the decision.

**The Deputy Speaker:** The hon. vice-Prime Minister is going to answer.

**Mr Bachoo:** Mr Deputy Speaker, Sir, the decision was taken. Now, we find that we can recoup the money by selling the building. But, at the same time, I can assure the House that in the past also we had given the assurance that luckily we are a bit out of the danger zone because we have been able to monitor situations in such a way that the CNT - I can't say that it is completely out of the danger zone - is doing well and I can assure the House that I am looking to it that the money or whatever will be earned as result of the sale will be properly invested.

**Mr Bhagwan:** The hon. vice-Prime Minister has not given us the reply as to whether prior to going to the construction of that building, the approval of the hon. Minister was sought, according to the existing legislation governing the National Transport Corporation and whether the Ministry gave its approval which ultimately resulted in the loss of public money.

**Mr Bachoo:** At that moment, probably it was a viable project and the Ministry's assent was sought and it was received.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, the hon. vice-Prime Minister has mentioned that the cost of the building was about Rs115 m. coming to Rs150 m. For example, in many tender documents, mention is made to the approximate cost of the project. Will the hon. vice-Prime Minister state to this House whether this is so for the building, if yes, what is the amount that has been mentioned in the bidding document?

**Mr Bachoo:** Mr Deputy Speaker, Sir, in fact, that was offered to Gamma Civic for Rs103,137,934.56. Then, there were the consultancy services and other related costs that led to the estimated cost to be Rs114 m. Up till now, the actual expenditure is Rs100 m. I can't say with assurance, I get the feeling that we can go below Rs114 m. Well, I may be wrong, but I get the feeling.

**Mr Bhagwan:** There is an item which we have not received any reply. We must add the cost of the land in the project. How much has been paid as lease to the Business Parks?

**Mr Bachoo:** We have paid Rs4 m. plus a yearly rental fee of Rs200,000, but that is included in other related costs which I have just mentioned.

**The Deputy Speaker:** Hon. Soreefan, last question!

**Dr. Sorefan:** In a previous question, the value of the building was given. That was in 2010. In two years, the building has appreciated a lot in Mauritius and I see it is going from Rs115 m. to the sale of Rs 126 m. Can the hon. Minister justify the sale to Rs126 m.?

**Mr Bachoo:** I have already answered this question. This is the highest bidder which we are going to offer; the second is only Rs120 m. That is the highest bidder we got. I cannot dictate to the Board, but I feel that it is a reasonable sum that we are getting.

#### **ROAD DECONGESTION PROGRAMME – CONTRACT VALUE**

**(No. B/420) Dr. M. Sorefan (Fourth Member for La Caverne and Phoenix)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Road Decongestion Programme, he will state, in respect of each project thereof, the –

- (a) name of the contractor;
- (b) contract value thereof, indicating the amount of money paid for variations works, if any, for –
  - (i) completed projects, and
  - (ii) on-going projects, and
- (c) amount of money paid as consultancy fees, indicating the amount of money paid for variation in the contract, if any.

**The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Deputy Speaker, Sir, in July to December Budget 2009 provision was made for the setting up of a Road Decongestion Programme comprising of the following items -

1. Harbour Bridge;
2. Port Louis Ring Road Phase 1 and Phase 2;
3. East West Connector;
4. Bus Way;
5. Terre Rouge-Verdun-Ebène Link Road Lot 1 and Lot 2.

Subsequently, the Programme has been enhanced by adding the following projects -

1. Widening of M1 from St Jean to Coleville Deverell Bridge ( Lot 1);
2. Widening of M1 from Coleville Deverell Bridge to Grewals ( Lot 2), and
3. Grade Separated Junction at Caudan. As far as widening of other parts of M1 is concerned, it was taken care of in our regular budget.

The Harbour Bridge and the Port Louis Ring Road (Phase 2) will be carried out under the PPP Road Decongestion Programme project which is presently being evaluated at the Central Procurement Board.

The East West Connector is at feasibility and detailed design stage.

The Bus Way project has been put on hold pending the implementation of the Mass Rapid Transit system.

As for the Port Louis Ring Road Phase 1 the contractor is Joint Venture Rehm Grinaker/Colas (Mauritius) and the contract amount is Rs1,159,766,870.57. The project is ongoing. As at date, no payment has been made for variation works – though RDA is in presence of claims.

The contractor for Terre Rouge-Verdun-Trianon Link Road Lot 1 is Colas (Maurice)/Colas(Madagascar) and the contract amount is Rs2,161,715,973.58. The project is ongoing. As at date the consultant has recommended payment of only Rs3 m. out of a claim of Rs490 m. as stated earlier.

The contractor for the Verdun Trianon is Gamma BCEG and the contract amount is Rs1,585,430,766.35. The project is ongoing. So far, no claim for variation work has been received.

For the Grade Separated Junction at Caudan, which has been substantially completed, I would invite the hon. Member to refer to my reply to PQ No. B/121.

The contractor for the widening of M1 from St Jean to Coleville Deverell Bridge (Lot 1) is Gamma Construction and the contract amount is Rs238,954,579.65. The project has been completed without any additional cost.

The contractor for the widening of M1 from Coleville Deverell Bridge to Grewals (Lot 2) is Sinohydro Corporation Ltd and the contract amount is Rs257,803,432.17. The project is ongoing.

Mr Deputy Speaker, Sir, it is important for me to point out that except for the Grade Separated Junction at Caudan, there has been no variation paid to any of the above-named contractor to date.

The Harbour Bridge and the Ring Road Phase 2 are major components of the Road Decongestion Programme to be implemented as a Public and Private Partnership Project. Bids

for the PPP project have been received by the Central Procurement Board and are presently being evaluated.

As regards part (c) of the question, 3 of the projects under implementation are supervised by consultants and the others by the Road Development Authority. The amounts paid as consultancy fees so far are as follows -

- Port Louis Ring Road (Phase 1): USD850,324.65 and Rs7,323,058.07.
- Terre Rouge-Verdun-Trianon (Lot 1): Euros 1,240,417.58 and Rs29,685,686.93.
- Verdun-Trianon Link Road Lot 2: £222,927.56 and Rs529,535.11

There have been no variations under any of the consultancy contracts to date.

Mr Deputy Speaker, Sir, as a matter of principle, any amount paid to a contractor commensurates with the actual volume of works performed, which means that any quantum of extra payment made is in respect of extra works dictated by technical imperatives.

Mr Deputy Speaker, Sir, I am stressing on this aspect on the fact that additional payment is made strictly in respect of additional works to dissipate the misconceived worries coming from different quarters.

**Dr. Sorefan:** May we know from the hon. Minister if any State companies have invested in any of the projects of the Road Decongestion Programme and to inform the House of the amount, if any?

**Mr Bachoo:** Mr Deputy Speaker, Sir, I don't have the information, but I know that in Ring Road Phase 1, there has been the involvement of SIC. I'll try to find out the amount which has been invested by them and I'll inform the House.

**Mr Bhagwan:** Can I ask the hon. Minister, with regard to the Road Decongestion Programme, whether there is a Master Plan and whether it is well spread within Mauritius and what is the latest concerning the decongestion of Rose Hill at Vandermeersch Street? We all know this is a major constraint, especially we are not as lucky as our Deputy Prime Minister. The whole public is facing lots of difficulties.

**Mr Bachoo:** Mr Deputy Speaker, Sir, I will come to another Parliamentary Question No. B/424 which has been put to me where at least we have got the bridge A1 and M1, that is, Coromandel to Sorèze and that is already in the Road Decongestion Programme. It is in the pipeline.

**Mr Lesjongard:** With regard to the Ring Road Phase 1, the Minister has informed the House that RDA is in the presence of additional claims submitted by the contractor, but without giving the figures. Can we have an indication of the claims already submitted by the contractor to RDA?

**Mr Bachoo:** Mr Deputy Speaker, Sir, there was a question put to me earlier and I have already informed the House: it is Rs150 m. I explained what were the reasons brought forward by the consultants. As I mentioned in the House, it is already with the consultants. They are working on that.

**Mr Li Kwong Wing:** There are six big projects for the Road Decongestion Programme, namely the Harbour Bridge, Ring Road, East West Connector, Bus Way, the widening of M1 and the Terre Rouge-Verdun-Ebène Road. Can the Minister state what is the total amount of investment involved in these six large projects and is there not an over-investment which is like overkill for a problem of decongestion of Port Louis? Has there been any feasibility study of this vast decongestion programme for one specific problem of decongestion of Port-Louis?

**Mr Bachoo:** Mr Deputy Speaker, Sir, in fact, I don't have, with me, the amounts for all the projects which have been undertaken, but if you are going to take all the PPP projects inclusive, it goes to Rs23 billion. Secondly, all the works which we are doing, for example, the widening of the road from Phoenix to Port Louis, everybody knows that it is serving its purpose, there was no way out, we are bound to go ahead with it. The bus way is out and we are moving towards the *métro léger*. Concerning the Terre Rouge/Verdun, those people who live in the Northern sides of the country know what are the difficulties and hardships they are facing. Even the previous Government had that concept in mind though there has been a slight deviation with the Government which took over. Terre Rouge/Verdun, Verdun/Trianon is extremely important, Sorèze to Coromandel, there is no way out, we are bound to construct that long bridge, otherwise, those who are living in these areas will really feel suffocated. In this way, we can justify the construction of all these roads because all of them, in one way or the other, are decongestioning the entire system of the country. I personally believe that we have properly planned and we only have to wait for a few other works to be completed, then, we will be in a position really to assess how much important these roads are.

**Mr Lesjongard:** Mr Deputy Speaker, Sir, in relation to the question put by my colleague earlier, can the hon. Minister inform the House as to whether there is a single report that

recommends the implementation of all these projects, and there is a feasibility study which states that once these projects have been implemented, we are going to bring solutions to the traffic congestion problems in the country?

**Mr Bachoo:** Mr Deputy Speaker, Sir, we have already the SPP, part of the work had been undertaken by them because it is their responsibility to look after the feasibility and then after the detailed design. Secondly, if they are going to start doing feasibility, I don't know where they are going to end up because it is almost practical, everybody knows what is the heavy burden that everybody is paying, we are laid with the heavy burden. We are losing Rs3 billion yearly as a result of congestion. I believe that there would have been no way for us than to start the construction of these works.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, if you will allow me, I have got two supplementary questions. I would like to ask the hon. Minister whether this is in order for the General Manager of the RDA to give a guided tool to a journalist for the Verdun/Terre Rouge project?

**Mr Bachoo:** No, but in case any question is asked to the General Manager of RDA, I think he is free, as a responsible officer he knows about all the statements that he is going to make. I can't stop him from making a statement.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, regarding phase I of the Ring Road which presently if finished will be idle for some time until we get the tunnel going on, may I ask the hon. Minister why there is an urgency? According to my information, there are two car companies which did put pressure on Government to start the project so that they can develop the land on either side of the M1 road at Sorèze?

**Mr Bachoo:** Mr Deputy Speaker, Sir, I make an honourable statement in the House that nobody imposed any type of pressure on us. Ring Road phase I is nearing its completion and phase II will start in due course.

#### **RIO + 20 SUMMIT**

**(No. B/421) Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the Minister of Environment and Sustainable Development whether, in regard to the Rio + 20 Summit held in Brazil, from 20 to 22 June 2012, he will state the expected outcomes thereof for Mauritius as a member of the Small Island Developing States, particularly, in regard to sustainable development.

**Mr Virahsawmy:** Mr Deputy Speaker, Sir, with your permission, I wish to inform the House that Heads of State and Government and high level delegates who met in Rio, Brazil from 20 to 22 June 2012, have renewed their commitment to sustainable development to ensure the promotion of an economically, socially and environmentally sustainable future for our planet and for present and future generations. This is spelt out in the outcome document entitled “The Future We Want”.

Insofar as Small Island Developing States are concerned, the Conference has reaffirmed that the SIDS remain a special case for sustainable development in view of their unique and particular vulnerabilities, such as their size, remoteness, narrow resource and export base and exposure to global environmental challenges and external economic shocks.

The Conference has thus called for continued and enhanced efforts to assist the SIDS in implementing the Barbados Programme of Action (BPOA) as well as the Mauritius strategy and also for a strengthening of the United Nations System Support to SIDS in achieving sustainable development. Therefore, it is expected that in any forthcoming initiatives towards achieving the internationally agreed development goals by our development partners, Mauritius will be able to leverage assistance in line with commitment taken by them in the outcome document.

The international community also recognised that greening of the economy in the context of sustainable development and poverty eradication require big investment and technical and technological assistance. In this regard, developed countries have agreed to support developing countries that choose to implement green economy policies by providing such assistance on mutually agreed terms. Given that Mauritius is coming up shortly with green economy policies in the context of MID, we stand to benefit from such assistance.

I have to add that the Conference has also managed to unlock issues relating to oceans, whereas it has been agreed to develop an international instrument under the United Nations Convention on the Law of the Sea (UNCLOS) to address the question of conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction.

Mr Deputy Speaker, Sir, with the recent expansion of the Continental shelf by 396,000 km<sup>2</sup> (jointly with Seychelles), Mauritius has increased the potential of its already huge ocean territory.

It is worth also noting that Rio+20 Summit has called for the mainstreaming of strategies to assist developing countries, including SIDS, in developing their national capacities to promote

sustainable fisheries and improve market access for fish products. Mauritius can thus benefit from capacity-building and technical support in the development of its fisheries and sea-food industry. Furthermore, Mauritius may also benefit from technical collaboration and voluntary information sharing with relevant international bodies for the conservation of its coral reefs and mangrove ecosystem.

Mr Deputy Speaker, Sir, in my intervention at the summit, I highlighted the difficulties faced by SIDS which have reached a middle income status in securing concessional finance for development projects based on the GDP criteria. I am pleased to inform the House that the Summit has given due consideration to this concern and has agreed to initiate a process to come up with broader measures to complement GDP.

May I again emphasise on the fact that the concern of SIDS has galvanised lot of support during the Summit, so much so that it has been agreed to convene a Third International Conference on SIDS in 2014 to address the sustainable development challenges facing SIDS.

**Ms Anquetil:** Mr Deputy Speaker, Sir, can the hon. Minister inform the House how Mauritius will obtain technical and financial assistance specifically for the implementation of Maurice Ile Durable?

**Mr Virahsawmy:** The outcome document provides the framework to access assistance from the developing partners for it clearly highlights the concerns and challenges of SIDS. Our MID policy and strategy framework and Action Plan will enhance these possibilities.

**Mr Bérenger:** SIDS, the Small Island Developing States, is a United Nations animal. The political arm of SIDS being AOSIS, Alliance of Small Island States, in the build up to Rio+20 Summit, can I know how many times Mauritius participated in 2011 and 2012 today in AOSIS or SIDS meetings? How many such meetings Mauritius attended and by whom were we represented?

**Mr Virahsawmy:** We did not attend the meeting in 2011, but I attended the meeting in Rio where there was a meeting with AOSIS members including the Chairman, Ambassador Margaret Moses and I attended a meeting with them to discuss the future of SIDS and our position within the conference.

**Ms Anquetil:** Can the hon. Minister inform the House if there have been special funds set up for the implementation of Rio+20 outcomes?

**Mr Virahsawmy:** Mr Deputy Speaker, Sir, there has been no clear commitment for the provision of financial assistance to developing countries and SIDS for implementing the outcomes of the Rio + 20 Summit.

Commitment regarding the transfer of technology at concessional rate to developing countries was vehemently opposed by industrialised nations, but finally the transfer of technology will be on terms and conditions as would be mutually agreed.

**Mr Bhagwan:** When we talk about SIDS, the major problem is the climate change issue. Can we know from the hon. Minister whether, during his discussions with other countries of SIDS, there have been measures recommended for SIDS and also Mauritius with regard to the adaptation measures for the issue of climate change? Have there been discussions or any specific programme which has been initiated or planned for the coming years with regard to the climate change issue, which is also one of our major problems?

**Mr Virahsawmy:** In fact, Mr Deputy Speaker, Sir, the climate change issue was high on the agenda of the conference, and we have expressed our views on the problems which Mauritius has on climate change. Many initiatives have been taken to adapt to the effects of climate change, and some of the major initiatives are, of course, the Africa Adaptation Programme, which is a grant funded programme to the tune of Rs90 m., supported by the Government of Japan. The major outputs are the Disaster Risk Reduction and Management Strategy Action Plan, a National Climate Change Adaptation Framework, a Technology Needs Assessment Project. We also have the Implementation of a Climate Change Adaptation Programme in the coastal zone of Mauritius, where we have obtained a grant of Rs270 m. from the Adaptation Fund Board. This is a programme which will include coastal rehabilitation works over the region of Rivière des Galets, Mon Choisi, Deux Frères and Quatre Soeurs, and the duration of the programme is five years. There is also a food security programme known as a Climate Smart Agricultural Programme, which is being implemented. There is an eco-village programme to the tune of Rs450 m., which will cover ten villages. There is the Integrated Coastal Zone Management Programme, and finally there is also the Energy Efficiency Management Office, under the GEF, to bring savings in the cost of energy.

**Mr Jhugroo:** Can the hon. Minister table a progress report of the MID project?

**Mr Virahsawmy:** The MID Action Plan and Strategy Project is being finalised, and when the Action Plan is finalised I will table a copy with pleasure.

**Mrs Radegonde:** Mr Deputy Speaker, Sir, in his reply, I heard the hon. Minister mentioning our GDP in view of our new economic growth. As we know, in Mauritius, our new economic growth is not environmental friendly, and to increase our growth we need energy. We do not have these natural resources here in Mauritius if we want to work by the agenda of the green economy, especially in view of the fact that I heard it is expensive to do that, I would like to know how do we then balance growth with the green economy and how do we also harmonise these policies with all the corporations, hotel industry, and have control over what is going on in the new economic development with regard to green economy.

**Mr Virahsawmy:** Mr Deputy Speaker, Sir, green economy means creation of growth within the respect of the environment. Of course, the hon. Member mentioned the energy sector. I have to point out that there are several projects within the energy sector which are environmental friendly. For example, there is solar, wind, biomass which is being looked at by the appropriate Ministry. I am sure once these projects are implemented, this will help towards improving our GDP.

**Mr Bérenger:** I am sure the hon. Minister will agree that everybody knows and everybody agrees that the ‘agreement’ reached at Rio+20 was an agreement *a minima*, was anything but a success; *on a sauvé les meubles*, full stop. It was inevitably so with the European crisis, the economic crisis in the United States, election in the United States, the slowdown in India and China. Can I know from the hon. Minister, with this agreement *a minima* behind us, what is the next summit rendezvous?

**Mr Virahsawmy:** We all know that the position of the industrialised countries, including the G20, has not helped towards raising the fund to assist developing countries in the object of sustainable development. But one thing which is positive for Mauritius as a Small Island Developing State is that we have been able to talk on our sustainable development goals, and to establish discussions for transfer of technology, resource mobilisation and capacity building which we will be obtaining from developing countries. We have also looked forward to the preparation of the third conference on SIDS in 2014. Of course, nothing has been discussed about the next conference, but we believe that within the SIDS organisation, the AOSIS, each Small Island Developing State will have to look more towards South-South cooperation and towards cooperation within the AOSIS to achieve sustainable development.

**Mr Bhagwan:** In the wake of the Rio+20, *au niveau de la Commission de l'Océan Indien* there has been a forum called Islands which has been set up. Can the hon. Minister inform the House whether Mauritius is *partie prenante* in the setting up of that forum Islands, and whether there have been discussions with the *Commission de l'Océan Indien* for the way forward, and what is in the pipeline within the *Commission de l'Océan Indien*, which receives funds from the European Union, as far as Mauritius is concerned?

**Mr Virahsawmy:** In fact, there have been several side events at the conference, and one of them was a meeting by the Indian Ocean Commission which was chaired by Minister Payet from Seychelles, and where Madagascar, Comoros and Mauritius were present, and where we discussed our strategy within the Indian Ocean Commission.

#### **HOTEL NATIONAL, PORT LOUIS - NATIONAL HERITAGE**

**(No. B/422) Mrs J. Radegonde (Fourth Member for Savanne & Black River)** asked the Minister of Arts and Culture whether, in regard to the Hotel National, situated at the Pope Hennessy Street, in Port Louis, he will state if consideration will be given for the declaration thereof as part of the national heritage and preserved as such.

**Mr Choonee:** Mr Deputy Speaker, Sir, as part of its regular activities, the National Heritage Fund conducts surveys to identify potential sites for listing as national heritage. During this exercise, some 118 sites have been identified, including Hotel National. In case the building satisfies the criteria for listing, including its cultural significance, procedures will be initiated according to the National Heritage Fund Act of 2003, and subject to the agreement of the owner of the building. The owner is responsible for the preservation of the building. The National Heritage Fund may provide technical guidance.

**Mrs Radegonde:** Mr Deputy Speaker, Sir, from my information, the owner of the Hotel National has received order to demolish the building since 2007. So, I would like some clarification.

**Mr Choonee:** The hon. Member is having the right information, Mr Deputy Speaker, Sir. Actually, in August 2007, the City of Port Louis Council observed that the building was in a ruinous state, and the owner was requested to pull down the building as early as possible. However, as the structure is well inside an enclosed area, which does not represent a danger to pedestrian traffic, the City Council has not initiated legal actions in connection therewith.

**Mrs Radegonde:** I heard in the reply that the hon. Minister mentioned about the technical guidance. I would also like to know if consideration may be given to implement meaningful incentive to the owner. If we have had a panel of experts to evaluate the cost and if it is expensive, will it be incentive in financial support, I mean, to restore the building, if possible?

**Mr Choonee:** Mr Deputy Speaker, as at now, there is a matching grant scheme which the Board revisited in August 2008. Actually, only Government-owned buildings and sites are being renovated. However, the case referred being owned by a private party, we can only give technical advice. I will, however, convey to the Board the request from the hon. Member to see if there are other ways of assisting that particular owner.

#### **SCHOOL BUSES - CONTRACTOR PERMITS**

**(No. B/423) Mrs J. Radegonde (Fourth Member for Savanne & Black River)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the school buses, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the -

- (a) measures taken to ensure that the regulations in relation thereto are complied with;
- (b) number of contractor permits therefor issued, over the past five years, and
- (c) number of owners thereof who have been booked for non compliance with the regulations, indicating the measures/sanctions taken against them, in each case.

**The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Deputy Speaker Sir, regulations governing the operation of contract buses are being complied with, except the provisions relating to the employment of school attendants because of inherent practical problems in the system.

However, following interactive consultations between the NTA and stakeholders, the system has been simplified and an agreement has been reached as to the system to be put in place.

Such being the case, the provisions will be fully enforced as from 20 August, 2012.

With regard to (b), the number of contract bus licences (school licences) issued for the past five years are: 30 for year 2008, 123 for year 2009, 31 for year 2010, 80 for year 2011 and 20 for year 2012.

As for (c), no contravention on the employment of attendants in school buses has been established so far.

**Mr Uteem:** The hon. vice-Prime Minister just mentioned that there have been inherent problems which have resulted in not enforcing the provisions of a regulation requiring school van to have an attendant. Can I know from the hon. vice-Prime Minister what are these inherent problems that he is mentioning?

**Mr Bachoo:** Mr Deputy Speaker, Sir, first of all, the vans owners, the *syndicats*, wanted that Government should pay for those employees - whoever they are going to employ, that the attendant should be paid by the Government of Mauritius. Not only one, they were expressing that there must be two because NTA imposed conditions that there must be one attendant plus in case if one falls sick, someone has to take his place. That was basically the main problem since there has been almost a tussle and there was almost a fear that if we are going to impose conditions on them, though they have been employing at an *ad hoc* basis attendants - they are employing their own relatives - but we wanted it to be properly structurized. So, there was a problem between the two; ultimately wisdom had prevailed on those *syndicats* and now they are willing to collaborate with NTA. That is why I have mentioned that by 31 August, we are going to start implementing that.

**Mrs Radegonde:** In view of the accident that occurred in Bambous about May 24, can the hon. vice-Prime Minister inform the House what sanction has been taken to prevent such a recurrence?

**Mr Bachoo:** Mr Deputy Speaker, Sir, in fact, in Bambous there was an attendant in that van, but the matter had been taken up by the Police and investigations are on. There was an attendant, though not legally as NTA wanted it to be.

**Mr Obeegadoo:** To go back to the expression 'inherent problems', could it be that one of the inherent problems concerns enforcement of regulation whereby NTA looks to the Police and the Police looks to the NTA and in the event nobody enforces?

**Mr Bachoo:** Mr Deputy Speaker, Sir, with the limited number of inspectors they do the job but, at the same time, and time and again, we have recourse to the support of the Police, which we do get, but that is not basically the main problem.

**Mr Jhugroo:** Is the hon. vice-Prime Minister aware that many of the school buses carry more than 60 or 70 passengers every day? Are these passengers covered by an insurance policy?

**Mr Bachoo:** Mr Deputy Speaker, Sir, in fact, for that purpose we have booked many of the vans and that's why negotiations are on between the NTA and the vans. I do hope that all these issues will be taken up by the NTA and solutions would be found.

**Mr Uteem:** There is a regulation and the regulation requires that there be an attendant. Now, we have heard from the hon. vice-Prime Minister that licences have been granted to van operators for school vans without complying with these regulations. So, may I know from the hon. vice-Prime Minister whether this decision not to comply with the regulation was a decision taken by the Board of the National Transport Authority or was that a policy decision of this Government?

**Mr Bachoo:** Mr Deputy Speaker, Sir, it was not a policy decision, but I have to understand the difficulties that the inspectors of the NTA were facing; we understand that. There was also the fear of the van owners increasing the tickets for the kids. There was a big problem on that and, as I have said to the House, negotiations are on. But, at the same time, I can hasten to add that in most of the vans there were attendants, but those attendants were the near relatives of those proprietors.

**Mr Lesjongard:** We recently had a sad case at Terre Rouge where there was no attendant in the van. Will the hon. vice-Prime Minister agree that the problem in implementing these regulations reside with the officers of the NTA? I think he must know by now that the problem is with the NTA.

Will the hon. vice-Prime Minister give a guarantee now that, whatever regulations that have been accepted now, will be enforced as it should be by the officers of the NTA?

**Mr Bachoo:** Mr Deputy Speaker, Sir, I think the hon. Member is wrong on one issue. The van at Terre Rouge was not a contract van for students. It was a private van operating illegally. Whenever NTA inspectors caught vans operating illegally, they definitely take actions and there are many cases where we have already put *scellés* in those vans.

Secondly, as I have just mentioned, this is a very human issue also because so many of them are getting their livelihood. If we had imposed all of a sudden a certain condition, that could have debarred many of them of their livelihood. I understand that the tickets could have gone up. There was regular monitoring exercise conducted between the NTA and the operators of the vans. You must have heard on the TV and on the radio how much they have flared up

against the NTA. I do hope that we have monitored the situation properly and that the solutions which we have already proposed have been accepted by the operators.

**Mr Seeruttun:** Is the hon. vice-Prime Minister aware that, apart from the school vans that operate as school buses, there are school buses of the NTC that are run on the road without conductors? Is he aware of that?

**Mr Bachoo:** As far as the NTA buses are concerned, they are carrying the secondary school students. I am not aware, but if in case this is brought to my attention, I'll take action against the NTA.

#### **TOLL ROAD PROJECT - CONTRACT**

**(No. B/424) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the contract awarded to SPP Project Solutions (Pty) Ltd. for the carrying out of the feasibility study and as Transaction Adviser for the Toll Road project, he will state the variations cost claimed and paid for major additional works.

**The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Deputy Speaker, Sir, in April 2009, the Road Development Authority awarded the contract for Transaction Advisory Services in relation to the feasibility study and management of procurement process to SPP Projects Solutions (Pty) Limited for the Design, Construction, Financing, Operation and Maintenance of the Ring Road and Harbour Bridge projects for the sum of USD 1,500, 000.

Following an increase in the scope of works by the inclusion of Terre Rouge/Verdun – Verdun/Trianon East West Connector and additional traffic surveys the contract amount was increased to USD 1,727,235.

Apart from that, SPP has been entrusted four additional assignments by way of direct procurement pursuant to Section 25(2)(f) of the Public Procurement Act 2006 for the sum of USD 1,124,175.

When the project was initiated the cost was Rs7 billion, with the increase in the no. of projects for the Road Decongestion Programme, which now includes -

- (1) widening of the M2 from Quay D to Terre Rouge;
- (2) Grade separated of all roundabouts from Quay D to Terre Rouge;
- (3) Grade separated of Jumbo, Dowlut and Pont Fer round abouts, and

(4) Bridge A1 M1 at Coromandel to Soreze, etc.

The estimated cost is Rs23 billion.

Consequently, the overall percentage for consultancy services is 0.4% compared to at RFP stage it was 0.6%.

Thus, the total amount payable to SPP Projects Solutions (Pty) Limited is USD 2,851,911, out of which the total amount paid to the contractor is USD 2,265,496.43.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, the hon. Minister has mentioned that the RDA awarded the contract. Can I know from the hon. Minister whether this contract to SPP was awarded after negotiating under financial bid which is contrary to the CPB?

**Mr Bachoo:** In fact, the SPP got the contract directly from the CPB. First of all, it was the CPB which gave them the contract and after that, I am made to understand that according to the Public Procurement Act of 2006 section 25(2)(f), additional assignments were given to them by way of direct procurement.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, the CPB only recommended the contract to be awarded. It did not give the contract to the SPP. It was the RDA which awarded the contract as per an answer from the hon. Minister on the PNQ of the hon. Leader of the Opposition. And just to clarify, with regard to the award, it was not the best award as mentioned in the previous answers because it was not the lowest. It didn't include the VAT in the bid where there was another company which said for the same amount of USD900 and USD600, inclusive of VAT. So there was a *maldonne* at that stage at the Evaluation Bid Committee. Can the hon. Minister confirm?

**Mr Bachoo:** Mr Deputy Speaker, Sir, first of all, the hon. Member is telling that CPB recommended, it was up to RDA to give the contract, but this is exactly what happened. CPB recommended it and there was, in fact, a case which went to IRP and when the case went to IRP, IRP recommended a review of the decision for the award. IRP, in fact, recommended a review of the decision. CPB following re-evaluation in the light of IRP findings, informed RDA of its decision to maintain the award to the SPP project solutions. Whether it was 600 or 900, it is the duty of CPB to direct, guide, encourage and warn us. So, it is CPB which has recommended it and the letter of award was issued to SPP. That is what I know. So, this means that it was re-awarded to SPP. It was only on the recommendation of CPB though there was a challenge, but the challenge was turned down by CPB. CPB recommended this group.

**Mr Uteem:** Mr Deputy Speaker, Sir, the hon. vice-Prime Minister mentioned that for the additional work, direct procurement was sought. May I know from the hon. vice-Prime Minister, being given that it is a new project, why was recourse made to direct procurement and was the advice of the State Law Office sought before the RDA went for direct procurement?

**Mr Bachoo:** Mr Deputy Speaker, Sir, this is purely legal and particularly this is a PPP project. For the first time in the history of this country, such a huge project has been undertaken and, as I have just mentioned, we have followed legally the procedures. Normally, we don't go for advice at the State Law Office, we take advice from the Legal Adviser of RDA and I hope that the advice was definitely taken. That is why I have been made to answer in this way, that, in fact, we have followed the procurement procedures properly and that is why we have given the additional works to the distinct consultant.

**Mr Bhagwan:** The hon. Minister has just informed us of the involvement of the Legal Adviser of the RDA. Can he inform the House who is the Legal Adviser of RDA, whether it is the State Law Office? And also in that very important project, whether the local representative of SPP Project Solutions was involved at any point in time. Whether there is a local representative and, if so, who is the local representative?

**Mr Bachoo:** I don't know, in fact, who is the local representative of SPP. I never had any dealing with anybody and, secondly, the legal adviser is Subhash Lallah Chambers. He is the legal adviser.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, may we know why the public bodies of RDA did follow the recommendations of the IRP which said: 'recommend a review of the decision of the award'. Why the RDA did follow that?

**Mr Bachoo:** In fact, RDA followed it. When this was reviewed, it was reviewed by the CPB and the CPB gave directives that we have to discard IRP and they have to go ahead. This is what they did. We have followed the directives strictly.

**Mrs Hanoomanjee:** Can the hon. Minister say whether the CPB gave any reason as to why in spite of the decision of the IRP, it still maintained its initial decision?

**Mr Bachoo:** Normally, CPB was given the responsibility of reevaluating in the light of IRP findings and they must have given the reasons, and if you come forward with the question, I am definitely going to lay on the Table of the House any letter which CPB has sent to the RDA. I don't have any problem.

### **REGIS CHAPERON SSS, BELLE ROSE – INFRASTRUCTURE**

**(No. B/425) Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Education and Human Resources whether, in regard to the Regis Chaperon State Secondary School, in Belle Rose, he will state if an inquiry has been carried out on the state of the infrastructure thereof, and if so, indicate the -

- (a) outcome thereof, and
- (b) remedial measures that will be taken in relation thereto.

**The Minister of Tertiary Education, Science, Research and Technology (Dr. R. Jeetah):** Mr Deputy Speaker, Sir, with your permission, I shall reply to this question.

I am informed that officers of the Ministry of Education and Human Resources and the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping carried out a survey regarding the state of the building at Dr. Regis Chaperon State Secondary School at the beginning of 2011.

In regard to part (a) of the question, the survey indicated that extension and major rehabilitation works had to be undertaken.

As regards part (b) of the question, for practical reasons, it was decided to implement the extension and rehabilitation works in two phases.

Mr Deputy Speaker, Sir, should the hon. Member require details of the project, I shall gladly circulate the information desired.

**Mrs Ribot:** Mr Deputy Speaker, Sir, we know that the hon. Minister made a site visit at the college this very morning. I would like him to inform the House about his findings of the visit.

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I don't think that my findings would differ too much from those of the officers. The decision has been taken that there is need to do some major rehabilitation works and extension works, and I am given to understand that work is due to start soon. So, I think we will have to bear with whatever is going to happen.

**Mrs Ribot:** Mr Deputy Speaker, Sir, I am referring to the reply given to the PQ on 22 March 2011 where the hon. Minister of Education and Human Resources already spoke of Phase I that consisted of extension and related works to the existing building. That was supposed to start by June 2011. That would be followed by Phase II where the survey works would be completed by mid April 2011, tenders would be floated by September 2011 and works were

expected to start in November 2011. I would like to know from the hon. Minister whether he could inform us the reasons for the delay. Can the delay be justified?

**Dr. Jeetah:** Mr Deputy Speaker, Sir, tenders in respect of the above works were floated with the closing date being the 23 March 2011. Following evaluation and recommendation of the CPB, that is, the Central Procurement Board, the successful bidder was notified on 12 August 2011. However, one of the unsuccessful bidders made an appeal for review to the IRP, that is, the Independent Review Panel. It was only some 9 months later, that is, on 24 May 2012 that the matter was settled and the CPB gave their approval to the Ministry of Education and Human Resources for the contract to be awarded to the successful bidder and, accordingly, the contract was awarded on the 06 June 2012. Handing over of the site is scheduled for the 06 July 2012 and, as I have said earlier on, works will, therefore, start shortly and will be for a contractual duration of 15 months.

**Mrs Ribot:** Mr Deputy Speaker, Sir, it is being proposed these days to the PTA that the students of that college moved to Marcel Cabon Secondary School. I would like to know whether the hon. Minister is fully aware of the reasons for which Marcel Cabon College was closed.

**Dr. Jeetah:** Excuse me! Could you repeat the question? I can reply with regard to the current situation at the Marcel Cabon Secondary School.

**The Deputy Speaker:** These two issues are not linked. Hon. Obeegadoo!

**Mr Obeegadoo:** I will re-phrase and put the same question. Being given that further to the protests by the Parent Teacher Association of Regis Chaperon SSS, the Ministry has proposed the transfer of all students to what was former Marcel Cabon SSS. Will the hon. Minister undertake that such a transfer will not be effected without the agreement of the parents concerned?

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I am aware that the substantive Minister has had discussions with the PTA. I am given to understand that the hon. Minister of Education and Human Resources, hon. Dr. Bunwaree, has the concern for the safety of the students and that is why they are having discussions. I am sure when he comes back, he will find a solution to this problem.

**Mr Obeegadoo:** One of the issues raised by the parents is the state of the electrical installations. There has been one unfortunate accident already in the past; could the hon. Minister undertake to convey to the hon. Minister of Education and Human Resources the urgent

need to address those issues well before the refurbishment works get under way at least, so that there is no threat to the safety of the students?

**Dr. Jeetah:** Yes, Mr Deputy Speaker, Sir, I am aware that complete rewiring of the electrical system is due in phase II of the project, but I shall definitely convey the message that we have to take care of this issue as soon as possible.

#### **UTM - LECTURER – ALLEGED FICTITIOUS MARKS**

**(No. B/426) Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the case of a lecturer of the University of Technology of Mauritius who was suspended, following an alleged allocation of fictitious marks to a student sitting for a Masters in Business Administration, in 2011, he will, for the benefit of the House, obtain from the University, information as to where matters stand.

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I am informed by the University of Technology, Mauritius that following the suspension of the lecturer on 11 May 2012, it has appointed a disciplinary committee which held its first hearing on 14 June 2012.

In view of the weaknesses identified with regard to this case, my Ministry has requested the UTM Board to set up a Committee to review the existing procedures to ensure rigorous and accountable standards in its various operations.

**Mrs Ribot:** Mr Deputy Speaker, Sir, I would like to know from the hon. Minister whether that lecturer was the only one to be suspended and, if not, who else has been suspended?

**Dr. Jeetah:** The information that I have at the moment is that it is only one lecturer who has been suspended. But I have requested, as I said, Mr Deputy Speaker, Sir - in fact, I have directed my Permanent Secretary to request UTM to look into the matter and take appropriate measures.

**Mrs Ribot:** Mr Deputy Speaker, Sir, according to our information, the Postgraduate Dissertation Committee has not carried out its task properly. I would like to know from the hon. Minister whether that Committee which did not note that the students had been allocated marks without having submitted their dissertation is also going to be taken to task?

**Dr. Jeetah:** As I said, Mr Deputy Speaker, Sir, my Ministry has requested the UTM Board to set up a Committee to review the existing procedures, to ensure rigorous and

accountable standards in its various operations. At the level of my Ministry, we are taking this case very seriously.

**Mrs Ribot:** A last request, Mr Deputy Speaker, Sir. I would like to ask the hon. Minister whether he is fully aware of the hardship that has been caused to the students who had that lecturer as Supervisor and who were deprived of the lecturer three weeks before submitting their dissertation?

**Dr. Jeetah:** I am not aware of the comments being made by the hon. Member, but I shall certainly look into it.

#### **DOMAINE LES PAILLES, PORT LOUIS WATERFRONT, LAKE POINT & BELLE MARE TOURIST VILLAGE - EXPRESSIONS OF INTEREST**

**(No. B/427) Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the invitation for Expressions of Interest by the State Investment Corporation for the acquisition of the Domaine Les Pailles, the Port Louis Waterfront, the Lake Point and the Belle Mare Tourist Village, he will, for the benefit of the House, obtain from the Corporation, in each case, information as to the names of the parties who have responded thereto, indicating where matters stand.

*(Withdrawn)*

#### **ENERGY POWER PLANT - PROJECTS**

**(No. B/428) Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the electricity power requirements of the country, he will -

- (a) state the -
  - (i) firm Energy Power Plant projects being currently considered by his Ministry, indicating in each case, where matters stand, and
  - (ii) progress achieved in relation to the Energy Plan submitted to the European Union, as at to date, and
- (b) for the benefit of the House, obtain from the Central Electricity Board, information as to the impact of the expected significant decrease in unit cost from the Belle Vue Power Plant, with effect from 1 July 2012, on the Board and on the consumers.

*(Withdrawn)*

**CEB - ACTING CHIEF FINANCE OFFICER – INTERNAL AUDIT**

**(No. B/429) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to if an internal audit has been carried out to investigate into possible conflict of interest and of unethical practices involving Mr P. K., the Acting Chief Finance Officer, posted thereat and if so, indicate if -

- (a) copy of the audit report will be tabled, and
- (b) an inquiry has been carried out, following the submission of the audit report and, if so, indicate the outcome thereof.

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, I am informed by the Central Electricity Board that an Internal Audit was carried out to investigate into allegations involving Mr P. K., the then Acting Chief Finance Officer.

I am further informed that the Internal Audit has investigated into an -

- (a) allegation of association of the officer with a contractor of the Central Electricity Board, and
- (b) potential risk of Conflict of Interest in case the allegation is established.

The report did not contain any explanation from all the officers whose names have been referred to therein, nor did it contain any recommendation.

The report has been examined by the Board and has been referred to Management for appropriate action. At this stage, Management has sought explanations from all officers whose names have been mentioned in the report and the process is yet to be completed.

In these circumstances, it is not deemed appropriate to table a copy of the audit report.

**Mr Jhugroo:** Can the hon. Deputy Prime Minister confirm to the House whether this audit has been carried out, as you just mentioned, in the wake of serious allegations levelled against the Ag. CFO, Mr Kureeman, where it was alleged that he entertains a close relationship with the Directors of Gokhool Engineering & Construction Ltd, a contractor working for CEB?

Secondly, he does a lot of accounting jobs for this client even during office hours. Can the hon. Deputy Prime Minister confirm this?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, it is in the answer. That is what I have just said.

**Mr Lesjongard:** Can the hon. Deputy Prime Minister confirm that that person, Mr P.K., is the only officer at the Central Electricity Board where the Board at its meeting in February 2011, gave an unqualified, unconditional and unrestricted authority to that person to do private practice?

**The Deputy Prime Minister:** I am not aware of this and if it is true.

*(Interruptions)*

**Mr Jhugroo:** Can the hon. Deputy Prime Minister inform the House that despite the legal advice of the Counsels of the CEB to turn down the request made by Gokhool Engineering and Construction Ltd. to transfer its contract for construction of electrical lines and underground cables to Building and Electrical Contractors, the Chief Finance Officer wrote an unauthorised letter to one of the legal Counsel, Mr Rungasamy, regarding this issue?

**The Deputy Prime Minister:** Why not wait for the end of all these enquiries and investigations?

**Mr Seeruttun:** Will the hon. Deputy Prime Minister inform the House whether since the report of the Internal Audit Department came out, there has been pressure for the Chief Internal Auditor to move out from the Head Office of Curepipe and go back to his office in Quatre Bornes?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, I will answer this question. This officer was transferred three years ago.

**Mr Lesjongard:** Can I ask the hon. Deputy Prime Minister whether it is normal for the Central Electricity Board to allow its officers to do private practice? Is this normal?

*(Interruptions)*

**The Deputy Prime Minister:** The answer is yes, under certain conditions. But they don't do it during office hours and when they do it, there should not be conflict of interest.

**Mr Jhugroo:** Can we know from the hon. Deputy Prime Minister for what reason a payment of Rs2,655,818.96 due at the end of January 2012 was released before, that is, on 27 December 2011, by the Finance Department?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, this is quite right and it is within normal practice. What the rules say....

(*Interruptions*)

One minute, please! This is an important issue!

(*Interruptions*)

**The Deputy Speaker:** Hon. Lesjongard, let the hon. Deputy Prime Minister answer the question!

**The Deputy Prime Minister:** There has been the practice to pay the last day when payment is due and I don't see, if everything is regular, why wait for the last day.

**Mr Bhagwan:** Can the hon. Deputy Prime Minister inform the House whether there is a *climat malsain au niveau de la CEB*, because of the undue Ministerial protection given to that particular officer which is creating a lot of frustration within not only the Board of the CEB, but even top management and the employees of CEB? That officer *se permet de dire 'moi mo ena la-haut are moi'*?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, I am not aware of this.

**Mr Lesjongard:** Can the hon. Deputy Prime Minister confirm to the House that in that specific case, legal advice was sought from two legal advisers; one by the Board and one by the General Manager of the Central Electricity Board? Is that normal?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, I made a reply to this and I suppose it was circulated last week. What has happened is not all the information that had to be communicated was given to either or.

**Mr Jhugroo:** Is the hon. Prime Minister aware that the Ag. CFO is making use of the CEB resources and the office to do his private work during office hours. By doing so, has he not become a part time employee at the CEB?

**The Deputy Prime Minister:** This is what the inquiry is about!

(*Interruptions*)

**The Deputy Speaker:** Hon. Seeruttun!

**Mr Seeruttun:** Thank you, Mr Deputy Speaker, Sir. Will the hon. Deputy Prime Minister inform the House whether the officer concerned has asked for permission to do outside work in October 2010 and was given approval by the Board in March 2011 despite that he has been doing private job ever since 2007?

**The Deputy Prime Minister:** I am not aware of this allegation, Mr Deputy Speaker, Sir.

**Mr Bhagwan:** Can the hon. Deputy Prime Minister inform the House; whether the parent Ministry has given its approval for the Board of CEB to go ahead with that state of affair especially allowing that Chief Finance Officer to do private job and to do whatever he wants at the CEB?

**The Deputy Prime Minister:** The answer is no.

**Mr Lesjongard:** May I ask the Deputy Prime Minister whether he is aware of the remarks made by the Audit section which was requested to inquire into that affair where it is stated that the Ag. CFO breached his contract of service when he signed for a second employer prior to obtaining the Board's approval? He flouted the code of ethics as he failed to disclose his interest in a private company.

**The Deputy Prime Minister:** I think all these issues are being addressed.

**Mr Bérenger:** Just to add to what has just been said - everybody has a copy of the report anyway.

**The Deputy Prime Minister:** I don't!

*(Interruptions)*

**Mr Bérenger:** You don't! What a joke! Is the hon. Deputy Prime Minister aware that the Internal Audit comes with a sentence which is a killer one? This case has made it painfully evident to how much damage a fraudster can do to his colleagues and to the Institution he works for and this fraudster is still there.

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, I maintain that I have not read this report because it is not complete and it is full of contradictions.

*(Interruptions)*

That is what I am told.

*(Interruptions)*

One minute! As far as I am told, it is full of contradictions. This is why we have had two opinions regarding legal advice.

**Mr Jhugroo:** As the hon. Deputy Prime Minister does not have a copy, I am tabling a copy of this Audit report for the National Assembly. As mentioned by the hon. Prime Minister that he is against *magouille*, can the hon. Deputy Prime Minister inform the House for what reasons this case of conflict of interest has not been referred to the Central CID or to ICAC for further investigation?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, there is no case established yet.

#### **WMA – CONSULTANCY SERVICES**

**(No. B/430) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the consultancy services for the design, tender and supervision of the works for contracts WW 109 A and WW 110 A respectively, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to the-

- (a) name of the consultant who was awarded the contract therefor ;
- (b) contract cost thereof, and
- (c) reasons why fresh tenders were not launched in August 2007.

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, the consultancy services for the detailed design, tendering and supervision of works contracts WW109A and WW110A was awarded to GIBB (Mauritius) Ltd. in August 2001, after approval of the Central Tender Board (CTB), and the contract agreement signed in February 2002.

The overall contract cost amounted to some Rs34.1m. and GBP 27,500, excluding VAT.

Part (c), in May 2004, the works contract for WW 109A was awarded, but due to lack of funding, the other works contract, i.e. WW 110A was postponed and finally awarded in August 2007. Accordingly the supervision of the works was also postponed. Based on legal advice obtained by the WMA, fresh tenders could not be invited for the supervision of Works Contract 110A due to the fact that the Agreement signed in February 2002 was provided for the supervision of works for both contracts.

Approval of the then Central Tender Board was obtained on 08 August 2007 for the award of the consultancy services contract to GIBB (Mauritius) Ltd for the supervision of the works under contract WW110A.

**Mr Lesjongard:** May I ask the Deputy Prime Minister whether he finds it normal that after such a long time instead of launching fresh tenders, the WMA went directly to allocate that contract and as he has just stated, the contract was increased from an amount of Rs7m. to Rs25m. when final payment was effected?

**The Deputy Prime Minister:** I don't know from where the hon. Member gets these figures from. But what I understand is that they were adamant that this contract having been signed in 2002 for both works could not be changed.

**Mr Lesjongard:** Mr Deputy Speaker, Sir, I get my figures from the report of the Director of Audit and I will inform the House also that there was a comment made by the concerned Ministry where it is said that the Waste Management Authority will be asked to ensure that this does not recur in the future. May ask the hon. Deputy Prime Minister what steps were taken when his Ministry was made aware of that case?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, this goes back to 2002 and we hope that it does not recur again.

**Mr Lesjongard:** I have not finished, Mr Deputy Speaker, Sir. If you allow me; the report of Director of Audit dates back two years ago that is why I am asking because there was a reply made by the Ministry when the concerned Ministry was aware of that, what action was taken by the Ministry?

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, as I said this was a 2002 project that went on and what we are assuring now is that this sort of thing does not happen again.

#### **WMA PROJECTS – CONTRACT PRICE**

**(No. B/431) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities Whether, in regard to the waste water management projects, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to if there are projects in which variation on the contract price thereof, subsequent to the conclusion of a procurement contract, has caused the total contract amount to exceed the prescribed amount by more than 20%, and if so, give a list thereof, indicating in each case if the -

- (a) prior approval of the Public Procurement Office was sought and obtained for the carrying out of the additional works, and
- (b) Board of the Waste Water Management Authority has initiated an inquiry thereinto and, if not, why not.

**The Deputy Prime Minister:** Mr Deputy Speaker Sir, as per the Public Procurement Act 2006, the prescribed amount for the Wastewater Management Authority is Rs 100m. No procurement contract directly awarded by the WMA under the prescribed amount has been exceeded by more than 20% and as such Section 12(3)(a) of the PPA does not apply.

For the information of the House, the Procurement Policy Office and not the Public Procurement Office, as previously stated - it was a mistake on my part last time - is called upon to

tender advice. It is the responsibility of the Central Procurement Board to provide additional works where appropriate.

#### **NTC - BUSES - ADVERTISING POSTERS**

**(No. B/432) Mr S. Soodhun (Second Member for La Caverne & Phoenix)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the buses of the National Transport Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to if it has awarded any contract for the display of advertising posters thereon and, if so, indicate the name of the company to which the contract was awarded and –

- (a) indicate the terms and conditions thereof, and
- (b) table copy thereof.

**The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Deputy Speaker, Sir, I am informed by the National Transport Corporation that a contract for the display of advertisements outside its non-air conditioned buses was awarded to Century Advertising Company Ltd. on 28 December 2010.

The contract is for a period of three years, as from 01 January 2011 and the amount payable to the NTC would be Rs6,021,000.

I am informed that Century Advert. Limited is the highest responsive bidder. The contract, Mr Deputy Speaker, Sir, binds two parties and is a commercial one. I feel it is not appropriate to place a copy in the Library, but however if the hon. Member strongly feels about it, I will invite him in my office to have a look at the contract.

**Mr Soodhun:** Merci, M. le president. Can the hon. vice-Prime Minister inform the House whether the advertising company is Maverick?

**Mr Bachoo:** It is Century Advertising Company Limited, but the trade name is Maverick Advertising.

**Mr Soodhun:** Can the Minister inform the House whether the company Maverick Advertising is not yet registered at the Registrar of Companies?

**Mr Bachoo:** Mr Deputy Speaker, Sir, this information is not available to me. I'll check it.

**Mr Soodhun:** Will the Minister inform the House why the beneficiary has an exclusive right for advertising at the NTC?

**Mr Bachoo:** They have an exclusive right because we have invited bids, and they have got it. Definitely they are going to have it. I don't find any other reason how we can invite others to come in.

**Mr Soodhun:** Would the hon. vice-Prime Minister check? I think that it is very important. I can table a copy of this company with sole recognition which is not registered and has received an exclusive right. I would ask the hon. Minister to check and to see to it if any action can be taken. I know that this company has the advertisement. Will the hon. Minister inform the House if any tender exercise has been done before allocation of this contract?

**Mr Bachoo:** Mr Deputy Speaker, Sir, firstly, I will have to check whether it is registered, and secondly I have mentioned that it was through the proper bidding exercise that this company has obtained. It was the highest responsive bidder.

**Mr Ameer Meea:** Can I ask the Minister what is the value of the contract?

**Mr Bachoo:** It is Rs6,021,000.

**The Deputy Speaker:** The Minister has just mentioned that.

#### **PRICE OBSERVATORY - COMPOSITION**

**(No. B/433) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the Price Observatory, he will state -

- (a) the composition thereof;
- (b) the frequency at which the meetings thereof are held;
- (c) the number of reports, if any, submitted, as at to date, and
- (d) how the consumers have benefited from the work thereof, since the setting up thereof.

**Mr Sayed-Hossen:** Mr Deputy Speaker, Sir, as the House may be aware, the Price Observatory was set up administratively in March 2011. The main objectives of the Price Observatory are to stimulate competition among retail outlets, establish indicative price levels and differentials among outlets, shop signs and regions, and to bring more transparency in price setting.

As regards part (a) of the question, Mr Deputy Speaker, Sir, the Price Observatory is managed by a ten-member committee comprising a chairperson and representatives of the Ministry of Finance and Economic Development, my Ministry, the Mauritius Chamber of Commerce and Industry, the Mauritius Revenue Authority, Statistics Mauritius, Consumers Associations, Super and Hypermarkets and the Shop Owners Association. I will table a copy of the composition.

With regard to part (b) of the question, Mr Deputy Speaker, Sir, the committee held its first meeting on 23 March 2011 and since then has been meeting on a regular basis. I am informed that the committee in its 16 months of existence has been convened on 22 occasions.

As regards part (c) of the question, Mr Deputy Speaker, Sir, I am informed that the Price Observatory has, since May 2011, released an analytical report to the media every month after each price survey carried out in, at least, 20 outlets countrywide. To date, 13 reports have thus been released. These reports have been given wide publicity through the written and audiovisual press and Consumers Associations to create awareness on price differentials between outlets, shop signs and regions among consumers. Moreover, the monthly comparative table of product prices, charts as well as the corresponding monthly analytical reports of the Price Observatory is posted on the website of the Consumer Protection Unit since May 2011, and on the interactive website of the Price Observatory launched in March 2012. The website is [www.priceobservatory.org](http://www.priceobservatory.org)

Mr Deputy Speaker, Sir, with regard to the last part, part (d), of the question, consumers have benefited from the work of the Price Observatory as follows -

- (i) competition has been stimulated. Shop-signs, what we call *enseignes*, are competing more aggressively to increase promotions, reduce prices, offer a wider choice, and improve their public image and rank;
- (ii) the average price of the targeted products has decreased by 6.2% in the first round from May to October 2011, and by 2.5% in the second round from November 2011 to May 2012;
- (iii) the proportion of promotional prices has increased from 39% in May 2011 to 48% in October 2011, and from 50% in November 2011 to 54% in May 2012;
- (iv) consumers are now more aware of trading and commercial practices which are detrimental to their interests, for instance, the reduction of packing weight to give

impression of price reduction or stability; the absence of prominently visible prices per kilo or per litre, which are essential for valid comparison and identification of cheapest products; incorrect labelling of products; absence or incompleteness of product details (including ingredients) which hamper any assessment of quality, and

(v) since March 2012, Mr Deputy Speaker, Sir, the Price Observatory has its own interactive website, as I have said, which allows consumers to compare products prices and total cost of products by outlets so as to identify the cheapest products.

Finally, Mr Deputy Speaker, Sir, I am furthermore informed that every month outlets look forward to the Price Observatory chart to compare themselves with their competitors in terms of pricing and promotions.

**Mr Seeruttun:** I am sure in that basket of goods, items that are included in that price list are items that are imported. We all know that, in the last year or so, there has been a depreciation of the Euro and US dollar compared to the Mauritian rupee. Is that decrease in those two currencies reflected in the prices that are being practised for those goods and stuff?

**Mr Sayed-Hossen:** I have replied to that question, Mr Deputy Speaker, Sir. I have said that the average price of targeted products has decreased by 6.2% from May to October 2011, and by 2.5% from November 2011 to May 2012, which brings the decrease to about 9% over the past year.

**Mr Seeruttun:** We know that the Euro has gone down by over 10% and the dollar by nearly 15% over the last year. In that list of supermarkets included in that project, there is, at least, one that has been coming at the top list as the one practising the lowest price. Will he confirm whether that supermarket will now be excluded from that list of supermarkets being used in that project for the price mechanism?

**Mr Sayed-Hossen:** I will answer to that question in three parts, with your permission, Mr Deputy Speaker, Sir. The first one concerning the appreciation of the rupee vis-à-vis the euro, we should not take it for granted, Mr Deputy Speaker, Sir, that whilst the rupee is appreciating, the price of origin of the product from the producer is remaining stable. Prices also increase at origin. So, one may compensate the other.

Secondly, the information which has just been given or supposed by the hon. Member is not founded, Mr Deputy Speaker, Sir, although it is part of the practice of the Price Observatory,

which is an independent institution by the way, to have a basket of different outlets, and they turn around. At moments in time, certain outlets are not excluded, but are replaced by new outlets. In that particular case, for that particular outlet which has been ranked first in terms of pricing, I wish to inform the House that this outlet is being maintained in the list of outlets which will be taken into consideration in investigations.

**Mr Seeruttun:** I am glad that the hon. Minister confirms that the one which has been ranked first is going to be maintained in that list. Will he also give the assurance that those who are the top five will be maintained because if the objective is to encourage competition, we should encourage those who are practising the lowest prices to be maintained for the others to follow and keep the price competition?

**Mr Sayed-Hossen:** We are in total agreement with what the hon. Member is saying. Actually, indeed the Price Observatory is not only here to present facts and to indicate prices, but also to promote competition and to encourage competition. Actually, because of the principle of rotation, there were three outlets which were to be temporarily, at least, removed from the list and replaced by three other outlets, but these three outlets, because they are ranked first, second and third in terms of the cheapest basket, will be maintained for the sake of encouraging competition. They are going to be maintained in the list of outlets to be presented in the list of the Price Observatory.

#### **FOOD SECURITY FUND - BENEFICIARIES**

**(No. B/434) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Agro-Industry and Food Security whether, in regard to the Food Security Fund, he will, for the benefit of the House, obtain from the Fund, information as to the -

- (a) date it was set up;
- (b) amount of money disbursed therefrom, as at to date, and
- (c) number of the beneficiaries thereof.

**Mr Faugoo:** Mr Deputy Speaker, Sir, the Food Security Fund was set up on 20 June 2008, under the Finance and Audit (Food Security Fund) Regulations 2008 to address food security issues and build resilience on future food crises.

As regards part (b) and (c) of the question, various schemes and incentives have been put in place under the Food Security Fund to give a boost to the food-crop, livestock and fisheries sectors. These Schemes offer support to the farming community rather than providing a one-off

financial assistance. The Schemes are managed by two banking institutions, namely DBM and MPCB, and disbursements are made by these two banks only.

However, for some projects such as mechanical land preparation, Irrigation Projects, construction of agricultural infrastructural facilities, implementation of potato, onion and garlic seeds Purchase Schemes, the Implementing Agencies are MCIA (ex- SPMPC), Irrigation Authority, AREU and AMB respectively.

For such projects, funds are disbursed to these Implementing Agencies. As to date, around Rs270 m. has been disbursed and 4,613 farmers and 49 cooperative societies have benefited from the Food Security Fund.

**Mr Seeruttun:** Mr Deputy Speaker, Sir, will the hon. Minister inform the House whether there is a mechanism in place at his Ministry to monitor that those who have been allotted land in that scheme are really using that land for that purpose?

**Mr Faugoo:** There is a Monitoring Committee at the level of the Ministry together with all the implementing agencies, Mr Deputy Speaker, Sir. There are few cases where there are departures from the purpose for which lands were granted. In fact, I am seeking Government's approval to retrieve some of the lands which were given for a particular purpose and they have not stick to what it was meant for in the first place.

**Mrs Hanoomanjee:** As a matter of clarification, can the Minister say how much money was put into that Food Security Fund?

**Mr Faugoo:** Initially, it was Rs1 billion that was provided for under the Budget of 2008.

**Mr Seeruttun:** Mr Deputy Speaker, Sir, I know that some people have not been using that land at all, and these lands have been left as bare land. Will the hon. Minister give a time frame for those lands to be retrieved and given back to those people who are, I am sure, on a waiting list, awaiting those lands to be given to them so that they could, at least, do some plantation on it?

**Mr Faugoo:** I have already done this for some of the lands which are subject to this issue, Mr Deputy Speaker, Sir. And then, as I said, there are some other lessees, and there is a survey which has been carried out, it's an ongoing process, Mr Deputy Speaker, Sir.

**Mr Barbier:** May I ask the hon. Minister whether he is agreeable to table the list of beneficiaries, for the information of Members, whether they are individuals or societies, and with the corresponding project and amount disbursed in each case?

**Mr Faugoo:** I will do so, Mr Deputy Speaker, Sir.

**Mrs Hanoomanjee:** Mr Deputy Speaker, Sir, on a point of clarification again. Can I understand from the hon. Minister, out of the Rs1 billion which was earmarked for the Food Security Fund, did he say that only Rs270 m. has been used?

**Mr Faugoo:** This is what I said, Mr Deputy Speaker, Sir.

**Mr Seeruttun:** Mr Deputy Speaker, Sir, the main objective of that scheme was to reduce our dependence on food importation. Will the hon. Minister confirm whether we have seen a reduction in the amount of vegetables being imported since the implementation of that scheme?

**Mr Faugoo:** Mr Deputy Speaker, Sir, the Food Security Fund was set up with the objective of enhancing our food production and also to decrease our import of food items and also to enhance food security and developing resilience to future food crises as I said. In fact, the results, after implementation of different projects and schemes under the Food Security Programme are very tangible, Mr Deputy Speaker, Sir. Let me, to start with, inform the House that production of food crops in general rose from 93,000 tonnes in 2008 and reached 115,000 tonnes last year, that is, an increase of 23.5%. This automatically connotes that if we have increased our self-sufficiency, our level of production, it means that we have decreased the import of products which were being imported before. Like, for example, in the case of potato, we were producing 12,000 tonnes in 2005; today, we are producing nearly 23,000 tonnes, Mr Deputy Speaker, Sir, that is, an increase of around 40% and consequently a decrease in our import by 40%.

The area cultivated under food crop consequent to our Land Access Programme rose from 6,740 hectares to 7,570 hectares, an increase of 12%. Cattle herd size, Mr Deputy Speaker, Sir, increased by some 1,900 additional herds of improved weight.

Meat production, again, had a direct impact on import. Meat production, comprising of poultry, beef, goat, sheep and venison rose by 37% in the three-year programme. The annual production of fresh milk, Mr Deputy Speaker, Sir, rose from 2.2%, we had a self-sufficiency of only 2.2% in 2005. We were producing only 2.2 million litres. Today, we are producing 8 million litres, that is, an increase by 11%. There are so many indicators which show that we have increased our level of production here due to the fund which has been set up and this has a direct bearing on the level of import.

**The Deputy Speaker:** The Table has been advised that PQ Nos., B/437, B/439, B/442, B/445 and B/450 have been withdrawn. Time is over!

## MOTION

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

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

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval) rose and seconded.**

*Question put and agreed to.*

## STATEMENT BY MINISTER

### RIVIERE NOIRE - SALTPANS

**The Minister of Industry, Commerce and Consumer Protection (Mr C. Sayed-Hossen):** Mr Deputy Speaker, Sir, with your permission, I wish to make a statement regarding the socio-economic situation in the local salt industry, particularly in the saltpans of Rivière Noire.

Following a representation made to me by my colleague, hon. Minister Aimée and following the intervention at Adjournment time, on Tuesday 19 June, 2012, by hon. Ganoo, I have had consultations with my officers on the situation in the saltpans of Rivière Noire, post liberalisation of the importation of salt in November 2011.

I wish to say, Mr Deputy Speaker, Sir, that I am sensitive to the plea made by my colleagues as well as by hon. Ganoo regarding the risk of closing down of saltpans and the subsequent loss of employment of about 120 persons in this industry as a result of the local salt industry not being competitive enough vis-à-vis imported refined salt.

I have already organised a meeting which was attended by hon. Ministers Hervé Aimée and Shakeel Mohamed and myself together with officers of my Ministry and the Ministry of Health during which we took cognizance of the present situation. We also had a meeting with the owners and managers of the four salt pans of Rivière Noires and of the two salt refineries as well as representatives of the Ministry of Health and Quality of Life and the Ministry of Labour, Industrial Relations and Employment.

Some preliminary proposals have been made to protect the local salt industry whilst safeguarding employment, which will be examined jointly by my Ministry, the Ministry of

Health and Quality of Life and the Ministry of Labour, Industrial Relations and Employment. I shall provide further information to the House in due course.

I thank you, Mr Deputy Speaker, Sir.

**PUBLIC BILL**

*First Reading*

**THE PRIVATE PENSION SCHEMES BILL**  
**(NO. XVI OF 2012)**

*On motion made and seconded, the Private Pension Schemes Bill (No. XVI of 2012) was read a first time.*

*At 4.17 p.m. the sitting was suspended.*

*On resuming at 4.53 p.m. with Mr Speaker in the Chair.*

**MOTION**

**GOVERNMENT PROGRAMME 2012-2015**

*Order read for resuming adjourned debate on the following motion of the hon. Third Member for Port Louis North and Montagne Longue (Mrs B. Juggoo) -*

*“This Assembly resolves that the Government Programme 2012-2015 presented to this Assembly on Monday 16 April 2012, copy of which has been circularised amongst Honourable Members, be and is hereby approved.”*

*Question again proposed.*

**The Minister of Foreign Affairs, Regional Integration and International Trade (Dr.**

**A. Boolell):** Mr Speaker, Sir, I rise not only as a citizen of a Small Island Developing State but as a citizen of the Republic of Oceanic State and we should all be proud because we have travelled a long way and there are miles to go.

Mr Speaker, Sir, one of our objectives is to turn this country into an ocean State, i.e an ocean basket and an ocean market. I will highlight the merits of an ocean State at a later stage in my speech.

Let me right from the outset call our friends to extend our congratulations to her Excellency the acting President on delivering the Presidential Address, as we call it. I would also extend my congratulations to the mover of the motion, an excellent member of the party, a diligent field worker and a lady who holds a lot of promises in the Party. She has moved and today we are debating a very comprehensive programme.

There are 250 measures that have been enunciated with the ultimate goal, although we say that it is not an end in itself, of moving the nation forward and making the quantum leap to become a high income niche and moving towards a high skill services based nation, ambitious, audacious, but doable. We can always do better because this is a Government which has resilience and credibility.

It is unfortunate that our friends from the Opposition bench, except for our good friend, hon. Cehl Fakeemeeah, have chosen to stay away. I can understand, being a Member of the Opposition that I can boycott a sitting of Parliament or I can even stage a walk-out, but not to make a mockery of Parliamentary democracy, to shy away from one's responsibility, especially at a time, Mr Speaker, Sir, when there are so many events unfolding on the international scenes,

when there is a risk, although it is remote that there may be a double-dip depreciation. I would have expected our friends to be present and to have their say on the Government Programme that we have introduced. But then the Government Programme is not meant for outdated leadership and ailing leadership which the alleged 'remake 2000' purported to replicate. The alleged remake has been an outright disaster. I can understand the mood of the gentleman who tried to make a comeback. If ever he will go down in history, it will be as the biggest setback. I have been told that the gentleman is moody because his rating has been downgraded to triple U - ungraded, ungraded and ungraded.

Mr Speaker, Sir, it is good to remind ourselves that every time the former President opens his mouth, it spells a disaster. I will come to an issue which is very sensitive at a time when we are lobbying on three fronts to highlight the merits of our sovereign State, the relevance of our territorial integrity. He made a comment which certainly was uncalled for. We were all appalled and flabbergasted when Sir Anerood Jugnauth called some time back for the withdrawal from the Commonwealth to be able to bring our case to the international court of justice. This is uncalled for, unbecoming of a gentleman, being polite and, rightly so to say that I am polite, would know what took place when the MSM was in Government and he was President. He is wrong on the law and he is misleading the nation. I will not comment further and you know the issues that I want to raise. But we know what it entails when we talk of amending a declaration under Article 36 of the Statute of the ICJ. But I rest the issue there so as to avoid making comment, if anything, of the undignified stand taken by Sir Anerood Jugnauth on an issue which is very sensitive. I said this with much regret because a good citizen, somebody who has been a custodian of our Constitution who, unfortunately, has violated a very basic principle of this Constitution. I will not say anymore on this matter. Let me remind the House what President Truman stated -

“Man makes history and not the other way around.”

In period when there is no leadership, society stands still. Progress occurs when courageous and skilful leaders seize opportunity to change things. These are the hallmarks of our leaders. It has been the hallmark of successive leaders of the Labour Party. This is the legacy that the Labour Party has bequeathed to the nation, the Labour Party together with its predictable ally, the PSMD, because since independence, we have consistently shifted the paradigm. From a mono-crop economy, we have used the proceeds from the sale of sugar to

widen our economy base. There was a time when we were called an overcrowded barracoon, but from an overcrowded barracoon, we have become a showcase more than once sided by leaders around the world.

Mr Speaker, Sir, there is no such thing as *status quo* and we need to re-invent ourselves and to re-energise policies and to ensure that we have the resilience. Mauritius overcame the loss of its sugar market preferences and squarely confronted a major reduction in sugar prices. Today, we have become a reference, a brand name in the sugarcane industry, not only on the African continent, but in the world. Very often, you will hear our friend from Brazil saying that “we have learnt the art of sugar technology from Mauritius.”

The clothing and textile industry was badly hit, but survived the shock from the termination of Multi-fibre Agreement and yet it is a battle that never ends. There is the possibility, however remote it is, that AGOA type preferences may be extended to least developing countries. We have to ensure - I talk under the correction, under the support of our good friend, hon. Minister Cader Sayed-Hossen that we have to look at line of production in as much as we have to empower least developing countries - that there is fair competition, there is no overlapping or duplication.

Mr Speaker, Sir, every crisis proved to be an opportunity for Mauritius to free itself preferences that were beneficial, but limited scope for value addition and substance. In financial services, we provide good strategic response, the growing activities of Mauritius bank, insurance, investment companies as well as private equity funds in Africa point to a new sustainable path even if the risks are high.

Mr Speaker, Sir, there is no free lunch in global business and let me highlight the impact of the euro crisis. Not only on member of the euro zone, but on developing and least developing countries and after all Mauritius export more than 60% of its good to EU. Oxfam has published a report and made it quite clear that the world’s poorest countries are going to forego 30 billion US dollar in trade and foreign investment and they are right to point out that the G20 leaders have an obligation to find a solution to this crisis, not just on behalf of its citizens, but to protect those who have exhausted their means to protect themselves and they came up with 5-point policy programme which they submitted to the G20.

Unfortunately, there was major disagreement on what we call the Robin Hood Tax; the tax on financial transaction. A tax which should have been imposed to impress upon those who

have created the mess that they have to clean up their mess and it is not up to Government to clean up the mess and it is not up to the tax payers to bear the cost of this mess. Unfortunately, many EU countries were for, except UK, Mr Speaker, Sir.

Mr Speaker, Sir, let me remind ourselves and it is good to know, it is not because we have adopted prudent macroeconomic policies that we've become a show case that we can afford to relax, enjoy on chair comfortability and say that everything is going well for us. But it is good to quote from an article which appeared in an international herald, on the climate of uncertainty and the social concern of people, social and economic concern of people in Greece. How Greece squander, I quote –

“Since last October, after the first suggestion that Greece might be forced out of the euro zone, we have lived with desperate uncertainty, suicides once more on the rise as the pressure becomes too much for some. Meanwhile, families and disorganised and underfunded social security system can no longer cope. In a country of fewer than 11 million people more than one million are jobless and it goes on to say that everyone else lives in fear that he or she may be next as company close or lay off workers, and it goes on to say, my elderly parents follow the news carefully anxious about possible shortages of medicines. Having lived through many ups and downs, whatever happens to many will happen to us as well. A friend of mine, a successful lawyer is thinking of going into farming as he sees his clients falling by the way side. The insecurity shake us to the core when I go to the ATM, I hold my breath until I heard the reassuring worrying sound that says the machine will give me what I wanted for. I wonder whether I will be so lucky next time, my wife and I had been working for more than 25 years saving for our children's education because even though about half of our salaries go to taxes and social security, we know that we must pay for private school that we cannot count on State hospitals and that our pensions are guaranteed, all this because others do not pay taxes and because successive Government did not do the work. Every day we wonder whether we have done the right thing jeopardizing our savings in a stubborn statement of confidence in a country that since its finding has declared bankruptcy several times”.

This is the state of affairs in Greece and you can understand the concern of people in Europe, but there is a pledge, there is a pledge made to save euro because if you save euro for the first time the Heads of State of Euro have converged the thoughts towards one decision, that they

have to replenish the bank with loans, of course, under specific conditions. But we have to make the difference; there is a vast difference between policies adopted in some of the euro zone countries and a small island developing State like Mauritius. Perhaps rightly so Greece and many other countries have to draw inspiration from Mauritius. Since 2005, we've adopted sound macroeconomic policies that have been counter equal measures and if I have to refer on page 7 paragraph 4 and 9; there are measures announced in the programme highlighting the merits of policies which today are paying dividends and we have to tread cautiously, we have to ensure that we strike the right balance.

I am glad that there is convergence in respect of policies spelt out by Bank of Mauritius and Government through the Ministry of Finance and Economic Development. The rupee has been behaved and realigned to reflect its value *vis à vis* the basket of currencies. Market confidence is guided by clear economic objective with proper reference to key indicators such as real effective exchange rate and the Bank of Mauritius is acting very responsibly in asking commercial banks to extend line of credit in foreign currency to operators, in safeguarding the interest of consumers and also by ensuring that inflation is properly checked. Of course, Bank of Mauritius is purchasing dollars and euro under the reserves restitution operation to build up exchange reserve to be in compliance with SADC criterion of an equivalence of six months and I am glad that so far there has been no protest, official anyway, from the commercial bank and they are assuming their obligations fully to issue line of credit in foreign currency and certainly this augurs well for an incorporated Mauritius as far as responsibilities are concerned.

Mr Speaker, Sir, if we are cited as a success story in the conduct and management of financial affairs and recently IMF was here in February under Article 4, consultation, they were very complimentary and some months later another team from IMF came and they shared the same comments made some time earlier to say that Mauritius was on the right track in respect of macroeconomic policies and sectoral reform and we have to tread cautiously. We have to ensure that we strike the right balance, that we convey the right signals to operators, we all have to act responsibly and we all have to act in the interest of the country when we take on board what is happening in India. In respect of policy mix and policy implementation, in India the currency if unchecked, some people say that there may be a run but, of course, we pray that the measures taken will help to redress the economic situation because India is a great country and is an emerging power. In fact, India, China and Brazil have made pledges to release loan to replenish

the fund of IMF to save Euro and to save Europe. They say the wheel comes full circle, Mr Speaker, Sir.

Mr Speaker, Sir, we should be proud that Mauritius ranks first on the African continent and, under the stewardship of our Prime Minister, we have been doing extremely well; World Bank 'Doing Business', first in Africa, and 23<sup>rd</sup> in the world; outstanding Readiness Index, Global Comprehensive Index, Index of Economic Freedom. The only index, Mr Speaker, Sir, where we are slightly dragging our feet is the Logistic and Transport Index. Transport and logistics costs in developing countries account for 20% to 60% of delivered policies.

Mr Speaker, Sir, we constantly need to roll our sleeves and get on our bike because every human being in this country is an engine of growth, and we have to harness our best asset to maximise output, to boost productivity, and to improve competitiveness. We cannot and should never rely on palliative measures to address the inevitable needs of enterprises buttressing their capital. We have to re-invent ourselves and, as I have stated earlier, re-energise our policies.

At times, Mr Speaker, Sir, we have to punch above our weight. But, you know better, Mr Speaker, Sir, as a former and excellent Minister of Foreign Affairs. The advice that you have always tendered to us is that this is a world, as you rightly put it, where there are no permanent friends, but only permanent interests. But we need to have the audacity; audacity of hope, and audacity to succeed, which brings me down to the very essence of perseverance.

I just came back from the AGOA Conference, which was held in Washington - the Trade and Investment Forum. There was an outcry from African leaders, African Ministers, lobbyists, and manufacturers. The reason is simple. Despite firm assurances from Hillary Clinton, from Ron Kirk, the US Trade Representative, that there would be seamless extension of Third-Country Fabric, yet, despite the fact that this is a bipartisan issue because probably they are on the threshold of Presidential elections and Primary elections, the issue is being postponed. This will have a very bad impact upon our export of apparel and garment, Mr Speaker, Sir. But, we hope that now that the special purpose vehicle has been identified, even though the law, the legislation will come for mark-up, or what we call amendment, it will go through before 04 December. Otherwise, we will have to wait till September, and there is a risk that some of our importers can choose to seek elsewhere. We have told our friends what they are doing goes contrary to the very latent spirit of AGOA. What they are doing is jeopardising the livelihood of more than one million people eking out a living from textile and garment factories.

But the lobbyists have been vocal, and one of those lobbyists, Mr Speaker, Sir, is Rosa Whitaker. We even stated that Rosa Whitaker used to work under President Clinton's administration. She even took President Obama to task, saying that he should have picked the phone, talked to Senators and Congressmen who are difficult, impress upon them as to the merits of AGOA, and the bilateral relationship between Africa and US. But, she is a lady who is a sniper, like so many of our lady snipers on this side of the House, Mr Speaker, Sir. At the Institute of Brookings, which is a think tank, Rosa Whitaker stood up and said -

"Of all the leaders on the African Continent, I have singled out two persons. One, the Prime Minister of the Republic of Mauritius, Dr. Navinchandra Ramgoolam(...)"

Mr Speaker, Sir, Prime Minister Ramgoolam led a delegation to Washington during the first week of February 2000 to push for the final enactment of what was then known as the Africa Bill, which ultimately became AGOA. The House and the Senate has passed different versions of the Africa Bill in October and November 1999 respectively. A House-Senate Conference Committee has been established to work out the differences, and the most important difference was the rule of origin for garments. The House Bill allowed all beneficiaries to use Third-Country Fabric without limits as to volume or time.

However, the Senate Bill allowed only use of US or African fabric, that is, no Third-Country Fabric. The Prime Minister met with President Clinton, Secretary of State Madeleine Albright, and Deputy Secretary of Commerce, Robert Mallet. He also met with Senator Majority Leader Trent Lott, and Speaker of the House, Dennis Hastert. Of particular importance was a meeting between the Prime Minister and a very difficult Senator by the name of Jesse Helms, Republican from Northern Carolina, and the meeting took place on 03 February 2000; meeting which was arranged by the then US Ambassador, Mark Erwin, and our Ambassador in Washington - if I am not mistaken – Mr Jesseramsing. Mark Erwin was a personal friend of Senator Helms. Senator Helms has been a strong opponent of the Africa Bill. During the meeting, the Prime Minister convinced Senator Helms to compromise and abandon his opposition to the Bill. The compromise ultimately led to the final rule of origin, which allowed AGOA to use Third-Country Fabric.

Mr Speaker, Sir, it was a daunting task, uphill battle, but there was perseverance, the will to succeed, the will to safeguard employment, and the will to create new employment. Today,

with AGOA, our exporters have tremendous opportunities, which they are grasping; more than 6,400 articles can be exported, Mr Speaker, Sir.

Mr Speaker, Sir, I had a meeting with our friends from the European Union, under Article 8 of the Second Cotonou Agreement, some three weeks ago. Of course, the discussion centred around the Government programme. I told them that the very lynchpin of this programme hinges on factor-driven, efficiency-driven and innovation-driven. I say without fear that we are going to become a high income Nation. But, they put one question to me: tell us how is it going to happen when you have a high incidence of dropout in your schools? I highlighted the measures taken by government, the host of incentives and facilities, from early tracking system to detect any student who had a risk of dropping out to the widening of curriculum, to the programme established with World Bank to ensure our industrial and vocational training which we are dispensing to the young people, which has been enhanced with the National Youth Employment Skills Programme and which is being put in place. I told him ‘we will make it’. And, when he learnt of flexible entrance to university and technical schools, we convinced them that there will be no dropouts, that we are going to turn the so-called dropout which should be banished from our vocabulary.

In fact, we are going to turn them into late bloomers, Mr Speaker, Sir. This is a Government which has at heart social justice and economic empowerment and the reason as to why we constantly widen the circle of opportunities.

The second issue, what will happen beyond 2015? Will we be eligible for grants which will be credited to the general budget support? In fact, we impress upon them that we need to review eligibility criteria which earlier my good friend, hon. Minister Virahsawmy raised when a question was put to him on the outcome of Rio + 20 Conference and we have to ensure that we look at other criteria, on the vulnerability index of our small country and that it is possible to have resources beyond 2015. There are special dedicated envelopes but we have to become eligible and this is where our economic diplomacy will play a prime role. There is funding from Global Millennium account and we told our American friends that they have to be more flexible towards Mauritius. From OPIC which US disbursed 500 billion USD for all clean energy programmes which is going to be rolled out for African countries. As I have stated, EU has identified a dedicated environment programme for renewable energy. As the hon. Minister was saying, our renewable energy programme is ready, we just have to roll it out. The money is

there and, earlier today, there was a meeting organised by private sector on greening the economy and the potential for SME is tremendous.

The Ministry of Environment and Prime Minister's Office, with the support of *Maurice Ile Durable* has clearly defined our coherent strategy as how best to make the most of opportunities knocking in respect of sustainable development. Mauritius is positioning itself as a country which can maximise output from the blue and the green economy.

In respect of the brown economy, we have done tremendously well although, as I have said, the job is another ended one.

Mr Speaker, Sir, the issue of restructuration and rationalisation of State owned enterprise was raised. Many questions have been put in Parliament that Government is determined that there is not going to be cost overrun or other manning and it is not the habit of Government to run Casino. We have to ensure that we turn our transport and logistics into a very efficient port and I will come to this later on when I will highlight the merits of a blue economy.

Quality of services has become imperative because we are answerable to the electorate, Mr Speaker, Sir, and with Programme-Based Budgeting optimal use of resources has become mandatory. The hon. Prime Minister, earlier this morning, in respect of a PNQ put to him stated very clearly that a special cell has been set up at the Prime Minister's Office under the stewardship of a former Financial Secretary to ensure that every rupee spent is judicially spent, Mr Speaker, Sir - judicial use of resources. Because, Mr Speaker, Sir, there is the risk that any lost incurred by State-owned enterprises will be computed as part of our overall public debt.

Mr Speaker, Sir, with the crisis in the Euro zone it is not likely that it will be behind us in three years time, although there are signs of recovery in the State. The question that begs an answer is: is it more real or apparent? But we constantly have been bracing ourselves for daunting challenges and consolidation of traditional market is inevitable while turning our efforts to diversification of market. Every crisis, Sir, proves to be an opportunity for Mauritius, as I stated earlier, to free itself from preferences that were beneficial but certainly restricted to value addition and substance.

Mr Speaker, Sir, we have ratified an interim Economic Partnership Agreement, but if I put the question to the employee in the Tuna Processing plant or to my good friends working in the sugarcane fields or to any common person as to the merits of this agreement, I am sure many will not be able to reply.

Our future, our present lies on capturing additional market, on consolidating existing market and, Mr Speaker, Sir, the interim Economic Partnership Agreement which is being applied since 14 May, will allow exporters to plan in a predictable manner their future production and export to the EU to assure that this agreement cannot be disputed at the World Trade Organisation. The others guaranteed that we were able to enter European market if we meet all the required norms without having to pay duties or without any restriction on quotas. We can choose to sell 10,000 or 20,000 shirts as long as there are market interests. Not every country in the world has his opportunity. And today, we are crossing our frontiers, moving beyond our frontiers and we don't know what will happen in 2015 in respect of export of sugar to the EU. But the fact that we have entered into an agreement with Suzuker, there is predictability and Suzuker has not only invested in Mauritius, but also is expressing interest to invest in sugar factories in Africa and they have outlets. So, we can converge our strength, synergise our forces, conclude strategic partnership and move in a bigger way on the African continent. We have more than a foot hold on the African continent and we have more than a foot hold within the EU.

Mr Speaker, Sir, in the case of tuna, the interim agreement provides for an automatic derogation of 8,000 tonnes of canned tuna and 2,000 tonnes of tuna line for the ESA signatory countries. What does it mean? It means that you are protecting the livelihood of those working in the tuna processing plant.

So much so that we have to look for labour and we have to import labour, Mr Speaker, Sir. If it were not for those unsung heroes, those foreigners working in our textile and tuna factories, it would have been impossible for Mauritians to be employed at lower, middle or upper management, Mr Speaker, Sir. Today, Sapmer and IBL have concluded a strategic partnership. They are going to set up a second tuna processing plant for export to EU. There is the possibility to capture new markets in the Gulf countries. In China, as my good friend would say, there is a readily available market for sashimi. This is why I say the potential for Mauritius to become an ocean basket is tremendous. We need to get our act together and I say it, in our next Government under the able leadership of our Prime Minister, we will have to create the Ministry responsible for ocean, Mr Speaker, Sir, and that will be a major Ministry in Government.

Let me give you some additional examples of concrete benefits by the interim Economic Partnership Agreements. We can now export cane rum to the Nordic countries, because our

friends in Nordic prefer the Vodka, the good spirit from Cuba and why not the spirit from Mauritius, Mr Speaker, Sir. Would you believe it, it is like selling gold to New Castle. Even one Mauritian operator has expressed interest in the export of poultry to EU. Would you believe it Mr Speaker, Sir? Today, we can export beer, yoghurt, jellies, whatever, you name it, we can do it, Mr Speaker, Sir. Then we are moving towards a full Economic Partnership Agreement. Do you know what it means a full Economic Partnership Agreement?

First, let me come to Mauritius. Mauritius again has got a triple 'A' for three first criteria and a 'B' for fourth criteria. We are a showcase. That is why they want us to move in a geometrical variation manner together with Seychelles, Zimbabwe and other countries willing to conclude a full EPA. Do you know what it means for the accountants, the lawyers, the insurance companies? We are going beyond the frontiers. Do you know what it means for the tertiary education sector, for medical tourism? We are widening the circle of opportunities and I can understand our young people being restless because they are asking where are the opportunities, but the opportunities are knocking. This is why we need to look at our level of preparedness, prepared to live up to the expectation of a nation on the move; prepared to respond to the needs of our people in the region and on the African continent; prepared to live up to the expectations of our people, of our friends in Europe because the crisis will be behind us. When the crisis is going to be behind us, Mauritians have to grasp the opportunities.

We have entered into agreement with France on circular migration and we want to replicate what we have done with France with all the other Schengen Member States and even those which are members of Schengen States, but not members of the European Union, countries belonging to the European Free Trade Agreement, Mr Speaker, Sir. The opportunities are there, but we need to skill and reskill our people. We have to make sure that we match the resources where the demand is.

In fact, with globalisation, we talk today of internationalisation of production processes. The whole world can become a factory, parts are being manufactured in Mauritius, others are being manufactured elsewhere, but we have to be prepared. That is why I say the opportunities are knocking. My good friend, the hon. Minister responsible for employment, is seeking employment beyond our shores; tapping existing resources in Gulf countries. We have to tell our young people that there is hope. There are great expectations and we have to create the enabling environment and this is what Government is constantly doing, Mr Speaker, Sir.

We have told our European friends not to apply the criteria of differentiation to recalibrate EU development cooperation with middle income countries. We need more time against a backdrop of financial crisis. They should not rush in where angels fear to tread, Mr Speaker, Sir. They have to tread very cautiously. This is why, as a nation on the move, we need to consolidate our relationship with our traditional partners where the traditional markets are available, Mr Speaker, Sir.

On the issue of circular migration, it is brain-gain and not brain-drain because when they come back, it is resources harness and they will be given financial support to, what you call, start-up companies, Mr Speaker, Sir.

India has built its resilience on its diaspora and India today has become a force to be reckoned because of its human capital. There is a race going on between India and China. Some say that, despite the fact that India does not have the necessary infrastructure, it will overtake because of broadband networking. This is it. This is where I join my friends in respect of the tremendous work he is doing in the field of ICT. We have signed an agreement of principle with the United States of America and there are many opportunities knocking. In fact, we should have the ambition to turn Mauritius into a little Silicon Valley. We can do it, Mr Speaker, Sir, with the assistance of our friends. We call it Cyber Island, but we have to translate words into reality and put into place the relevant policies; how the mixed policies are, we have to deliver, Mr Speaker, Sir. We can deliver in a very meaningful and effective matter. We have the team under the able leadership of the Prime Minister.

If today, against a backdrop of financial crisis, Mr Speaker, Sir, our popularity in this country with the electorate is at its peak, it is largely due to the efficient work being carried out by a team, Mr Speaker, Sir, and it deserves a cupful of congratulations. We have a vision and we look at emerging sectors. Why is it that we need to look for alternative markets? We have signed a Free Trade Agreement with Turkey which is a member of the Customs Union of the European Union, which is strategically located between Central Europe and West Europe, which is at the heart of Balkans. We can cumulate and with relaxation of the rule of origin, the market is there. Access to market, Mr Speaker, Sir, is not inevitable, but it is a reality at the tip of the fingers. We have, Mr Speaker, Sir, to inculcate the values of entrepreneurship in the minds of our people. We should eliminate the dependency syndrome and we should learn to stand on our feet, Mr Speaker, Sir. This is why the culture of innovation, the culture of entrepreneurship should be part

of our best endeavour, Mr Speaker, Sir. It has to be part of policies that we constantly have to implement. These are values that have to be inculcated and ram down our heart and soul, Mr Speaker, Sir.

Africa is on the move. I highlighted when I intervened on the debate on the Budget. I stated that Africa is on the move. The report has been published by Mackenzie on opportunities on the African continent. Africa holds so many promises. When we look at the peace and security architecture, it is an architecture that is widening over the African continent; all the gaze today is focused on the African continent. My good friend, the vice-Prime Minister and Minister responsible for Finance and Economic Development went on a lobbying trip to UK and Switzerland to highlight the profile of Mauritius as a road show for onward investment on the African continent. Would you believe it, despite the fact that we are a low tax jurisdiction and we are to India what Jersey is to UK, the Minister responsible for Africa and Outer Development, Henry Bellingham, came to the meeting? We are in direct competition with them, but they came, Mr Speaker, Sir, because of the premium Mauritius put on outward investment to Africa, the star and key of the Indian Ocean, positioning itself, Mr Speaker, Sir, as the gateway to Africa. There were 200 prominent businessmen from UK attending that interactive session. Why? Not only because there is predictability and reliability, not only because we have the right policy mix, but because we have liberalised our policies, legal services, we have set up financial services and we have set up an arbitration centre. In any agreement, there would be a clause for arbitration to give security to those who are going to use our jurisdiction for onward investment to Africa. Africa is a continent on the move and we are moving at an incredible speed on the African continent. Today, we have become a Mac Grid Player in the sugarcane industry in Tanzania; we are investing in property development in Zambia, we have concluded many Investment Promotion and Protection and Double Taxation Agreements with the African countries.

Let me tell you one story. You would recall, Mr Speaker, Sir, we attended the ACP Summit in the Trinidad and Tobago, I think in February 2000. You momentarily had to go out; probably you had a bilateral meeting with one of the Ministers. I sat next to the President of Gabon, then President Bongo, and he told me: *comment vas-tu?* I told him that we had a by-election and one of the vice-Prime Ministers is the Leader of the PSMD, son of late Sir Gaëtan Duval who was vice-Prime Minister and Minister responsible for industry at that time. He told me: *tu veux dire que mon neveu est le vice-Premier ministre.* This is the kind of relationship that

existed between the then leaders and the leaders on the African continent. It is a relationship that has nurtured and been cultivated and in the months to come the President of Gabon will travel to Mauritius on an official visit, and we have already entered into agreement on Double Taxation and Investment Promotion and Protection Agreement with our friends in Gabon. And I don't have to highlight the merits of Africa, Mr Speaker, Sir, Africa, the land of opportunities in respect of food security.

We pray that Madagascar return to constitutional order, although it is a tall order, but Mauritius has played a prominent role to ensure implementation of the roadmap and we pray that next year legislative elections will be held after the rainy season. Our Electoral Commission is dispensing support to the *Commission Électorale Nationale Indépendante* because Madagascar is a country that holds a lot of promises, and I know political stability will not take long to arrive. But we have to make sure that as members of the SADC and the African Union, that the SADC liaison officer lives up to his responsibilities and the international contact group also supports the process because we want to see Madagascar becoming yet again a full-fledged member of multilateral and regional organisation, Mr Speaker, Sir.

Mr Speaker, Sir, I talked earlier of the economic transformation of Africa and the geometric variation approach because our concern is that far too much financial resources are lost for non-implementation and identification of projects. But it is a tall order to convince all our friends that what we are doing and what we need to do is to have a geometric variation approach, that is, those who are ready should act as powerhouse to tug others along. But we have to convince them, otherwise, the roadmap to have a tripartite agreement with a market of more than 600 million will be elusive because we will never meet the scheduled date. But we need the political will, and Mauritius, despite its size, plays a prominent role, but we don't voice out what we do because as a Government which is responsible, we have to ensure that we have a culture of restraint and issues relating to foreign affairs, international trade, regional integration are very sensitive issues, Mr Speaker, Sir.

Mr Speaker, Sir, I will be travelling to India, at the invitation of the Minister of Foreign Affairs, Mr Krishna, and, of course, we are going to discuss bilateral issues. Our relationships with India are the very best; it can only gain more momentum. We are, of course, going to raise each other's concerns, more so in the light of the guidelines on the General Anti-Avoidance Rules that have been published. We will impress upon our friends that we need to work

constantly to achieve a win-win situation. We will tell them that they have to use Mauritius as a springboard for onward investment on the African continent. There will come a time when the two stock exchanges probably will tie up because we want to see investment from prominent Indian companies listed on our Stock Exchange. There are many issues that are going to be raised. But I am glad that our Indian friends have given us the date for the next joint working group which is going to be held in Mauritius, as announced by the vice-Prime Minister and the meeting will be from 22 to 24.

I think we need to stand shoulder to shoulder and we know that our Indian friends have always been very receptive, notwithstanding that each Government has to respond to the needs of its constituents. Like India, Mr Speaker, Sir, we want to walk the extra mile on issues where we have commonality of interest, on issues which can be sensitive, but which can be resolved with the political will, Mr Speaker, Sir. I don't have to highlight the merits of Mauritius as a low tax jurisdiction, our compliance with all international organisations, but suffice it to say that at the level of institution, there is excellent collaboration, Mr Speaker, Sir, be it at the FIU between India and Mauritius. I think last week there was a conference which was held where there was proper exchange of information and the outcome of that conference augurs well for bilateral and international relationship.

Mr Speaker, Sir, let me now come to what is going to be the sector of the future. I stated right at the outset that Mauritius is poised to become an ocean basket and an ocean market, and I have a report which has already been prepared, Mr Speaker, Sir, connected to compete not as much as we could. When we look at the potential of the new geography, because diplomacy is around our new geography, I stated earlier that I rose as a citizen of the Republic of an Oceanic State - the new opportunities, the new market, the ocean of maritime market. When you look at the trade which is constantly on the rise, the volume of trade is constantly increasing and the route that provides a safe maritime lane is the route from Singapore to Brazil. Brazil and South Africa are becoming big suppliers of raw materials and we are talking of a sector which has a tremendous potential, a potential of more than 21 trillion US dollar, Mr Speaker, Sir. That is why we made a joint submission with Seychelles for an extended continental shelf. In fact, in our geography books, today, we have to make it clear that our maritime zone includes not only Chagos Archipelago, but the extended continental shelf. This is very important and we have to be proud citizens of living in an Archipelagic State or Ocean State.

Mr Speaker, Sir, my colleague, the Minister responsible for Commerce and Industry, of course, following a decision taken by Cabinet, will set up an inter-ministerial committee. There is a strong possibility of turning Mauritius into a bunkering hub. When you look at the multiplier effect and the numerous advantages that can accrue, Mr Speaker, Sir, from registration of ships, insurance companies supplying the region, maritime corridor which will supply countries in the region, Mr Speaker, Sir, we are poised to become a giant in the blue economy sector. There is a Master Plan which has already been prepared by the Mauritius Port Authority, but we have to look at logistics and transport. We have to address this issue in a very forceful manner; we cannot have overmanning and cost overrun in the cargo handling sector, Mr Speaker, Sir. This is why, together with Seychelles, there will be co-sharing of our extended continental shelf.

When I talked to our friends from EU, they told me that Mauritius should host a conference and invite parties which are keen to show interest in sea mining. While I am talking to you, we are giving full support to our permanent representative in New York to be our candidate for the forthcoming election of the UN President of the International Seabed Authority because whatever is in the seabed, from polymetallic nodules to rare elements and one should not forget that today those rare elements are going to be used in high precision industries. Chinese are showing interest, India also, but we need to work with friendly countries and make sure that this is an issue which is raised when the next conference of the Indian Ocean Rim-Association for Regional Cooperation will be held in India, Mr Speaker, Sir. This issue was the topic of discussion in Rio and there has been a paper prepared by World Bank. You recall earlier, Mr Speaker, Sir, I talked of resources to be disbursed by the US, the figure is there, 500 billion US dollars are there for the take. But we need to prepare our coherent plan, look at institutional and legislative framework, address the issue of concession and fiscal facilities. We are prepared and we are on the march, Mr Speaker, Sir. I am glad to report also that the UN has endorsed our agreement in respect of our extended continental shelf which we have submitted jointly with Seychelles.

Mr Speaker, Sir, we are talking of oceans, of maritime market, the need to step up our competitiveness by increasing productivity and improving logistic performance on which I talked earlier. The potential to develop new avenues for growth, the BRIC countries and geographic matter for our economic development which I highlighted to you and the relevance of bunkering, because you have many Gulf countries which can use our bunkering facilities when

we turn our country into a bunkering hub, propel Mauritius from upper middle income country to high income country; I can go on and on, transforming Mauritius from sub regional transshipment hub to a global maritime hub. Mr Speaker, Sir; the port as an engine of growth in Small Islands Developing States.

Mr Speaker, Sir, let me conclude by conveying one message, especially to our young that they should not be too restless. The opportunities are there for them and they are knocking. As a responsible Government we are putting a lot of emphasis on skilling programmes, identifying domestic needs, but also needs on the continent and in regional markets. As I have said, Mr Speaker, Sir, the euro crisis will be behind us and I am sure within less than three years' time. It is our level of preparedness, Mr Speaker, Sir, which is vital if we want to harness our human capital and move towards becoming a bigger, a high skilled resource based nation. We can do it, Mr Speaker, Sir, we have the leadership, we have the team and we have the political will. We have friends, despite the fact that I have stated earlier, they are more permanent interest than friends. We are geo-strategically well located and we have to play, and we are constantly playing our cards well. But, at the end of the day, we need market, market and market! But, we have to gear our nation to be responsive to market needs and to do so, Mr Speaker, Sir, we constantly have to skill and reskill our people. We have to be innovative and creative and we have to go beyond borders. There is no such thing as brain drain. There is brain gain. India and many other nations, Mr Speaker, Sir, build the strength on the Diaspora. This is a Government which is resolute to put its best endeavour to succeed. We have travelled a long way and we will continue to go the way the people want us to go, Mr Speaker, Sir.

I thank you very much.

(5.59 p.m.)

**Mr P. Assirvaden (First Member for La Caverne & Phoenix):** M. le président, permettez-moi d'abord de féliciter la présidente par intérim pour le discours programme. Je voudrais aussi, avec votre permission, M. le président, féliciter ma collègue, l'honorable Mme Kalyanee Juggoo, pour la motion présentée sur ce programme. Je mesure, M. le président, la difficulté de parler après un si grand orateur que l'honorable ministre Arvin Boolell, mais j'essayerai de ne pas faillir à mon devoir.

M. le président, le programme gouvernemental 2012-2015 propose un large éventail de mesures, de ripostes que l'île Maurice doit se munir et adapter face à la crise économique

mondiale. Un programme qui intelligemment allie la croissance, les objectifs d'équité dans la lutte contre cette crise, et il désigne aussi les domaines où il faut agir pour consolider cette reprise économique dans une île Maurice où le gouvernement, dirigé par l'honorable Dr. Navin Ramgoolam, a réussi à réduire la pauvreté et l'informalité tout en réalisant l'une des plus remarquables reprises économiques après le déclin que nous avait légué le gouvernement de 2000 à 2005.

Ce gouvernement, M. le président, a fait preuve de sa capacité de mise en œuvre des projets de par sa compétence avérée en gestion et de programmes. Rien de grand ne se fait sans imagination et une vision qui a fait la montée en puissance et en réputation, comme l'a si bien dit le ministre Boolell, de notre île Maurice sur le plan international. Une vision à long terme a consolidé les assises d'une île Maurice moderne, prospère, résiliente, quelle que soit la force de la tempête et face aussi aux offensives des égoïsmes des clans et des ténors de bandes dessinées.

M. le président, il faudra bien se demander pourquoi on est arrivé à un discours-programme en l'an 2012. Nous avons été élus en 2010 sur un programme dans lequel nous préconisons le développement de ce pays, le bien-être de sa population, la cohésion sociale, et un programme qui va au-delà de 2015. Mais, en cours de route, M. le président, il y a eu la trahison ; la trahison d'une équipe, la trahison envers un Premier ministre qui, pendant des années, a bâti sa réputation sur le fait qu'il ne s'ingère jamais dans les institutions. On est arrivé, M. le président, à ce discours-programme, car il y a eu perversion des institutions. Il y a eu perversion des institutions au plus haut niveau de l'Etat, surtout par celui qui était supposé défendre la constitution, défendre les institutions, défendre les biens acquis de ce peuple et, malheureusement ou heureusement pour ce pays, les masques sont tombés, la vérité a éclaté, et le MSM a quitté le gouvernement pour aller s'asseoir de l'autre côté.

M. le président, ils ont commencé à ce moment une campagne terrible dans le pays ; une campagne pour dire, qu'avant le premier mai, ce gouvernement du Dr. Navin Ramgoolam, va tomber. Avant la fête du premier mai, je me rappelle encore comment un samedi matin, on disait que six députés, des parlementaires allaient quitter ce côté de la Chambre pour se retrouver dans l'autre Chambre. On attend encore ! A chaque fois que l'occasion s'est présentée, l'ancien président a commencé à faire rêver certaines personnes dans ce pays ; à faire rêver pour dire qu'on aura les élections générales avant les élections municipales. Faire rêver, mais en même temps créer de l'instabilité dans le pays, pour dire à un moment que les députés de la majorité ne

vont pas pouvoir mettre leurs pieds dans leurs circonscriptions. Aujourd’hui, cherchons avec une loupe où se trouve celui qui se prenait pour le gladiateur. Il se terre, après un pèlerinage raté, quelque part à Vacoas.

M. le président, puisque cela n’a pas marché, le pire c’est qu’ils ont commencé une campagne pour salir les gens, et essayer décrédibiliser ce que le gouvernement propose, pour salir non seulement le Premier ministre, non seulement les ministres, les députés, la famille des parlementaires, mais pour simplement essayer de gagner de la sympathie. Nous avons un peuple éclairé. Nous avons un peuple qui aujourd’hui a renvoyé certains, je ne dirai pas dans les poubelles, mais presqu’à côté des poubelles. M. le président, nous avons été témoins de ces attaques délibérées et calculées contre les plus importantes institutions de ce pays. Cependant, ces gens qui ont attaqué nos institutions ambitionnent de tenir entre leurs mains la destinée nationale. Que Dieu nous garde de telles calamités. Les atteintes ont été effectuées au plus haut niveau de l’Etat, venant hélas, comme je l’ai dit plus tôt, surtout de celui qui devrait être le protecteur de la constitution, une barrière contre toutes formes de racisme, de communalisme, de conflits d’intérêt, d’atteinte à l’indépendance et à la transparence de nos institutions. C’est en somme une offensive généralisée qu’on a connue depuis ces cinq ou six derniers mois. Comme l’a dit avec raison et légitimité notre Premier ministre, ils ont voulu faire un coup d’Etat politique dans ce pays.

La soif du pouvoir leur a rendu une telle férocité qu’ils ont démontré à quel degré de bassesse ils sont descendus. Par pur respect à cette auguste Assemblée, et comme vous me regardez, M. le président, je me retiendrai d’en invoquer puisque ceux qui sont responsables ont préféré prendre la poudre d’escampette ; ils ont disparu. M. le président, en fait, ils se sont appointés pour désappointer; c’est exactement le mot qui convient. C’est vrai que nous avons l’honorable Fakemeeah et l’honorable François, que nous saluons, qui sont présents ici. Pour les gens de l’opposition, c’était le moment idéal pour nous contredire, pour débattre sur ce que propose ce programme.

M. le président, nous avons aujourd’hui un programme gouvernemental avec une sécurité sociale représentant un développement humain de Maurice, qui n’est pas moins important que les investissements dans le développement physique. Il embauche les concepts de base comme le socle de protection sociale et la sécurité sociale comme un escalier, analyse l’accessibilité dans les différentes approches et étudie les résultats pratiqués en cours pour en tirer davantage des

mesures efficaces, répondant toujours à un plus grand nombre. Comme l'honorable Arvind Boolell le disait si bien, nous avons à l'île Maurice cette remarquable force sous l'impulsion de notre Premier ministre, le Dr. Navin Ramgoolam, et aujourd'hui nous avons aussi l'exemple en Europe de ce qui se passe, comme celui de la Grèce, M. le président. Pays européen, en proie à des crises sans précédent avec un pays déchiré par des mesures d'austérité imposées, qui doit affronter deux élections en si peu de temps. Un pays où la souffrance et les épreuves sont tellement dures et insupportables qu'il n'en a eu pas moins de 60 suicides enregistrés jusqu'ici.

M. le président, notre programme de 2012-2015 propose la poursuite d'une approche de développement qui intègre la compétence, l'emploi, la protection sociale aux stratégies de développements locales pour parvenir à un modèle de croissance plus durable et équilibré. Il donne différentes orientations spécifiques sur la manière d'appliquer les politiques nécessaires à la résilience et aux progrès économiques et sociales autant salués par une population à majorité qui soutienne l'orientation du gouvernement.

M. le président, c'est aussi un programme qui fait clairement ressortir que les politiques ont besoin de renforcer leurs composantes sexo spécifiques – l'honorable Ms Deepalsing me regarde - pour atténuer et prévenir les divers effets sur les femmes et les hommes à venir. Le programme, qui recèle plus d'une centaine de mesures innovatrices, et qui n'est certes pas créé d'une situation évolutive dont les aléas et les imprévus rendent tout pronostic hasardeux, mais bien d'une œuvre gouvernementale colossale, savamment orientée, si l'on prend en considération la conjoncture internationale avec des sévères mesures d'austérité que sont contraints de prendre des pays européens.

Loin de ce sinistre mémoire de ce que quelqu'un avait déclaré –

«Le gouvernement dirigé par le Dr. Ramgoolam a placé l'île Maurice, à travers les différentes mesures préconisées, dans un état de grâce économique, que même le Nobel de l'économie n'a pas hésité à qualifier de miracle économique et dire cette Opposition en désertion, quasi permanente devant le choix de société, qui ébauche avec maîtrise et compétence le programme gouvernemental, a fait qu'elle a raté une opportunité historique de porter, pour une fois au moins, un petit caillou dans ce formidable édifice conçu et réalisé par le gouvernement du Dr. Ramgoolam. »

M. le président, nous ne sommes pas de cette race que représente une Opposition qui promet de construire un pont lorsqu'il n'y a pas de fleuve. Et pour le gouvernement du Dr.

Ramgoolam, c'est une vocation de toujours défendre âprement les intérêts de la population. Une vocation conviction comme un torrent qu'on ne peut refouler, ni barrer, ni contraindre même au prix des démentielles démagogies. Il s'ouvrira toujours un passage vers l'océan et prendra le large vers un avenir serein, rempli de promesses et de prospérité. C'est dans ce contexte, M. le président, que ce programme gouvernemental a été conçu et lorsqu'on entend ce que radotent certains, les diseurs de bonne fortune. On est bien en droit d'affirmer que mieux vaut un plat de lapin que d'attendre un lièvre qui court encore dans la brousse.

Alors que les sondages, M. le président, confirme de façon éclatante la légitimité populaire de ce gouvernement qui offre beaucoup de visibilité à ses partenaires sociaux et nationaux, et qui a su restaurer la confiance, étape cruciale pour la poursuite de l'investissement, et qui a marqué le départ des grandes réformes dont l'île Maurice a besoin, aujourd'hui, ce pays, M. le président, a été transformé en un grand chantier de développement. Ceci en fait ainsi la preuve qu'on n'est pas un gouvernement dont l'urgence est politique, mais économique et sociale. Le grand combat, M. le président, de ce programme gouvernemental c'est la lutte contre la pauvreté, le chômage, les inégalités, la criminalité, la démocratisation, avec une adaptation reconnue sur un modèle fondé sur l'innovation, sur les PMEs, sur les services de forte valeur ajoutée.

M. le président, les orateurs qui m'ont précédé ont mis suffisamment d'accent sur les mesures proposées dans ce programme qui sont toutes porteuses de gros projets de développement dont je ne tiens pas à entrer dans les détails.

Je voudrais pour ma part, brièvement, si vous me le permettez, commenter le secteur énergétique.

M. le président, nous sommes sur la bonne voie. Nous faisons actuellement ce qu'il faut pour assurer notre développement énergétique quoi qu'en disent certains experts de l'opposition, ou certains experts - comme je l'ai lu l'autre jour - de salon. Nous sommes à couvert, nous sommes *safe*, comme on dit dans le jargon, jusqu'à 2014-2015. Nous avons actuellement une croissance qui tourne autour de 2 pourcent en terme de la demande en énergie. Nous avons une pointe en demande, *the peak demand*, comme on dit, qui tourne autour de 429, 430 mégawatts, qui permet avec une réserve de 80 mégawatts à attendre à voir les développements du pays avec le CEB jouant son rôle de facilitateur. Mais, il est temps de se décider. Le *CEB*, M. le président, vient d'installer quatre moteurs de 15 mégawatts à Victoria, ce qui va nous permettre - comme je

l'ai dit - d'atteindre les 2014-2015 assez facilement. Mais nous ne pouvons plus malheureusement, car la demande - c'est un peu technique - en *base load*, en énergie ferme, *firm energy* - on ne parle pas du vent, on ne parle pas de l'eau, on ne parle pas du soleil - qui doit être sur le réseau au plus tard fin 2014 : 100 mégawatts. On ne pourra plus attendre. C'est pour cette raison que je rejoins ce qu'avait dit l'honorable Ms Deerpalsing quelque temps de cela : Pourquoi aller à Médine alors que nous avons de la place dans le port pour mettre une centrale de 100 mégawatts ? Pourquoi aller à Médine alors que nous savons très bien les tracasseries, les soucis que nous avons eus avec le projet de *CT Power* ? Je ne critique personne, je ne dis pas que je suis pour ou contre le projet de *CT Power*, je dis simplement avec les *wayleave*, avec la connexion sur nos réseaux de 22,000 ou de 66,000 KW on va se retrouver en court avec les tracasseries judiciaires, administratives pour attendre encore quatre ou cinq ans. Nous allons nous retrouver, M. le président, avec la même situation que le projet de 100 mégawatts de *City Power*, 20 camions quittant Port Louis pour aller à la Mecque. La Mecque c'est à Médine. On va se retrouver, M. le président, avec des projets de EIA. Qu'est-ce qu'on fera de nos cendres, les *ashes* des centrales thermiques ? On va se retrouver encore une fois à se poser des questions, à aller en cour; entretemps, le CEB va être obligé d'aller vers d'autres centrales à l'huile lourde à St. Louis. C'est le plan B, comme on dit dans le jargon.

Je voudrais ici lancer un appel au *Deputy Prime Minister* pour voir avec le gouvernement, pourquoi ne pas considérer ce site tout près de Fort George, tout près du *Coal Terminal* dans le port, pour accommoder ces 2x50 MW sur notre réseau ? Mais nous avons aussi, M. le président - et je le dirai avec force - à mettre l'emphase sur notre réseau de transmission et de distribution. C'est un peu mon devoir de le faire, M. le président, car j'ai passé presque cinq bonnes années au CEB pour voir de quoi il en retourne.

Nous avons la responsabilité de maintenir nos réseaux de transmission et de distribution à la hauteur des espérances de cette population. Nous avons un réseau de 7,500 km de haute et de basse tension qui sillonne le pays à travers les champs de cannes et quand on a eu le *breakdown*, le *blackout* de décembre de l'année dernière, on s'est posé beaucoup de questions. Pourquoi on a pris autant de temps à faire rétablir l'électricité ? Mais c'est un peu normal. Nous avons un réseau aérien à découvert avec toutes les intempéries, avec tous les dangers que comportent ce travail, c'est un peu normal à travers du système contrôle qu'on prend autant de temps à rétablir l'électricité.

Donc, M. le président, en ce qui concerne l'énergie renouvelable, nous sommes, à travers le MID, à travers ce concept révolutionnaire, unique, proposé quelques années de cela par le Premier ministre, à travers ce concept, nous faisons de notre île, une Ile Maurice Durable.

Nous avons à Rodrigues deux parcs, à Grenade et à Trèfles, de 350 KW à 400 KW et l'autre je crois autour de 500 KW, qui est petit. Nous avons à l'île Maurice, à part le hydro qui est l'équivalent d'autour de 10% ou 12% de la production, un peu moins, nous arrivons à faire tourner nos turbines pour ajouter avec la bagasse pour être dans l'énergie renouvelable. Mais, encore une fois, il faudra, à mon avis - et je le dis au fond de mon cœur - aller un peu plus vite. Le projet de 10 MW de photovoltaïque a été encore une fois renvoyé. *The tender*, encore une fois, repoussé pour août ; après deux ou trois tentatives pour repousser, on a repoussé pour août - 10 MW!

Le projet de *Small Independent Power Producers*, les petits producteurs. Je me demande pourquoi - et je le dis encore une fois, M. le président, avec mon cœur - on arrête à 3 MW ? Pourquoi ? Nous avons un réseau de 7,500 km. Nous avons 630 MW installé dans ce pays. Nous avons 429 MW de *peak* sur notre ligne. Pourquoi arrêter à 3 MW, alors que je sais dans cette Chambre ici et en dehors de cette Chambre, beaucoup de gens veulent se connecter sur le réseau et être sur le réseau du CEB pour produire leur propre énergie ? Même si on ne veut pas aller au delà de 50 MW, comme c'est à l'île de la Réunion, allons à 12 MW ou 15 MW. Pourquoi rester à 3 MW, alors que la demande à chaque fois, à chaque coin de rue, que je vois les gens, et on me demande : 'ce n'est pas possible de voir avec le CEB si on peut se connecter ?' Copions sur l'île de la Réunion ! On a copié sur les ampoules économiques à l'île de la Réunion. On a copié sur la Réunion en ce qui concerne le *smart grid* : le réseau intelligent. Pourquoi ne pas copier sur l'île de la Réunion, sur l'Espagne ou sur la France en ce qui concerne les *Small Independent Power Producers*, les petits ? Ça permettra au pays, ça permettra aux gens, ça permettra aux petits producteurs de gagner sur toute la ligne.

M. le président, notre bouquet énergétique, c'est sûr, commence à prendre forme. Notre bouquet énergétique commence à se dessiner. Ce bouquet énergétique avec de l'eau, avec du soleil, avec la bagasse, avec de l'huile lourde et avec le charbon ; le charbon est là pour encore dix ans, douze ans. On n'a pas le choix. Le charbon fera partie de notre bouquet énergétique pour les dix ans, les quinze ans à venir, parce que notre système de demande est tel qu'on est obligé d'avoir du *baseload* - la demande en continue - dans notre demande énergétique.

Mais en ce qui concerne notre parc éolien, nous sommes en retard par rapport à l'île Rodrigues. Je me demande qu'en est-il du projet de aero watt à Plaine des Roches? J'étais encore au CEB quand on a commencé à discuter du projet de aero watt, les 23 MW ou 24 MW. Qu'en est-il du projet de Bigara? Qu'en est-il du projet de Pointe Sophie? Le potentiel est là. Je suis sûr que la volonté politique est là. Le MID c'est la base; c'est la structure idéale pour produire cette énergie. Il nous faudra aller un peu plus vite.

M. le président, il n'y a pas de Maurice Ile Durable, il n'y a pas de bouquet énergétique s'il n'y a pas de maîtrise de la demande de l'énergie. La maîtrise de la demande de l'énergie, M. le président, c'est l'énergie que vous n'avez pas utilisée chez vous. La maîtrise de la demande de l'énergie c'est, dans le jargon, le negawatt: le MW non-utilisé, non-brûlé, et pour le faire, l'Allemagne a décidé de sortir, d'arrêter avec un moratoire, ses centrales nucléaires. Ça ne se fait pas du jour au lendemain. Ça ne se fait pas d'un coup de tête. Ça se fait avec un programme établi et l'Allemagne a commencé une campagne de la maîtrise de la demande de l'énergie pour économiser plus de 5,000 MW à 6,000 MW en maîtrise de la demande de l'énergie. C'est quoi? Ce sont les ampoules économiques qu'on avait vendues, qui a fait économiser à tout le monde; au CEB, au pays, à la nation. C'est de cela que je parle. Je parle des bâtiments équipés, des bâtiments écologiques. Et là, je pense au bâtiment de la MCB au rond-point de St Jean avec la forme d'un œuf.

*(Interruptions)*

A Ébène ! Les électroménagers standardisés avec des labels pour empêcher, pour pousser le mauricien à prendre un frigidaire plus cher peut-être, mais qui prendrait moins d'énergie, moins d'électricité et le pays gagnera sur le temps. La maîtrise de la demande de l'énergie, à mon avis, M. le président, est le salut en matière de bouquet énergétique, en matière de *green Mauritius* pour les 10 et 15 ans à venir. C'est pour cette raison qu'on avait commencé - l'honorable *Deputy Prime Minister* le sait très bien - une campagne dans les écoles pour parler à la jeunesse, pour éduquer et conscientiser cette jeunesse : « qu'à la maison si tu n'as pas besoin de l'électricité dans une chambre, il faudra éteindre. Si le téléviseur est allumé et il n'y a personne qui regarde la télévision, il faudra l'éteindre. » C'est la conscientisation de la nation - *to alimé to tassé*. On avait essayé l'heure d'été pour voir comment faire pour économiser.

M. le président, je crois que nous sommes sur le bon chemin. Nous avons les structures mises en place par le gouvernement. Nous avons les gens capables mais, à mon avis, il faudra

quelque peu se dire assez de comités, assez de séminaires, assez de rapports, assez de *workshops*. Il faudra passer à l'action en terme d'energies renouvelables, en terme de photovoltaïque. Il nous faudra oser. M. le président, j'ai rencontré, il y a trois semaines de cela, le directeur de EDF Réunion. Il me disait qu'à l'île de la Réunion, ils sont saturés en terme d'énergies renouvelables. Les gens sont in *a queue*, s'attendent pour se connecter sur les réseaux. Il faudra - c'est une façon pour copier, on n'a pas le choix - copier quelque part. On ne va pas inventer la roue dans ce système. On ne va pas inventer les choses. Il faudra, à mon avis, bien sûr aller plus vite. On est dans la bonne direction. Mais en ce qui concerne les 100 mégawatts, à mon avis, on a plus le choix. On ne peut plus attendre. C'est le temps, maintenant, de se décider et se dire que les 100 mégawatts qu'on aura besoin en 2014, c'est aujourd'hui que cela se décide et j'ai confiance en ce gouvernement. J'ai confiance en le Premier ministre et on y arrivera ensemble.

Merci, M. le président.

**Mr Virahsawmy** : Mr Speaker, Sir, I move for the adjournment of the debate.

**Dr. Jeetah rose and seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

(6.33 p.m)

## **PUBLIC BILL**

*Second Reading*

### **THE TRAINING AND EMPLOYMENT OF DISABLED PERSONS (AMENDMENT)**

**BILL (NO. XV OF 2012)**

*Order for Second reading read.*

**The Minister of Social Security, National Solidarity and Reforms Institutions (Mrs S. Bappoo)**: Mr Speaker, Sir, I move that the Training and Employment of Disabled Persons (Amendment) Bill (No. XV of 2012) be read a second time.

The main object of the Bill is to amend the Training and Employment of Disabled Persons Act of 1996 to make better provision for the promotion for the access of persons with disabilities to employment by providing for –

- (a) a change in the composition of the Training and Employment of Disabled Persons Board;

- (b) the setting up of a Hearing Committee which will conduct hearings for the purposes of section 13(4) of the Act, and
- (c) an increase in the fine that may be imposed for non-compliance with the Act, and for related matters.

Mr Speaker, Sir, the introduction of this Amendment Bill is in line with the Government Programme 2012-2015 which stipulates and I quote -

“Government will further pursue the implementation of the UN Convention on the Rights of Persons with Disabilities by giving a new boost to training and employment of persons with disabilities. Relevant amendments will be brought to the Training and Employment of Disabled Persons Act”

The Amendment Bill, Mr Speaker, Sir, is also in line with the UN Convention on the Rights of Persons with Disabilities which Mauritius has signed in 2007 and ratified in 2010.

Mauritius has also submitted its Initial Status Report on the implementation of the Convention to the UN Committee in New York.

Mauritius is under international obligations to adhere to the principles of the Convention which marks a paradigm shift from the medical model to the social and rights-based model regarding persons with disabilities. This new model emphasises the abilities and competencies of persons with disabilities as opposed to the medical model which stresses on only their disabilities. This approach, therefore, makes access to training and employment of persons with disabilities a human right issue and not a matter of charity.

Furthermore, the Millennium Development Goal No. 1 which relates to poverty alleviation calls for the urgent need to integrate disabled persons in national development mainstream.

Mr Speaker, Sir, since the promulgation of the Act in 1996, my Ministry has widely relied on persuasion, sensitisation and social dialogue vis-à-vis employers regarding the employment of persons with disabilities. This ‘soft approach’ has not yielded so much the expected results.

The figures speak for themselves. I am informed that the MEF ( Mauritius Employees Federation) regroups some 1,120 enterprises. According to the Training and Employment of Disabled Persons Board figures, there are some 180 enterprises employing persons with disabilities. According to the provisional figures of the 2011 census, there are 8,400 persons

with disabilities in employment in various sectors. If we take together these provisional statistics 2012 of the census and that of the Training and Employment of Disabled Persons Board which are 450, the total number of persons with disabilities in employment is 8,850. So, the conclusion is evident.

However, it must be also recognised, Mr Speaker, Sir, that some private sector enterprises and even parastatal bodies have opened their doors to persons with disabilities. But the vast majority has not played the game and it is the main reason which motivates my proposed amendments to the Act tonight.

It is felt that the amendments will give more clout and leverage to my Ministry in getting disabled persons accepted in the workplace. Since 1996, successive Governments have only given adequate leeway to enable employers to comply with the provisions of the Act and, unfortunately, things have not fully turned up to our expectations. With the national policy and Action Plan on Disability launched in 2007, my Ministry has made some progress in the implementation of the plan.

On training, we have had 660 disabled persons who have been trained since 2005 in collaboration with the MITD, MEF, SMEDA and TEDPB

On employment, there have been 450 disabled persons who have been employed in various employment sectors since 2005.

However, I concur that we are still far from the ideal situation. Thus, the integration of disabled persons is an elaborate and unending process.

We are committed to move to the building of an ‘inclusive society’ where able and disabled persons alike enjoy equality and opportunities in the fulfilment of their aspirations as ‘a matter of right’.

M. le président, en conformité avec les DPOs, c'est-à-dire, les Disabled Persons Organisations: “nothing about us without us”, je voudrais faire ressortir que les ONGs, les activistes et les associations des personnes handicapées faisant partie du comité national sur l’implémentation de la convention onusienne ont été consultés tout au long de la préparation de ce projet de loi.

Par ailleurs, je faillirais dans ma tâche si je ne fais pas mention de la MEF qui a été un partenaire incontournable du ministère pour la mise sur pied du programme de formation et

d'emploi pour les personnes handicapées. Dans l'élaboration de ce projet de loi, la MEF a été aussi consultée et y a donné son assentiment.

Je crois dans les capacités et les talents des personnes handicapées. Nous avons des exemples remarquables de réussite tant sur le plan local qu'international. Je pense ici à Madame Danielle Wong, feu France Sockalingum, Monsieur Reynolds Permal et autres. Sur le plan international, j'ai en tête Monsieur David Blunkett, non voyant, ministre de l'intérieur sous Tony Blair, John Milton l'auteur du *Paradise Lost* et Stephen Hawking, l'un des plus grands astrophysiciens contemporains.

Mr Speaker, Sir, I now move to the different amendments of the Bill. Amendment number one – section 2 which relates to the definition of a disabled person is being amended. It is proposed to define a disabled person as someone with a long-term physical disfigurement which gives rise to barriers or prejudices impeding his participation at an equal level with other members of society in major life activities.

Mr Speaker, Sir, this amendment is deemed necessary in view that there is the need to differentiate between someone with a temporary disability and someone with a long-term disability which is in line with article 1 of the UN Convention which stipulates that persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairment.

Amendment number two: again the same section 2 is being amended to extend the term 'employer' to include 'all statutory bodies with a workforce of 35 employees or more'. This amendment is meant to open additional avenues for the employment of disabled persons in the parastatal bodies as opposed to its existing application to the private sector only.

M. le président, ceci démontre amplement la volonté du gouvernement à promouvoir l'insertion socio-économique des personnes handicapées dans la société et la création d'une société inclusive sans marginalisation aucune.

Section 3 which relates to the composition of the Board is also being amended. In line with the UN Convention and the spirit of tripartism, it is therefore proposed to review and widen the scope of the Board through the inclusion of the following new members –

- (i) a representative of the Ministry of Social Integration and Economic Empowerment;
- (ii) a representative of the Trade Unions, and

- (iii) ‘disabled persons’ instead of ‘any four persons to represent the interests of disabled persons on the Board’.

This amendment is meant to give greater representation of persons with disabilities in decisions affecting their lives in conformity with their motto: “nothing about us, without us”.

Mr Speaker, Sir, the inclusion of the Ministry of Social Integration and Economic Empowerment and a representative of trade unions is deemed crucial as it will promote a holistic approach to disability issues and pave the way for enhanced training and employment prospects of persons with disabilities.

Section 4 which relates to the functions of the Board is also being amended. With a view to highlighting the importance of sensitisation and education, it is proposed to add to section 4 the following new function of the Board, I quote –

“educate and sensitise employers on the importance of employing disabled persons and contributing to remove barriers or prejudices with regard to the employment of disabled persons.”

It is felt that this amendment will bring about a new mindset and the required paradigm shift in the corporate sector, parastatal bodies and the public at large.

Section 13 dealing with the duty to employ disabled persons is also being amended. In a spirit of social dialogue and with a view to giving a hearing to employers who fail to abide by the statutory 3% requirement, I am proposing the following amendments to section 13 –

- (i) the setting up of the hearing committee: subsection 4 of section 13 is repealed and replaced by the following subsection: “the Board shall set up a hearing committee to hold a hearing for the purpose of this section and any recommendation made by the hearing committee shall be submitted to the Board for consideration and decision”;
- (ii) composition of the hearing committee: by inserting after subsection 13(4), the following subsection 4A and the hearing committee shall consist of a Chairman who shall be a law practitioner to be appointed by the Minister after consultation with the Attorney-General; and then a representative of the Ministry for Social Security; a representative from Attorney-General’s office; one representative of the Mauritius Employers’ Federation; one representative of disabled employees

and also the General Manager of the Training and Employment of Disabled Persons Board.

The functions of the hearing committee, Mr Speaker, Sir, will be worked out administratively and *inter alia* as follows –

- (i) to summon any employer who is not complying with the duty to employ disabled persons as specified in the Schedule;
- (ii) to give the non-compliant employer a moral delay to be determined by the hearing committee to fulfil his obligations to employ disabled persons as per the prescribed percentage;
- (iii) in case of genuine and satisfactory explanations even to exempt the employer temporarily or otherwise as per section (b) of the principal Act and also
- (iv) to direct him to pay the necessary contribution as specified in the Schedule after having explored all avenues without finding a satisfactory solution and without any other alternative being left.

Mr Speaker, Sir, I would like to emphasise that the employers will be given ample opportunity to make their arrangements for fulfilling their obligations under the Act. For example, provision is made for a period of moratorium to enable employers to abide by the provisions of the Act and additionally, in certain extreme cases, some employers can even be exempted under the Act as per nature of their business.

Under the existing legislation, the contribution to be made by employers who fail to include 3% of disabled persons in their workforce has not been specified till now. I am therefore proposing to amend subsection 7(a) of section 13 (7) by deleting the words “as may be described” and replacing them by the following words: “as specified in part II of the Schedule”.

Section 18 relating to offences is also being amended. The existing fine of Rs4000 is deemed too lenient and does not serve any deterrent purpose. I am now proposing to bring the fine from Rs4000 to Rs75,000. Mr Speaker, Sir, I have to point out that the payment of the fine is a measure of last resort after having exhausted all available options.

The repealing and replacing of the Schedule: as mentioned earlier, the present Schedule of the Act does not specify the quantum of contribution to be paid by an employer who does not employ the required number of disabled persons. This has been the missing link in the process of employment of persons with disabilities. The specification of the quantum is deemed of critical

importance if we really want things to happen under this Act regarding employment of persons with disabilities.

I am, therefore, proposing to repeal the existing schedule and replacing it with a new schedule which specifies the contribution to be made by non-compliant employers.

I am proposing a contribution of Rs4,000 per month for each disabled employee not recruited as per the prescribed percentage.

I am not reinventing the wheel, Mr Speaker, Sir, with the introduction of this contribution. It is a current practice in countries like France, Italy, Spain, Japan, South Korea among others, and it is also good to note that in almost all these countries both the quantum of contribution and fine are much higher.

However, given the present global economic and financial situation, and after consultations with MEF, we have reached a consensus regarding both the contribution and the fine.

The modest contribution should in no way be viewed as a punitive measure. It is but a token contribution in lieu of employment of disabled persons. The proceeds from the contribution will be used by the TEDPB solely for the purpose of enhancing training and employment opportunities for disabled persons.

Donc, M. le président, je suis très sensible à la cause des personnes handicapées qui occupent une place prépondérante sur mon agenda, et c'est la priorité de mes priorités. Je suis consciente que la loi seulement n'est pas suffisante dans un secteur aussi sensible que l'handicap.

Je compte également venir avec une panoplie de mesures d'accompagnement pour donner un nouveau dynamisme et orientation à la formation et l'emploi des personnes handicapées, telles que -

(i) l'amélioration de l'accessibilité des services.

Le *headquarters* du Training and Employment of Disabled Persons Board (TEDPB) qui est basé à Calebasses sera délocalisé à Port Louis ou autre endroit plus accessible aux personnes handicapées ;

(ii) l'actualisation des registres d'employeurs et personnes handicapées.

Le TEDPB sera appelé à la mise à jour des registres d'employeurs des personnes handicapées que je considère comme outil de base à la formation et l'emploi. Le *Database on Disability*, lancé par mon ministère récemment, sera utilisé à cette

fin. Le registre du *Training and Employment of Disabled Persons Board* comporte déjà 1,993 noms des personnes handicapées.

J'ai aussi l'honneur d'informer la Chambre que, pour la bonne implémentation de cette loi, mon ministère viendra avec la mise sur pied d'un comité de pilotage avec la participation de la MEF, ayant comme objectifs -

- (i) de s'assurer que les amendements portent ses fruits ;
- (ii) de soutenir le TEDPB afin qu'il atteigne ses objectifs ;
- (iii) de revoir l'aspect d'*assessment* avec l'emphase sur le modèle social ;
- (iv) d'assurer la formation du personnel du TEDPB ;
- (v) de doter le TEDPB des ressources financières et humaines requises, et
- (vi) d'élaborer des *guidelines* avec la collaboration de la MEF pour assurer une meilleure concertée au niveau de la formation et l'emploi.

Donc, ce soir, M. le président, nous ouvrons un nouveau chapitre sur le combat des personnes handicapées pour la dignité, le respect et l'affirmation de leurs droits en tant que citoyens à part entière de notre république. Ce n'est pas une faveur qu'on leur fait, mais c'est une obligation morale d'un gouvernement socialiste digne de ce nom.

I would like here to conclude with the following quotation from Dr. Oscar Arias Sanchez, winner of Nobel Prize for Peace. I quote -

“Disability is proof of diversity. The most beautiful and enriched trait of human life is its diversity. A diversity cannot be used to justify inequality. Each group, each gender, each individual expresses itself in a different and original manner. Each one has affinities, intelligence and traded capacities that cannot be duplicated. A person without any of these virtues will impoverish the human race. We should facilitate and strengthen diversity in order to reach a more equitable world.”

With these words, Mr Speaker, Sir, I commend the Bill to the House.

**Dr. Jeetah rose and seconded.**

(6.55 p.m)

**Mrs F. Labelle (Third Member for Vacoas & Floreal):** Thank you, Mr Speaker, Sir, for offering me the opportunity to say a few words on the Bill which is before us.

Mr Speaker, Sir, there is today a general consensus that the rights for people with disabilities, including right to employment for those who are employable, are human rights and not merely a welfare matter or charity, as rightly stated by the hon. Minister.

Mr Speaker, Sir, the hon. Minister has referred to several international treaties/conventions, and I am not going to repeat that. But I would like to mention another convention that Mauritius has ratified on 24 June 2004, namely the ILO Convention, No. 149, on the Vocational Rehabilitation and Employment of Disabled Persons. Mr Speaker, Sir, this binding international treaty not only calls upon States to formulate and implement, but to periodically review, a national policy on rehabilitation and employment of persons with disabilities based, of course, on the principles of equal opportunity and equal treatment. I consider that amending existing laws is in line with this international treaty, as well as other international conventions that Mauritius has signed and ratified. But, Mr Speaker, Sir, this type of exercise must not be only paper worthy. It is of utmost importance to ensure that the amendments will really make a difference.

Mr Speaker, Sir, being aware of some difficulties and weaknesses at the level of the TEDPB, I was hoping to see some amendments which would revamp this corporate body. It was, therefore, Mr Speaker, Sir, with great hope that I went through the amendments proposed.

Mr Speaker, Sir, the hon. Minister has gone through the different amendments mentioned, and I would like to put some emphasis on the Explanatory Memorandum. What are we being told? We are told that this Bill is to amend the Training and Employment of Disabled Persons Act to make better provisions for the promotion of the access of persons with disabilities to employment, and we have these three provisions, namely the change in the composition of the TEDPB, the Hearing Committee, and the increase in fine, Mr Speaker, Sir.

However, Mr Speaker, Sir, when we look closer, what are the changes that are being proposed firstly to the composition of the Board? There will be a representative of the Minister of Social Integration and Economic Empowerment. I share the view that this Ministry should be

represented on this Board. However, I note that the representative of the Ministry of Civil Service Affairs is no longer on the Board. I take it that the representative of the Ministry for Civil Service Affairs is being replaced, I could say, by the representative from the Ministry of Social Integration. I have some difficulties to grasp the rationale behind this removal of the representative of Civil Service Affairs. Maybe, the hon. Minister could enlighten us during her summing-up. We also have one representative of employers instead of two. We have logical change in name of the IVTB, from IVTB to the MITD - we all know why - and we have this change regarding disabled persons to be appointed instead of only four persons to represent the interest of disabled persons. In my humble opinion, Mr Speaker, Sir, this is the only significant change in the composition of the Board. Can we really say that the proposed composition will promote the access of persons with disabilities to employment? This is a provision which is said will promote the access, but this only change in this composition of the Board, to what extend will it succeed in promoting the access of persons with disabilities to employment? This is my question.

The second provision of the Bill, Mr Speaker, Sir, is the setting up of the Hearing Committee and this, in replacement of subsection 4 or section 13 because we did have this question of hearing in section 13 of the present Act which reads as follows –

“The Board may hold a hearing or may require any of its committees to hold a hearing...”

And now we are having that the Board ‘shall set up a Hearing Committee’ to hold a hearing for the purpose of this Act. I do welcome this provision which, I believe, will help in a more significant way those who feel aggrieved.

The third provision is the increase in the fine from Rs4,000 to Rs75,000 which, I do think, will better serve as a deterrent. Mr Speaker, Sir, I have also taken note of Part II of the Schedule regarding the contribution to be paid by an employer where directed by the Board. I also took note of the proposed additional function of the Board, namely, Mr Speaker, Sir, to educate and sensitise employers on the importance of employing disabled persons. However, Mr Speaker, Sir, I must say that this question of educating and sensitising has started by the MEF since 2008 because MEF was awarded a grant by the DCP Programme for the implementation of the project entitled ‘Promoting Awareness about the Employment of Persons with Disabilities’ since 2008 and we know that a guide has been published, ‘Benefits for Business: Why and how

to employ people with disabilities in Mauritius.' So, the only amendment proposed in the functions of the Board relates to the work that has been started by the MEF since more than four years back and, of course, some few amendments regarding the change of names and so on.

Mr Speaker, Sir, these are the amendments which are supposed to make better provision for the promotion of access of persons with disabilities to employment. Are these amendments enough to reach this objective? Mr Speaker, Sir, I beg to disagree. I really cannot find how this amendment will really make a difference and I will explain why. If it is a good thing to make the law more effective for employees to recruit disabled persons, I believe that on the other hand, we have to ensure that the disabled persons receive appropriate training to increase their employability.

Mr Speaker, Sir, the vocational centres of the Training and Employment of Disabled Persons Board are facing a lot of challenges and difficulties, particularly in terms of the training provided and the staff being recruited. There is nothing, Mr Speaker, Sir, in the Bill before us which makes me think that the training being offered by the centres managed by the Board will be reviewed. There is nothing in this Bill, Mr Speaker, Sir, which makes me think that the staffing and recruitment way will be reviewed. There is nothing in this Bill, Mr Speaker, Sir, which makes me think that people with disabilities and who are employable will receive appropriate training.

Mr Speaker, Sir, with your permission, allow me to give only one example to support what I am stating regarding the training and the staffing of the TEDP Board. Following two PQ Nos. 1B/794 and 1B/795 respectively, this House had been informed that one employee of the TEDP Board, a bus attendant, was found guilty in November 2007 of brutality on a disabled child and it is as per answer we received in this very House. The employee was issued a severe warning. We are talking of 2007. On November 2010, the Ministry of Social Security was informed by the TEDP of an alleged case of sexual assault on a trainee, involving one of its employees in 2008. But the Ministry was informed in November 2010 and an internal inquiry was being carried out. In both cases, Mr Speaker, Sir, it was the same employee. It seemed that there was a previous case in 1999. You have noted that the inquiry was on after two years, Mr Speaker, Sir, *et la cerise sur le gateau* do you know what has happened to this employee? He was transferred from Rose Belle to Flacq sub-centre and he has since been acting as Officer-in-Charge of the Flacq sub-centre with an appropriate allowance! This is how things are at the

TEDP Board! I have asked permission for one example, so I will stop here, and I am not going to give further examples to support my arguments that the appointment of staff under section 7 as well as the functions of the Board must be really reviewed. For example, Mr Speaker, Sir, the periodical review of the training programmes offered could have been inserted as amendment in the functions because we have to review periodically the training offered to ensure that the training is appropriate, will render the disabled persons more employable. I would humbly suggest to the hon. Minister to have a look at the training which is being offered there.

Furthermore, Mr Speaker, Sir, there is this provision in the Schedule of Rs4,000 to be paid by employees for each disabled worker not yet recruited to meet the percentage specified. The hon. Minister has announced that this money will serve for training, but we could have created a fund because, actually, I think that some 85% of the budget of the TEDP goes to salaries and so on. The disabled persons receive peanuts. So, the training that they receive is really nothing, Mr Speaker, Sir. These are things that we could have taken the opportunity to insert, Mr Speaker, Sir.

To conclude, Mr Speaker, Sir, I must say with much regret that the change proposed in the composition of the TEDP Board, the setting up of the Hearing Committee, the increase in fine are not enough to promote the access of persons with disabilities to employment. The single amendment proposed to the functions of the Board is far from being enough to bring a real change in the lives of persons with disabilities who wish and can earn a living. I think, Mr Speaker, Sir, that we are missing an opportunity to make a real difference.

May I, Mr Speaker, Sir, avail myself of this opportunity to salute the tremendous work that is being done by NGOs, such as Loïs Lagesse, *Lizié Dan La Main*, the Society for the Welfare of the Deaf, the Mauritius Mental Health, l'APEIM, the Physically Handicapped Welfare Association, to mention a few. They are doing a lot to increase the employability of people with disabilities. They are doing a lot to help these persons to earn a living. I was talking about the training, Mr Speaker, Sir, to render these persons more employable and this supports the argument that we have to review periodically the training. The Physically Handicapped Welfare Association used to give vocational training to persons in the industrial sector in the 80s, but they have stopped because the demand has changed and they have their workshop. This is why we have to review periodically the training.

Mr Speaker, Sir, I can only hope that there will be a real evaluation of the work of the TEDP Board and further amendments will be brought to increase the employability of people with these abilities.

I thank you, Mr Speaker, Sir.

(7.12 p.m.)

**Mrs A. Perraud (Fourth Member for Port Louis North & Montagne Longue):** M. le président, laissez-moi d'abord féliciter l'honorable Mme Sheila Bappoo, ministre de la sécurité sociale, de la solidarité nationale et des institutions réformatrices, pour avoir apporté ce projet de loi, the *Training and Employment of Disabled Persons (Amendment) Bill* à la Chambre.

Les amendements apportés à la loi de 1996, s'insèrent dans la vision du gouvernement d'apporter plus de justice, d'égalité de chance et de méritocratie dans la société mauricienne. Ce projet de loi cadre bien avec la démanche du gouvernement de mettre l'humain au centre de tout et de lutter contre l'exclusion.

M. le président, l'amendement à la section 3 qui stipule que quatre personnes handicapées doivent siéger sur le *Board* est fort louable car cet amendement vient démontrer que le gouvernement a un grand respect pour les personnes handicapées. On vient reconnaître la dignité, les compétences, les capacités des personnes avec un handicap.

M. le président, avec cet amendement, les handicapés sont partie prenante des décisions, ils ont leurs mots à dire et ils sont représentés. Après la Commission Justice et Vérité, l'*Equal Opportunities Commission*, la mise sur pied du ministère de l'Intégration Sociale, the *Training and Employment of Disabled Persons (Amendment) Bill* vient apporter une nouvelle pierre à la construction d'une nation mauricienne où chaque mauricien se sent respecté dans sa dignité, reconnu pour ses valeurs et valorisé pour ses compétences. M. le président, avec les amendements à la clause 2 et clause 18, les droits fondamentaux des personnes avec un handicap sont respectés.

M. le président, le travail est l'élément structurant d'une société. Il permet à chacun d'entre nous d'occuper une place, une position dans la société. C'est à travers le travail qu'un être humain accède à la dignité, à la considération des ses pairs. Travailler, c'est exister. L'amendement apporté à la clause 2, donne la possibilité à beaucoup plus d'employeurs de recruter une personne ayant un handicap. Avec le *Training and Employment of Disabled Persons*

*Act* de 1996, seul le secteur privé était concerné alors qu'avec cet amendement, les employeurs des corps paraétatiques aussi sont mis à contribution. Nous, politiciens, qui faisons la permanence dans notre circonscription toutes les semaines, savons que beaucoup de personnes qui viennent nous voir, aspirent à être embauchées dans le secteur public ou les corps paraétatiques. Cet amendement vient réaliser le rêve des personnes portant un handicap car elles aussi peuvent dorénavant aspirer à travailler dans le secteur parapublic.

M. le président, tout employeur ayant à son compte 35 employés a le devoir moral et légal d'embaucher au moins une personne avec un handicap au sein de son entreprise. Nous retrouvons déjà cela dans la loi de 1996. Mais, M. le président, malheureusement, la discrimination à l'égard des handicapés est une réalité dans notre société. Pour certains, c'est toujours la loi du plus fort qui prime. Beaucoup de compagnies d'entreprises font fi de cette loi. L'amendement à la clause 18 vient réglementer et consolider davantage cette loi. Il met plus de garde-fous et protège encore plus les droits et les intérêts des personnes souffrant d'un handicap.

Avec la section 18(b), pour un employeur qui ne se plie pas à la loi, qui n'embauche pas une personne ayant un handicap, l'amende passe de R 4,000 à R 75,000. M. le président, cette amende de R 75,000 va certainement encourager les employeurs à respecter la loi et à prendre au moins une personne handicapée à travailler dans leur compagnie.

Un autre amendement de ce projet de loi est le *Hearing Committee*, préconisé à la clause 13. Le *Hearing Committee* a un droit de regard sur les entreprises en ce qui concerne l'emploi des personnes souffrant d'un handicap. Ce projet de loi, lui confère le pouvoir d'appeler, d'interroger, et d'écouter les raisons avancées par un employeur qui ne se plierait pas à la loi et qui n'emploierait pas une personne souffrant d'un handicap parmi son personnel.

M. le président, avec ce nouveau projet de loi, le *Training and Employment of Disabled Persons (Amendment) Bill*, plus de personnes portant un handicap pourront être employées. Ce qui leur permettra de retrouver la dignité, l'autonomie, l'indépendance économique, l'estime de soi et surtout donner un sens à leur vie.

Merci beaucoup.

(7.18 p.m.)

**Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka):**

M. le président, permettez-moi, avant même de faire mon intervention, de rendre un hommage à

tous ceux et celles qui ont œuvré pour la cause des personnes handicapées. Les personnes qui ont travaillé pour éduquer ces personnes, les associations de personnes handicapées, les ONGs, l'École des Sourds, l'École des Aveugles, toutes ces personnes qui ont passé leur temps à persévérer et à se dévouer pour la cause des personnes handicapées.

M. le président, nous avons aujourd'hui devant nous un projet de loi visant à apporter des amendements au *Training and Employment of Disabled Persons Act* afin de revoir, en premier lieu, la composition du conseil d'administration du *Training and Employment of Disabled Persons Board*, de mettre sur pied le *Hearing Committee*, et aussi d'augmenter l'amende imposée pour non-conformation à la loi.

M. le président, le *Training and Employment of Disabled Persons Act* date de 1996. Mais, bien avant, en 1988, l'*Employment of Disabled Persons Act* avait déjà prévu dans ses clauses, l'obligation des employeurs d'embaucher des personnes ayant des handicaps au sein de leurs entreprises. Et toute entreprise ayant plus, à l'époque, de 25 employés devait avoir au sein de leur *workforce* - 3% de leur *workforce* devait être composé de personnes ayant un handicap.

Entretemps avec le nouveau projet de loi, le *Training and Employment of Disabled Persons*, nous sommes passés de 25 à 35 comme nombre d'employés requis pour être obligé d'employer des personnes handicapées et c'est pour cela, M. le président, que je trouve assez bizarre qu'un projet de loi qui vise à assurer que les employeurs prennent plus de personnes handicapées sur leur *workforce*, un projet de loi qui a cela comme but et présenté à l'Assemblée, j'entends le ministre venir dire qu'on va encore donner une période moratoire aux compagnies afin qu'ils puissent bien se préparer pour accueillir les personnes handicapées au sein de leurs entreprises.

M. le président, de 1988 à ce jour, cela nous fait beaucoup d'années et de temps alloué aux employeurs pour qu'ils puissent enfin accueillir les personnes handicapées au sein de leurs entreprises. C'est pour cela que moi, dès le départ, je sens, comme la ministre elle-même l'a dit, qu'une législation *on its own* ne suffit pas. Il va falloir développer la mentalité qui est requise. Il va falloir développer la volonté politique nécessaire pour amener ce changement-là.

Au sein du ministère où j'ai eu l'occasion de travailler pendant quelque temps j'ai rencontré beaucoup de fonctionnaires ayant certainement la volonté qu'il faut pour faire bouger les choses. Mais, M. le président, j'insiste encore qu'au delà de cela il nous faut la volonté politique de faire bouger les choses. J'ai trouvé moi-même, M. le président, qu'après tant

d'années il n'y avait toujours pas de registres d'employeurs au niveau du ministère, il n'y avait toujours pas de registres des personnes handicapées. Il a fallu faire beaucoup de démarches afin de mettre sur pied le *data base* pour les personnes handicapées au sein du ministère. Cela a pris beaucoup d'années et ce n'est que quelques mois de cela qu'on est arrivé avec ce *data base*. C'est pour cela que je dis qu'il y a beaucoup plus que la législation, il y a tout à revoir, la façon de faire.

M. le président, durant mon passage au ministère comme je viens de vous le dire, je me suis rendue compte qu'il y avait de la bonne volonté mais qu'il manquait quelque fois la volonté politique pour créer la synergie qu'il faut, avec tous les *stakeholders*, personnes handicapées, employeurs et aussi les ONG, afin de s'assurer que les personnes ayant un handicap puissent bien être intégrées dans notre société.

Il est important d'ouvrir les avenues, il est important de s'assurer qu'une personne ayant un handicap puisse s'intégrer, puisse s'épanouir dans tout les sphères de la vie et cela que se soit dans le sphère de l'éducation, dans les loisirs, l'art, la culture, les sports, l'économie et aussi et surtout dans le monde du travail, M. le président.

M. le président, comme dans de nombreux pays ailleurs, la politique d'aide envers les personnes handicapées est passée par étape. On débute en forme de soutien financier, d'allocation, de pension d'invalidé et ensuite pour bouger vers l'autonomie, pour bouger vers un stade où la personne peut être intégrée dans le monde du travail. Nous réalisons, M. le président, que la dignité d'une personne est souvent liée à son indépendance, à sa possibilité de prendre en charge soi-même et cela passe forcément par sa capacité d'être auto suffisante et d'être économiquement indépendante.

It depends on his ability to fend for himself and to fend for his family and, Mr Speaker, Sir, to be able to achieve this ...

**Mr Speaker:** I am sorry, that is a general debate on disabled person. We are talking of a specific amendment and the Member has to speak within the framework of these amendments.

**Mr Dookun-Luchoomun:** Mr Speaker, Sir, I am coming to it. We are talking on employment, that is why I was telling you that we need to pass through all these phases of life, but we have to pay more attention to the sphere of employment and this Bill is talking about the sphere of employment.

M. le président, le droit au travail est un droit fondamental de toute personne mais, malheureusement, les personnes handicapées demeurent largement invisible sur le marché de l'emploi et le taux de chômage des personnes handicapées reste très élevé et, de ce fait, leur source de revenu est significativement inférieure à celle des personnes sans handicap et aussi leur chance de conserver leur poste est moindre. C'est pour cela, M. le président, que je pense qu'il nous faut assurer que les structures mises en place pour encadrer les personnes handicapées fonctionnent de façon optimale. Il est important et même impératif que nous notions qu'un travailleur handicapé est un travailleur à part entière, employable, qui possède un savoir-faire, des compétences professionnelles et qui très souvent connaît son potentiel et croit fermement qu'il peut occuper un emploi. Il est de notre devoir alors, M. le président, de permettre l'épanouissement de cette personne afin qu'elle puisse trouver sa place dans le monde du travail.

Certains employeurs craignent et à tort, M. le président, que des coûts supplémentaires surgiront, voire une baisse de productivité ou une perte de potentiel de gains et très souvent ceci les poussent à fermer la porte de leurs entreprises aux candidats et travailleurs handicapés. C'est pour cela que quand je regarde le projet de loi et je vois qu'on prend en considération l'importance de sensibiliser les employeurs, je pense que c'est une bonne chose et que malgré le fait que cela se fait déjà au niveau de la NCRD, au niveau du Training and Employment of Disabled Persons Board, il va falloir mieux gérer cela et voir comment le rendre plus effectif.

M. le président c'est pourquoi il nous faut aborder ce projet de loi, aborder les actions à prendre avec sincérité et honnêteté et de travailler sincèrement en faveur des personnes handicapées. Il ne faut pas nous limiter au *lip service* ou à la législation.

Voyons maintenant le projet de loi, M. le président ! Je vois qu'à la clause 2 on a revu ...

**Mr Speaker:** Let me remind the House! I am quoting from Erskine May -

“When the House is considering an amendment Bill the rule requires the debate at the second reading to be limited to the principle of amending Bill and not to the subject matter of the Act which it proposes to amend. During the debate on a second reading, Members are frequently tempted to delve into the clauses of a Bill instead of confining themselves to consideration of the principle of the Bill. Such interventions are in breach of the rule of relevance”.

I am just guiding the House.

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, I wanted to talk about the clause 2 because it refers to the definition of a disabled person.

**Mr Speaker:** General debate is alright.

**Mrs Dookun-Luchoomun:** But I have to say where I don't agree with the clause, Mr Speaker, Sir.

**Mr Speaker:** Generally, yes.

**Mrs Dookun-Luchoomun:** So, I am talking about where I don't agree with the clause and here it is mentioned that 'the disabled person means a person who is certified by the Board', Mr Speaker, Sir. We are saying that we want to get handicapped people to get a job. Now, when a handicapped person goes to an enterprise and tries to get a job there he will now have to be sent back and tried to see whether he is certified by the Board before he is considered to be eligible for the post. I think that we are putting a hurdle again in front of the handicapped person instead of facilitating his access to a job.

Mr Speaker, Sir, I have also noted that the employer now is being defined as the person who has more than 35 employees in his enterprise and it is also including the statutory bodies.

Mr Speaker, Sir, now I understand why in the composition of the Board the representative of the Civil Service Affairs has been removed because already here we are giving the signal to the handicapped person that there is no place for him in the public service and the fact that there is no place for him in the public service there is no need to have a representative of the Civil Service Affairs on the Board. This, Mr Speaker, Sir, is discriminatory towards the handicapped person. It is revealing, because it shows that there is no commitment and there is no willpower to move towards the direction that we have set to be moving.

Mr Speaker, Sir, I now move on to...

*(Interruptions)*

I have just said so, try to understand!

Mr Speaker, Sir, I come now to clause 13 where I still don't agree. I have the right to say where I don't agree with the Bill.

**Mr Speaker:** Standing Order....

**Mrs Dookun-Luchoomun:** I have the right to say where I don't agree.

**Mr Speaker:** I have given my ruling! The hon. Member should talk about the issue.

**Mrs Dookun-Luchoomun:** Alright. The issue, Mr Speaker, Sir, now, when we come to the fact that we are saying that we want the employers to take on board handicapped people and we are saying that if you can't take on board a handicapped person, you should contribute a sum of Rs4,000 per handicapped person that you have not employed monthly over the period that you have not employed that person. If I take the case of a company having 100 employees, Mr Speaker, Sir, the number of handicapped persons it did not take on board is three and if I go by this, the contribution payable will come over a year for these three handicapped persons who have not been employed to about Rs156,000, Mr Speaker, Sir. Non-compliance can only cause that employer to pay a fine not exceeding Rs75,000 which could be much less, Mr Speaker, Sir. So, what I want to say is that if this is the case, there would be many employers who would decide not to go forward, not to take on board the handicapped person and to get away with paying a fine in the court which would be minimal, Mr Speaker, Sir.

This is why I feel that this particular piece of legislation is not translating the real will of Government to move forward, to help the handicapped persons. It's too nice and too good to have nice legislations, but we have to make sure that the actions which follow are actions which are really valid, really in favour of the handicapped person. What is this? On top of that, apart from the fact that we can only ask them to pay a contribution of Rs4,000 per person that you have not employed, we are telling them that you have plenty of moratorium time for you to get ready to take these people on board. Now, we come up with a fine which is much less than the amount that is payable as contribution. What does this mean? That if you are not compliant, you can get away with a fine which is of a minimal value, Mr Speaker, Sir! That is why I am telling you that to me this particular piece of legislation is just paying lip service. We are telling people we are doing something for you, we are moving forward, but in reality there are loopholes which will leave the handicapped person out, Mr Speaker, Sir.

So, don't come and tell people that you are doing something for you when the intention is something else, Mr Speaker, Sir! I wonder how this Bill has passed through Cabinet! How has it passed through the Ministry? Now, I do understand why we are saying that we are thanking the employers who have given their views because it is in the favour of the employers and not in the favour of our handicapped people, Mr Speaker, Sir. For me, it is clear that when we put sanctions, it's simply to act as a spur, to force people to take actions in favour. We are not interested in filling the coffers of the State. We are not interested in getting money. The idea of

putting a sanction is to force the people, to make them feel that it would be better for them to employ a handicapped person.

Now, Mr Speaker, Sir, elsewhere, in France, for example, it is 3% of the pay package monthly that has to be paid per handicapped person that you have not employed. In Sweden, for some time it was 1.5% of their pay package if they have not employed handicapped persons. So, why are we moving back? I do understand if you want to say that now, the State is moving away from helping and supporting, and is trying to leave the responsibility on the private sector to decide whether or not they want to give a helping hand. This is another issue. But, when we come with the piece of legislation and we state that this piece of legislation is going to help handicapped people to get a job, then, we have to take measures and we have to make sure that whatever we are presenting in this House is worthwhile, Mr Speaker, Sir. Otherwise, we are paying lip service. I feel that it is very, very unfair to handicapped people who are working hard, getting trained to be able to earn a living, to be able to fend for themselves, to give them the dignity of being able to say that: 'in spite of the fact that I have a handicap, I am still working, I am still trying to do my best.' The hon. Minister just said, we have to lay more emphasis on their abilities and not on their disabilities. But then, action does not seem to follow the words, Mr Speaker, Sir.

I must say one thing more, we have to give credit to those who are doing the right thing. When I met some employers, there are certain companies which came forward - and it's important for me to say that because it will serve as example to others - to the Ministry and said: 'I am sending my Managers to get trained in the Sign Language so that we can welcome deaf employees in our enterprise.' There is one enterprise - I don't know whether it would be ethical for me to state the name of the enterprise - which has opened its doors in Ebène and which has employed a number of deaf persons and not only have they carried out a sort of induction course with the workers, but they themselves came to the Ministry to get trained in the Sign Language. This, I think, is something that we should really congratulate; people who came out of their way and who showed their willingness to help, to give a better image to their institution, to their enterprise. We have to think. Not all people, as someone mentioned earlier, are unwilling to help. Very often, if we find that certain companies are not taking handicapped people on board, it's very often because they are not aware about where to contact these handicapped persons. The register is still not on. Whom should they contact?

Here, again, I must say that there are certain institutions like *l'Ecole des Aveugles* which has taken the pains of training the children; training them on *braille*, training them to work on computers with new technology, and helped a lot these people. On our side, all we are asking is to have the proper coordination, to create the synergy that is required to ensure that we help these people. Mr Speaker, Sir, I must say that dignity of a person comes in his work and no matter how much help we can give, no matter how much allocation we can give, nothing will replace the work. This legislation which was meant to promote the employment of disabled persons, I am afraid, has failed totally not only in the way it has been written, but also in the way that it is being *abordé*.

Je dois dire que si nous voulons vraiment aider les personnes handicapées, si nous voulons vraiment qu'elles soient employées, il va falloir qu'on prenne une mesure un peu plus ferme. Il va falloir qu'on parle aux gens. Je me rappelle, l'honorable Xavier Duval, qui était le ministre de l'intégration sociale à l'époque, avait porté main-forte à mon ministère quand on avait organisé une espace de rencontre où les employeurs et les employés handicapés étaient mis en contact. Et je dois dire qu'à peu près une cinquantaine avait trouvé de l'emploi juste après. Mais tout cela nous a fait comprendre que s'il y avait quelques entreprises qui étaient prêtes à faire l'effort, la grande majorité ne faisait pas l'effort.

Ce qui était aussi important à noter, c'est que plusieurs des entreprises qui avaient par la suite embauché des personnes handicapées, étaient des entreprises de l'Etat; la Banque de Développement, parmi d'autres, la CWA, la Poste. Mais, malheureusement, les autres du secteur privé, la grosse majorité du secteur privé, n'avaient pas fait l'effort requis malgré le fait que c'était le vice-Premier ministre, à l'époque, qui avait fait l'effort de les contacter personnellement en même temps que le ministère de la sécurité sociale. C'est pour ça que je pense, puisque nous avons remarqué qu'il y avait cette difficulté pour prendre *on board* les personnes handicapées, on aurait dû maintenant venir avec des mesures très fermes et ne plus donner de temps - du *moratorium period* - tout au long de l'année parce que de 1988 à 2012, je pense qu'il y a eu suffisamment de temps.

Avec cela je termine et je vous remercie, M. le président.

*At this stage the Deputy Speaker took the Chair.*

(7.45 p.m)

**The Minister of Labour, Industrial Relations and Employment (Mr S. Mohamed):**

Mr Deputy Speaker, Sir, first of all, let me start by reading famous words from Stephen Hawking who stated -

“It is a waste of time to be angry about my disability. One has to get on with life, and I have not done badly. People won’t have time for you if you are always angry and complaining.”

These are very important words coming from Stephen Hawking. Able people like us should learn from those important words. People won’t have time for you if you are always angry or complaining. That is why I believe that the people don’t have time for the MSM because they are always angry and complaining. That is the problem.

*(Interruptions)*

What is really surprising because I wanted to go and talk about exactly ...

*(Interruptions)*

Mr Deputy Speaker, Sir, is the hon. Member going to take the floor? Because maybe I shall sit down and allow him to keep on and on, saying nothing. What I am trying to say here, instead of being interrupted by people that are just acting like empty drums, full of noise and nothing else, and sometimes they even have the size of drums, is that we heard the former Minister of Cabinet who has been criticising angrily this Bill. What has she suggested in return? Nothing! What has she proposed in return? Nada! Nothing! I have been all ears, and nothing has been proposed. Why? Because her only mission was to criticise and do nothing else. Her only mission was to oppose, and not to propose. The proof of what I am going to try to substantiate here is in those words I am going to pronounce. She was the Minister of Social Security. She has left Government in August 2011. She has been venting on about the abilities of the former vice-Prime Minister and Minister of Finance, hon. Pravind Jugnauth who, at this time, had gone out of his way to talk to the private sector to bring in ...

*(Interruptions)*

She said that! She has said that he had gone out of his way to call the private sector to employ.

*(Interruptions)*

**Mrs Dookun-Luchoomun:** On a point of personal explanation. Mr Deputy Speaker, Sir, I never mentioned the former Minister of Finance, Mr Pravind Jugnauth. I mentioned Minister Xavier-Luc Duval, former Minister of Social Integration. I wonder! The hon. Minister said that

he was listening, that he was giving a good ear to what I was saying. This simple fact, he couldn't pick up!

**Mr Mohamed:** Fair enough! It makes it worse. This means that Pravind Jugnauth did nothing as Minister of Finance.

*(Interruptions)*

Thank you! She just made my case. As Minister of Finance, when he had the coffers of the State, he could have done something. He did nothing! Thank you very much. I don't think he will appreciate that an hon. Member of his own party has just crucified him *au pilori*. But, however, let me add here: what has she done as Minister? Why didn't she bring the Bill to Cabinet? She went on about Cabinet allegedly - how did this Bill go through Cabinet? Why is it that she did not bring the Bill to Cabinet? She did not even bring a draft of any iota of a Bill concerning the helping of disabled people, and creating opportunities for employment and training to Cabinet. Not an iota! Why? She has not! She has not! It is easy to come and say: 'do your homework! Do your homework!' Worse, coming from someone who wasn't even there! If she had done it, knowing how the MSM proceeds, she would have blown her own trumpet and said 'I have done it!' Had she proposed that Bill to Cabinet, she would have said: 'this is not your work, hon. Mrs Bappoo. This is what I have done.' The fact that there was total silence is precisely because nothing was done by the hon. Minister of Social Security at that time. She did not do anything.

**The Deputy Speaker:** I'll now advise the hon. Minister to come back to the Bill.

**Mr Mohamed:** In rebuttal, I was duty bound to answer to whatever unfortunate untruths were being talked about, as if we don't have the will to come and help the disabled. She has tried to politicise this whole debate, which is very, very sad. This is not an issue on which one has to score political points. She has tried to score political points, which is very sad; I was duty bound to rebut.

**The Deputy Speaker:** I think the Minister has made his point, now. Please, come back to the Bill!

**Mr Mohamed:** I think they have had enough of it; it has hurt enough. So, I will go on and listen to what Mr Deputy Speaker said. The facts and figures, as have been referred to hon. Minister of Social Security. Census of 2000, total number of employed disabled raised in population: 4,203; census of 2011: 8,400. Those are figures, and even if I am on this side of the

House, I will be honest to say that those figures are not good enough, and far from being good enough. In spite of the fact that, in 2004, the ILO Vocational Rehabilitation and Employment Disabled Persons Convention, No. 159, and Recommendation 168 were ratified by the Government of Mauritius, we are still very far from honourable figures. The reason why I am of the view that the hon. Minister of Social Security has come up with this piece of legislation is precisely not only are we to ratify a convention, as we have done in 2004, we have to be able to live up to what we have ratified. The existing legislation, which dates back to 1996, does not make any provision for us to really ensure that people with disabilities are encouraged and make it easy for them to enter the workplace.

If we are to look around, Mr Deputy Speaker, Sir, if we are to ask one simple question to companies out there of the private sector, how many companies have got a policy with regard to the employment of the disabled? I am sure that the answer will be so shocking, since it is a very small number. How many companies out there that are listed on the Stock Exchange have got a policy for the employment of disabled? Very often, we hear the private sector say that the Government should come up with a national employment policy. We are in the preparation, together with the ILO, of a national employment policy. We are in the midst of its preparation, and it is almost final. The consultant has finished the work with regard to the national employment policy, and there is and has to be a chapter in regard to the disabled. But my plea to the private sector and to those huge companies *qui brassent des millions et des milliards*, is that they should also have an employment policy with regard to the employment and training of the disabled.

Let me now refer to the words of Juan Somavia, the ILO Director-General, who will soon be retiring. He said -

“The decent work is the ILO’s primary goal for everyone, including people with disabilities. When we promote the rights and dignity of people with disabilities, we are empowering individuals, strengthening economies and enriching societies at large.”

Those are also very important words because what this Bill, which will soon be law, is precisely doing, is empowering individuals in Mauritius, strengthening our economy, and enriching society at large. Those are the means that this Government is giving to the people of Mauritius, the society at large, the nation to which we belong. When one looks at other studies of the ILO and one sees what is the cost to the economy when companies do not employ people

with disabilities, for example, in certain countries like the United States of America which goes up to billions of dollars. In other words, the lesson is very simple: if you employ more disabled the country comes out richer; the country saves money; the country produces more when you employ more disabled because they become productive citizens. They are out they are waiting to become productive citizens.

I will read another document which is 'Mauritius Country Profile', written by the ILO and it is financed by Islander Development Corporation of Ireland in March 2004. This document was on the employment of people with disabilities and the impact of legislation. According to the census of those days, in year 2000 there were 40,000 people with disabilities in Mauritius - according to this ILO report. They comprise of 3.36% of the population. This is at paragraph 2.1 of the report. In actual fact when one has those figures - as I have said earlier on - one had to bring a piece of legislation to ensure that you could use it as a deterrent. In rebuttal I shall also say that I do not agree with the previous orator, as though we have brought a maximum fine of Rs75,000 and therefore the fine which will be imposable will be less than Rs4,000. That does not make sense. Whatever fine will be imposable, will be decided by the Learned Magistrate of a court and cannot be imposed by the legislature. It cannot be imposed by Members of Parliament. That would be unconstitutional.

As Minister of Labour, Industrial Relations and Employment, I would like here to remind hon. Members of this august Assembly that Section 4 of the Employment Rights Act of 2008 does provide for particular issues such as discrimination in employment and occupation. Section 4 does state that no person shall be treated in a discriminatory manner by a prospective employer or by an employer in his employment or occupation. In other words, if any person tries to obtain a job and a prospective employer, in any way, discriminates against that person because of his disability, it is an offence provided for under another piece of legislation brought by this Government under the leadership of Dr. the hon. Navin Ramgoolam, our Prime Minister.

Once again, this Government has proven one thing. In 1996, it was under the leadership of the hon. Prime Minister Dr. Ramgoolam that this piece of legislation was brought to this august Assembly. Government had changed in 2000. Had the Government then changed anything or brought any changes to the law? No! Once again, in 2012, whatever changes are being brought to the initial legislation is being brought by Government led by the partners here led by Dr. Navin Ramgoolam as Prime Minister. So what do we do? The issue here is that we

have no other choice than to congratulate the hon. Minister of Social Security. We have heard previous Members say that there is nothing in the law pertaining to the type of training that is given to disabled people. This is not something that you put in the law. The type of training, the quality of training, the assessment as to whether it has to be reviewed, the vocational training for the disabled are not something which you put in a piece of legislation. You can perhaps put it in a regulation at some later stage, but not in the main Act because had we done so - and if we were to listen to the previous orator, the former Minister of Social Security – we would have to come to Parliament each and every time we were to change a simple thing like a syllabus of a vocational training. So, we have to be practical. We cannot do politics *sur le dos* of such an issue. We have to really get together. There has to be consensus. There has to be constructive thinking. There has to be practical suggestions and proposals made by one and all.

I would like to end on the following. I would like to see the day when this piece of legislation is backed up by something else. How do we help people to come and we tell them: We want to employ more disabled? We need to have a transport system that encourages transport of the disabled – public. That is the issue. That is what I expect Members of the Opposition to come and remind us. But in Government, we are honest enough to say: ‘Wait a minute; it is a whole issue that must be tackled together. Yes, we want to make it a fine that is increased for employers who are not complying with this legislation’. Fair enough! It shall act as a deterrent. But how do we encourage them to come to work, those people with disabilities? Is there a public transport system in Mauritius that caters for the disabled? The answer is no. Should there be? The answer is yes and I pray for it that it comes very soon. The other issue is that in the capital city itself we talk about buildings of the public sector. Yes, there are amendments to the legislation with regard to the fact that public buildings, new buildings according to the Local Government Act must provide for facilities and access for the disabled, but the old buildings must also comply, and this must be imposed upon.

Let us talk about something else. We are in this august Assembly. We have here the Public Gallery. This is here the heart and the lungs of our democracy, Mr Deputy Speaker, Sir, but the person who is a disabled in a wheelchair cannot have access to this Public Gallery. Those are issues that we have to talk about. Those are issues that we have to sort out. Those are issues for which we have to find solutions. We shall not simply sit down and listen to people just criticise for the sake of criticising. We have to get together, as I have said, and find solutions for

the people of the Republic. Every citizen of this Republic; we do not care about which political party you belong to, what cast, what creed, what colour, what sex. We are all Mauritians and proud to be Mauritians. Thank you, Sir.

(7.57 p.m.)

**Dr. S. Boolell (Second Member for Curepipe & Midlands):** Mr Deputy Speaker, Sir, if I could have the attention of the Members on the other side, if they want some form of consensus in our endeavour to take care of the disabled, I would like, first of all, to challenge the very word 'disabled'.

We are the disabled for not having been able so far to provide help and support to those able otherwise. Straight away when I get to the definition of 'disabled', I would love to have seen that word being deleted and replaced by 'physically challenged', 'the special person', 'the special child'. You wouldn't like to be labelled, or have a label of 'disabled'. Then when you get again the definition of 'disabled' in clause 2(b) under the previous law. Now, in the new amendment, it means a person who is certified by the Board and part (b) is kept 'to be willing and able to work'. Able to work, I understand. Why willing? When we have not been providing throughout the years ways and means for the person to work and then we will say they are not willing. Why 'willing'? The word 'willing' is out of place. That could have been booted out. If we are to get any further and we start thinking and then we look at the principal Act - I do not intend to get involved in party politics, in challenges and in counter challenges, but I would like objectively to review the composition of the Board, a Board which had 13 members, which is now 12. I have been trying to figure out who are those who have got their marching orders as per their function and who are the new ones. I remember in one article where hon. Mrs Bappoo gave an interview, talking about the collaboration with the employer, with the private sector. The employers had two representatives. There is now one. You have introduced the trade unions and for the trade unions, a representative of trade unions to be appointed by the Minister - great independence for the trade unions. I think a representative of the trade unions should be appointed by the trade unions not by the Minister. In addition, I do note the absence of a medical director from Social Security, the absence of a doctor. For the first time the doctor and the handicapped no longer mixed. At some time, we will need the doctor to specify who is handicapped and who is not handicapped. The Ministry of Social Security is doubly represented

“(b) a representative of the Ministry responsible for the subject of social security;”

And the other one –

“(f) the Head, Disability Unit of the Ministry responsible for the subject of social security;”

It could have been one member with an alternate representative, and then, the other seat could have gone somewhere else. The bit that has been introduced to be able to impress the disabled that we are working for them -

“(i) 4 disabled persons, to be appointed by the Minister on the recommendation of the National Council for the Rehabilitation of Disabled Persons.”

Let me say something about this National Council for the Rehabilitation of Disabled Persons. When they had their last AGM and they had the elections earlier this year, four members came in *ex aequo* for three seats, and they decided to choose by drawing of lots who would be on that Board. The one who was booted out was somebody who was visually incapacitated. This is the organisation which is going to recommend to us four disabled persons. In addition, I have the greatest of respect for disabled persons. I have been working with disabled persons for a long while. But what about the parents of disabled persons! The hon. Minister of Social Security is no doubt aware of that young boy. I am embarrassed to mention the name, Pataroo, that boy who has got a fantastic result at SC level. The parents were superb; they have as much experience to be on this Board as anybody who has a handicap.

We have been talking about autism. What about somebody who is in charge of autism? That person in charge of autism on that Board would be more effective than actually - with all due respect and most sincerely said - an autistic child on the Board. The parents have the experience; we cannot overnight get rid of parents, of carers, of minders, of people who have suffered nights and days with the handicapped. This is not politics, this is being human; this is trying to look the way forward and trying to see whether we can take care of those who are intellectually disabled. I think of Mrs Maurel, “Friends of Hope”; we think of the gentleman whose twins passed away; I am thinking of this lady, the mother of Pataroo and I am thinking at the same time about the NCRD which is going to select four disabled. We do not wish four political appointees to come and disturb on what is a subject of national importance. Anyone of us, Mr Speaker, Sir, may end up with a handicapped parent overnight. Life has to start again,

meaning you change even your job, the wife stops working, the revenues go down. If you want to be able to stick to the changes that are being presented here, you have to think twice before you agree to a lot of things.

There is one bit in the law which is being added, under clause 5 –

“(aa) educate and sensitise employers on the importance of employing disabled persons and contribute to remove barriers or prejudices with regard to the employment of such persons.”

These are lyrical words, beautiful words which might mean nothing at the end of the day. But there is something with which I agree which is the setting up of a Hearing Committee -

“(4) The Board shall set up a Hearing Committee to hold a hearing for the purposes of this Act, and any finding and recommendation made by the Hearing Committee shall be communicated to the Board for consideration and decision.”

For once, we have “consideration and decision” as opposed, in the past, where it used to be the determination of the Board. Now, at least, there is consideration and decision. But then again, when we get to the composition of the Hearing Committee, I implore you, let us forget politics. We have legal persons in this country who are non-political in origin, who may do a better job, I hope sincerely this job has not been tailor-made for anyone.

“(a) a Chairperson, who shall be a law practitioner (...)"

As a poor doctor, I went to ask a few lawyers: who is the law practitioner. I hope it includes the Notary Public. The Solicitor and many people who are well-acquainted with the world of handicap, with the world of disability, will know who I am talking about. There is a range, there are several persons, I am not pushing for anyone; I am trying to push for somebody who is independent.

“(a) a Chairperson, who shall be a law practitioner, to be appointed by the Minister, after consultation with the Attorney-General;”

It is for the Board to decide, maybe more than one brain might be indicated if we choose the right person.

“(b) a representative of the Ministry responsible for the subject of social security;

(c ) a representative of the Attorney-General’s Office;”

May I humbly request the Attorney-General to at least look for somebody who is mature, who believes in disability rather than just as a legal person who turns up for the sake of the *per diem* or the allowance, and get somebody who is right because this is the kind of a job where you need maturity to be present. Then -

“(e) a representative of disabled employees, to be appointed by the Minister;”

What are the criteria for disabled employees? How do we decide on the disabled employees? Would it be not fair to allow the general Body of the disabled persons to choose their own representative?

And then, the final cherry on top of the cake –

“(e) the General Manager of the Training and Employment of Disabled Persons Board.”

Let me humbly, Mr Speaker, Sir, remind the Minister that there was an MAB report on this Training and Employment of Disabled Persons Board. I would hate, but I have to talk about what he recommended about the TEDPB. It said that the TEDPB is not capable of delivering the performance required by the Act. Two options were recommended and the closure of this Board was recommended by the MAB. I am not the MAB, the MAB, in its wisdom, decided nothing was being done.

A situation analysis reveals that the TEDPB is loaded with shortcomings and the external environment augurs major threats for its future and, more importantly, the future of disabled persons. I do not think the situation has changed even five or ten years later. Again, when I see the General Manager of the Training and Employment of Disabled Persons Board, I made an enquiry to find out who chairs these Boards. There is one Board, for example, the National Council for Rehabilitation of Disabled which is supposed to be chaired by the Permanent Secretary, is always chaired by the PAS. If the PS is not available or is otherwise occupied he presides and, this is the one Board where we have the famous AGM where the handicapped member was booted out.

If we are to continue on the other Board –

“(e) the General Manager of the Training and Employment of Disabled Persons Board.”

This is really an anachronism because this is where the work for the handicapped should have been done. They are supposed to maintain a register which should be up-to-date on the numbers

of people with disability. But according to the definition, again, it is disability and willingness and ability to work. They do not go out of their way to find out who is disabled and who has not been asking for work; the work and the training that should be proposed. Maybe we should go one step further and break new ground. We should think in terms of exploring new avenues of work for the disabled. We should think in terms of working from home, the Internet, telemarketing, consultancies, programming! Do you know why many people are not willing to work? This morning, I said to somebody: "you are disabled, would you be willing to work?" He said: "how much will I be paid?" I said: "I have no guarantee of how much you will be paid." He said: "but will I lose my disability allowance from the Social Security? If it pays to stay at home because of the disability allowance, why should I work?" Very intelligent remark! I am not competent enough to judge. He knows what is best for him. I have seen so many ...

*(Interruptions)*

Maybe, this is why we have been trying to...

*(Interruptions)*

Well, this is why probably he is the vice-Prime Minister and he does not appreciate what is a handicap and what is willing. Mr Deputy Speaker, Sir, if the hon. vice-Prime Minister does not appreciate, it is not my fault. He is probably one of the lucky ones born with a golden spoon and having no contact with the people who are disabled...

*(Interruptions)*

I would invite him to an ashram where I have been working and see those children with disabilities and see whether there is any volunteer to come forward to adopt these kids.

*(Interruptions)*

**The Deputy Speaker:** Hon. Member go ahead, please!

**Dr. S. Boolell:** Sometimes, Mr Deputy Speaker, Sir, you despair of this country when intelligent people refuse to go beyond politics and think of disability. It is all very nice for the Minister of Social Security to have mentioned the name of Mr David Blunkett who was the Home Secretary. It is my wish that some day, some time in the future, we manage to get people with any form of handicap that we shall not see the handicap. We shall be handicapped in this House if we do not overcome our prejudices because the main prejudices are in this House rather than out there.

Then, we get to the last part of the Bill where they are going to increase the fine from Rs4,000 to Rs75,000. I think that hon. Mrs Bappoo talked about some form of exemption, each case being on its own, trying to see whether the person is refusing to employ, because an employer, at the end of the day - if you want to treat somebody with a disability as equal - will want to have someone who can be effective. Employers are there to make profits. I think hon. Mrs Dookun-Luchoomun talked about the absence of the Civil Service representative on the Board. Fairly humiliating! Hopefully, Government as the major employer, should employ more. I am sure Government does its best because I have been working in hospitals; *dans la lingerie, on a toujours vu des gens autrement capables et c'est bien*. But we have to still look forward. I am thinking about this kind of Rs4,000 monthly fine for each disabled worker not employed. Rather than trying to punch everybody who does not comply, I would have been more amenable to the creation, after consultation, of a friendly environment, of trying to see whether we can have some form of consensus with the right figures.

Let us see one of those Boards which is going to choose the disabled and which is not able even to produce a nice up-to-date register. Let us see whether this Board can be a party to their amendments and provide what they have. Let us go out there and talk to the people and try to take care of each handicapped. It is not the work only, it is also, like somebody just mentioned, the transport, the user friendly building, the building which is not user friendly like the Public Gallery here where, if they wanted to come, they might not even be able to. Even the streets of Port Louis - to take Port Louis as an example - you cannot even walk on the pavements without your heels getting stuck somewhere and you expect a handicapped to go on a wheelchair on these streets!

I think that I have said enough. This Bill does not go far enough. It is going to maybe improve a little bit. It has helped us today to at least take conscience of the problem. But again, will it change the destiny of the man out there who has a handicap? After we vote it tonight, will there be a change in the destiny of that person tomorrow, in a week, in a month or in six months? If there is going to be a change, so be it. But I doubt it!

Thank you, Mr Deputy Speaker, Sir.

(8.15 p.m.)

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** *Mr Deputy Speaker, Sir, let me congratulate my colleague the hon. Minister of Social*

*Security, National Solidarity and Reform Institution for bringing this Bill which is an important step forward in the care that we give to handicapped persons. But, let me say at the outset, Mr Deputy Speaker, Sir, that this debate* mérite mieux que trois ou quatre politiciens qui se disputent sur des points politiques parce que la loi précédente date de 1996, ce n'est pas d'hier. Il y a eu entretemps le gouvernement MSM/MMM pendant cinq ans. Comme l'a mentionné mon ancien collègue, l'honorable Mme Leela Devi Dookun-Luchoomun, il y a eu aussi la participation du MSM au gouvernement pendant un an ou un an et demi. Donc, aujourd'hui venir se gargariser ne sert à rien. Ce qu'on devrait faire, c'est travailler ensemble pour trouver une solution parce que ces gens dont on parle sont des pauvres handicapés, M. le président. Ce sont des gens qui n'ont pas de voix. Ce sont des gens qui sont faibles et c'est pour cela que je prends la parole. Je n'ai pas pris la parole parce que j'ai envie d'une plateforme pour me gargariser. Je prends la parole parce que je pense qu'il est important quelque fois de parler pour des gens qui ont besoin d'être soutenus et aidés.

J'étais très heureux à l'intégration sociale. Nous avons travaillé, c'est vrai, avec mon ancien collègue et avec d'autres personnes parce que c'était important d'aider les handicapés. C'est vrai qu'on l'a fait et c'est vrai ce qu'elle a dit qu'il y a aussi un manque d'attention de la part du secteur privé pour ce que nous essayions de faire. Maintenant quelle est l'ampleur du problème, M. le président? Mon collègue, l'honorable ministre Shakeel Mohamed, a parlé de certains chiffres que je voudrais actualiser parce qu'il y a, d'après nous, environ 60,000 handicapés à l'île Maurice. Il y a 60,000 personnes qui peuvent être considérées comme handicapées à l'Ile Maurice. Dans ce chiffre, M. le président, il y a environ 5,000 enfants et jeunes de moins de 18 ans. Il y aurait aussi une trentaine de milliers, M. le président, qui sont vieux et qui ne peuvent pas travailler. Parmi il y a ceux qui sont *able or willing to work* et peut être il resterait environ 27,000 personnes qui sont entre 18 ans et 60 ans et qui sont dans la catégorie des gens pouvant être considérés en âge de travailler, M. le président, et de ces 27,000, il y a seulement 8,000 qui travaillent. Donc, il y a environ 19,000 qui ne travaillent pas. De ces 19,000 qui ne travaillent pas, il y a environ un dixième des handicapés qui sont enregistrés au *Training and Employment of Disabled Persons Board*. C'est cela le problème. J'accepte les critiques de l'opposition à l'effet qu'il y a un problème au *Training and Employment of Disabled Persons Board* parce qu'il faut plus de dynamisme et de volonté sur ce *Board*. Le *Board* était à Calebasse qui n'est pas un endroit bien placé pour accueillir les handicapés, mais il sera

maintenant à Port Louis comme l'a annoncé mon collègue. Cela est bien parce que ce *Board* est coupé des handicapés et la grosse majorité des handicapés ne sont pas enregistrés dans ce *Board* et on ne peut pas penser que 90% des handicapés ne peuvent pas travailler. Il y a un problème de communication, de volonté et peut-être aussi qu'ils ne sont pas satisfaits des résultats du travail de ce *Board* et, donc, ne s'embêtent pas pour se faire enregistrer. Il y a, M. le président, un vrai désir de la part du gouvernement d'augmenter l'efficacité de cet organisme. Si dans les *Boards* il y a 12 ou 13 personnes - une personne en plus ou en moins - ce n'est pas là le problème. Ce n'est pas s'assoir dans un comité pour discuter *ad infinitum* des problèmes des handicapés et qui est *able* ou *willing*. Le problème, c'est le travail. Qu'est-ce que le *General Manager* fait ainsi que les employés? Comment est-ce qu'ils vont aller trouver ces 27,000 handicapés qu'on sait qui existent. Comment les trouver et comment faire pour les encourager pour qu'ils aient, premièrement, une offre de formation. Mais pas tous qui doivent être formés. Nous connaissons tous des gens, des handicapés qui ont toutes les qualifications nécessaires et pourtant ils n'ont pas de travail. Moi-même, M. le président, quand j'étais en Angleterre, je travaillais pour une firme d'experts comptables et mon directeur était un sourd muet. Il me comprenait, je lui parlais et moi j'essayais de lui comprendre et après un certain temps, je m'étais habitué à le comprendre. C'était un sourd muet complètement. Mais, pourtant, il était *Manager* d'un grand département d'audit. J'étais étudiant et je travaillais là-bas.

M. le président, ce qu'il faut comprendre avant tout, que la nature compense. Quelque fois nous entendons des gens qui sont peut-être paralysés, qui chantent tout simplement, vous pouvez entendre cette belle voix et vous allez savoir que Dieu compense. Peut-être il y a quelque chose qui manque d'un côté, mais de l'autre côté la nature va compenser. Je profite de cette occasion, aujourd'hui, afin de faire un appel aux employeurs, M. le président, parce que des fois, ils ne réalisent pas. Premièrement, ils ne connaissent pas suffisamment la loi. Beaucoup de gens ne savent pas que cette loi existe, il faut donc la vulgariser. Deuxièmement, M. le président, les gens pensent qu'ils vont employer des handicapés et cela va coûter plus cher, ils vont être un peu moins productifs, mais moi je crois fermement qu'employer un handicapé est une bénédiction pour une entreprise. C'est une bénédiction parce que chaque jour après, on espère et on peut dire que le Bon Dieu va nous bénir pour l'effort accompli. C'est cela qui est important, M. le président et, bien sûr, la charité commence chez soi.

Je suis content qu'aujourd'hui, mon collègue la ministre inclut formellement les *statutory bodies* dans la loi et aussi les compagnies du gouvernement et souvent eux-mêmes ne sont pas au courant et ne respectent pas la loi comme il faut. Donc, je fais un appel à tous mes collègues ministres et les amis qui sont en charge des corps paraétatiques, qu'ils prennent cela au sérieux et qu'ils respectent automatiquement et même pas besoin d'aller devant le *Hearing Committee*. On devait dès aujourd'hui appliquer chez nous-mêmes avant tout, ces 3% pour s'assurer que chaque corps paraétatique, qui a 35% employés ou plus et que chaque compagnie du gouvernement applique cette loi et cela va aller bien loin pour résorber le problème.

M. le président, donc, il faut un travail sérieux de la part du *Training and Employment of Disabled Persons Board*, mais aussi il ne faut pas oublier qu'il faut être employable. Il faut être formé. Il faut être éduqué. C'est pourquoi il faut laisser les ânes braire – l'honorable membre qui a parlé avant moi. Dans le budget 2012, M. le président, j'ai augmenté de 25% le budget du *Special Education Need School*, passant de R20 m. à R25 m., un peu plus que cela. Parce que c'est important pour que les gens soient éduqués. Il y a environ 1,000 enfants d'après nous, qui ne vont pas à l'école, qui restent chez eux et donc il faut les encourager à aller à l'école. Non seulement aller à l'école, mais aller quelque fois dans des *special schools*, pour qu'ils soient *cared for* et qu'ils soient bien éduqués. Il faut être éduqué pour travailler après. On ne peut pas sans savoir lire et écrire, aller travailler, M. le président.

M. le président, il ne faut pas oublier que dans le CSR, il y a des provisions que ont été mises afin d'encourager les gens à s'occuper des handicapés et j'espère que ce sera bien suivi par tous les secteurs privés. Je n'avais que ces quelques mots à vous dire, M. le président. Premièrement, encourager et féliciter la ministre de la sécurité sociale, parce qu'avant tout, cette loi n'est pas une fin en elle-même, c'est un processus pour bouger et je regrette que mon collègue d'avant n'ait pas amené cette loi. On en a parlé, mais elle ne l'a pas fait. Ma collègue - la ministre de la sécurité sociale - l'a fait et il faut donc la féliciter pour cela. Il faut l'encourager. Il ne faut pas que les députés se disputent pour des petites choses. Les gens n'auront aucun respect pour nous si on fait cela. Après être resté pendant des années dans le silence, aujourd'hui, soudainement tout le monde découvre l'Amérique, ce n'est pas ce qu'il faut.

M. le président, que ce débat aujourd'hui serve avant tout à conscientiser les employeurs du gouvernement, du secteur privé, à partir de demain matin il faut absolument recruter des

handicapés, même plus que le quota et si c'est ce message aura passé, M. le président, ce débat en vaut bien la peine.

Merci beaucoup.

(8.25 p.m.)

**Mr A. Ganoo (First Member for Savanne & Black River):** Mr Deputy Speaker, Sir, I had prepared a very short speech for my intervention on this Bill. After having listened to the various orators before me, I think I might have to change what I have initially prepared and not to take much time of the House.

Mr Deputy Speaker, Sir, I have listened to the orators before me. I have listened to hon. Mrs Dookun-Luchoomun speaking with so much passion. She was previous Minister of Social Security. She made a few points passionately, sometimes in a loud tone, criticising a few aspects of this Bill. I have listened to hon. Minister of Labour, giving her the reply and trying to clarify matters in an even more passionate way. Before coming here, I have read a lot of literature concerning the right of disabled people to employment. I realise, Mr Deputy Speaker, Sir, because I have also been past Minister in previous Cabinets, what a difficult issue we are talking about, what a difficult sector it is, Mr Deputy Speaker, Sir. This is why after 16 years today, we are reviewing this piece of legislation which was, at that time, piloted by hon. Ms Minerve, who was the MMM Minister for Social Security in a Labour/MMM Government in 1996 and who came up with this piece of legislation for the first time, 16 years ago. We are rightly revisiting this law today, Mr Deputy Speaker, Sir. Perhaps it is a bit late, but then it is a good thing that we are all today in this House giving our views on what should have been done and what is the way forward to enable the disabled of this country to be given more dignity and independence, in order to eliminate the barriers to enable them to be included in all spheres of life of our society, particularly with regard to their right for employment.

Mr Deputy Speaker, Sir, it is a tall order. This is the case for every country in this world and not only for Mauritius. In fact, we have seen during the past 75 years, Mr Deputy Speaker, Sir, since 1925, the first international instrument which came to see the light of the day. Despite all these national, regional and international laws and in spite of the efforts of all the NGOs, unfortunately, persons with disabilities, including our country, continue to be subjected to violation of the human rights. This is an undeniable fact. This is not the fault of any Minister and anybody in particular, but this is a case today in the world, and also in Mauritius. This is the

result of many factors to which I don't have to come, but this does not mean that there has been no improvement. In fact, the substantial growth in legislation, anti-discrimination legislation, the setting up of Boards and so on, as we did in 1996, Mr Deputy Speaker, Sir, have been encouraging although - somebody said it before me - the adoption of a law by itself does not guarantee the elimination of the constraint and the solution of the problems.

So, Mr Deputy Speaker, Sir, the road to provide a right to decent work to persons with disabilities has been a long and a protracted struggle. Today, the full inclusion of persons with disabilities in society to their right to employment constitutes still a key issue, and a fundamental challenge. I will not trouble you, Mr Deputy Speaker, Sir, I will not waste the time of the House by referring to all these instruments. In 1925, 1944, 1946, 1948, 1952 came ILO Conventions, other recommendations, the European Convention on Human Rights, the ILO Security Convention and so on, all throughout the years, until the 2006 Convention on the Rights of Persons with Disabilities. This was the landmark Convention of 2006, and Article 27 of this Convention is the one which interests us today. It is the Article which deals with the right to employment; Article 27 of the Convention on the Rights of Persons with Disabilities deals with work and employment. This was the landmark Convention.

But, Mr Deputy Speaker, Sir, we have to move ahead. In fact, the legislation today is to plug certain loopholes and, as we have said on this side of the House, it is a positive step, it is a step forward. As my friend, hon. Dr. Boolell rightly said, I think we have not moved enough. This is, in fact, I think, the position of the Opposition on this piece of legislation. We agree that this is a step forward, that there are positive measures in the Bill, but I think we have not moved enough forward, Mr Deputy Speaker, Sir, and I will explain in a few minutes.

Let me say, Mr Deputy Speaker, Sir, what are the constraints for suitable, for right employment for people with disabilities. First, it is the right training for employment. My friend, hon. Dr. Boolell, has touched upon it, and the hon. Minister of Finance has just commented upon this issue. This is, in fact, the key issue, Mr Deputy Speaker, Sir, *et nous mettons le doigt sur la plaie* when we highlight this key point, that is, the right training for the employment of the disabled. On this point we have to call a spade a spade. It is not political criticism against hon. Mrs Bappoo or any other Minister, but we have to call a spade a spade. Hon. Satish Boolell referred to the MAB Report which was *commandité* en 2002 when the MSM/MMM Government was in power. In fact, *dans sa volonté* to improve things, the then

Minister, therefore, asked the MAB to conduct a report, a survey on this issue, and the activities of the Training and Employment of Disabled Persons Board was revisited. As hon. Dr. Boolell told us, one of the recommendations was, in fact, to close down this Board, and this is what I can read. I quote -

“The integration of disabled persons has become a top priority for the Government. The last few decades have seen the emergence of various units. In particular, the Board devotes less than 40% of its annual Government grant for training purposes, reaching only 10% of the disabled population, and hardly managing to place a couple of them in employment. To understand the causes of the underperformance, the MAB carried an organisational review of the unit. It found that the greatest single cause is the inability to fully execute as per the Training and Development Act.”

I quote further -

“A situation analysis revealed that the TEDPB is fraught with shortcomings, and the external environment augurs major threats for its future and more importantly the future of disabled persons”.

Mr Deputy Speaker, Sir, this was an indictment. In fact, a death warrant issued upon the Training and Employment of Disabled Persons Board. I could go on, Mr Deputy Speaker, Sir. The conclusion is as follows -

“Training and employment of disabled persons is one of the priorities as is enunciated in the National Integration Plan of the early 90s. The TEDPB is not capable of delivering the performance required by the Act”.

I don't think I have to say more. The heart of the problem is sore. This is not the end of the matter. A few days ago, in this very House, was laid the report of the Director of Audit on the financial statement of the Training and Employment of Disabled Persons Board for the year ending 30 June 2007. I don't have to read the comments of the Director of Audit to the effect. In fact, this report was itself laid on the Table of the Assembly belatedly, 25 months after it should have been laid. Be that as it may, but when we look at the breakdown, Mr Deputy Speaker, Sir, what do we see? Expenditures: salaries and related costs - this is of course, for the Board - for the year 2007: Rs3,192,658,000. Do you know how much has been spent for courses, exam fees and materials for training? Rs106,000! Do you know how much has been spent for skill development, trainees' expenses? So, how do we expect things to progress? How

do we expect things to get better, to improve, when, in fact, the key issue, the key question, they key Board, the key organisation which is responsible, according to the law, to the Act which we are amending today, as per the objectives of this Bill, is responsible for the vocational training, for the setting up of institution to train disabled persons, and we look at the report of the Director of Audit about the breakdown of expenditure. Is it abnormal, therefore, Mr Deputy Speaker, Sir, that we have achieved the results that we are achieving? Mr Deputy Speaker, Sir, this is why I think the hon. Minister should have a fresh look - should revisit - this whole issue, this whole *fonctionnement* of the Board of the Training and Employment of Disabled Persons Board. This is the first point I wanted to make.

Mr Deputy Speaker, Sir, there are other issues that should have been looked into. It is not only a question of coming to legislate and to plug a few loopholes. Hon. Mrs Labelle has already addressed this issue. In fact, what we are doing today is that we are changing the definition of 'a disabled person', we are setting up the Hearing Committee, we are adding another function of the Board to sensitise the employers, we are increasing the fine and we are adding a second Schedule by imposing a legal obligation on the employers to pay Rs4,000 by employee for not having reached the percentage of 3%, and so on and so forth. All this is good, Mr Deputy Speaker, Sir. We are not denying that, but what we are saying is that perhaps more important issues should have been looked into. There are other issues, Mr Deputy Speaker, Sir, financial, technical and personal supports to the disabled person, the persuasion measures *vis-à-vis* the employees, the disability management. I was talking to a disabled person a few days ago. He was telling me, Mr Deputy Speaker, Sir, that to create one job for a disabled person to work in an office, to manage that situation, it costs about two months to accommodate the disabled person in this new environment. So, there is this question of disability management. There is the question of taking real proactive measures; organising support services, schemes, or setting up small business as is to be found in the spirit of our law, Mr Deputy Speaker, Sir; making the appropriate adjustment in the workplace to accommodate the disabled person - whom I have just referred to - including the promotion of innovative technologies; promoting public awareness to break these barriers of negative stereotypes of disabled person; the exempting from taxes of training materials and other assistive devices. All these, Mr Deputy Speaker, Sir, are the issues which a comprehensive piece of legislation should have looked into.

Mr Deputy Speaker, Sir, when we look at the amendments for today, I think the first amendment is to have included parastatal bodies in the definition of employers; it includes every Statutory Body. As I said, this is a good step, Mr Deputy Speaker, Sir. Although the vice-Prime Minister, hon. X. L. Duval has said it, I am of the opinion that we should also have added public-owned, State-owned companies and the matter would have been clearer. So, besides Statutory Body, I think all these private companies funded by Government, public-owned companies, Mr Deputy Speaker, Sir, should also have been included in the amendment.

Mr Deputy Speaker, Sir, what about the Civil Service? Some time back, hon. Dr. S. Boolell, himself, asked a question last year to the Minister of Civil Service and Administrative Reforms concerning the employment of persons with disabilities on the permanent and pensionable establishment of the Civil Service. Mr Deputy Speaker, Sir, in answer to the question we were told that data available to the Minister Civil Service indicate that -

“(...) there are presently only 72 persons with disabilities representing 0.14% who have been recruited in the Civil Service as Educators, Clerks, Office Attendants, Typists, General Workers and a few other grades.”

This is for the Civil Service. *Il y avait seulement 72 employés du service civil* as at last year, Mr Deputy Speaker, Sir, who were employed in the Civil Service. I think charity begins at home and Civil Service, Mr Deputy Speaker, Sir, although the amendment today has not provided for the Civil Service, although this law does not bind the State, it would seem, Mr Deputy Speaker, Sir. But, hopefully, let us hope that on another occasion when another amendment will be brought to this House concerning this piece of legislation, we would include the Civil Service so that we should not be ashamed when a Minister comes in this House and says that there are only 72 *employés du service civil dans notre pays*, *M. le président*.

Mr Deputy Speaker, Sir, I have also with me another PQ which had been asked regarding the number of disabled persons and the percentage of disabled persons employed in our labour force today. I must say that I was very surprised at the figure given by the hon. Minister herself and by the vice-Prime Minister, hon. X. L. Duval, that there are at present 8,800 persons with disabilities who are in employment, Mr Deputy Speaker, Sir. I hope that the hon. Minister confirms this figure, because this PQ which was answered in 2010 says that -

“...the number of persons already in employment is 286.”

The answer goes on as follows -

“In fact, there has been a mismatch between the training programmes and the needs of the market.”

Mr Deputy Speaker, Sir, let the hon. Minister give us clearly the figures of people with disabilities who are being employed presently. Mr Deputy Speaker, Sir, I want to come to this question of the Hearing Committee. I have gone through other legislations in other countries and I have not come across any law setting up a Hearing Committee as it is done in our proposed amendment, but this does not mean, of course, that the Hearing Committee should not have been set up. What I want to say, Mr Deputy Speaker, Sir, is that there is, in fact, a very hazy relationship between the Hearing Committee and the Board itself. It would seem, according to the legislation, that the Hearing Committee after having made its finding - the Hearing Committee is presided by somebody a legal training, with a legal practitioner - this Board will hear the case and afterwards, Mr Deputy Speaker, Sir, it will be up to the Board to decide. This is what the law says, Mr Deputy Speaker, Sir -

“The Board shall set up a Hearing Committee to hold a hearing for the purposes of this Act, and any finding and recommendation made by the Hearing Committee shall be communicated to the Board for consideration and decision.”

It will be up to the Board, therefore, to decide whether they will consider, whether they will accept, whether they will endorse the finding of this Hearing Committee. Then, the Board will take whatever decision it wishes to take. I find this a bit dangerous, Mr Deputy Speaker, Sir, because I would have thought that the Hearing Committee after having done its work - and there is no doubt that it will be in a fair manner - I think the finding of the Hearing Committee should have been final and should not have been left to the Board to decide what to do with the finding of the Hearing Committee.

To come to this question of the quota, Mr Deputy Speaker, Sir, it would seem, therefore, although the law had made provisions in the past for the Ministry to prescribe the compensation to be paid, that it has never been done in the past because I see that the law says –

“The Board may give such directions to an employer as he may consider reasonable (...), including a direction that the employer shall pay to the Board such contribution as may be prescribed”

This has never been prescribed or has it been? If it has been, Mr Deputy Speaker, Sir, how many employers in the past have paid that compensation? But I suppose that it has not been prescribed

and now the contribution is specified in Part II and it is the sum of Rs4,000 monthly for each disabled worker not yet recruited to meet the percentage specified in Part I of the Schedule.

Mr Deputy Speaker, Sir, the point I wish to make, here, is, firstly: where will these funds go? I think it should have been made clear in the law that the funds to be collected from the employers who have not respected the law, should be credited to the general funds set up by section (5) of the law, but I think it should have been made clear that this money should have been used to cover persons with disabilities and to help them. This money collected, by way of contribution from the employers, should be used judiciously and not used, as the Director of Audit just showed us for travelling, for the other expenses or for the other salaries, Mr Deputy Speaker, Sir. I think the law should have made it clear that these contributions to be paid by the employers in breach of the law, should have not only been credited in the general fund, but should have been credited either to another fund and should have been used for the people with disabilities.

Mr Deputy Speaker, Sir, there is one point which I would also wish the hon. Minister to clarify is about this question of paying contribution itself. I would have been very grateful if the hon. Minister could confirm whether the employer - I am referring to section 13 of the law: Duty to employ disabled persons, under subsection 6, after the amendment, it would be as follows –

“The Board, in the light of determination, may give such direction to an employer as it may consider reasonable and proper in all the circumstances, including a direction that the employer shall pay to the Board such contribution as specified in Part II of the schedule”

Does it leave, as the law is drafted, a door open to the Board not to direct that the employer shall pay to the Board the contribution which has been prescribed? Is it possible? Or is the law mandatory that the employer is bound to pay the contribution as prescribed in the proposed Bill today, Mr Deputy Speaker, Sir? To me, it looks as if that the law is not mandatory and it should have, as in other countries, imposed mandatorily an obligation on the employers to pay the contribution once they do not respect the quota of 3%.

In fact, Mr Deputy Speaker, Sir, this quota system which we are debating today, was introduced in the 1920s in Europe by several countries and after the Second World War, other countries also adopted this same system and it gradually covered most countries of the world: Asia, Africa and even Latin America. The setting up of the quota and requiring that all the

employers who do not meet there obligations pay a fine or levy which goes into a fund to support the employment of disabled people; but, I think, we should be also very cautious, Mr Deputy Speaker, Sir, and not be euphoric about the introduction of this payment of contribution in case of failure to respect the quota.

Hon. Mrs Dookun-Luchoomun made this point very brilliantly and very clearly, Mr Deputy Speaker, Sir. I would like to come back also on this point. What is the purpose, the value and the impact? Is this introduction of the contribution necessarily result producing, Mr Deputy Speaker, Sir? I agree with hon. Mrs Dookun-Luchoomun when she was saying, Mr Deputy Speaker, Sir; this is not necessarily the case. I say that because I rely on a study which has been conducted for the European Commission and this study found no examples where quota systems have been introduced that they have achieved their targets. I repeat, Mr Deputy Speaker, Sir, I rely on what I discovered concerning a study which was made by the European Commission and this study, Mr Deputy Speaker, Sir, found no examples where the quota systems have achieved their expected targets. In fact, what happens is that many employers will resist the idea of employing disabled persons and will shy away from their obligations under the quota system and they will prefer 'buy' themselves out of their obligations by agreeing to pay the contribution and refusing to employ people with disabilities, Mr Deputy Speaker, Sir. This is why we should be very cautious about this question of quota and making the employers pay their contribution.

Mr Deputy Speaker, Sir, to sum up, let me say the following. I think it would be unfair and unjust if we say that nothing has been done by way of these proposed amendments today. In fact, we are opening new opportunities for people with disabilities to work, hopefully, in jobs that will suit them, their skills and talents. I know, Mr Deputy Speaker, Sir, because I was also Minister of Utilities, people who were employed in the CEB. We still have a receptionist who is blind. He is still in employment today. I knew him; during those days I was Minister, Mr Deputy Speaker, Sir. Many of these disabled people have become valued employees. They represent an enormous economic potential, too often untapped by States and Government. They can make a valuable contribution to our national economy and their employment, in fact, may help the State, Mr Deputy Speaker, Sir, by reducing the cost of employment benefits or the cost of pension and in that way they may help the State to reduce poverty.

Unfortunately, many of our disabled brothers and sisters are unable to find a job even after their training and today they can barely eke out a livelihood. It is not surprising, Mr Deputy Speaker, Sir. We know that there is a strong link between disability and poverty. The tragedy is compounded in cases of disabled women, Mr Deputy Speaker, Sir. This is why today, as a responsible Opposition, we are bound to help in the concerted action to dismantle the barriers which prevent disabled persons from taking part in the economy and in society. This is why today, Mr Deputy Speaker, Sir, we say that this Bill is a positive step. We say also that the Minister should have gone further and we hope, as Parliamentarians today in this House, Mr Deputy Speaker, Sir, that the struggle to open the doors and new opportunities for disabled persons to suitable and right employments will become a success in the days to come.

I thank you, Mr Deputy Speaker, Sir.

**Mrs Bappoo:** Mr Deputy Speaker, Sir, I would first like to thank all the hon. Members from both sides of the House who have intervened on this Training and Employment of Disabled Persons (Amendment) Bill.

Having listened to the debate, I presume it is a debate that aims to have a consensus of how to move forward to create the best opportunities for people with disabilities to have the chance and privilege to be trained and to get an employment. As I said in my second reading, it is not a matter of charity to these people, but it is a matter of their rights. This is what we are doing.

I would like to respond to a few points or apprehensions expressed mainly by the hon. Members of the Opposition on the amendments that have been proposed in this Bill.

First of all, I would like to take what hon. Ganoo just said, that is, it is an opening to new opportunities for these persons that we want them to achieve. Therefore, if we want to achieve this, we need to move ahead. That is why in my second reading I said that, in order to be able to enforce what the amendments are bringing, I am coming at the level of my Ministry with a *comité de pilotage* which mainly will be responsible to give a new dimension and a new dynamism to the TEDP Board itself. There have been lots of comments on the functioning of the Training and Employment of Disabled Persons Board.

As hon. Ganoo said, we need to be sure of the concept of disability management. It is not an easy task for anyone. Among us here, there is no expert on managing the issue of disability,

but we are trying to do our best to be able to give better results. We need to provide more resources: financial, human resources to the TEDP Board.

Clause 4 which is being amended is to bring change in the mindset. This is another problem and here, I should say that, since my coming to the Ministry of Social Security in 2005, one of my priorities was national sensitisation campaigns that I started for persons with disabilities, with the motto: Valuing people with disabilities. Since the Act which was passed in 1996, there has never been a campaign to value people with disabilities. There I started focusing on training, focusing on employment and focusing on accessibility as a matter of right. This gave me the chance to work together with the NGOs and disabled associations on producing a national policy paper and a plan of action on the subject of disability.

Since 1996, successive governments followed, but there has never been a plan of action for people with disabilities. I don't have any ego in myself to say that I made it, but it is a fact that in 2006-2007, we produced a national plan of action to give better opportunities to people with disabilities. It is easy to come and criticise. Mr Deputy Speaker, Sir: '*l'art de la parole est facile mais on découvre l'homme ou la femme par ses actions*'.

Nous pourrons autant dire, nous pourrons autant hurler, nous pourrons autant faire pour la galerie, mais il n'y a pas eu d'action. Ma collègue était là avant moi, elle parle de son passage au ministère de la sécurité sociale, mais qu'est-ce qui a été fait ? Quelle loi a été amendée ? Quel nouveau projet de loi a été présenté à cette Assemblée en faveur des personnes avec handicap ? Zéro ! Moi aussi, j'ai fait un court passage au ministère de l'égalité des genres, mais je suis retournée au ministère de la sécurité sociale. J'ai fait un nouveau *audit of what has been done during fourteen months* quand l'honorable madame Dookun-Luchoomun était là. Rien ! Aujourd'hui, on arrive et excitée comme tout pour dire que le projet de loi n'est pas bon, c'est quoi le *Hearing Committee*, c'est quoi la contribution de Rs4000. Si c'est Rs4,000 par personne, pour douze mois, cela vous amène à combien ? Si c'est une entreprise avec plus de trente cinq personnes, cent personnes, deux cents personnes, trois cents personnes, cela nous amène à combien ? Je ne peux pas relever les discussions au conseil des ministres, mais j'étais présente comme ministre de l'égalité des genres le jour que la ministre d'alors avait essayé de faire comprendre que depuis 1996 rien n'a été *prescribed*. Quelqu'un a demandé : « est-ce qu'il y a eu le *prescribed contribution* dans la loi ? » Il n'y a jamais eu. Alors moi, quand je suis retournée, j'ai demandé : qu'est-ce qui a été fait ? Est-ce qu'on a recommandé ? Est-ce qu'on a décidé sur la

question? Est-ce qu'on est arrivé à arrêter une contribution qui doit être *prescribed*. Rien ! Zéro ! C'est pourquoi on est allé de l'avant, revoir le contenu de la loi, discuter dans les ateliers de travail, consulter les ONG, voir les activistes avec handicap, le ministère, tous ceux qui sont concernés, et même les employeurs....

**Mrs Dookun-Luchoomun:** Sir, on a point of personal explanation. I would like the hon. Minister....

(*Interruptions*)

I would like to ask the hon. Minister because ....

**The Deputy Speaker:** The hon. Member can make her point afterwards. Let the Minister finish the summing-up!

**Mrs Dookun-Luchoomun:** I'll just complete it, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** This is the ruling.

**Mrs Bappoo:** Allow me, Mr Deputy Speaker, Sir, to explain and respond to what others have said on this Bill. Nothing has been done and I am going to repeat that nothing has been done. We are a Government of action. Today, we are coming with amendments to the law in order to create more opportunities for people with disabilities to have the privilege to benefit from training programmes. Yes, we have to review the training programme of TEDP. I am not satisfied with the outcome of what TEDP is doing in Calebasse. In spite of the MAB report, I should say that the TEDPB has taken several decisions and is working with several other organisations to promote people with disabilities for training opportunities and job opportunities. There has been MoU with the MITD, the MEF, the SMEDA, and even with the National Centre for Promotion of Employment for Disabled People from India to consolidate their programme of training and employment. Now, I am more or less satisfied that they are on the right track and we are here to help them. The TEDPB has moved from its traditional training to labour market requirements such as office skills, IT, ICT training and PBO. These are new ventures. The MEF is a partner for Job Placement Scheme and entrepreneurship among persons with disabilities with SMEDA, they are even promoting people with disabilities to be entrepreneur and I need also to mention the development of even the Mauritian Sign Language for hearing impaired persons for their availability for information.

The former Minister just spoke about sign language in one of the private enterprises, that is, the KFC. Let me remind the House, Mr Deputy Speaker, Sir, that Sign Language has got its

place in the Mauritian society by the decision that I took in the Ministry in 2006 to produce the first dictionary of the Mauritian Sign Language. I have to thank Prof. Hookoomsing and *l'Ecole des Sourds* who have helped us. There is Mr Alain Gébert, a Mauritian compatriot working at *l'Institut des Sourds à Paris*. When he learned about our intention to introduce Sign Language, he came to Mauritius, and with the help of the French Embassy and my own Ministry, he helped us to produce the first dictionary.

When I resumed duty in the same Ministry, I asked the technicians and the officials about the follow-up for the second Sign Language dictionary. *Zero plombage!* Now, Prof. Hookoomsing has again contacted my Ministry with another special organisation in Sign Language from France. I received the delegation yesterday; they were sitting here in the afternoon. They are coming back to help us, ABDA, which is another organisation for the promotion of Sign Language, is also collaborating with us to produce the second dictionary in Sign Language. There has never been Sign Language in our news bulletin at the MBC/TV, they have started and it's the first time after the production of the first dictionary. Even if it is not on daily news bulletin, I know we can achieve it. The last example that I can give is that when there is election –we are all politicians here – we have requested the Electoral Commissioner that the explanation and the campaign on TV must also be in Sign Language, and this was done. So, don't tell me that nothing has been done and that now Members are inventing the wheel and we have to listen and abide by what they are saying! It is good to bring proposals. I really appreciate when hon. Ganoo was speaking. He was very positive in his thinking. He was not nervous as others, just to show that they were better and that this Government is not a caring Government and does not want to do anything.

I can say, Mr Deputy Speaker, Sir, that there is, more or less, consensus on the amendments proposed for the rights of disabled persons. There is also consensus that the issue of disability is a very difficult and sensitive sector and to be precise, there is consensus with variations in the approach. This is important for me, to study the variations that have been mentioned by different hon. Members and to see the maximum possibilities where we can achieve through these variations in the approach.

The fact remains that Government has a spirit of dialogue, in consultation with the MEF, we are being able to specify the contribution to be paid by the enterprise failing to comply with the employment of disabled persons. This is the main issue. I said in the Second Reading that

this is the missing link and we are trying to fill in that gap from this amendment; this will give better opportunities for the disability sector.

What I should also say, Mr Deputy Speaker, Sir, is that I have taken note of the variations mentioned, of the proposals made by responsible Members of this House tonight. For example, my colleague, the hon. Minister for Labour mentioned about accessibility - accessibility for transport and accessibility in buildings. People with disabilities request for jobs, they have to go in such and such buildings, but there is no accessibility. The Building Control Act that has been passed the other day and it made provisions for people with impairment. Concerning the old buildings, I have made so many requests and actions are being taken through Local Government for old buildings to provide accessibility. Let me take the example of the Municipality of Curepipe - the *salle de fêtes*. I have been present on the occasion of « *l'anniversaire d'un centenaire*. » *Il y avait une dame centenaire qui arrivait un jour avec sa famille pour célébrer son anniversaire dans la salle des fêtes de la Mairie de Curepipe. Le nombre des marches qu'il faut monter ! La dame était sur une chaise roulante. Les parents ont dû soulever la chaise afin d'emmener la dame à l'intérieur. Ce n'est pas possible de voir cela dans une île Maurice moderne. D'ailleurs, maintenant, la municipalité de Curepipe a déjà pris la décision et they have provided a ramp where wheel chairs can easily go in.* So, there are old buildings and there are new constructions coming. With the Building Control Act, permit from Local Authorities must be given and it should be made sure that it is accessible for people with disabilities. But I must also say that we can't do everything at one go. The TEDP Act was passed in 1996, after so many years, we are now coming with amendments. Even with these amendments, I presume that we have not completed everything. Like any other amendments, we are bound to amend again, to strengthen, to consolidate and to improve the legislation. I think that even with these amendments, we have to do it as we are guided by the UN Convention.

The hon. Minister of Labour also spoke about transportation. It is a fact. Our buses, as they are – we have had so many discussions with the NTA and with the Ministry responsible - do not allow easy access with all its high steps to not only disabled people, Mr Deputy Speaker, Sir, but also elderly people and even pregnant mothers. They can't climb in the bus so easily. There are, at times, people who can afford, make requests to us, the Ministry and the Ministry of Finance, to allow them to import vehicles for their child with disabilities or for themselves, as disabled persons. It costs so much and they request for exemption. We supported the request to

the Ministry of Finance and to the MRA. I am so happy to say, Mr Deputy Speaker, Sir, that it is only four to five days back that the MRA sent us the final decision taken as the MRA was very positive in trying to see what can be done. They have now taken the decision. They come with regulations which have been gazetted and now people with hearing impairment, with visual impairment, with 60% handicap, will be allowed to purchase vehicles with 85% exemption on duty if they are in full employment. This is a big gift for persons with disabilities. Who has done this? Those who are today *hurler dans cette Chambre*?

*(Interruptions)*

Not these people! When I say they have done nothing, they really have done nothing. We are making things happen. We have been doing, and we will be doing more. Actually, children with disabilities go to school; if they can go by the public bus, they make it as it is free transport by bus. Otherwise, they need to go by taxi, which costs much more. So, now, the MRA has also agreed that parents with children with severe physical disabilities will be allowed to purchase a vehicle which must be an adapted one for their children with disabilities. These are new ventures and these children will be able to travel in an adapted car. They can go to school and, after 18 years, they can go to the vocational training and, thus, later on, they will have better accessibility to employment.

Hon. Ganoo wanted to have specifications about the Hearing Committee. Yes, the highest instance is the main Board, which is the Training and Employment of Disabled Persons Board (TEDP). The Board sets up the Hearing Committee. The findings and recommendations of the Hearing Committee go back to the Board. It goes back to the Board, and the Board then will take the decision. If there is anything that should go back again to the Hearing Committee, of course, they will do it, but the highest instance is the Board and not the Hearing Committee. The Hearing Committee is a sort of democratic forum where employers, government and disabled people can sit together, summon any employer, and see the reasons for which the employer is not employing people with disabilities.

A question was asked as to whether the contribution was prescribed before. Never! This is what we are doing today. Of course, the funds will go to the Board, to be used solely for training programmes for the benefit of people with disabilities, and not for other purposes.

I think I have replied to the main issues raised. Hon. Members spoke about the MAB report. In a way, the report became a sort of catalyst to improve both the quality of training

provided and employability of disabled persons, as the figures that I gave speak for themselves. The provisional figures of the 2011 census speak about 8,000 plus persons with disabilities who are employed in different sectors. I suppose that, now, with the coming of these amendments, we will have the chance to have more people working in the various sectors of employment.

Otherwise, the same things have been mentioned by other hon. Members. Even hon. Dr. Satish Boolell spoke about the composition of the Board. Mr Deputy Speaker, Sir, we have analysed so much about the composition of the Board. It is not for the sake of having so many people sitting as members of the Board: 15, 20 or 25. Anyone can be called for assistance to the Board. The doctor can be asked to be heard in the Hearing Committee. As for the assessment of the persons with disabilities, of course, it must be certified by the Board. Willing to work is something which is very important. It is not that we are just calling people with disabilities to come and register themselves. No! They must be assessed. The doctors in the Hearing Committee are being called to do the proper assessment, and then the Board will decide that this person is entitled and qualified to be registered in the register.

Talking about the register, this was one of my main concerns in 2005 when I assumed my responsibility as Minister for Social Security. I am happy to see that things have improved. Today, the register has mostly some 1,993 persons registered. If nothing was done, and if the TEDP Board was not doing anything, there would not have been anyone registered on that register. Now, with these amendments, we are going to see closely to it that this register remains a dynamic one and answerable to requests from employers.

Someone spoke about the database, and I think it was the former Minister for Social Security. There has never been any data about people with disabilities in Mauritius! When I assumed responsibilities in 2005, with the coming of the Policy Paper, at the same time with the help of UNDP, I made a request to help us to produce a database system. This database is dynamic, and it will help to consolidate the register, so that we can have the profile of more people with disabilities who will be gaining training, and from training gaining placement, and from placement gaining employment in different sectors.

Hon. Mrs Labelle spoke about reviewing the policy of TEDP Board, and I am very much concerned about that. That is why there is the setting up of the *comité de pilotage*. These amendments and accompanying measures that I mentioned in the Second Reading will give us

the opportunity to create better conditions, so that indeed we can provide more privileges to these people.

I am very thankful to all the NGOs and all the members of the Disabled Organisation activists. Many of them form part of our national Steering Committee, and each time we consult them as I do respect their motto is ‘Nothing about us without us’! We cannot decide for them. They have the right to decide, and it is with that spirit that we have allowed four persons with disabilities to be members on the Board. Hon. Dr. S. Boolell is very much worried about how is it that NCRD will recommend names. This is the only instance where I can get the NGOs which are present as members of the NCRD to decide. But, with them, we are going to consult other NGOs also so that they can submit names. From these names, we will choose four to be members of the Board as people with disabilities because the Convention says that we have to promote people with disabilities, we have to give them the opportunity to sit in Boards and in decision making forums, so that they can decide for themselves.

In a way, Mr Deputy Speaker, Sir, I have tried to explain most of the issues that were mentioned. I again appeal to everyone, if still there is any proposal that they wish to make to the Ministry of Social Security in favour of persons with disabilities, of course, the doors are opened if really we want to help. This is an issue of national interest. It is not an issue which is so easy. It is a very sensible one. You need to understand people with disabilities. *Pendant mes cinq années au ministère de la sécurité sociale et au moment où je suis de nouveau retournée, j'ai pu comprendre la vie des personnes handicapées. J'ai pu comprendre la vie des parents, des mères de famille, des mères avec des enfants handicapés. C'est pourquoi on arrive aussi avec un respite programme. Les mamans sont là 24/24 avec leur enfant handicapé.* They need respite.

We are coming with the Ministry of Finance for Respite Programmes, for a Respite Centre where these children can come and allow the mother to be free. She needs some free time for herself. We need also to empower these mothers and to educate them about how to deal with children with handicap. We have so many ideas and policies that we want to implement, but this is one among them; improving the training and employment opportunities for people with handicap. I am sure that this is a giant step forward in what Government wants to achieve as far as Training and Employment of Disabled Persons are concerned. I hope with the blessing of God that we will be able to achieve and give more opportunities and privilege to these people, who are vulnerable in a way, but also full of intelligence, competence, capabilities and maybe, at

times, more than us who are supposed to be *des personnes normale*. And there I agree totally with hon. Dr. S. Boolell who says that at times we become disable; the handicap is us. Let us remove all barriers, and try to stand together with people with disabilities in order to support them in their struggle, because it is their right also to have the right place in our society.

Thank you.

**The Deputy Speaker:** I think the hon. Minister has responded to all the points that Members have raised during their interventions.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **PERSONAL EXPLANATION**

#### **ENTERPRISES – HANDICAPPED PERSONS - EMPLOYMENT**

**Mrs L. D. Dookun-Luchmun (Second Member for Quartier Militaire & Moka)** Mr Deputy Speaker, Sir, let me inform the House that in my humility, I did not ...

*(Interruptions)*

**The Deputy Speaker:** Please! The hon. Member is making a personal explanation, let us listen to her.

**Mrs Dookun-Luchoomun:** On a point of personal explanation, Mr Deputy Speaker, Sir, I would like to clarify one point, which I am surprised that the hon. Minister, herself, cannot manage to understand. What I was trying to say when I said that the contribution of Rs4,000 for each handicapped person who has not been taken on employment, in a condition where an enterprise that has about 100 workers, the quota will be of three handicapped persons on his workforce. In which case, that person will have to pay Rs12,000 per month over, let's say, a year, which means that over a period of 12 months, it will come to a value - taking the 13<sup>th</sup> month - of Rs156,000, which would be much higher than the amount of fine that is payable in case of a contravention. So, this is clear.

**The Deputy Speaker:** This was the point that the hon. Member raised during her intervention.

**Mrs Dookun-Luchmun:** One thing more. What I was saying is that it is not a case of raising money ...

*(Interruptions)*

This is the explanation. The amount is supposed to be a spa to take handicapped persons on board, instead of just coming and filling the coffers of the State.

*(Interruptions)*

Mr Deputy Speaker, Sir, I would bow to your decision and guidance, but not to Members who are constantly interfering while I am talking. I just wanted to make it clear that if the hon. Minister cannot make an arithmetic calculation, she cannot put it on me.

**Mrs Bappoo:** Mr Deputy Speaker, Sir, the Rs4,000 contribution, before coming with this figure and after discussion with the MEF in a spirit of dialogue, we have taken care of the different situation of enterprises, the financial situation of enterprises. There are big enterprises, medium ones, small ones; there are the SMEs, there are very small SMEs, like my friend there who is promoting much more Small and Medium Enterprises. If we are going to count on the highest contribution to be given, then what will happen? It will be the closure of so many small enterprises. That's how we decided to come to this figure of Rs4,000 contribution per person with disability, who is not being employed by enterprises with more than 35 employees.

## COMMITTEE STAGE

*(The Deputy Speaker in the Chair)*

*The Training and Employment of Disabled Persons (Amendment) Bill (No. XV of 2012) was considered and agreed to.*

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

*Third Reading*

*On motion made and seconded, the Training and Employment of Disabled Persons (Amendment) Bill (No. XV of 2012) was read the third time and passed.*

## ADJOURNMENT

**The Deputy Prime Minister:** Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 10 July 2012, at 11.30 a.m.

**Mrs Bappoo rose and seconded.**

**The Deputy Speaker:** The House stands adjourned.

## MATTERS RAISED

(9.38 p.m)

### CHAMAREL & CASE NOYALE - ROAD REPAIRS

**Mr A. Ganoo (First Member for Savanne & Black River):** Mr Deputy Speaker, Sir, I shall raise a matter which concerns the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping. I shall be very brief. It concerns the road conditions between Chamarel and Case Noyale.

I have received representations from my constituents, Mr Deputy Speaker, Sir, that the state of this road from Case Noyale up to Chamarel is a real danger for road users and drivers. In fact, there appears to be a severe degradation of the road structure in several places and according to representations that I have received, the surface of the road has sucked, the tar is cracked on several places and the parapet is leaning more and more outwards. This road today is frequently used. There are heavy vehicles, Mr Deputy Speaker, Sir, which used this road. There are buses carrying children from Chamarel to school on the way to the Black River road.

Mr Deputy Speaker, Sir, I am raising this matter because I consider it urgent for the Ministry to assess the situation and to carry out the necessary works so as to address the situation.

Thank you.

**The Deputy Prime Minister, Minister of Energy and Public Utilities (Dr. R. Beebejaun):** I'll pass on the information, Sir.

(9.39 p.m.)

#### **ATLEE NHDC COMPLEX – COLLECTIVE GARBAGE BIN**

**Mr S. Obeegadoo (Third Member for Curepipe & Midlands):** Mr Deputy Speaker, Sir, I would like to briefly raise the issue of a collective garbage bin that is to be found on the NHDC complex at Atlee, Forest Side. I would wish to do so in the absence of the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping and also the Minister of Local Government and Outer Islands and Minister of Health and Quality of Life.

My attention was drawn to this garbage bin by the local inhabitants about a month ago. I immediately contacted the sanitary services of the Ministry of Health that visited the place and found that the present situation may cause serious health problems and, therefore, needs the following urgent attention. They wrote to the Municipality and it went there and came to the very same conclusion; they wrote to the NHDC which typically said, as per the title deed, the *co-propriétaire* through their *syndic*; *syndic* does not exist yet, but the *syndic* should do this and collection of refuse is the responsibility of Local Authorities. Municipalities says : we are very

sorry, this was built by the NDU. It is for the NDU to settle the problem and the NDU said: "no, that is not the case; it is the responsibility of the Municipality." So, I come to the House out of despair, I am at a loss, we need to do something for these inhabitants. The Ministry of Health believes the situation is dangerous and this danger could raise serious health problems. So, my appeal is either to the Minister of Local Government or to the Minister of Health to call a meeting with all these concerned organisations as well as the local MP's. I can take the commitment on behalf of my colleague, hon. Dr. Boolell, and myself and I am sure hon. Minister Sik Yuen will be quite happy to join us together to try and find an urgent solution.

Thank you, Sir.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** The hon. Member can rest assured, I will try to find ways and means through the NHDC or any other institution or even the Ministry of Health, to deal with that problem and let him know.

#### **FLIC EN FLAC – ACCESS ROAD**

**Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River):** Mr Deputy Speaker, Sir, I am going to raise a matter which concerns the Minister of Public Infrastructure.

In fact, some time last year, I raised the issue of a second access road to Flic en Flac and I can still recall that I stressed on the urgency of such a project. Each time there is a major event in Flic en Flac, be it a religious one or a non-religious one, the traffic is jammed for at least four to five hours. What happened last Sunday, the problem arose, everybody knows, in the context of the holding of the Carnaval; it was held for people to get into Flic en Flac and to leave the place as well.

Well, there have been major developments in Flic en Flac, there have been several *morcellement* permits which have been given, the construction of guest houses, increase in the number of hotels, not to mention that the public beach itself in Flic en Flac is *une plage qui est très frequentée*. I recall also that some time back, only a rumour of an alert of a Tsunami resulted in a major traffic jam, everybody wanting to leave the place, and you can imagine in such a circumstance if there is somebody who falls seriously ill or let's take the case of a lady who starts having labour pains, what will happen. Maybe we will need a helicopter to transport these people to hospital.

I would kindly request the hon. Minister of Public Infrastructure to give priority to that project that is, at least, a second access road to Flic en Flac.

Thank you.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** M. le président, j'ai bien écouté l'honorable membre et je dois informer la Chambre qu'on a commencé depuis le 06 janvier dernier, les négociations avec Médine, pour cette tranche de chemin qui va décongestionner Flic en Flac et on a fait cela avec la collaboration des Forces Vives de Flic en Flac et tous les autres *stakeholders*. C'est déjà sur le *right track* avec le ministère de l'infrastructure.

#### **CAMP TICKFINE, GLEN PARK, VACOAS – HUMPS**

**Mrs F. Labelle (Third Member for Vacoas and Floreal):** M. le président, je voudrais attirer à nouveau l'attention de la Chambre et, particulièrement, celle du ministre des infrastructures publiques sur le problème des habitants de Camp Tickfine. Camp Tickfine se trouve à Glen Park. J'avais soulevé le problème, M. le président, en Octobre 2009. J'avais fait comprendre que vu que c'est un chemin d'accès étroit vers cette agglomération et il y a une densité de population assez conséquente, les voitures, malheureusement, roulent pas mal vite sur ce chemin et la vie des enfants et des personnes âgées sont en danger. Les habitants ont fait une requête pour que des obstacles soient placés dans ce chemin d'accès mais, malheureusement, M. le président, cela fait trois ans qu'on avait fait une telle demande et cela n'a pas été fait. Les habitants voudraient réitérer leur demande et on souhaite qu'on n'ait pas à attendre qu'un accident arrive pour qu'on puisse prendre une action.

M. le président, un deuxième point concernant cette circonscription, c'est à la rue De Sornay à Curepipe Road. Là aussi, c'est un problème qui a déjà été soulevé à la Chambre. Il y a un bâtiment et une maison abandonnées et la semaine dernière une femme a failli se faire agresser chez elle étant donné qu'un voleur était passé à travers ce bâtiment abandonné. J'attire l'attention du ministre que des requêtes ont été formulées à la municipalité, mais jusqu'à l'heure rien n'a été fait.

Merci, M. le président.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** Mr Deputy Speaker, Sir, the first one relates to non-classified roads which fall under the Local Authority. I am going to inform the Municipality of Curepipe or even the NDU, if need be, to tackle the situation and the second also.

#### **PRINCE DE GALLES STREET, ROSE HILL – MOSQUE - PARKING**

**Mr D. Nagalingum (Second Member for Stanley and Rose Hill):** I would like to raise a matter that concerns the Minister of Public Infrastructure.

Plusieurs personnes qui vont régulièrement à la mosquée de la rue Prince de Galles à Rose Hill pour leur prière de midi et qui dure environ une quinzaine de minutes m'ont fait part de la difficulté à laquelle ils ont à faire face en ce qui concerne le parking dans les environs. Cela se comprend, étant donné que cette mosquée est fréquentée par des centaines de fidèles et qu'elle se trouve en plein centre ville qui connaît un développement perpétuel. Certains de ces fidèles ont même été pris en contravention pour avoir garé leur voiture où il ne fallait pas.

Je voudrais donc plaider en faveur d'une solution de compromis pendant les quelques quinze minutes de prière seulement, nous soyons plus flexibles afin que les fidèles peuvent faire leur prière en toute quiétude. Les responsables de la mosquée ont suggéré aux fidèles d'essayer autant que possible de se garer en dehors des environs de la mosquée, soit pour ceux qui ne sont pas loin de la mosquée, de ne pas se servir de leur voiture afin de laisser l'espace de parking pour ceux qui viennent de très loin.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** Mr Deputy Speaker, Sir, once more, a place of worship when they have to get the BLUP licence, they have got a parking provided for that and, in fact, where the hon. Member is mentioning now, they have a parking in front but nobody want to use it. It is a proper parking for the worship which is in the BLUP, I know that and I am sure what I am talking about. So I think the Policemen have got the right because if they park on the road, they have no waiting site. There is a parking provided for that mosque there.

#### ST HUBERT – BUS SERVICE

**Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle):** M. le président, le sujet que je vais aborder concerne le ministre responsable de la NTA. C'est un problème de transport que font face les habitants de St Hubert sur les routes Nos. 11 et 87, c'est-à-dire la route St Hubert-Mahebourg et St Hubert-Curepipe.

En ce moment, les autobus font la pluie et le beau temps et ne respectent pas les horaires établis. Le matin, comme l'après-midi, c'est un calvaire quotidien pour ces habitants et surtout les travailleurs et les écoliers sont les plus pénalisés. Ils rentrent tard au travail et à l'école et l'après-midi, ils rentrent tard chez eux, vraiment à des heures indues. Il y a eu des doléances faites aux autorités concernées, la NTA, mais jusqu'à maintenant, rien n'a été fait. Des réunions

ont été sollicitées avec ces personnes par les habitants de St Hubert mais, malheureusement, ils ont toujours joué aux abonnés absents. Donc, je fais un appel au ministre pour que la NTA met bon ordre dans ce problème d'autobus conernant St Hubert et que le problème soit réglé dans un plus bref délai afin qu'ils ne subissent pas ce calvaire tous les jours.

Merci, M. le président.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** In the absence of my colleague, the hon. vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping, who is responsible for the NTA, I will inform my colleague tomorrow to deal with that matter.

(9.50 p.m.)

#### **AVENUE VICTORY, ALBION - ILLEGAL CONSTRUCTION**

**Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière):** Mr Deputy Speaker, Sir, it is in relation with the illegal construction of three blocks of apartments or guest houses at Avenue Victory in Albion by one Mr Ghurburrun without any building permit and land use permit. In fact, the District Council of Black River has been apprised of that illegal construction some time ago by *l'Action Civique d'Albion Plage*. The District Council did take initiatives by initiating legal action to prohibit Mr Ghurburrun from proceeding further with the construction. I am tabling the letter from the District Council.

However, in spite of a Judge's Order, Mr Ghurburrun is still continuing with the construction in flagrant violation of the law, creating an eyesore in the region and a very bad precedent for owners of land in Albion who may be led to believe that some people can be above the law.

May I appeal to the hon. Minister of Local Government to urgently deal with the matter by requesting the District Council to get the owner to stop the construction or even pull it down urgently.

Thank you.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** M. le président, j'ai appris cela moi aussi à travers une lettre et j'ai demandé quelques informations au District Council. Effectivement, il y a eu cette affaire en cour. Il a été poursuivi. Je crois qu'il a

payé une amende, mais il continue. Et là, certainement, il va falloir aller un pas en avant pour le *pull down order*.

(9.52 p.m.)

### **IBRAHIM ABDULLAH MARKET FAIR - RENT**

**Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** : M. le président, je vais soulever le problème qui concerne, encore une fois, le ministre des administrations régionales qui est, aujourd’hui, très sollicité. Je lui demande toute son indulgence. Cela concerne le problème de loyer à Ibrahim Abdullah Market Fair.

M. le président, j’ai déjà soulevé ce problème à l’ajournement le 17 Novembre 2011 et à travers une question parlementaire, le 06 Décembre 2011. Le problème c’est que la foire a été conçue pour 400 personnes, maintenant il y a 800 personnes qui travaillent là-bas et le résultat des courses - bien sûr on peut dire ça - c’est que le travail a considérablement diminué et ils ont demandé une baisse de loyer.

Je voudrais aussi, en même temps, *quote from Hansard* sur la question parlementaire du 06 Décembre 2011. La réponse du ministre était, *I quote* -

“The Council has decided to reduce the rent payable to a standard rate of Rs400 per month for all stallholders”

Je dois aussi dire que j’ai rencontré le ministre avec deux représentants des marchands de la foire Ibrahim Abdullah le 07 juin 2012 à son bureau. Une rencontre qui était très positive. Le ministre a été très réceptif par rapport aux doléances de ces marchands là. Mais, à ce jour, ils sont toujours dans l’attente d’une réponse. La requête a été faite par les représentants en ma présence et le ministre était là. Donc, aujourd’hui, je souleve encore une fois cette affaire et je demande au ministre de traiter cela en priorité et, une fois pour toutes, prendre une décision par rapport à cette affaire.

Merci, M. le président.

**The Minister of Local Government and Outer Islands (Mr H. Aimée)**: M. le président, je dois dire que mon collègue, l’honorable Shakeel Mohamed, est venu plusieurs fois à la charge concernant le marché de Plaine Verte. Mais je crois que tout le monde ici dans cette Chambre doit comprendre que la décision de réduire le *market fee does not rest with the Minister*. *This is with the Municipal Council of Port Louis*. Yes, avec toutes mes bonnes volontés, il faudrait quand même que le *Council* suit cela.

Suite aux problèmes financiers et si la municipalité à travers le *grant-in-aid* a trouvé qu'elle ne peut pas le faire, je ne peux pas faire pression sur eux. Ce n'est pas normal. Ce n'est pas le travail du ministre d'aller dire qu'il faut faire cela. Ils vont eux-mêmes être les premiers à dire que ce n'est pas normal qu'un ministre met son nez dedans. Alors, j'attends et j'essaie de voir.

C'est vrai que j'ai reçu l'honorable membre, mais ça s'arrête là. Maintenant, il me faut encore négocier avec le Municipal Council of Port Louis pour leur dire de faire diligence.

**The Deputy Speaker:** I would like to remind hon. Members that we are running short of time. I will just ask them to be as short as possible.

(9.59 p.m.)

#### **BIGARA CEMETERY - MUSLIM SECTION**

**Dr. S. Boolell (Second Member for Curepipe & Midlands):** I would like to bring to the attention of the hon. Minister of Local Government, who is the star for tonight, the poor state of the Muslim section of the cemetery in Bigara. It is a matter of urgency in view of the fact that there is a religious event coming up this Thursday, the Shab-e-barat. This is what I have been told by my constituents. They need to get light and water which are the two basic necessities.

There are some problems in the management of the cemetery, because there is a lot of confusion as to who owns which tomb. Last week, somebody went for a burial in that section and was told that this place - I am speaking under the correction of hon. Obeegadoo - has been paid for by somebody else. Thank God, they had kept the receipt and, consequently, were allowed to bury their dearly departed. So, there is a problem. It's one tomb for two. There must be a major problem at management level. I will be grateful if the Minister could actually talk urgently to the Municipality to ensure that this Thursday evening, at least, there is some peace and light and water out there.

**The Minister of Local Government and Outer Islands (Mr H. Aimée):** Mr Deputy Speaker, Sir, as for the question of water and electricity, I will inform the Municipal Council of Curepipe to look into the matter. But for the problem of grave, if there is a new land that somebody would buy actually in the Municipal Council Cemetery or any Local Authority, it's only for five years. After five years, it does not belong to him anymore. That is the rule that we have actually in all the cemeteries, except for the new one, for example, that would come in Quatre Bornes near Trois Mamelles which will be a huge one where one can buy and probably

for 10 years, 20 years, or 50 years, I don't know. But if one is not an owner of the ancient grave he would not be allowed; it would be for five years.

(9.58 p.m.)

### **CARREAU ESNOUF – WATERCRESS BED**

**Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien):** I have got two issues, with your permission, Mr Deputy Speaker, Sir.

M. le président, ma première intervention de ce soir concerne des cressonnières de Carreau Esnouf dans ma circonscription et cela est adressé au ministre de l'agro industrie.

Après l'épisode de '*pani naye ba*', revoilà nos planteurs de Carreau Esnouf face à un autre casse-tête. Celle-ci concerne une maladie qui est en train de ravager les cressonnières entraînant des pertes d'environ 75% des récoltes.

Selon les planteurs, c'est une espèce d'algue présente dans l'eau qui affecte les plantes des créssonnières. Le président de la *Watercress and Vegetable Planters Association* explique que les planteurs ont remarqué de l'écume qui flotte sur l'eau des cressonnières depuis la fin d'avril dernier. Avec la présence du goémon, cela attaque les plantes de cresson qui fondent après. Cette maladie s'attaque principalement aux boutures des plantes, affectant leur croissance. Seulement 25% des boutures réussissent à résister et germent à nouveau. Ceci a un effet direct sur la récolte qui est faite dans quarante-cinq jours au lieu de trente jours. Je fais un vibrant appel au ministre concerné qui connaît très bien la région afin qu'il envoie une équipe de techniciens de l'AREU.

Le deuxième...

**The Deputy Speaker:** Hon. Member, I am going to allow you to broach only one issue for the time being. If time is left, I'll come back to you. I'll also request the hon. Minister to be as short as possible because we are very short of time.

**The Minister of Agro-Industry and Food Security (Mr S. Faugoo) :** I'll look into the matter, Mr Deputy Speaker, Sir.

(10.00 p.m)

### **BALFOUR GARDEN, BEAU BASSIN - MONKEYS**

**Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) :** Mon intervention, ce soir, s'adresse au ministre des collectivités locales et concerne la municipalité de BeauBassin/Rose Hill. Ces derniers temps, j'ai reçu plusieurs doléances concernant des singes

errants au Jardin Balfour à Beau Bassin, effrayant les enfants qui s'y rendent en compagnie de leurs parents, enseignants ou responsables d'écoles. Cela bien sûr représente un danger pour eux. Bien sûr, quand je parle d'enfants, ce sont les enfants du primaire et du pre-primaire. Le préposé de la municipalité qui est posté au jardin n'a aucun moyen pour les faire partir et je pense qu'il a peur lui-même d'être attaqué par ces singes. Donc, je fais un pressant appel au ministre afin qu'il voie avec la municipalité de façon à ce qu'ils agissent rapidement afin d'éviter, justement, tout incident a l'avenir.

(10.01 p.m)

**The Minister of Local Government and Outer Islands (Mr H. Aimée)** : M. le président, avec toute la bonne volonté avec laquelle j'opère comme ministre, je regrette, car le problème des singes errants concerne le ministère de l'agriculture.

*(Interruptions)*

**Mr Aimée** : Même les singes, cela concerne le ministère d'agriculture.

(10.02 p.m)

**The Minister of Agro-Industry and Food Security (Mr S. Faugoo)** : It concerns my Ministry, Mr Deputy Speaker, Sir. I have taken good note of the points raised and I will look into the matter.

(10.03 p.m)

#### **DOUBLE TAXATION TREATY AVOIDANCE**

**Mr R. Uteem (Second Member of Port Louis South and Port Louis Central)** : Mr Deputy Speaker, Sir, I'll raise a matter addressed to the hon. vice-Prime minister and Minister of Finance, but it may also concern the hon. Minister of Foreign Affairs. As the hon. Members may be aware, the committee set up in India to formulate guidelines on the proper implementation of a general anti-avoidance rules has submitted its report. In this report, they have indicated instances where the Indian Tax Authorities are going to apply the general anti-avoidance provisions in the direct tax code and would ignore the Double Taxation Avoidance Treaty that they have with Mauritius. This is, of course, a matter of very serious concern for all those involved in the financial sector in Mauritius and I know that the hon. Minister of Foreign Affairs is travelling to India tomorrow. I know that they are going to discuss about treaty provisions, but I would like also the hon. Minister to express on our behalf our concern that this general anti-

avoidance provision that is going to be enacted and coming to effect next year, should not overwrite any treaty provision between Mauritius and India. Thank you.

**The Deputy Speaker:** Yes, we have some time left you can go ahead !

(10.04 p.m.)

**CITE LA CHAUX, MAHEBOURG – STUDENTS – TRANSPORT DIFFICULTIES**

**Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) :** *Mr Deputy Speaker, Sir, thank you very much for giving me the floor again.* Le deuxième sujet que je vais aborder concerne l'honorable ministre responsable de la NTA. C'est un problème de transport concernant les écoliers de Cité la Chaux, Mahébourg. Actuellement, il y a un seul autobus qui dessert les écoliers le matin et les après-midis sur la route de Cité la Chaux, Mahébourg et vice versa. Avec le nombre grandissant d'écoliers de cette cité, un autobus n'est plus suffisant. Donc, beaucoup d'écoliers n'arrivent pas à entrer dans le bus pour être à l'école à l'heure. Je fais un vibrant appel au ministre concerné afin qu'il y ait un deuxième autobus pour desservir cette route dans les plus brefs délais. Ainsi les écoliers de la région ne seront plus pénalisés.

Merci, M. le président.

**The Minister of Local Government and Outer Islands (Mr H. Aimée)** *Mr Deputy Speaker, Sir, I will be volunteered to inform my colleague, the Minister of Public Infrastructure tomorrow morning.*

*At 10.08 p.m. the Assembly was, on its rising, adjourned to Tuesday 10 July 2012, at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### RODRIGUES – CONTOUR OBLASSE – ROAD ACCIDENT

**(No. B/412) Mr F. François (Third Member for Rodrigues)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the road accident which occurred at the Contour Oblasse, in Rodrigues, on or about 12 January 2012, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the inquiry carried out thereinto is now complete and if so, indicate the outcome thereof.

**Reply:** I am informed by the Commissioner of Police that the road accident at Contour Oblasse, Rodrigues occurred on 12 February 2012 and not on 12 January 2012. The accident occurred along Route de L'Autonomie, Solitude, involving a bus driven by one Mr J.P.H.E., a contract van driven by one Mr J.N.A. and a private van driven by one Mr F.L.

As a result of the accident, two passengers of the bus passed away and twelve persons were injured and were admitted to Queen Elizabeth Hospital.

Police carried out an inquiry into the matter. On 12 February 2012, Mr J.P.H.E, the driver of the bus gave a statement to the Police. On 13 February 2012, he was arrested on his discharge from hospital and a provisional charge of “Involuntary Homicide by Imprudence” was lodged against him before Rodrigues Court. He was remanded to Police cell and was bailed out on 17 February 2012, after furnishing a surety of Rs10,000 and a recognizance of Rs50,000.

Police have also taken statements from the bus conductor and the drivers of the private van and the contract van.

On 22 and 23 February 2012, the Senior Mechanical Engineer at the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping and a Police officer of the Traffic Branch examined the bus. They submitted their report on 23 May 2012.

Alcohol tests were carried out on all three drivers on the day of the accident. The result was positive for the driver of the contract van and negative for the other two drivers.

The case has been completed and will be forwarded to the Director of Public Prosecutions for advice.

### MBC – NEWS COVERAGE

**(No. B/413) Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to if the Corporation has been charging the parastatal bodies for the coverage and airing of news items in relation thereto during prime time and, if so, indicate if –

- (a) this is a new service being offered by the Corporation, and
- (b) consideration will be given for the extension of this service to all the private and public institutions.

**Reply:** I am informed by the Director-General of the Mauritius Broadcasting Corporation that, in line with the objects of the Corporation set out at section 4 of the MBC Act, the Corporation covers news items on the basis of their news worthiness.

I am further informed by the Director-General that the Corporation does not charge fees for the coverage and the airing of such news items.

The other parts of the question do not, therefore, arise.

### TORTOISES – LARCENY

**(No. B/414) Mr A. Gungah (First Member for Grand'Baie & Poudre d'Or)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to tortoises, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of larceny thereof, over the past six months, indicating in each case –

- (a) where the larceny was committed;
- (b) the value thereof, and
- (c) where matters stand in relation to the inquiries carried out thereinto.

**Reply:** In regard to parts (a) and (b) of the question, I am informed by the Commissioner of Police that over the past six months, 9 cases of larceny of 28 tortoises have been reported to the Police as follows –

- one at Montagne Ory and the value of the tortoise is unknown, and

- eight other cases at La Vanille Crocodile Park, Quatre Bornes, Vacoas, Terre Rouge, Casela Bird Park, Belle Vue Maurel, Helvetia and Rose Hill. A total number of 27 tortoises were stolen, having a total value of Rs525,000.

In regard to part (c) of the question, I am informed that out of these nine cases, seven are pending enquiry; one has been classified and one is pending before court.

### **CARJACKING - INQUIRIES**

**(No. B/415) Mr C. Fakkeemeeah (Third Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to carjacking, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof and of offences in relation thereto, indicating if inquiries have been carried out thereinto and if so, the outcome thereof in each case.

**Reply:** Carjacking is defined as robbery of a motor vehicle after violently ejecting its driver. It differs from other motor vehicle thefts because the victim is present and the offender uses or threatens to use force.

The offence of carjacking does not exist in our law. The offender of carjacking is prosecuted under either section 305 or 310 of the Criminal Code for “larceny with violence”, “larceny on public road”, “larceny two in number” or “larceny more than two in number”, as the case may be. These offences are punishable by penal servitude.

I am informed by the Commissioner of Police that in the year 2011, three such cases of carjacking were reported to the Police. One car has been recovered. Police is continuing its enquiry in the three cases.

Since the beginning of this year, no case of carjacking has been reported.

### **FOREIGN NATIONALS - PERMANENT RESIDENT PERMITS – GRANT**

**(No. B/416) Mr N. Bodha (First Member for Vacoas & Floreal)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the permanent resident permits granted to holders of

occupational permits, he will state the number thereof, since 2006 to date, following the policy adopted in the 2006/2007 Budget Speech.

**Reply:** The Business Facilitation (Miscellaneous Provisions) Act 2006 provides for the issue of an occupation permit to non-citizens who are investors, self-employed and professionals. The Act also provides for the issue of a Residence Permit for retired person. Both permits are for a duration of three years, after which the non-citizens are eligible to apply for a Permanent Residence Permit.

The Permanent Residence Permits are for a period of ten years and are issued to foreign nationals registered as investor, self-employed non-citizen, retired non-citizen and professional, provided they meet criteria specified in the Investment Promotion Act as follows –

- (i) an investor should have generated an annual turnover exceeding Rs15 m. over the three years he/she held an Occupation Permit;
- (ii) a self-employed should have earned an annual income in excess of Rs3 m. during the three years he/she held an Occupation Permit or Work Permit;
- (iii) a professional should have drawn a basic monthly salary of a least Rs150,000, during the three years he/she held an Occupation Permit, and
- (iv) a retired non-citizen must have transferred at least 40,000 US Dollars annually during the three years he/she held a Residence Permit.

The Permanent Residence Permit scheme, as conceived in 2006, also allowed the beneficiary to purchase landed property of an extent of 1.25 *arpents*.

The Permanent Residence Permit scheme was not implemented in 2009, that is, upon expiry of the three-year period of the Occupation and Residence Permits issued at the beginning of the scheme, because it was decided to limit the acquisition of landed property by non-citizens. It was subsequently decided to allow non-citizens to purchase one apartment in a building with at least two floors above ground floor, for his/her personal residence. The new scheme became operational on 01 January 2012.

Applications for such permits are processed at the level of my office and the permits are issued by the Passport and Immigration Office, subject to payment of a fee of Rs50,000 and submission of a bank guarantee in the amount Rs100,000 by the holder of the permit.

As at 30 June 2012, 49 applications for Permanent Residence Permit have been received, out of which 16 have been approved, 3 have been turned down, 3 withdrawn, and 27 are being processed.

#### **LE MORNE HERITAGE TRUST FUND - RECRUITMENT**

**(No. B/435) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Arts and Culture whether, in regard to the Le Morne Heritage Trust Fund, he will, for the benefit of the House, obtain from the Fund, information as to the -

- (a) present number of employees thereat, indicating the respective grades thereof and;
- (b) when the last recruitment exercise thereat was carried out, indicating the;
  - (i) procedures followed therefor;
  - (ii) number and grade of the posts advertised for;
  - (iii) names and addresses of the successful applicants, and
  - (iv) if consideration was given to the applicants residing in Le Morne, and if not, why not.

**Reply:** I am informed by the Le Morne Heritage Trust Fund Board that it has currently 15 employees at the Trust Fund comprising -

- One Officer in Charge ;
- One Research Officer;
- One Site Officer;
- One Accounts Officer;
- One Conservation Officer;
- Four Heritage Guides;
- One Clerk / Word Processing Officer;
- One Clerk Assistant;
- One Office Attendant / Driver, and
- Three Handy Workers.

Regarding part (b), on 27 May 2011, the Le Morne Heritage Trust Fund invited through the press, applications for the filling of vacancies for the posts of -

- Administrative Secretary;
- Accounts Officer;
- Research Officer;
- Conservation Officer;
- Heritage Guides, and
- Handy Worker.

The usual procedures for a recruitment exercise were followed, i.e -

- Shortlisting of candidates in accordance with qualifications and requirements as laid down in the scheme of service and the vacancy notice;
- Interviews by a selection panel for each post, and
- Approval of recommendations of the selection panels by the Le Morne Heritage Trust Fund Board.

I am tabling a list of the names and addresses of the successful applicants. Following the short listing exercise, applications retained from inhabitants of Le Morne were for the posts of Handy Worker, Heritage Guide, and, Conservation Officer. For the post of Handy Worker, priority of consideration was given to the applicants residing in Le Morne as stipulated in the Notice of Vacancy, namely -

“Preference will be given to qualified candidates residing in Le Morne village and its vicinity”.

There were 4 applicants from Le Morne; one candidate did not turn up for the interview. The three others were requested to bring their CPE results, as required in the Scheme of Service. They failed to do so and were therefore considered as not eligible.

For the post of Heritage Guide, the only applicant from Le Morne was selected. She had also applied for the post of Conservation Officer.

No resident of Le Morne Village was shortlisted for the posts of Administrative Secretary and Accounts Officer. There was no application for the post of Research Officer from Le Morne Village.

#### **MAURITIUS EX-SERVICES TRUST FUND – BOARD MEMBERS & STAFF**

**(No. B/436) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Mauritius Ex-Services Trust Fund, he will, for the benefit of the House, obtain from the Fund, information as to

- (a) the names of the Board Members thereof, indicating the allowances drawn in each case;
- (b) the names of the staff employed thereat, indicating in each case, the -
  - (i) post held, and
  - (ii) length of service, and
- (c) if the closure thereof if being envisaged and, if so, indicate -
  - (i) the proposed date therefor, and
  - (ii) if the employees thereof will be redeployed.

**Reply:** With regard part (a) of the question the information asked for is being tabled.

As far as part (b) of the questioned is concerned, the House would appreciate that it would not be proper to provide the names of all officials working at the Ex-Services Trust Fund. However, I am informed that there are at present fourteen staff working in that institution and I am tabling information in relation to the different grades, number of post and the lengths of service of the officers therein.

As far as part (c) of the question is concerned I wish to inform the house that on 20 May 2011 the three associations present on the Board, namely the –

- (i) Ex Services Association of Mauritius,
- (ii) the Royal Pioneer Corps Association, and
- (iii) the War and Peace Ex Servicemen Union made a joint proposal relating to the conversion of the various grants they were entitled to into a monthly allowance and be added to their current pension. The above proposal was approved by the Board on 24 May 2012.

With the review of the grant to the ex-servicemen and widows of ex-servicemen the administrative workload of the fund has been reduced, the Board has in that respect decided to review the existing administrative setup with a view to better optimise the existing resources and

with the possibility of redeployment of some employees of the Fund elsewhere in the service. A sub-committee has been set up to look into the restructuration of the Fund. Accordingly the question of closing the Trust Fund does not arise.

### **MUNICIPAL COUNCILS – ELDERLY PERSONS – VISIT TO REUNION ISLAND**

**(No. B/437) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the elderly persons who visited the Reunion Island and other countries under the twinning agreement at the level of the municipal councils, over the past five years, he will, for the benefit of the House, obtain from each council, a list thereof, on a yearly basis, indicating in each case, the -

- (a) dates thereof;
- (b) costs involved, and
- (c) criteria used for their selection.

*(Withdrawn)*

### **FOOTBALL MATCHES – FIXED ODD BETTING**

**(No. B/438) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to fixed odd betting on football matches, he will, for the benefit of the House, obtain from the Gaming Regulatory Authority, information as to -

- (a) the number and types of betting authorised for each licensed operator, indicating the date of authorisation thereof;
- (b) if rules are approved for each type of betting before authorisation;
- (c) if uniform rules are applied to each operator for each type of betting, and
- (d) the actions, if any, taken by the *Police des Jeux* to enforce the rules.

**Reply:** With respect to part (a) of the question, I am informed by the Gambling Regulatory Authority that there are currently 7 bookmakers offering fixed odds betting on football matches played outside Mauritius. Each licensed operator has been authorised by the Gambling Regulatory Authority to offer the number and type of bets as per approved rules.

In that regard, I am tabling a list of the seven bookmakers offering fixed odds betting on football matches played outside Mauritius together with the number and type of bets for each licensed operator as well as the date of authorisation.

With respect to part (b) of the question, I am also informed that the rules for each type of betting are approved by the Gambling Regulatory Authority in accordance with section 45 of the Gambling Regulatory Authority Act 2007 which stipulates that '*no betting on any event or contingency shall be conducted by a bookmaker except those referred to in the rules of fixed odds betting approved by the Board*'.

As for part (c), of the question is concerned, the General rules are uniformly applied for all licensees by the Gambling Regulatory Authority upon the issue of a fixed odd football betting licence. I am in that respect tabling a copy of the General rules.

In addition, there are few cases where the rules for each type of betting differ between operators. Indeed, each operator is also allowed to operate in accordance with the rules submitted by the operator and approved by the Board. I am also tabling the information thereon.

With respect to part (d), the Gambling Regulatory Authority has, informed me that complaints from punt

However, the operators, Empowering People Ltd, Booksystem Ltd and Peerless Ltd failed to comply with one of the conditions of licence. These three bookmakers did not pay any unclaimed winnings at all the National Solidarity Fund. The Gambling Regulatory Authority has revoked the licences of the first two operators. With respect to the licence of Peerless Ltd, the licence expired in the meantime and was not renewed.

The Gambling Regulatory Authority has also imposed financial penalty on the two bookmakers, namely Bosco & Co. Ltd. and Value Plus Ltd who failed on a few occasions to effect such payments to the National Solidarity Fund.

I am also informed that the *Police des Jeux* carries out regular checks throughout the island to ensure enforcement of the rules, regulations and conditions attached to the licence.

#### **BOI – PMO - PERMITS**

**(No. B/439) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the vice-Prime Minister, Minister of Finance and Economic Development

whether, in regard to the permits requiring the clearance of the Prime Minister's Office, he will, for the benefit of the House, obtain from the Board of Investment, information as to the procedures laid down therefor, indicating, since

July 2011 to date -

- (a) the number;
  - (i) thereof approved and;
  - (ii) of applications therefor which are pending and;
- (b) the names of the officials responsible for the processing and approval thereof, indicating;
  - (i) if irregularities have been reported in relation thereto, and
  - (ii) the number of officials recruited.

*(Withdrawn)*

#### **RODRIGUES - MAURITIUS SHIPPING CORPORATION LTD/PAPOL - CONTRACT**

**(No. B/440) Mr J. F. François (Third Member for Rodrigues)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the cargo handling services in the Port Mathurin Port Area, he will, for the benefit of the House, obtain from the Mauritius Shipping Corporation Ltd., information as to -

- (a) the total yearly amount of fees it has paid to the Port Mathurin Associated Port Operations Lighterage and Cargo Services Ltd. (PAPOL) over the past five years therefor;
- (b) when was the last contract agreement signed between the Corporation and the PAPOL, indicating -
  - (i) the terms and conditions thereof, and
  - (ii) if copy thereof will be tabled, and
- (c) if the tariffs therefor have been revised over the past ten years.

**Reply:** I am informed by the Mauritius Shipping Corporation Ltd (MSCL) that the total yearly amount of fees paid by them to PAPOL &CS over the past five years are follows -

<b>Year</b>	<b>Amount(MUR)</b>
2006/2007	11,097,751
2007/2008	11, 431,822

2008/2009	13,512,294
2010	13,397,652
2011	15,273,613

As regards part (b), the last contract between MSCL and PAPOL was signed on 30 August 2011.

As it is an agreement between two parties, the hon. Member is invited to consult the Terms and Conditions of the agreement in my Ministry.

As regards, part (c), I am advised that the tariffs of PAPOL are generally revised every 4 years. Over the last 10 years, the tariffs have been revised three times, namely in 2003, 2007 and 2011.

Cargo Handling stevedoring, loading and unloading.

Commercial transaction that may cause prejudice to any of the contracting parties.

PAPOL is the only operator (Private Company) (Registered under Company Law).

Government own Private Company.

Only Private Company with 20% Shares owned by MSCL.

#### **MAURITIUS PRIDE - PROPOSED REPLACEMENT**

**(No. B/441) Mr J. F. François (Third Member for Rodrigues)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the proposed replacement of the M/S Mauritius Pride and matters incidental thereto, he will state where matters stand.

**Reply:** My Ministry deems it necessary to undertake a study to address the problems being encountered by the M/S Mauritius Pride which is very old now. As such, a Request for Proposal (RFP) for “Consultancy Services to conduct a feasibility study for the replacement of M/S Mauritius Pride and consideration of related issues” is being issued to potential bidders.

#### **RODRIGUES - SPORTS ACTIVITIES**

**(No. B/442) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to sports activities in Rodrigues, he will state

if his Ministry has any action plan for the promotion and development thereof, and if not, why not.

*(Withdrawn)*

### **MON DÉSERT ALMA – VRS – LAND ALLOCATION**

**(No. B/443) Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Agro-Industry and Food Security whether, in regard to lands allocated under the Voluntary Retirement Scheme at Mon Désert Alma, he will state if the sale agreements of the lands were given to the beneficiaries thereof and, if so, when and, if not, why not.

*(Withdrawn)*

### **RAPE – SUSPECTED CASE**

**(No. B/444) Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Health and Quality of Life whether, in regard to cases of suspected rape, he will state if consideration will be given for the reviewing of the protocol established by his Ministry to include the -

- (a) day after pill, and
- (b) placing of the intra-uterine device.

*(Withdrawn)*

### **MINISTRY OF YOUTH AND SPORTS - MR A. B., ASSISTANT SECRETARY - OVERSEAS MISSIONS**

**(No. B/445) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to Mr A. B., Assistant Secretary, he will state since when he is posted at his Ministry, indicating the -

- (a) duties and responsibilities assigned thereto; and
- (b) overseas missions undertaken by him, since his posting thereat to date, indicating in each case the;
  - (i) date;
  - (ii) purpose, and
  - (iii) cost incurred therefor.

*(Withdrawn)*

## GLOBAL BUSINESS COMPANIES - INVESTIGATIONS

**(No. B/446) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the global business companies, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to the number of investigations the Commission has carried out to ascertain if any of them is used for –

- (a) round tripping into India;
- (b) illegal activities, and
- (c) money laundering, indicating in each case, the outcome thereof and the sanctions taken, if any.

**Reply:** I wish to inform the House that Mauritius adheres to international standards and good practices insofar as transparency, exchange of information and the combat against money laundering and the financing of terrorism are concerned. In that regard we have over time put in place the appropriate legal and institutional framework.

Mauritius has put in place an anti-money laundering and combating the financial of terrorism framework that meets the requirements of the Financial Action Task Force 40 plus 9 recommendations. Furthermore, Mauritius has set up a Financial Intelligence Unit (FIU) which receives analyses and disseminates financial intelligence submitted through Suspicious Transaction Reports (STR). The FIU provides leads to law enforcement authorities, which are in some way suspicious, and might indicate money laundering or terrorist financing.

The Mauritius FIU is a member of the Egmont Group since July 2003 and has from that date onward been exchanging information with other members of the Group regularly. The FIU Mauritius has been playing a leading role in the development of the Egmont Africa Outreach and Assistance Strategy. Furthermore, the Director of the FIU is the regional representative of Africa on the meeting and provides report on other African FIU on their potentials and readiness to enter the Egmont Group. The Egmont Group is the recognized international organization which provides a forum for FIUs to improve respective national anti moner laundering programs and cooperation in the fight against money laundering and terrorism financing.

Government has also enacted the Mutual Assistance in Criminal and Related Matters Act to enable the widest possible international co-operation to be given and received by Mauritius promptly in investigations, prosecutions or proceedings concerning serious offences and related civil matters.

More recently we have enacted the Asset Recovery Act to enlarge the scope for freezing ill-gotten assets. We have also signed the International Organisation of Securities Commissions (IOSCO) Multilateral Memorandum of Understanding (MMoU) concerning consultation and cooperation and the exchange of information by the Financial Services Commission.

Mauritius has not only put in place the required legal and institutional framework for effective exchange of information and combatting money laundering and the financing of terrorism but that framework has also been assessed by International Bodies.

In fact, Mauritius has been among the first to have been assessed under the Financial Sector Assessment Programme (FSAP) of the International Monetary Fund/World Bank. The assessment found a high degree of compliance with internationally accepted norms and best practices. The FSAP also emphasised that Mauritius has taken several major steps to align its anti- money laundering framework with international standards.

Mauritius has as well undergone a detailed peer review by the OECD Global Forum, which has examined whether accounting, banking and ownership information are available, whether these can be accessed and effectively exchanged with other countries. The OECD Global Forum has concluded that Mauritius has in place the necessary legal and regulatory framework for exchange of information which is compliant with international standards and as regards the practical implementation of that framework it is working effectively.

Coming to the question, I am informed by the Financial Services Commission (FSC) that in line with its mandate to take measures to suppress illegal, dishonourable and improper practices in the financial services sector, it has, during the period January 2010 to date, conducted a total of 25 investigations as follows:

- 3 on money laundering
- 7 on round tripping; and
- 15 on illegal activities

Concerning Money Laundering, one licence was revoked.

With respect to the 7 cases on Round Tripping, involving 17 GBCs based on the findings, the allegations of round tripping could not be established.

As far as unlawful Activities, under Section 74(5) of the Financial Services Act are concerned, the FSC inquired into the 15 allegations of illegal activities which led to the revocation of 6 licences.

The Financial Services Commission has in May this year appointed a Director-Surveillance, post which was vacant for several months.

The FSC has also renewed with the practice of on site inspections. From September 2011 to June 2012, 23 inspections were carried out.

#### **STC - LEGAL ADVISERS & INSIGHT FORENSICS LTD - FEES**

**(No. B/447) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the State Trading Corporation, he will, for the benefit of the House, obtain therefrom, information as to the amount of money paid out as fees, since 2005 to date, to -

- (a) the legal advisers thereof, indicating the,
  - (i) names thereof, and
  - (ii) criteria for the selection thereof, and
- (b) Insight Forensics Ltd.

**Reply:** I am informed by the State Trading Corporation that from 2005 to date, the total amount of money paid out as fees to the legal advisers is Rs4,233,931 exclusive of VAT.

This amount includes Rs578,000 paid to the State Law Office as annual retainer and legal fees and Rs3,655,931 paid to private legal advisers for specific assignments.

As regards, part (a) (i) of the question, I am informed that the names of the legal advisers appointed by the Corporation are as follows -

<b>Name</b>	<b>Designation</b>
(a) State Law Office	- Barrister / Solicitor
(b) Georges André Robert	- Attorney At Law

(c)	Gilbert Noel	-	Attorney At Law
(d)	Narendra Appa Jala	-	Attorney At Law – Senior Attorney
(e)	Sanjay Buckory	-	Barrister At Law – Senior Counsel
(f)	Gunness Ramdewar	-	Attorney At Law
(g)	Yousouf A.R. Mohamed	-	Barrister At Law – Senior Counsel
(h)	Mrs. Kamla Devi Varmah	-	Attorney At Law
(i)	Joyadeep Beeharry	-	Barrister At Law
(j)	Ravindra Valaydon Chetty	-	Barrister At Law – Senior Counsel
(k)	Siv Potaya	-	Barrister At Law
(l)	Coomara Pyaneandee	-	Barrister At Law
(m)	Royds Solicitors	-	Barrister / Solicitor
(n)	Rajendra Kumar Jain	-	Barrister At Law
(o)	Stevenson Harwood	-	Barrister / Solicitor

As regards part (a) (ii) of the question, I am informed by the State Trading Corporation that the main criteria that have been used in the selection of those legal advisers are -

- (a) relevant expertise in specific matters under consideration;
- (b) availability to deliver at short notice on technical issues, and
- (c) cost of the services required.

The legal advisers have been selected on an ad-hoc basis as approved by Management or the Board of the Corporation to meet the exigencies of its day to day business.

As regards part (b) of the question, I am informed by the State Trading Corporation that the total fees paid to Insight Forensics Ltd amounted to Rs 855,000 exclusive of VAT.

#### **EASTERN FEDERATION OF PLEASURE CRAFTS - GRIEVANCES**

**(No. B/449) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Tourism and Leisure whether he will state if he has been informed of the grievances of the Eastern Federation of Pleasure Crafts and if so, indicate if he

has had a meeting with the members thereof in relation thereto, including in relation to the point of embarkation of the pleasure crafts.

**Reply:** The answer is in affirmative.

The House may wish to note that a meeting was held in my office on Thursday 21 June 2012 with the representatives of the operators of the Eastern Federation of Pleasure Crafts, during which they have, *inter-alia*, complained about unfair competition from pleasure crafts embarking passengers from outside their allocated embarkation points.

My Ministry had, in May 2011, issued a letter to all operators of the Trou d'Eau Douce, Ile aux Cerfs and GRSE regions, clearly indicating the exact embarkation points for these regions. It may be noted that these regions are classified as restricted zones where no new pleasure craft licences for commercial activities are being issued.

In addition, the National Coast Guard, the *Police du Tourisme* and the Monitoring Unit of the Tourism Authority have been requested to ensure that operators of the region comply with their respective embarkation points. In this regard, I am informed that some 65 contraventions have, since August 2011, been established.

For the orderly conduct of pleasure craft activities in the region, a participatory approach is advocated and operators have been encouraged to use the newly established hotline of the Tourism Authority, which is operational on a 24/7 basis, to report any departure from established rules and procedures or instances of malpractice.

My Ministry will have regular meetings with the Eastern Federation of Pleasure Crafts and closely monitor the situation in the region so as to initiate action as appropriate.

#### **MADAGASCAR - POLITICAL CRISIS**

**(No. B/450) Mr C. Fakemeeah (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the political crisis in Madagascar, he will state where matters stand at the level of the Southern African Developing Community.

(Withdrawn)

## **LES SALINES WATERFRONT DEVELOPMENT PROJECT - IMPLEMENTATION**

**(No. B/452) Mr N. Bodha (First Member for Vacoas and Floreal)** asked the Minister of Housing and Lands whether, in regard to the Les Salines Waterfront Development Project, commonly known as the Neo Town project, he will state where matters stand as to the implementation thereof.

**Reply:** As can be seen from the documents placed in the Library of the National Assembly, Les Salines Waterfront Development Project is an integrated project comprising, *inter alia*, the construction of a hotel, boardwalks and marine garden, a tourist heritage centre, a luxury condominium complex with a boutique hotel, a marina club, apartment complex, office buildings, shopping malls, office campus, tourist attractions and entertainment facilities. In accordance with the Lease Agreement, the project is to be implemented in various phases.

The initial Master Plan in respect of the intended development was approved by the Ministry of Housing and Lands in September 2010. However, subsequently, this approved plan had to be modified due to the realignment of the Harbour Bridge. The revised plan was approved by the Ministry of Housing and Lands in November 2011.

The last progress report submitted by the company in April 2012 and a recent site visit carried by Officers of the Ministry of Housing and Lands indicate that Les Salines Development Limited is presently carrying out on site infrastructural works which have reached the following stage -

- (a) the construction of the internal road network has been completed till the 1<sup>st</sup> layer of the Granular Sub-Base (GSB);
- (b) laying of kerbs at junctions has been completed;
- (c) underground pipes and manholes have been laid for amenities such as water, electricity and sewerage;

- (d) drains and pole foundations for street lighting have been constructed;
- (e) the installation of the electrical, storm water and sewage networks has been completed, and
- (f) the installation of the telecom network has reached completion to 60%.

Moreover, the company has submitted preliminary plans for the development of residential apartments on part of the site. According to the plans, Les Salines Development Limited proposes to construct three residential towers of G+18 and 8 residential units of G+2. The plans are being examined at the level of the Ministry of Housing and Lands.

Mr Speaker, Sir, I also wish to refer to the reply to PQ No. A/43 of 29 March 2011 whereby it was indicated, among others, that, in line with the Lease Agreement, a Joint Monitoring Committee, under the chair of the Ministry of Housing and Lands and comprising relevant other authorities, has been set up to monitor the progress and implementation of the project. The Committee meets, as and when required, to achieve this end.

It is reiterated, Mr Speaker, Sir, that Government is firmly bent on applying scrupulously all the provisions of the Lease Agreement.

#### **CHILDREN - SEXUAL EXPLOITATION - DROP-IN-CENTRE**

**(No. B/453) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the drop-in-centre set up for the children victims of sexual exploitation, she will state the date on which it became operational, indicating the number of children victims who have reported thereat, since the setting up thereof to date.

**Reply:** I am informed that the Drop In Centre has been set up at Bell Village since 5 December 2003 to cater for the rehabilitative needs of children victims of commercial sexual

exploitation. Since the setting up of the Centre till June 2012, a total number of 1551 cases have been reported thereat.

### **MORCELLEMENT RAFFRAY, PAILLES - OVERFLOW**

**(No. B/454) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West)**

asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Perruche 2 Street and the Perdrix Street, at Morcellement Raffray, in Pailles, he will state if he has received representations from the inhabitants thereof concerning intermittent overflow thereat lately and if so, indicate if remedial measures will be taken and if so, when.

**Reply:** I am informed that representations have been received from the inhabitants of Perruche 2 Street and Perdrix Street at Morcellement Raffray, Pailles.

Site visits have been effected by officers of the NDU. It has been found that the intermittent overflows are mainly due to the absence of proper sewerage system.

The NDU has requested the concerned authorities to look into the matter.

### **PITON – ROAD ACCIDENTS - MEASURES**

**(No. B/455) Mrs P. Bholah (First Member for Piton and Rivière du Rempart)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the main junction at Piton, he will state the number of accidents which have occurred thereat, since 2005 to date, indicating the –

- (a)      remedial measures that have been taken, if any, to improve security thereat, and
- (b)      reasons why the works undertaken by the Road Development Authority in 2010 thereat had been stopped, indicating the part of the works which are outstanding.

**Reply:** I am tabling a paper regarding the number of accidents that have occurred from 2005 to 2011 at the main junction at Piton.

The following remedial measures have been taken to improve road safety thereat.

- (i)      The junction is controlled by a set of traffic signal equipment, including a phase for pedestrian crossing installed by the Traffic Management and Road Safety Unit.
- (ii)     The traffic signal equipment had been programmed to turn off at night around 22.00 hrs. However, as a result of serious accidents occurring during night time when the traffic

signal equipment was off, the said traffic signal equipment has been put on flashing mode to warn drivers of the junction ahead and this measure has resulted in a decrease in the number of accidents at night.

(iii) Road Safety devices such as raised footpath and handrails have already been provided, especially with the existence of the M.P. Kisnah Government school near the above junction.

(iv) Speed limit traffic signs have been put in advance on all the arms leading to the above junction to warn drivers to slow down before the junction.

With regard to part (b) of the question, I would like to inform the House that the Road Development Authority undertook the construction of footpath and resurfacing of road from the main junction at Piton towards Poudre d'Or Hamlet (B16) in 2010. This work has already been completed.

#### **MAURITIUS SYMPHONIC ORCHESTRA – SETTING UP**

**(No. A/194) Mrs J. Radegonde ( Fourth Member for Savanne and Black River)**

asked the Minister of Arts and Culture whether, in regard to the project for the setting up of the Mauritius Symphonic Orchestra, he will state if the study in relation thereto has been carried out and if so, indicate the findings thereof.

**Reply:** My Ministry has had consultations with different stakeholders including local and international resource persons in the field in view of the complexity of the project and to come up with an appropriate structure.

Following these consultations, a few proposals have been received and these are being considered.

#### **LES SALINES DE TAMARIN – CLOSING DOWN**

**(No. A/195) Mrs J. Radegonde ( Fourth Member for Savanne and Black River)**

asked the Minister of Arts and Culture whether, in regard to Les Salines de Tamarin, he will state if his Ministry has approached the director thereof with a view to safeguarding the location thereof, in case of closure, and if so, indicate the outcome thereof.

**Reply:** My Ministry is not in presence of any correspondence on the possible closure of "Les Salines de Tamarin" which is run by a private company.

#### **PORt LOUIS MARITIME & PORt LOUIS EAST – NDU PROJECTS**

**(No. A/196) Mr A. Ameer Meea (First Member for Port Louis Maritime and Port Louis East)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the projects undertaken by his Ministry and the National Development Unit, in Constituency No. 3, Port Louis Maritime and Port Louis East, since May 2010 to date, he will give a list thereof, indicating in each case, the –

- (a) scope of works therefor;
- (b) cost involved, and
- (c) start and completion dates thereof.

**Reply:** The information requested is being compiled and will be placed in the Library of the National Assembly.

#### **SIR EDGAR LAURENT STREET, PORT LOUIS - HAND RAILS & ROAD MARKINGS**

**(No. A/197) Mr A. Ameer Meea (First Member for Port Louis Maritime and Port Louis East)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Sir Edgar Laurent Street, in Port Louis, he will state if consideration will be given for the urgent –

- (a) installation of hand rails thereat, at the level of the Tabagie Islamic up to the traffic lights, to reinforce the safety of the students attending the Islamic Cultural College, and
- (b) proper road markings of the pedestrian crossing at the traffic lights thereat.

**Reply:** A number of vehicles belonging to the staff of the school are parked in front of Islamic Cultural College on the covered drain and practically off the road, with no obstruction to the road traffic. In case handrails are placed, it will not be possible to park vehicles near the school and, according to the school management, this would cause serious inconvenience to the school staff.

Concerning the pedestrian crossing at the traffic lights, road studs were placed during the installation of the traffic lights. However, it has been observed that the road has been resurfaced and the studs covered.

Normally, the stud (which is a relatively costly item) should have been removed prior to the resurfacing works by the highway authority and placed again after the works, which apparently has not been the case. The Traffic Management and Road Safety Unit is taking the necessary action to paint the required road marking at the signalised pedestrian crossing.

The road safety situation near schools is constantly monitored and, whenever there is need for specific or additional measures, appropriate action will be initiated.

**MINISTRY OF PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT  
UNIT, LAND TRANSPORT AND SHIPPING - BID EVALUATION COMMITTEES**

**(No. A/198) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Bid Evaluation Committees set up at the level of his Ministry, since 2009 to date, he will, in each case, state the names of the members and of the consultants thereof, indicating the –

- (a) amount of fees paid out to each of them;
- (b) project concerned, and
- (c) value of the bids.

**Reply:** The information requested is being laid in the Library. So far, no consultant has been hired for Bid Evaluation Committees set up at the level of my Ministry.

**MAURITIUS CANE INDUSTRY AUTHORITY – STAFF – REDEPLOYMENT**

**(No. A/199) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Agro-Industry and Food Security whether, in regard to the Mauritius Cane Industry Authority, he will state where matters stand regarding the -

- (a) redeployment of the staff of the merged cess-funded institutions, and
- (b) implementation of the Memorandum of Understanding with the Trade Unions.

**Reply:** An Implementation Committee, comprising of representatives of the Ministry of Agro Industry & Food Security, Ministry of Civil Service and Administrative Reforms, Ministry of Finance and Economic Development, Ministry of Labour, Industrial Relations and Employment, MCIA and the Unions, has been set up to ensure the smooth transition of the restructure exercise.

The Implementation Committee met on several occasions and the following actions have been initiated –

- the organisation chart of the MCIA and its various departments are being finalised;
- schemes of service for the posts required by the MCIA are being finalised, and
- identification of equivalent posts in the Civil Service for the redeployment exercise.

#### **MAHATMA GANDHI/ST DENIS STREETS, PORT LOUIS - TRAFFIC LIGHTS**

**(No. A/200) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the junction between the Mahatma Gandhi Street and the St Denis Street, in Port Louis, he will state if consideration will be given for the installation of traffic lights thereat.

**Reply:** With a view to regulating traffic and ensuring road safety, the Traffic Management and Road Safety Unit will carry out a traffic study to ascertain the need for the installation of traffic lights at the junction of Saint Denis Street/Mahatma Gandhi Street. Appropriate action will be taken in the light of the findings.

#### **BERNARDIN DE SAINT PIERRE STREET, VALLEE DES PRETRES - POT HOLES**

**(No. A/201) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Bernardin de Saint Pierre Street, in Vallée des Prêtres, Port Louis, he will state if he has been informed of the bad state thereof with the presence of pot holes, from the level of Cipaye Brûlé up to the Neel Industries, and if so, indicate if remedial measures will be taken and if so, when.

**Reply:** Drain works are presently being undertaken by the NDU and all pot holes will be patched soon.

#### **SILWF – INVESTMENT**

**(No. A/202) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Sugar Industry Labour Welfare Fund, she will, for the benefit of the House, obtain therefrom, information as to the amount of funds it has invested, indicating the name of the financial institutions in which same has been invested, and in each case, the -

- (a) quantum thereof;
- (b) date thereof;
- (c) period therefor, and
- (d) expected rate of return therefrom.

**Reply:** I am informed that, as at date, the Sugar Industry Labour Welfare Fund has not made any investment in any financial institution.

#### **CITÉ CORPS DE GARDE - STREET LIGHTING**

**(No. A/203) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the Cité Corps de Garde, he will state if he has been informed that the street lighting system thereat is inadequate either because of a lack of street lanterns or that the existing ones are damaged, and if so, will he, for the benefit of the House, obtain from the Municipal Council of Beau Bassin/Rose Hill, information as to if consideration will be given for a review of the whole system thereat, indicating if additional street lanterns will be installed.

**Reply:** I am informed by the Municipal Council of Beau Bassin-Rose Hill that the street lighting system at Cité Corps de Garde is presently adequate.

I am informed that as per latest intervention made by officers of the Council, three new lamps have been fixed and one damaged lamp has been replaced. The whole network is regularly monitored and serviced.

### **CITÉ CORPS DE GARDE – ROADS - UPGRADING**

**(No. A/204) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the Robert Surcouf road, the Ravinal road, the Houdal lane and the Crétin road, in Cité Corps de Garde, he will state if he has been informed of the bad state thereof and, if so, will he, for the benefit of the House, obtain from the Municipal Council of Beau Bassin/Rose Hill, information as to if remedial measures will be taken, and if so, when.

**Reply:** I am informed by the Municipal Council of Beau Bassin-Rose Hill that the roads network at Cité Corps de Garde is in an acceptable roadworthy state. However, some of the roads need some minor patching works due to pot holes and settlement having occurred during the last rainy days.

I am informed that these works are programmed for early July 2012.

### **NTA - PABX OPERATING SYSTEM**

**(No. A/205) Mr A. Gungah (First Member for Grand' Baie & Poudre D'or)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the National Transport Authority, he will state if he has been informed that members of the public cannot get through the PABX telephone system during working hours and, if so, will he, for the benefit of the House, obtain from the Authority, information as to if remedial measures will be taken in relation thereto.

**Reply:** The National Transport Authority (NTA) has a wide customer base and is the custodian of records of more than 400,000 vehicles and 100,000 holders of licences. For these reasons, it entertains a very high number of inbound phone calls requesting for information on services or licence details. Dealing with such a high demand requires an efficient and highly performing PABX Operating System.

The National Transport Authority has five Receptionist/Telephone Operators in all and they are posted as follows -

- 1 at the Forest Side Vehicle Examination Centre
- 2 at the Plaine Lauzun Vehicle Examination Centre to cope with the high demand for appointments for vehicle examination and other services.
- 2 at Head Office; 1 of whom is on pre-retirement leave.

Two Office Care Attendants have been trained to handle the PABX and supplement the reception desk services at the Head Office.

#### **SILWF - CHAIRMAN & STAFF - OVERSEAS MISSIONS**

**(No. A/206) Mr A. Gungah (First Member for Grand' Baie & Poudre D'or)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the overseas missions undertaken by the Chairperson and by the members of the staff of the Sugar Industry Labour Welfare Fund, since May 2008 to-date, she will, for the benefit of the House, obtain from the Fund, in each case, information as to the -

- (a) countries visited;
- (b) duration and purpose thereof ;
- (c) composition of the delegation, and
- (d) amount of money spent in terms of airfares and *per diem* allowances.

**Reply:** I am informed that no overseas mission has been undertaken by the Chairperson and by the members of the staff of the Sugar Industry Labour Welfare Fund, since May 2008 to date.

#### **SILWF - LEGAL ADVISERS**

**(No. A/207) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the legal advisers whose services have been retained by the Sugar Industry Labour Welfare Fund, since July 2005 to date, she will, for the benefit of the House, obtain from the Fund, a list thereof, indicating in each case -

- (a) since when their services have been retained, and
- (b) the total amount of retainer or any other fees which have been paid thereto.

**Reply:** I am informed that since July 2005 to date, the Sugar Industry Labour Welfare Fund has retained the services of the following Legal Advisers -

- (i) Me. Yatindranath Varma - Barrister-At-Law;
- (ii) Me NavinChandar Rama – Solicitor;
- (iii) Me. Pooja Autar – Barrister-At-Law;
- (iv) Me. Renouka Brigemohane – Attorney-At-Law, and
- (v) Me. Melissa Virahsawmy – Barrister-At-Law .

With regards to part (a) and (b) of the question, the information is being compiled.

#### **M1 MOTORWAY - NOUVELLE FRANCE-PLAISANCE - STREET LIGHTING**

**(No. A/208) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)**

asked the Minister of Local Government and Outer Islands whether, in regard to the street lighting system on the M1 motorway, from the Nouvelle France roundabout to the Plaisance roundabout, he will, for the benefit of the House, obtain from the Grand Port/Savanne District Council, information as to if it is presently out of order and, if so, indicate if -

- (a) remedial measures will be taken, and
- (b) regular inspections are carried out at night to detect faulty street lanterns and, if so, indicate when same were last carried out.

**Reply:** I am informed by the Grand Port-Savanne District Council that several sections of the street lighting network along the motorway from Nouvelle France roundabout to the Plaisance roundabout are out of order since April 2012 due to substantial loss of street lighting armoured cables of a total length of 5300 m.

I am informed that the estimated cost for the replacement of these cables is around Rs4.5 m. and the Council does not have the required funds to purchase same. However, the loss of the cables has been reported to the Police and Insurance Company.

I am informed that the Council had held meetings with the Rose Belle Police District Quarters and it has been agreed that the Police will conduct frequent patrols along the motorway whereas the Council will have to secure all the inspection covers of the lighting poles by welding the openings. About 100 of these openings have already been welded as at date.

With regard to part (a) of the question, I am informed that the Council has purchased 1000 m of service line and overhead cables are being provided in order of priority as from 26

June 2012 to energise the street lanterns at Balisson roundabout and Gros Bois/La Rosa roundabout along the motorway.

As regards part (b) of the question, I am informed that weekly maintenance of the street lanterns is carried out by the Council and faulty street lanterns were last repaired on 25 June 2012.