

No. 12 of 2011



REPUBLIC OF MAURITIUS

**FIFTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**TUESDAY 14 JUNE 2011**

**CONTENTS****ANNOUNCEMENT****PAPERS LAID****QUESTIONS** (*Oral*)**MOTION****BILLS** (*Public*)**ADJOURNMENT****QUESTIONS** (*Written*)

*Members**Members***THE CABINET****(Formed by Dr. the Hon. Navinchandra Ramgoolam)**

Dr. the Hon. Navinchandra Ramgoolam, GCSK,  
FRCP

Dr. the Hon. Ahmed Rashid Beebejaun, GCSK,  
FRCP

Hon. Charles Gaëtan Xavier-Luc Duval, GCSK

Hon. Pravind Kumar Jugnauth

Hon. Anil Kumar Bachoo, GOSK

Dr. the Hon. Arvin Boolell, GOSK

Dr. the Hon. Abu Twalib Kasenally, FRCS

Hon. Mrs Sheilabai Bappoo, GOSK

Hon. Nandcoomar Bodha

Dr. the Hon. Vasant Kumar Bunwaree

Hon. Satya Veryash Faugoo

Hon. Showkutally Soodhun

Hon. Devanand Virahsawmy, GOSK

*Prime Minister, Minister of Defence, Home Affairs  
and External Communications*

*Deputy Prime Minister, Minister of Energy and  
Public Utilities*

*Vice-Prime Minister, Minister of Social  
Integration and Economic Empowerment*

*Vice-Prime Minister, Minister of Finance and  
Economic Development*

*Minister of Public Infrastructure, National  
Development Unit, Land Transport and Shipping  
Minister of Foreign Affairs, Regional Integration  
and International Trade*

*Minister of Housing and Lands*

*Minister of Gender Equality, Child Development  
and Family Welfare*

*Minister of Tourism and Leisure*

*Minister of Education and Human Resources*

*Minister of Agro-Industry and Food Security*

*Minister of Industry and Cooperatives*

*Minister of Environment and Sustainable  
Development*

Dr. the Hon. Rajeshwar Jeetah

*Minister of Tertiary Education, Science, Research and Technology*

Hon. Satyaprakash Ritoo

*Minister of Youth and Sports*

Hon. Mrs Leela Devi Dookun-Luchoomun

*Minister of Social Security, National Solidarity and Reform Institutions*

Hon. Louis Hervé Aimée

*Minister of Local Government and Outer Islands*

Hon. Mrs Santi Bai Hanoomanjee

*Minister of Health and Quality of Life*

Hon. Mookhesswur Choonee

*Minister of Arts and Culture*

Hon. Tassarajen Pillay Chedumbrum

*Minister of Information and Communication Technology*

Hon. Louis Joseph Von-Mally, GOSK

*Minister of Fisheries and Rodrigues*

Hon. Ashit Kumar Gungah

*Minister of Civil Service Affairs and Administrative Reforms*

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 Business, Enterprise, Commerce and Consumer Protection*

*Members**Members*

## PRINCIPAL OFFICERS AND OFFICIALS

*Mr Speaker*

Purryag, Hon. Rajkeswur, GCSK, GOSK

*Deputy Speaker*

Roopun, Hon. Prithvirajsing

*Deputy Chairman of Committees*

Hossen, Hon. Abdullah Hafeez

*Clerk of the National Assembly*

Dowlutta, Mr R. Ranjit

*Deputy Clerk*

Lotun, Mrs B. Safeena

*Clerk Assistant*

Ramchurn, Ms Urmeelah Devi

*Chief Hansard Reporter and*

Lam Shu On, Ms Clivie

*Sub-Editor**Senior Library Officer*

Pallen, Mr Noël

*Serjeant-at-Arms*

Munroop, Mr Kishore

**MAURITIUS**

**Fifth National Assembly**

-----  
**FIRST SESSION**  
-----

**Debate No. 12 of 2011**

**Sitting of Tuesday 14 June 2011**

**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 AUGUSTAVE DÉSIRÉ JEAN CLAUDE

**The Prime Minister:** Mr Speaker, Sir, it is with deep regret that we have learnt of the demise of Mr Désiré Jean Claude Augustave on 31 May 2011 at the age of 59.

Mr Augustave was born on 05 May 1952, he was only 16 when he first engaged himself in politics as an activist of the Labour Party in the general elections of 1967.

Later, Mr Augustave joined the *Mouvement Militant Mauricien* and stood as a candidate in the general elections in 1976. He was returned as the Third Member for Constituency No. 14 Savanne/Black River.

In 1978, Mr Augustave left the *Mouvement Militant Mauricien* and joined the Labour Party. In 1980 he was appointed to serve as Parliamentary Secretary to the Ministry of Employment and Internal Communications, a post which he held until December 1981.

Subsequently, Mr Augustave went abroad to pursue higher studies and obtained a degree in Sociology.

In 1993, he returned to Mauritius and devoted his life for the betterment of the downtrodden. His sociological background led him to be solicited for interventions by the United Nations Development Programme.

Mr Augustave was very active in several Non-Governmental Organisations; he was one of the founder members of the *Mouvement pour le Progrès de Roche Bois*. As Director of *L'Etoile d'Espérance*, he helped in the rehabilitation of many alcoholic women. He also contributed to the creation of l'Atelier Mozart for imparting musical skills to young Mauritians. Mr Augustave was also the Director of the Nelson Mandela Centre for African Culture from 2002 to 2006.

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 House to the bereaved family.

**The Leader of the Opposition (Mr P. Bérenger):** May I add a few words, Mr Speaker, Sir. As the hon. Prime Minister has just said, still a youngster, Jean Claude Augustave whom we

all knew as Tatave joined the Labour Party as a youngster on the occasion of the 1967 elections fighting for independence. He joined *le Club des Etudiants* which became *Club des Etudiants Militants* and then became *le Mouvement Militant Mauricien* at the end of 1969. He was a *militant coaltar exemplaire pendant les années de braise*, 1970 and 1971.

We spent the year 1972 in political detention and were freed together on 22 December 1972. He stood as a candidate as the hon. Prime Minister has said in Constituency No. 14 and was elected when elections returned in 1976 and, if you will allow me an anecdote, a true little story, the results were 34 MMM, 28 Labour Party and 8 *Parti Mauricien Social Démocrate* and in such a situation with no absolute majority, Sir Seewoosagur Ramgoolam, Prime Minister, called urgently Parliament to meet and, therefore, the Police were despatched all over the island to bring the Order Paper to hon. Members. Jean Claude Augustave was not yet used to being a hon. Member. He was sitting on the *trottoir* in front of his house with a few friends, and after what had taken place since 1970, when the Police jeep appeared - as our Police say - he bolted away.

*(Interruptions)*

He took to his feet, and you had the Police officer disembarking and running after him, saluting, and trying to deliver the Order Paper. He later left the MMM and went overseas. But he not only studied in sociology; he worked as a night watchman, as a driver in an Embassy, and when he returned, Mr Speaker, Sir, he started a new life as a social worker; very much appreciated, not just by the local NGOs but by the United Nations Development Programme also. A lot of people, a lot of us will miss Tatave, Mr Speaker, Sir.

**Mr Speaker:** I associate myself with the tribute paid to the late Mr Desiré Jean Claude Augustave by Dr. the hon. Prime Minister and the hon. Leader of the Opposition, and I 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 Consumer Protection (Prices and Supplies Control) (Amendment) Bill (No. XIII of 2011).
- (b) The Rodrigues Regional Assembly By-Elections (Polling Stations) Order 2011 (Government Notice (Rodrigues Regional Assembly) No. 1 of 2011).
- (c) The Report of the Prime Minister's Relief and Support Fund for the period 01 July to 31 December 2009

**B. Ministry of Finance and Economic Development –**

- (a) The Double Taxation Convention (Italy) (Amendment) Regulations 2011 (Government Notice No. 116 of 2011).
- (b) The Double Taxation Convention (United Kingdom) (Amendment) Regulations 2011 (Government Notice No. 117 of 2011).
- (c) The Double Taxation Agreement (Republic of Seychelles) (Amendment) Regulations 2011 (Government Notice No. 118 of 2011).
- (d) The Excise (Amendment of Schedule) Regulations 2011 (Government Notice No. 121 of 2011).

**C. Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping –**

The Road Traffic (Crop Season) Regulations 2011 (Government Notice No. 115 of 2011).

**D. Ministry of Tourism and Leisure –**

The Reports of the Director of Audit on the Financial Statements of the Mauritius Tourism Promotion Authority for the years ended 30 June 2008 and 30 June 2009 (In Original).

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

The Annual Report 2008-2009 of the Farmers Service Corporation.

**F. Ministry of Industry and Cooperatives –**

The Legal Metrology (Pre-packed Commodities) (Amendment) Regulations 2011 (Government Notice No. 112 of 2011).

**G. Ministry of Social Security, National Solidarity and Senior Citizens Welfare and Reforms Institutions –**

- (a) The Social Aid (Amendment) Regulations 2011 (Government Notice No. 108 of 2011).
- (b) The Social Aid (Amendment of Schedule) Regulations 2011 (Government Notice No. 109 of 2011).
- (c) The Unemployment Hardship Relief (Amendment) Regulations 2011 (Government Notice No. 110 of 2011).
- (d) The National Pensions (Increase in Pensions) Regulations 2011 (Government Notice No. 119 of 2011).
- (e) The National Pensions (Industrial Injuries) (Amendment) Regulations 2011 (Government Notice No. 120 of 2011).

**H. Ministry of Local Government and Outer Islands –**

The Pamplemousses-Rivière du Rempart District Council (Cemetery/Crematorium) Regulations 2011 (Government Notice No. 122 of 2011).

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

The Food (Amendment of Schedule) Regulations 2011 (Government Notice No. 111 of 2011).

**J. Ministry of Labour, Industrial Relations and Employment –**

- (a) The Attorneys' and Notaries' Workers (Remuneration) (Amendment) Regulations 2011 (Government Notice No. 80 of 2011).
- (b) The Baking Industry (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 81 of 2011).
- (c) The Blockmaking, Construction, Stone Crushing and Related Industries (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 82 of 2011).
- (d) The Catering and Tourism Industries (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 83 of 2011).
- (e) The Cinema Employees (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 84 of 2011).
- (f) The Cleaning Enterprises (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 85 of 2011).
- (g) The Distributive Trades (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 86 of 2011).

- (h) The Domestic Workers (Remuneration) (Amendment) Regulations 2011 (Government Notice No. 87 of 2011).
- (i) The Electrical Engineering and Mechanical Workshops (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 88 of 2011).
- (j) The Export Enterprises (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 89 of 2011).
- (k) The Factory Employees (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 90 of 2011).
- (l) The Field-Crop and Orchard Workers (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 91 of 2011).
- (m) The Light Metal and Wooden Furniture Workshops (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 92 of 2011).
- (n) The Livestock Workers (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 93 of 2011).
- (o) The Newspapers and Periodicals Employees (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 94 of 2011).
- (p) The Nursing Homes (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 95 of 2011).
- (q) The Office Attendants (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 96 of 2011).

- (r) The Pre-Primary School Employees (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 97 of 2011).
- (s) The Printing Industry (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 98 of 2011).
- (t) The Private Secondary School Employees (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 99 of 2011).
- (u) The Public Transport (Buses) Workers (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 100 of 2011).
- (v) The Road Haulage Industry (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 101 of 2011).
- (w) The Salt-Manufacturing Industry (Remuneration) (Amendment) Regulations 2011 (Government Notice No. 102 of 2011).
- (x) The Sugar Industry (Agricultural Workers) (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 103 of 2011).
- (y) The Sugar Industry (Non-Agricultural Workers) (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 104 of 2011).
- (z) The Tailoring Trade (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 105 of 2011).
- (aa) The Tea Industry Workers (Remuneration Order) (Amendment) Regulations 2011 (Government Notice No. 106 of 2011).

(ab) The Travel Agents and Tour Operators Workers Remuneration (Amendment) Regulations 2011 (Government Notice No. 107 of 2011).

**K. Ministry of Business, Enterprise, Commerce and Consumer Protection –**

(a) The Consumer Protection (Control of Imports) (Amendment No. 3) Regulations 2011 (Government Notice No. 79 of 2011).

(b) The Consumer Protection (Fees) (Amendment) Regulations 2011 (Government Notice No. 113 of 2011).

(c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 9) Regulations 2011 (Government Notice No. 114 of 2011).

**ORAL ANSWERS TO QUESTIONS****STC - PETROLEUM PRODUCTS**

**The Leader of the Opposition (Mr P. Bérenger)** (*By Private Notice*) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to the State Trading Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to -

- (a) in relation to petroleum products -
  - (i) if the hedging surcharge will be removed and, if so, when;
  - (ii) the losses due to contamination and sediment content therein, since 2005 to date;
  - (iii) if a report has been received, following the Red Eagle's first trip, and
  - (iv) where matters stand concerning the setting up of a refinery therefor and increasing the storage capacity thereof;
- (b) the actions taken, if any, following the report submitted by Insight Forensics Services Ltd., and
- (c) if the Corporation is being restructured.

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, as regards part (a) (i) of the question, I am informed by the STC that hedging surcharge will be removed when all hedging losses amounting to Rs4.7 billion, with accrued interest of about Rs250 m., would have been recovered. This was originally expected to terminate in April 2012, when the hedging surcharge applied to the price of mogas and gasoil was Rs3.00 per litre. However, in March 2011, this surcharge has been temporarily reduced to Rs1.25 per litre on mogas and Rs1.00 per litre on gasoil as a measure to contain inflationary pressure caused by general increase in prices of basic commodities worldwide. Therefore, the period of losses recovery has accordingly been extended. In the event of a significant drop in petroleum prices intervening, the recouping of hedging loss at the rate of Rs3.00 per litre will resume.

As regards part (a) (ii) of the question, I am informed that there were in 2009 three cases of contamination on fuel oil products, which amounts to about Rs110 m. It took place as follows

	Quantity Contaminated (metric tons)
February 2009	9,751
March 2009	10,762
July 2009	15,745

I am informed by the STC that the loss recovery has been referred to the London Court of International Arbitration, and has yet to be thrashed out. Contamination of 954 MT of jet A1 in the slop tank on board and MT Wawasan Celeste was detected by STC's surveyors, and the cargo was not allowed to be unloaded. The rest of the consignment of 14,900 MT was, however, not contaminated. A claim for the amount insured is being processed by STC's insurer.

With regard to part (a) (iii) of the question, I am informed that a preliminary report by the Société Générale de Surveillance (SGS), (inspectors appointed by STC for petroleum products) was received on 03 June 2011 by the STC, following the Red Eagle's first trip which arrived in Port Louis on 27 May 2011.

The report pertains to the quality of the product received at Port Louis. The bottom line of the report is -

'(...)that the product is still within specifications. For future loadings, this should be closely monitored for product quality and safety as well.'

A team of four persons, led by the General Manager of STC, effected from last Friday to Sunday a mission to Mangalore to look at issues pertaining to the vessel. A report thereon by STC's consultant, Captain Eric Perrier, is being awaited.

As regards part (a) (iv) of the question, there is a Government decision dating mid-March 2011 to the effect that STC would engage in the construction and operation of the following tanks -

- two storage tanks for Mogas of capacity 7,500 MT each, and
- one storage tank of 10,000 MT capacity for Gas oil.

Government has further agreed to the following -

- the installation would comprise the building of control rooms, administrative offices, loading bays for delivery to trucks etc;
- the estimated cost of the project is Rs750 m., exclusive of one or more dedicated pipelines;
- the project realisation will take 18 to 24 months.

Instead of adopting a piecemeal approach with segregated projects for storage tanks and pipelines and LPG, I am informed that STC has decided to opt for a holistic approach, with the implementation of an integrated strategy for the next 30 years.

An international tendering exercise will be resorted to select a consultancy firm, whose Terms of Reference would be to -

- i. carry out a detailed feasibility study for the development of National Strategic Operational Petroleum Reserves;
- ii. develop a Master Plan that will cater for the country's requirement (including re-exports) for energy products over the next 30 years, and
- iii. supervise the implementation of the recommendations of the Master Plan, which should be completed over a period of 18-24 months.

In respect of the setting up of a refinery, I wish to inform the House that, in August 2010, a project for the same, along with construction of storage tanks, was received. However, no action has been taken in respect of the refinery, which is part of the proposed project.

As regards parts (b) and (c) of the question, I have set up a Committee to look into the report. The findings will be studied, and any restructuration of the Corporation will be carried out in the light of the recommendations of the Committee.

**Mr Bérenger:** Mr Speaker, Sir, if I can start with the hedging saga. We know that we have lost Rs4.7 billion paid to Morgan Stanley and Mitsui of Japan. That has already been paid, and we had to borrow Rs4.7 billion. Can I know from the hon. Minister when the Rs4.7 billion borrowed from certain banks will have been repaid *in toto* and how much interest do we expect will have been paid?

**Mr Yeung Sik Yuen:** The interest expected is Rs250 m.

**Mr Bérenger:** I heard the hon. Minister say that, as at now, Rs250 m. have been paid. I want to know what will be the figure when the whole of the loans and overdrafts would have been paid.

**Mr Yeung Sik Yuen:** Can the hon. Leader of Opposition repeat the question, please?

**Mr Bérenger:** No, I am not in the habit of allowing *des ‘ti papiers’* to come your way. I move on to the next question, Mr Speaker, Sir. The impression that was created was that with time going by the surcharge of Rs3 is brought down to Rs1.25 and it was understood that this would go in due course. Now, the country learns that it was a temporary decrease and that the Rs3 surcharge remains to come back. Can the hon. Minister tell us when did that idea come up?

**Mr Yeung Sik Yuen:** In fact, the hedging was done in good faith, Mr Speaker, Sir, and as I have just said, an interest of about Rs250 m. will have to be paid. It will have to be paid by somebody and the consumers, of course, will have to pay for this amount.

*(Interruptions)*

**Mr Speaker:** Order! Well, let the hon. Minister answer!

**Mr Bérenger:** Mr Speaker, Sir, if I can move on to the report from the Red Eagle’s episode? I understand, from what the hon. Minister has said, that we have received this report from *Société Générale de Surveillance* which relates to quality of the products only whereas the former Minister clearly told us in the House, on 24 May, I quote –

“I expect a complete report after the arrival of the vessel by end of this week and the uploading of products carried in the first trip. I also view with much concern other risks that have been identified by Mr Nielsen, including the logistics of the vessel.”

Are we to understand that there is a report only on the quality and not on the risks involved at Mangalore and here in the harbour?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, I have the report and it says, as I have just read –

“The product is still within specifications and for further loadings this should be closely monitored for product quality and safety as well.”

**Mr Bérenger:** The hon. Minister didn't even understand the question. Therefore, am I to understand that the report relates to the quality of the products only and not to the risks involved both at Mangalore and here?

**Mr Yeung Sik Yuen:** I have just been informed that a complete report will be ready after at least three shipments.

**Mr Bérenger:** Can I know whether it is a fact that Mangalore for its part has expressed serious concern concerning the loading of both white and black oils at Mangalore Refinery?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, I don't think there is any concern because I have done a lot of research and under my hand I have a report from a Marine Manager from a very well-known oil company. It states -

“Carrying black and white products on the same vessel is not a big deal. Obviously extra care and attention is required when carrying black and white oils on the same ship at the same time and it is not as I said a big deal. In Australia where I cut my teeth on this stuff, we always carry black and white on all the coastal vessels.”

*(Interruptions)*

**Mr Speaker:** The Minister is answering.

**Mr Bérenger:** Obviously, the expert concerned is worth the kind of language which we are hearing, ‘No big deal’! My question is: has Mangalore expressed serious concerns concerning the loading of black and white oils at Mangalore Refinery?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, Mangalore simply is not familiar with the ship and usually they don't do black and white on the same ship.

**Mr Bérenger:** This is my point! This is confirming without confirming that Mangalore has expressed deep concerns concerning the loading.

**Mr Speaker:** No, I think the hon. Minister has said that Mangalore is not equipped to make an assessment on the board. This is what I understood.

**Mr Bérenger:** You heard him said that?

**Mr Speaker:** I think so! He said it is not equipped!

*(Interruptions)*

**Mr Bérenger:** I have not heard him say that anyway. I don't think he said that.

*(Interruptions)*

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, may I add something?

**Mr Speaker:** Yes!

**Mr Yeung Sik Yuen:** In 1996, 1997 and 1998, a vessel named 'British Adventure' traded in Port Louis. They carried white and black oils simultaneously at that time.

**Mr Speaker:** No, the question of the hon. Leader of Opposition is – I don't know whether you have heard it correctly - why has Mangalore expressed any concern about carrying this?

**Mr Yeung Sik Yuen:** No, Mr Speaker, Sir.

**Mr Bérenger:** The former hon. Minister told us that because of this carrying both black and white oils, the STC, and not just the owner of the vessel, also has taken insurance. Can we know the cost thereof?

**Mr Yeung Sik Yuen:** The cost of the insurance is less than 1 cent per litre.

**Mr Bérenger:** Per litre! The total cost, therefore?

*(Interruptions)*

**Mr Yeung Sik Yuen:** Wait, I have it.

**Mr Speaker:** Let the Minister answer, it is the first time that he is answering a PNQ!

**Mr Yeung Sik Yuen:** The premium is 0.034%.

**Mr Bérenger:** Is it a fact, Mr Speaker, Sir, that it has been found out that this vessel cannot carry the monthly requirements of CEB and that therefore, for bringing in hand heavy oil for the CEB, STC will have to resort to other vessels and what the cost thereof will be?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, I don't think so. I don't know where the hon. Leader of the Opposition got this information.

**Mr Bérenger:** It was said here, in the House, by the former hon. Minister and it was published in the press with no correction from State Trading Corporation. “*Le Matinal*”, which is very close to Government and I quote from page 1 –

*Le Red Eagle ‘est incapable de satisfaire le quota du CEB’*

I have seen no *mise au point* from the State Trading Corporation, Mr Speaker, Sir. Can I move on to the point of the refinery? I heard the hon. Minister said that “the matter was not pursued further”. But, we were informed by the former hon. Minister that discussions were on with Mangalore to set up a refinery here. Can the hon. Minister tell us whether there have been any discussions with Mangalore to set up a *Petroleum Products Refinery* in Mauritius?

**Mr Yeung Sik Yuen:** In fact, there has been a proposition; right now we are studying the matter.

**Mr Bérenger:** My question again is” has there been any discussion between Mangalore and STC?

*(Interruptions)*

**Mr Speaker:** Order! Let the hon. Minister answer; he is new in the job. We have to understand this. Order!

**Mr Yeung Sik Yuen:** As I have just said, we are studying the proposal and then thereafter we will decide whether to talk to them or not.

**Mr Bérenger:** If we can move from the report from Insight Forensic Limited of Mr Roshni Badain, Mr Speaker, Sir. I hope the hon. Minister has read the report. I have a copy if he needs one. There are clearly criminal actions detailed in that report. Can I know from the hon. Minister whether that report has been referred to the Police?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, I have set up a Committee which will study on the report and I will inform the House of the representatives of the Committee. There will be a representative from the Ministry of Finance and Economic Development, a representative from the Prime Minister’s Office, a representative from the Ministry Public Infrastructure, National Development, Land Transport and Shipping and it will be chaired by my Permanent Secretary.

**Mr Bérenger:** Just to take one example, in the report it is stated that what STC did was a colourable device by setting up STCM Ltd to get round, not to go through ordinary tender procedures. Can I know whether that has been referred to the Police?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, I have just answered the question. There is a committee. Let the committee work. Mr Speaker, Sir, it is only one week since I am in that Ministry. Give me some time!

*(Interruptions)*

**Mr Bérenger:** Later on there is a question on the bad debts written off as a result of the setting up of this STCM Ltd. Can I know from the hon. Minister whether he has the figure for the total losses incurred by STC through this fraudulent operation of STCM Ltd?

**Mr Speaker:** As the hon. Leader of the Opposition rightly pointed out, there is a written question specifically on this issue of the amount of losses that have been incurred by this particular company.

**Mr Bérenger:** The question relates to bad debts written off. This is why I am putting my question on total losses made by STC through the fraudulent operation of STCM Ltd.

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, there is a Parliamentary Question on this matter.

**Mr Speaker:** I think the hon. Leader of the Opposition is right; the question is about the debts thereof that have been written off. Now, the question is about the total loss. If the hon. Minister doesn't have the answer, he doesn't have the answer. What is the total loss incurred by that company?

**Mr Yeung Sik Yuen:** I need notice of this question.

**Mr Bérenger:** The report also recommends strongly that action be taken and can be and should be taken to cancel the writing off of these bad debts and to recover all these so-called bad debts. Has action started at STC to do what is recommended?

**Mr Yeung Sik Yuen:** The committee is working on it.

**Mr Bérenger:** The report also hits strongly at some very strange transactions which STC, through STCM Ltd, carried out. Maybe the hon. Prime Minister will be surprised to hear that. They acted as an *intermédiaire* to get sugar from Brazil and sell to India. Is the hon. Minister

aware of that and can we know how many millions of rupees STC lost through this transaction that aborted?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, on the Private Notice Question, there is no question of STCM. I know it is in the report, but we must let the committee work on it.

**Mr Bérenger:** The question, in case the hon. Minister does not understand plain English, relates to the report submitted by Insight Forensics Services Ltd.

**Mr Speaker:** The question is about the report.

(*Interruptions*)

**Mr Bérenger:** If I can move to the last part. I understand that, again, a committee has been set up to do this and that. The former Minister told us that ‘*La STC sera réinventée*’, and he even informed us that a firm of consultants was being recruited to advise on “*La réinvention de la STC*”. Can we know whether consultants have been recruited and what parts of the business of STC, it is envisaged, will be done away with?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, I am presently working on the restructure and I can add that the past is the past, let’s look towards us.

(*Interruptions*)

**Mr Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Mr Speaker, Sir, I’ll come back to the STCM Ltd.

**Mr Speaker:** No, the hon. Member should go to the report.

**Mr Bhagwan:** This is in the report.

**Mr Speaker:** The hon. Member should quote from the report.

**Mr Bhagwan:** In the report, it has been criticised that one of the assignments of the STC Ltd was to import diamonds. Can the hon. Minister inform the House whether he has gone through the report and see whether diamonds, in fact, have been imported and if so, in what quantity and at what price?

**Mr Speaker:** No, to be fair to the hon. Minister, the hon. Leader of the Opposition has been putting general questions on the Insight Forensics Services Ltd. report. The hon. Minister

has answered that the matter is being looked into. Now, if the hon. Member wants to come to details, he must let the hon. Minister look into the matter and a couple of weeks later can come back with questions on the issue.

**Mr Bhagwan:** My question pertains to that paragraph of the report where it is mentioned 'Importation of Diamonds'.

**Mr Speaker:** Yes, the hon. Minister has stated that there is a committee which has been appointed looking into all these issues and we should not lose the time of the House by putting questions that the hon. Minister has no answer. Let us wait for the study to be carried out!

*(Interruptions)*

No, I will not allow. I have given my ruling. Yes, hon. Barbier!

*(Interruptions)*

Order!

**Mr Barbier:** With regard to the contaminated oils, may I know from the hon. Minister...

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Barbier:** ...what is the mechanism set, whether it is treated, whether we'll get rid of and whether any mechanism is set up to look at what happens when we have the situation of contaminated oils?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, we are fully insured and if there is any contamination, the insurance will take over the stock.

**Mr Barbier:** Mr Speaker, Sir, I am not talking of the insurance; I am talking of contaminated oils. We cannot put it on the market. I would like to know what happens to it? Is it re-exported?

**Mr Speaker:** There was a question on 17 May 2011 concerning contaminated oils and what has happened thereto, and the answer was given as to what happens to the contaminated oils.

**Mr Bhagwan:** The hon. Minister has just stated in Parliament that the past is the past, but for the taxpayers, the past cannot remain the past. Can the hon. Minister, at least, inform the House what immediate action he will take for the consumer *qui a été épluché par des millions de roupies?* Will he, at least, be given some relief by the STC?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, in one week we have set up a committee to look into this report and, Mr Speaker, Sir, we will take appropriate action and this Government means business.

*(Interruptions)*

**Mr Lesjongard:** Mr Speaker, Sir, can the hon. Minister confirm whether his Ministry has received a letter from the Central Electricity Board stating their concern with regard to their requirement of petroleum products being used as fuel?

**Mr Yeung Sik Yuen:** No.

**Mr Li Kwong Wing:** Will the hon. Minister confirm to the House that the STC has not taken any insurance cover against contamination of the oils carried by the vessels and in that circumstance what arbitration is taking place in London and to whom is STC having recourse to refund that money?

**Mr Yeung Sik Yuen:** In fact, since 2010, we have taken insurance on all risks, including contamination.

**Dr. Sorefan:** Regarding the insurance, Mr Speaker, Sir, the hon. Minister has mentioned in 2009 that three cases have been filed to an insurance company. This is surely on CIF basis and the ex-Minister mentioned that we are taking a second insurance on contaminated oils. May we know why a second insurance?

*(Interruptions)*

**Mr Speaker:** Order! Order! Order!

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, STC is buying the product on FOB, so, we need to add insurance.

**Mr Uteem:** Mr Speaker, Sir, is the hon. Minister aware that as a result of the bad quality of petroleum products, the STC had to pay damages to the CEB and to the other

companies out of its pocket? I would like to know what STC has done to recover this money which it has had to fork out to these companies as a result of the bad quality of petroleum products.

**Mr Yeung Sik Yuen:** I am not aware of this.

**Mr Ganoo:** I would like to ask one question to the new Minister responsible for commerce. The hedging exercise done by the STC has remained a mystery. Will the hon. Minister conduct an inquiry into the circumstances in which this hedging exercise was effected a few years ago and will he inform the House whether, at that time, the Minister of Finance or Cabinet was appraised before this hedging exercise was entered into?

**Mr Yeung Sik Yuen:** Mr Speaker, Sir, there is a Parliamentary Question on this; it is Parliamentary Question B/509.

**Mr Speaker:** Last question, and then the hon. Leader of the Opposition.

**Mr Li Kwong Wing:** Mr Speaker, Sir, allow me to come back to this question of losses on contamination. If there has been an insurance to cover all risks, why is it that the insurer is not refunding us for the loss of Rs110 m. and why should there be recourse to arbitration in London, against whom, and why is it that the shipping company which carried the contaminated oils is now being asked to refund to the STC?

**Mr Yeung Sik Yuen:** In fact, before 2010, we were insured, but not on contamination.

**Mr Bérenger:** My last question is: the Minister is in presence of the damning Roshi Badhain Report which he is examining. He set up different committees and he tells us that he is reviewing all the activities. Today, we discuss only petroleum products and being a fresh Minister, he asked for time. Can I know from him whether, in this general review, other operations, apart from petroleum products, will also be looked into, that is, tender procedures and purchase of ration rice, tender procedures and purchase of cooking gas, and where do we stand as far as cement is concerned and finally, are tendering arrangements for the purchase of flour being reviewed?

**Mr Yeung Sik Yuen:** It is being noted and it will be taken into consideration, of course.

**Mr Speaker:** Questions addressed to Dr. the hon. Prime Minister!

## **FOREIGN NATIONALS - PROPERTY - ACQUISITION**

**(No. B/470) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the acquisition of property by foreign nationals, he will state if his Office has set up a Committee presided by Honourable Sayed-Hossen to look thereinto, including cases where foreigners have acquired property by using the vehicle of trust and, if so, indicate if any -

- (a) report has been submitted and, if so, table copy thereof, and
- (b) Mauritian was involved therein and, if so, the measures taken, if any.

**The Prime Minister:** Mr Speaker, Sir, in July 2009, the Government set up a Committee chaired by hon. Sayed-Hossen, Chairperson of the Commission for the Democratisation of the Economy to look into cases of property development and sales thereof to non-citizens through mechanisms that might not be in accordance with the existing legislation, and that might also have allowed promoters of such developments to bypass certain fiscal obligations.

The Committee held several meetings and had consultations with the Attorney General's Office, the Board of Investment and the Financial Services Commission to identify the loopholes in the existing legislation as well as cases where non-citizens had purchased properties through the mechanism of a trust.

The Committee has identified several cases where there may be an offence under existing legislation. On 09 November 2009, the Chairperson of the Committee reported cases of unlawful acquisition of property by several non-nationals to the Central Criminal Investigation Division. He also requested the Mauritius Revenue Authority to investigate cases identified by the Committee.

In regard to the cases reported to the Central Criminal Investigation Division and to part (b) of the question, I am informed by the Commissioner of Police that a number of persons, both foreign and Mauritian nationals, have been interviewed in relation thereto. Upon completion of the enquiry, the case file will be submitted to the Director of Public Prosecutions for advice.

Mr Speaker, Sir, following the request made by the Chairperson of the Commission, the Mauritius Revenue Authority initiated tax investigation into three cases. Two cases have been

finalised and a total additional tax of Rs63.7 m. has been claimed. The other case is still being investigated.

Mr Speaker, Sir, to prevent non-citizens or any Mauritian individuals/companies from taking advantage of loopholes in our law, amendments have been brought to section 2 of the Non-Citizens (Property Restriction) Act through the Finance (Miscellaneous Provisions) Act 2009, whereby the definition of -

- “non-citizen” now also includes a trust;
- “property” now includes any rights or interests in immovable property, whether legal or beneficial, particularly in relation to a trust; and
- “share” now covers immovable property held in successive companies or partnerships.

Amendments were also made to the Registration Duty Act to the effect that no document conferring a right or interest in immovable property, whether legal or beneficial, that is, what we call *droit d'occupation* to a non-citizen will be registered unless it contains an authorisation under the Non-Citizens (Property Restriction) Act. The amendments also include an obligation on every notary to ascertain, from the parties to the transfer of a property, the identity of the ultimate owner of the property and that in case the owner is a non-citizen, the notary will have to notify my Office.

**Mr Ganoo:** I perhaps did not hear the Prime Minister correctly. How many cases have been detected and identified as being potentially unlawful and are being inquired into?

**The Prime Minister:** In fact, there are quite complicated cases. There are three cases which the Mauritius Revenue Authority, further to the complaints made by the Chairperson of the Commission, have looked into. Two of the cases have been finalised, as I have explained, and they are claiming a total tax of Rs63.7 m. The other case is still under investigation. Then, we have another case - I am saying another case, but it seems that other cases might be involved in that same case - where they are looking at the unlawful acquisition of property by several non nationals. This is what the Police are investigating into.

**Mr Ganoo:** May I know what are the nationalities of the foreigners concerned?

**The Prime Minister:** I think they are South Africans, French and from Malagasy well.

**Mr Baloomoody:** It is nearly more than eighteen months now that the matter has been reported to the Central CID. Can I know from the hon. Prime Minister whether any Mauritian has been bailed out in this case?

**The Prime Minister:** The investigation is ongoing, Mr Speaker, Sir, and Mauritians have also been interviewed in those cases, but it is not completed yet.

**Mr Uteem:** Mr Speaker, Sir, the hon. Prime Minister mentioned about potential Police actions to be taken against these people. Under the law, there are also civil actions that can be taken. The property can be seized – has to be seized, in fact - and sold by the Curator of Vacant Estates. May I know from the hon. Prime Minister whether in these suspicious cases any civil action has been taken to seize those properties in accordance with the law?

**The Prime Minister:** In fact, Mr Speaker, Sir, the straight answer is no - not yet - but we are looking at this. They are complicated cases, Mr Speaker, Sir, and it is felt that maybe we will need more expert advice on those cases. We are also looking at mutual assistance from relevant countries abroad and, in fact, that is why I am saying that we might need to have expert advice on that.

**Mr Ganoo:** Can the hon. Prime Minister inform the House whether public notaries have also been requested to give statements in connection with these cases?

**The Prime Minister:** The answer is yes.

**Mr Speaker:** Last question from hon. Li Kwong Wing!

**Mr Li Kwong Wing:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House how many of these cases investigated involve also properties which are leased from the State as *Pas Géométriques*?

**The Prime Minister:** I am not aware specifically that there have been cases of leasing. What they have done, Mr Speaker, Sir - to give an example to clarify the situation – is that they have found loopholes in different ways. For example, a local residential development company enters into a lease agreement with a different company, say, company X, but they enter into an agreement for a period which is less than twenty years. Then, because it is less than twenty years, it did not require authorisation. On expiry of the lease agreement, the company will enter into a

new lease for another period of twenty years and so on. So, they find a way out because if it was sixty years, they would have had to have authorisation. That is one of the ways they are doing this. There are many other ways, but specifically whether they involve *Pas Géométriques*, I will have to look into it.

#### **SSR INTERNATIONAL AIRPORT - ARC METAL DETECTOR**

**(No. B/471) Mr R. Seetaram (Second Member for Montagne Blanche & GRSE)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Arc Metal Detector found at the Sir Seewoosagur Ramgoolam International Airport, he will, for the benefit of the House, obtain from the Airports of Mauritius Ltd, information as to if exposure thereto presents health hazards and, if so, will he, for the benefit of the House, obtain from the Commissioner of Police, information as to if the Police Officers working at the airport and who pass through same are made to undergo regular medical check-ups, indicating if consideration will be given for the payment of a risk allowance to them in respect thereof.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Airports of Mauritius Limited that the 14 Archway Metal Detectors also known as walk-through metal detectors operational at the Sir Seewoosagur Ramgoolam International Airport, as in most airports, use low-frequency electromagnetic field to detect metallic and mixed alloy metallic items.

I am advised by the Ministry of Health and Quality of Life and the Radiation Protection Authority that these metal detectors do not emit ionic radiation. Under normal operating conditions, these electromagnetic fields do not constitute health hazards.

The Archway Metal Detectors operational at the SSR International Airport do not, therefore, pose any health hazards to users.

Furthermore, as advised by the AML, these Archway Metal Detectors conform to current international security standards in accordance with the manufacturers' certification and conformity documentation and comply with the European Council Regulations and International Standards relating to Electrical Safety and Electromagnetic Compatibility.

These metal detectors are manned by staff of the AML.

I am informed by the Commissioner of Police that notwithstanding the fact that Police personnel based at the airport are not directly exposed to these machines, however, all Police officers, as a matter of routine, are subjected to medical check-ups. In January this year, the Airport Police personnel underwent a general medical check-up by the Occupational Health Unit of the Ministry of Health and Quality of Life. There have been no reported cases of health hazard relating to the use of archway metal detectors.

Finally, Mr Speaker, Sir, the P.R.B. Report of 2008 provides for the payment of risk allowance to certain categories of Police officers who are exposed to greater risks by virtue of their posting. The Police officers working at the airport do not fall in these categories and are not entitled to the payment of a risk allowance.

**Mr Baloomoody:** Mr Speaker, Sir, with regard to that metal detector, in other international airports there is a notice that if you are wearing a pacemaker, you should not go through the metal detector. Apparently, in our airport there is not that notice. Is it safe for those who wear pacemakers to go through that metal detector?

**The Prime Minister:** Normally, as far as I know, they should tell if they are wearing pacemakers. I will check into that.

#### **NATIONAL DEVELOPMENT ISSUES – “THINK TANK”**

**(No. B/472) Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the challenges facing Mauritius, he will state if consideration will be given for the advisability of setting up a “Think Tank” to advise Government on how to address national development issues within the framework of a coherent and long term strategy.

**The Prime Minister:** Mr Speaker, Sir, many countries have think tanks in the form of organisations that bring together the brightest minds to generate policy-oriented research, analysis and advice on domestic and international issues in an effort to enable policy makers and the public to make informed decisions about public policy issues.

Insofar as Mauritius is concerned, the concept of think tank already forms part of our institutional architecture. In fact, a number of institutions have already been set up precisely with the objective of conducting research and analysis on issues of national importance. These

institutions include the National Economic and Social Council, the Mauritius Research Council, the Food and Agricultural Research Council and the Law Reform Commission.

The University of Mauritius also, *inter alia*, serves as a think tank. As a leading institution of the country having a high pool of intellectual resources and talents, the University serves as a platform to raise public awareness and promotes discussions on social, economic and political issues as well as public policies. The ‘University think tank’ draws on staff from specific disciplines to produce innovative ideas and stimulate discussions on current and future issues of national interest.

Since 2006, the University has set up Multi-Disciplinary Centres of Excellence, specifically to act as think tanks in the following fields of national interest -

- International Relations & Diplomacy
- Public Policy
- Environment, Energy and Water
- Textile and Manufacturing
- Transport
- Innovation, Science & Technology
- Entrepreneurship and SMEs
- Financial Services
- Exploitation and Conservation of Indigenous Renewable Resources.

These centres have been actively collaborating with local and regional stakeholders to address salient issues within their respective fields either through research and other projects or through the organisation of seminars and workshops. The University of Mauritius is also actively contributing to the reflection processes of the *Maurice Ile Durable* Working Committees, the technical committees of the Mauritius Research Council or at different Ministries.

Mr Speaker, Sir, the Ministries under which such institutions operate, have the responsibility to ensure that these institutions are functioning in line with the objectives spelt out in their respective mandates.

Notwithstanding all these institutions, Government may set up, when the need arises, a think tank at national level with a mandate to address the most pressing social, economic and political issues.

**Mr Dayal:** Mr Speaker, Sir, the question I want to raise here is, to have a sort of committee, independent from that of the Ministry of Finance, which will have a look at all the various sectors of the economy, be it productive, non-productive or social, in order to make recommendations to gauge the situation and also to find out the type of economic growth that will be required for the next ten years, to be aware of the sectors that will generate enough growth for the next ten years to meet the challenges of our economy, and to have an integrated approach in the challenges that Mauritius will have to face in the next ten years.

*(Interruptions)*

**Mr Speaker:** Order! Order!

**The Prime Minister:** Mr Speaker, Sir, at the Ministry of Finance, we know there are people who sit down and look at all these parameters. We also have the Bank of Mauritius which analyses and makes reports and the private institutions which send us the reports...

*(Interruptions)*

No! The private institutions, like the MCB, they send a report on the economy, what they think, their forecast or what they do. I have an economic adviser who advises me as well. So, we think we have enough, because for predicting the fall of economy is not an easy matter. We have seen what has happened to the world recession. Perhaps one economist in the whole world predicted what was going to happen.

**Mr Li Kwong Wing:** Mr Speaker, Sir, will the hon. Prime Minister agree with me that all his efforts to have ‘Think Tank’ to think is being contradicted by his Minister of Finance who has a private office to dream a Mauritian dream of Rs1 trillion GDP in 2020’s?

**Mr Speaker:** Not allowed!

*(Interruptions)*

Order, now!

**Mr Dayal:** Mr Speaker, Sir, being given that Mauritius is poised to be the gateway between Africa and Asia and having certain requirements, can I know what is the state of our preparedness to position ourselves as such?

**The Prime Minister:** The Ministry of Foreign Affairs has very competent people who are working on how to promote ourselves as a gateway and this is what I repeat every time, Mr Speaker, Sir. We work very closely with the Ministry of Foreign Affairs on this issue.

**Mr Speaker:** Hon. Guimbeau!

(*Interruptions*)

Hon. Guimbeau, can you put your question?

**Mr Guimbeau:** M. le président, l'honorable Dayal vient de démontrer et confirmer dans sa question de ‘*Think Tank*’...

(*Interruptions*)

**Mr Speaker:** Let me listen to the question first!

**Mr Guimbeau:** You have to give me the chance to put the question, Mr Speaker, Sir.

**Mr Speaker:** Yes!

**Mr Guimbeau:** L'honorable Dayal vient de démontrer et confirmer dans sa question de ‘*Think Tank*’, M. le président, qu'il y a un manque de compétence et de vision au sein du gouvernement. Je voudrais demander au gouvernement...

(*Interruptions*)

d'incompétence, *bizin* ‘*Think Tank*’ .

(*Interruptions*)

**Mr Speaker:** Order! Order! Carry on like this; time is running out!

**Mr Guimbeau:** Je voudrais demander au Premier ministre si la création d'une deuxième Chambre ou un sénat ne serait pas plus appropriée ?

**Mr Speaker:** That is irrelevant. Next question, hon. Nagalingum!

## ROSE HILL POLICE STATION – POLICE QUARTERS

**(No. B/473) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Police Quarters, situated in the compound of the Rose Hill Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to -

- (a) the total number thereof, indicating, the number thereof which is -
  - (i) occupied for residential purposes;
  - (ii) occupied for office purposes;
  - (iii) occupied by ex-Police officers, and
  - (iv) unoccupied, and
- (b) if consideration will be given for the pulling down thereof and the construction of a modern District Headquarters on the site thereof.

**The Prime Minister:** Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that there are 34 flats in the compound of Rose Hill Police Station. These flats have been converted into offices since 1997. Therefore, parts (a)(i), (a)(iii) and (a)(iv) of the question do not arise.

In regard to part (b) of the question, it is not envisaged at this stage to demolish these buildings to construct a modern District Headquarters as the buildings are structurally fit for use.

Mr Speaker, Sir, in the long-term, the Police may consider the setting up of a Divisional Headquarters at Rose Hill and a Sub-Divisional Headquarters at Black River, as the Western Division covers a large geographical area where there are ongoing development projects.

**Mr Nagalingum:** Is the hon. Prime Minister aware that the Health and Safety Officer of the Police Department carried out a visit and recommended that all conditions be reviewed?

**The Prime Minister:** I am certainly not aware of this. I would like to know where the hon. Member got this information, because this is not at all mentioned here.

**Mr Bérenger:** I mean yes, this is a fact. If the hon. Prime Minister will check that the Health and Safety Officer of the Police Department reviewed the situation and said that

everything has to be reviewed. Is the hon. Prime Minister aware that, in fact, all these Police Quarters that have been transformed into so-called offices, are in a terrible, deplorable state? The toilets are unhygienic, water leaks from the ceiling, there is no changing room as far as male and female officers are concerned.

**The Prime Minister:** Very often, Mr Speaker, Sir - I am not blaming anyone - we also have to be responsible. Even at the airport, I went to check the other day, because we had a foreign dignitary who would come, people, as if it is not theirs, therefore, they won't care. We have also to take responsibility for looking at things, but I will certainly look at what the hon. Leader of the Opposition is saying about changing rooms especially. I am not aware of it.

### **PHOENIX POLICE STATION - BUILDING**

**(No. B/474) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Phoenix Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the -

- (a) branches/units which are housed therein;
- (b) regions and size of population it covers, and
- (c) state of the building and space available thereat, indicating if consideration will be given for the construction of a modern and more spacious Police Station in replacement thereof to cater for the fast expansion of the regions.

**The Prime Minister:** Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that the building housing the Phoenix Police Station also comprises a CID Office.

In regard to part (b) of the question, the Phoenix Police Station services the town of Phoenix, Clairfonds No. 1, 2 and 3, Cité Palmerstone, Closel, Nalletamby, Morc Boucan, Petit Camp, Residence Trianon, Valentina, Industrial Zone, Pont Fer, Robinson 1 and 2, Riverside, Highlands, Belle Terre, 5 Arpent, Camp Fouqueraux, Hermitage, Galea, Castel, Allée Brillant, Mesnil, Morcellement Basalt, Parisot Road, Tagore Lane, St Paul and Koenig Lane. The station caters for a population of around 75,000 persons.

In regard to part (c) of the question, a building of 137.97 sq metres stands on a plot of land of 792 sq metres. Major renovation works were carried out at the building during the years 2004 and 2005. Upgrading works as well as waterproofing have started on 06 June this year.

As the land on which is found the Police station is limited in space, Police are identifying a convenient and well situated plot of land for the construction of a modern Police station.

**Mr Sorefan:** Mr Speaker, Sir, may I just make a suggestion? There is a land just opposite the Police station that the hon. Prime Minister can consider for a new building.

**The Prime Minister:** I will pass this on to the Commissioner of Police.

#### **NATIONAL ASSEMBLY – CREOLE LANGUAGE**

**(No. B/475) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Creole Language, he will state if Government proposes to amend the existing legislation with a view to introducing the use thereof in the National Assembly and, if so, when.

**The Prime Minister:** Mr Speaker, Sir, as the House is aware, section 49 of the Constitution provides that the official language of the Assembly shall be English, but any Member may address the chair in French.

Standing Order 5 of the Standing Orders and Rules of the National Assembly provides that the proceedings and debates of the Assembly shall be in English Language, but a Member may address the Assembly in French.

In reply to Parliamentary Question B/76 on 01 April 2008, I indicated that all implications regarding the use of Creole in Parliament would be looked into, and that the use of Creole was gradually being integrated into our linguistic landscape.

In this respect, Mr Speaker, Sir, I wish to recall that, in line with the announcement made in the Government Programme 2010-2015 for the introduction of *Kreol Morisien* as an optional subject in schools, the Ministry of Education and Human Resources is actively working towards the implementation of this measure.

Mr Speaker, Sir, at paragraph 145 of the Government Programme 2010-2015, Government has clearly indicated that existing research work will be supplemented and

consolidated, so as to develop an agreed standardised spelling and grammar for the *Mauritian Kreol*.

Once this exercise is completed, the desirability and advisability of allowing the use of Creole in the National Assembly will be considered.

**Mr Bérenger:** Mr Speaker, Sir, may I ask the hon. Prime Minister whether he is aware that there is a precedent that Creole has been used officially in the past in the municipalities, which met with no problem for recording, debate or for whatever purposes?

**The Prime Minister:** That is a good sign if we have used it before, but, as I said, we are looking at all the implications. For example, if we have clauses in a law, how we will address it, what is the language, and how will we analyse it. That is what we are looking at.

**Mr Bhagwan:** Mr Speaker, Sir, since the hon. Prime Minister knows that much progress has been achieved very recently, like last week itself when Government adopted orthography for Mauritian Creole, I don't think there would be any problem as far as the Hansard is concerned. Can the hon. Prime Minister...

**Mr Speaker:** The Prime Minister has explained that he is looking into it. I am sorry hon. Bhagwan, I am prepared to help hon. Members to put questions, but this question has been answered comprehensively and at length by the Prime Minister, who said that the matter is being looked into and that in the future we will consider it.

The hon. Member can put his question now. The hon. Member should not repeat what the Prime Minister has said.

**Mr Bhagwan:** I am not repeating, Sir. You have not listened to what I have said.

**Mr Speaker:** Carry on! The way you started...

**Mr Bhagwan:** Let me finish. Can the hon. Prime Minister give an assurance to the House that, at least, during this mandate, the use of the Creole language at the National Assembly...

**Mr Speaker:** The hon. Prime Minister does not give guarantee, and hon. Members cannot ask for guarantees.

**The Prime Minister:** But there are certain difficulties. That is what I have been trying to say. For example, let us look at an interview that Mr Dev Virahsawmy gave. He has been promoting the Creole language and, on that issue, this is what he said -

*“Oui, le creole doit être introduit au parlement, mais il y a tout un travail à faire.”*

That is exactly what I am saying. He continues -

*“Je ne pense pas que les parlementaires qui sont en faveur aient bien réfléchi aux implications.”*

There are implications. That is why I am saying.

**Mr Obeegadoo:** Mr Speaker, Sir, I have listened carefully to the Prime Minister and he said in his answer that, once we have a standardised form for writing Creole and once the issues of grammar have been addressed, then we can go for it. Is the Prime Minister aware that, thanks to the work started in 2004, but now completed...

**Mr Speaker:** The hon. Member should put his question, now.

**Mr Obeegadoo:** Is the Prime Minister aware that we now have a standardised form for written Creole, which will allow introduction of Mauritian Kreol in schools in January next year, as he said, and...

**Mr Speaker:** The hon. Member is making a speech.

**Mr Obeegadoo:** ...the grammar has been completed, published and launched by his Minister of Education and Human Resources? What impediment now remains, since the Opposition is in agreement to amend whatever laws, including the Constitution, for the purposes of using Creole in the House?

**The Prime Minister:** I always think twice when the Opposition is in agreement with us.

*(Interruptions)*

For example, the hon. Member stated what is being done at the Ministry of Education and Human Resources. We have started it, but it is not completed yet. From what I understand, it is for Std I. There are some implications.

*(Interruptions)*

This is what I am saying. We will have to look at all the issues first before we decide.

**Mr Guimbeau:** M. le président...

(*Interruptions*)

**Mr Speaker:** Let me listen to the question!

**Mr Guimbeau:** 43 ans ont passé depuis l'indépendance, M. le président.

(*Interruptions*)

**Mr Speaker:** No comments! The hon. Member should put his question.

(*Interruptions*)

**Mr Guimbeau:** I would like to ask the hon. Prime Minister whether he knows that, in the Seychelles, Parliament sessions are held in Creole. Why is it that, in Mauritius, *on méprise toujours la langue créole, M. le président?*

**Mr Speaker:** The Prime Minister has just explained. Next question! Hon. Lesjongard!

## SECURITY GUARDS - TRAINING

**(No. B/476) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the companies engaged in the conveyance of cash in transit, diamonds, jewels and valuable documents, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the names thereof, indicating in each case, the number of security guards employed, indicating if they undergo regular training and, if so, the type of training provided.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that there are 19 companies which are holders of a licence to operate a private security service. Out of these, seven have been issued with firearm licences for escort of cash in transit, jewels and other valuables, and their names, as well as the number of security guards employed for that purpose are as follows -

<u>NAME OF COMPANY</u>	<u>NO. OF EMPLOYEES</u>
BRINKS Mauritius Ltd	154
PRO Guard Ltd	5
Defence Hitech Security Services Ltd	6
Security & Property Protection Agency (Caudan)	23
Premier Security Solutions	27
Bern Security Ltd	1
Rapid Security Services Ltd	1

In regard to training of the security guards, I wish to point out that the Second Schedule of the Private Security Service Regulations 2008 stipulates that the Security Service Provider should ensure that any person it employs is adequately trained to perform his functions correctly. I am advised that they have recourse to persons who have obtained a Trainer Licence issued by the Commissioner of Police. There are presently 24 such trainers.

The Private Security Service Act also makes it mandatory for all security guards to hold a Certificate of Registration issued by the Commissioner of Police. To obtain this certificate, which is valid for one year, they should show proof of training undergone in the field of security. Upon application for renewal of their certificates, security guards should again submit to the Police evidence of training programmes they have followed.

Further, security guards who are called upon to use firearms should obtain an Employee Permit, as stated in the Firearms Act. For that purpose, they should undergo a Competency Test conducted by the Police and obtain a Competency Certificate.

Mr Speaker, Sir, the Commissioner of Police may, upon request, organise practical firing exercises for employees of private security service companies, which are holders of firearm licences.

**Mr Bérenger:** Can I just ask the hon. Prime Minister, therefore in law and in practice there is a difference made between security guard companies in general and those engaged in the conveyance of cash and transit diamonds, jewels and valuable documents, is there this differentiation?

**The Prime Minister:** There is a differentiation in as far as when they carry firearms. Then they have to have specialised training.

**Mr Lesjongard:** May I ask the hon. Prime Minister whether there is a designated officer within the Police Force who ensures or monitors that training is being dispensed to those officers or guards?

**The Prime Minister:** There is a Unit which is looking at that. In fact, my understanding is that they have done these training exercises themselves and 194 security guards have been going through that training.

**Mr Lesjongard:** May I ask the hon. Prime Minister whether those companies submit a training programme every year to the Police Force?

**The Prime Minister:** As I said in my answer, Mr Speaker, Sir - I will just repeat it again - for example, when they have to show proof of training undergone in the field of security and when they review the licences, again they should submit to the Police evidence of the training programmes that they have followed.

**Mr Lesjongard:** I am not asking that, what I am asking the hon. Prime Minister is whether the training programme that they undergo within those companies is approved by the Police Force before they undergo the programme.

**The Prime Minister:** I suppose, what would be the point if they train and not - in any case, as I have said, the Commissioner of Police does, from time to time, organise practical firing exercises to ensure that they are able to use these firearms.

**Mr Baloomoody:** I have a last question on this issue. There are two types of training. We are talking about the firearm training which is controlled by the Police but, with regard to the other training, it is an in-house one as it is the company itself which should provide the training. The question is whether there is an authority which supervises that training which is supposed to be given in-house by each and every company?

**The Prime Minister:** My understanding is that they have to do their own training programmes, but they have to show to the Police that they are competent training officers. In fact, I did explain that they have recourse to persons who have obtained a trainer licence issued by the Commissioner of Police and there are 24 such trainers.

**Mr Speaker:** Time is over! Question B/477 has been withdrawn. Questions addressed to hon. Ministers. The Table has been advised that PQ Nos. B/504 and B/510 have been withdrawn.

### **POLICE BRUTALITY - INQUIRIES**

**(No. B/477) Mrs A. Perraud (Fourth Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to police brutality, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of complaints thereof, received since 2009 to date, indicating if inquiries have been carried out thereinto and the outcome thereof in each case.

*(Withdrawn)*

### **CIVIL SERVICE - PERSONS WITH DISABILITIES - EMPLOYMENT**

**(No. B/481) Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Minister of Civil Service and Administrative Reforms whether, in regard to the employment of persons with disabilities on the permanent and pensionable establishment of the civil service, he will state the percentage thereof, as at to date.

**Mr Gungah:** Mr Speaker, Sir, in accordance with the Regulation 19 of the PSC Regulations, recruitment in the public service is carried out by the Public Service Commission and the Disciplined Forces Service Commission.

I am informed that Section 13 of the Training and Employment of Disabled Person's Act provides for all enterprises having a workforce of 35 or more employees to include 3% of persons with disabilities.

However, this legislation is not applicable to the Civil Service, but it does apply to Parastatal Bodies, Statutory Bodies and Companies in which Government is a shareholder.

I must point out that persons with disabilities have the right to apply for any post advertised in the Civil Service as long as their disabilities do not prevent them from carrying out the duties of the post.

I wish to inform the House that as an equal opportunity employer, Government has employed persons with disabilities over the years. In this respect, data made available to my Ministry indicate that there are presently 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.

**Dr. S. Boolell:** Mr Speaker, Sir, while it is far too easy to ask the private sector to employ 3%, is it not fair that the Minister should consider that Government sets the example by modifying the law, by taking affirmative action in favour of handicapped people...?

**Mr Speaker:** The hon. Member is making a speech.

**Dr. S. Boolell:** There is an interrogation mark coming at the end.

**Mr Speaker:** Put your question, please!

**Dr. S. Boolell:** Is it not fair that Government introduces an affirmative action towards the recruitment?

**Mr Gungah:** Mr Speaker, Sir, as I just said, any person with any disability has the right to apply for any post advertised in the Civil Service. The PSC, while recruiting does not make any discrimination towards these persons.

**Mr Bérenger:** That is the whole point, why is it in law you discriminate in favour in the private sector and in the public sector? We should all be ashamed of it! Why can't it be done?

**Mr Gungah:** The only difference, Mr Speaker, Sir, is that in the Civil Service any person with any disability has the right to apply for any post and there is no limit as to the percentage of persons with disabilities to be recruited by the PSC.

**Mr Bérenger:** The hon. Minister referred to the fact that the Act applies to Parastatal Bodies, Statutory Bodies and Companies in which Government is a shareholder. Can we have figures for those entities?

**Mr Gungah:** I can submit the information later on.

**Mr Ganoo:** My question was going to be the same as that of the hon. Leader of the Opposition. The law says that every employer shall employ such number of persons, so it is imperative, it is obligatory ...

**Mr Speaker:** Yes, we know that!

**Mr Ganoo:** ...for the parastatal bodies funded by Government. Can the hon. Minister therefore come and give us the figures, the number employed by each of these respective companies?

**Mr Gungah:** Yes...

**Mr Speaker:** The Minister has said yes, he will give the figures.

**Mr Gungah:** I should have the information compiled first.

### **MEDICAL LABORATORIES - ACCREDITATION**

**(No. B/482) Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Minister of Health and Quality of Life whether, in regard to the accreditation of private medical laboratories, she will state the -

- (a) number of -
  - (i) recognised laboratories, and
  - (ii) laboratories awaiting recognition
- (b) frequency of accreditation visits towards standards control, and
- (c) length of the accreditation period granted after any one control visit.

**Mrs Hanoomanjee:** Mr Speaker, Sir, I am informed that following a decision of Government in April 2007, all the 28 medical laboratories licensed by my Ministry under the Private Health Institutions Act 1989 were requested to apply to MAURITAS for accreditation. Furthermore, as from 31 December 2007, application for accreditation was one of the conditions for the renewal of the licence of existing clinical laboratories.

As at 31 May 2011, 20 out of 28 medical laboratories have already applied for accreditation to MAURITAS, which is being processed by the latter. The remaining 8 medical

laboratories have yet to submit their applications for accreditation. So far, none of the medical laboratories is accredited.

As regards parts (b) and (c) of the question, I wish to inform the House that the process of accreditation is not under the purview of my Ministry.

**Dr. S. Boolell:** Certainly, I am quite surprised that it is not under the purview of the Ministry, but would the Minister look into the fact that different labs give different results for the same test and that surely is the responsibility of the Ministry of Health.

**Mrs Hanoomanjee:** Mr Speaker, Sir, that is another issue which I am looking into actually, but the question of accreditation is different...

**Mr Speaker:** For that the Minister has answered.

**Mrs Hanoomanjee** ...and it involves a very long process.

## **TOURISM & HOTEL INDUSTRY**

**(No. B/483) Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the Minister of Tourism and Leisure whether, in regard to the tourism and hotel industry, he will state the measures and actions taken by his Ministry in the context of the democratisation of the economy.

**Mr Bodha:** Mr Speaker, Sir, as this House is aware, Government is committed to democratising the economy as a core objective of our economic policies, as enunciated in the Budget Speech for the year 2011.

Mr Speaker, Sir, if there is a sector which has all the necessary 'ingredients' to contribute to the democratisation of the economy, it is, indeed, the Tourism Sector. However, you will agree with me that this is a great challenge and it demands all our political will to address this issue. The Ministry has, in this context, already initiated a series of measures to democratise the sector. These measures include, amongst others, the following -

### **Legal Framework**

(a) The Tourism Authority Act 2006, which was subsequently amended in 2008, through its licensing scheme, provides an important framework to formalise the informal sector, with a view to bringing into the tourism mainstream operators left

on the sideline and thus widens the opportunities for inclusive tourism. The aim is to allow them to be a professional service provider.

### **Tourism Enterprise Licences**

- (b) Procedures for granting of tourism enterprise licences have been streamlined, thus facilitating and widening opportunities for the opening of the tourism activities to small operators.

### **Skipper Licence**

- (c) The Tourism Authority has put in place a training scheme in Creole where a training course is conducted prior to the examination and following which a practical test will be carried out. This enables many people who are not capable of speaking English or French to obtain a skipper licence and thus operate leisure crafts.

### **Renovation and Upgrading Scheme of Small Hotels**

- (d) Mr Speaker, Sir, schemes have been put in place for renovation and upgrading of small and medium hotel establishments, to allow them to operate their core activity.

Consultancy services have been put at the disposal of the small entrepreneurs in the hotel sector to encourage the operators to uplift their enterprises and to see to it that we have quality.

### **Restriction to Foreigners as regards to Investors.**

- (e) Restriction has been imposed for foreign investors interested in pleasure craft activities where a minimum investment of Rs10 m. has to be made and regarding Tour Operators, a minimum investment of Rs5 m. is required. As regards the contract car business, it is restricted to Mauritian nationals only. We will consider some other activities like diving centres in the future in this aspect.

### **Improved Access to Entrepreneurship Opportunities for new Operators in the Sector.**

- (f) Mr Speaker, Sir, my Ministry is currently examining the number of operators involved in new avenues, such as dolphin and whale watching activity, with the

objective of providing a fair share to a maximum of small operators, whilst at the same time not jeopardising the sustainability of the activity.

Furthermore, regulations on kite surfing are currently under preparation to disseminate information and to see to it that we have a level playing field as regards to enterprises.

**Increased Visibility for the Small Hotels.**

- (g) The small operators are given opportunity to have a wider visibility through the website of the MTPA.

Moreover, the MTPA facilitates the participation of small operators in road shows and fairs and this year I have allocated a specific budget of Rs1 m. for the small hotels for assistance.

Mr Speaker, Sir, these measures are already giving positive results. The Ministry has also pressed upon the private sector to provide its collaboration. Accordingly, l'AHRIM has initiated a number of measures to empower, for example, local planters in adopting alternative ways of doing business to better penetrate the tourism sector. Moreover, as regards to craftsmen, there is a system where you have a consignment and you can have your products exposed in the hotels. Mr Speaker, Sir, new suppliers are being given an opportunity on a trial basis.

The House may also wish to note that, for instance, numerous hotels have democratised some of their core services and one example is very interesting, it is the SO Sofitel Hotel in Bel Ombre where the hotel has been totally integrated with the community which provides the vegetables, the fruits, the fish and the crafts from the local community.

Mr Speaker, Sir, we have been working on a number of activities which are going to be outsourced like boat houses, catamaran and we are looking into the number of licences belonging to one or a single operator. In the same manner, the beach hawkers are going to be operated from kiosks and we are giving them some facilities.

Mr Speaker, Sir, in addition to enhance the democratisation of the economy, we have come with this concept of the regional tourism and the new package to Réunion Island of 139 euros is, in fact, to encourage the small operators.

Mr Speaker, Sir, as the House has noted, we are gradually translating the concept into reality and, as I said, it needs political will, but it also needs the goodwill of the industry to be able to go further.

**Ms Anquetil:** M. le président, je remercie le ministre pour sa réponse. Je voudrais savoir si le ministre compte demander aux hôteliers de faire plus d'effort au niveau de la formation de très haut niveau à l'étranger pour les cadres supérieurs mauriciens de l'hôtellerie. Les mauriciens sont très compétents, M. le ministre, et il faudrait réduire le recrutement...

*(Interruptions)*

**Mr Speaker:** No, I am on my feet. This question does not arise from the main question. This question is about the democratisation and action taken by the Minister. This has nothing to do with training.

**Mr Obeegadoo:** Mr Speaker, Sir, given that the Minister and Government seem to include everything and anything under the sun under their definition of democratisation, except for employees and workers, may I know from the Minister whether Government intends to facilitate employee share ownership programmes within major hotel groups in the industry?

**Mr Bodha:** We have addressed this issue of having an Hotel Investment Trust. This idea has been on the table for some time and I think that we should consider the possibility that a number of shares could be bought by the workers just like as we have the Sugar Investment Trust, and this is an idea which can be floated. We have been talking to the Minister of Finance about it.

**Mr Lesjongard:** Mr Speaker, Sir, may I ask the hon. Minister, since he has assumed office, how many times he has had meetings with the SMEs or small operators within the tourism sector to discuss with them the concept of democratisation of the economy within the tourism sector?

**Mr Bodha:** We are meeting regularly.

*(Interruptions)*

No, but regularly we are meeting.

*(Interruptions)*

**Mr Speaker:** Yes, that is the answer. Hon. Ms Anquetil!

**Ms Anquetil:** M. le président, dans l'esprit de démocratisation de l'économie, est-ce que le ministre pourrait nous dire s'il serait d'accord de réduire le recrutement des expatriés à des postes à responsabilité?

**Mr Bodha:** This is a very good question. We have a scarcity list and my colleague from the Ministry of Labour, Industrial Relations and Employment has been scrutinising this list and we are regularly upgrading the list to see to it that Mauritians are given the opportunities from top to bottom. We know that most of the big hotels choose managers, who have been handling big brands abroad, but gradually some of the hotels are giving this opportunity to the Mauritian people. I totally agree with her that we have to upgrade the scarcity list.

**Mr Bérenger:** Some time back the hon. Minister replied to a question which seemed to indicate that all beach hawkers would be parked in kiosks and specific places, and I listened to him today and he seems to confirm and repeat that. Those beach hawkers have been working for decades the way they have been working and most of them are very serious people, is it a fact that all beach hawkers are going to be parked in specific places?

**Mr Bodha:** The hon. Leader of the Opposition is painting a very sad picture of the beach hawkers. What I think is not a good thing is to have the beach hawkers for the whole day under the sun carrying all their materials and all their items. So, what we are trying to do, together with them, on a pilot basis, is to see whether we can have some stalls well presented and which blend with the hotel environment, and there is a sense of belonging of the beach hawker to the hotel. In fact, it is upgrading the trade.

**Mr Bérenger:** Since the hon. Minister says that consultations have already taken place and that there is a pilot scheme ongoing, can I know who have been consulted, which organisations; if it is individuals, where, and where is that pilot scheme being operated?

**Mr Bodha:** We already have this at Ile aux Cerfs; we already have it in Shandrani Hotel. We have been talking to l'AHRIM and we have been talking to some of the hawkers. I have been talking to them for a long time now. The idea is to upgrade them. I don't know whether the hon. Leader of the Opposition has seen them working.

**Mr Bérenger:** He can't ask me questions! Today the tone is that all beach hawkers will be parked here and there. I didn't hear anything about consultations and I repeat: who is being consulted?

**Mr Bodha:** We are consulting the beach hawkers, but we are doing it on a pilot basis just to see whether ...

*(Interruptions)*

I gave the example of Ile aux Cerfs. I don't have the names, now.

*(Interruptions)*

The beach hawkers have their own association.

*(Interruptions)*

As I said, Ile aux Cerfs.

**Mr Speaker:** We will continue with the supplementary questions after lunch time.

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

*On resuming at 2.37 p.m. with the Deputy Speaker in the Chair.*

**Mr Ganoo:** I was going to ask the hon. Minister whether, when we talk of democratisation in that sector, the problem should not be looked at source. That is, we should not have addressed the problem at its very source in terms of when the packages are sold from abroad, the packages are cast in such a way that the clients - the tourists - are bound to stay in a hotel; that is, the packages are sold on a half board or full board basis which means that the restaurants in the neighbouring areas are deprived of good business and this is what happens. In fact, the tourists are more or less forced to stay in the hotel premises for 24 hours and the neighbouring restaurants are, in fact, missing good business opportunities. Is there a way to legislate, to think about compelling the hotels not to sell that type of package or inducing them not to do so?

**Mr Bodha:** Hon. Ganoo is right in what he is saying, but the problem is that you have trends in the packaging and in the market. Some countries have come to the idea that, for example, the all inclusive concept should be 15% or 20% of all packages. So, we have to consider this possibility; then we will have to legislate. I don't know how far the legislation

would stand the test of freedom to do business and some other right. But, what we have been trying to do, in fact, is to bring tourists who are not going to stay in the hotels and who would like to go - not spend their whole day in the hotel - outside the hotel and may take advantage of all the facilities outside, the restaurants, the shopping arcades that we offer. I think the Chinese, the Indians, the Russians and what we are doing to attract tourists from the region, will be very helpful in that area.

Mr Deputy Speaker, Sir, the hon. Leader of the Opposition asked me some names about beach hawkers that we have met. So, I am going to circulate a list.

**Mr Ganoo:** Can the hon. Minister tell us also of what has happened to these tourist villages? Here also, this is another indication of what democratisation should mean. All these hotels have their own shops and, therefore, these tourist villages which were supposed to enable the local craftsmen, the local artisans to expose their products centrally in three or four different areas of the country, have never seen the light. So, what has happened to this project?

**Mr Bodha:** There was one project, from what I have understood, in the East, in the region of Belle Mare. The building is ready. I think we are trying to sort out how we are going to give opportunities to a number of people, entrepreneurs.

*(Interruptions)*

To see to it that we can allocate a number of those facilities to entrepreneurs who are willing to offer a certain number of items to the tourists.

**The Deputy Speaker:** Hon. Ameer Meea!

*(Interruptions)*

Order! Order!

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, since we are talking about democratisation of the economy, can I ask the hon. Minister if he has received any report from the Commission of Democratisation of the Economy?

**Mr Bodha:** Well, we have had some consultations. But, let me say, Mr Deputy Speaker, Sir, what I think personally. I think that we have to come with what I would propose, that is, some sort of a Hotel and Tourism Investment Trust where you have a fund and I have been

addressing this issue with the hon. vice-Prime Minister, Minister of Finance and Economic Development for some time now, where Government can come with some funds and we can offer shares to workers in the Tourism sector for each share that can be bought. We can subsidise this possibility so that in the end some of the employees will have shares in the industry just like we have it in the Sugar Investment Trust.

**Mr Bérenger:** Since the hon. Minister has come back onto that, may I be allowed to come back to something that hon. Obeegadoo said. It is a new idea. I am sure the hon. Minister is aware that it is not a new idea. Some 25 years ago when the MSM was in Government, introduced the Sugar Investment Trust, some called that *vieux feraille*. We said that it is a good thing, but why stop at the sugar industry and 25 years ago, we suggested the Tourism Industry as the next step. So, being given that on both sides, we agree on that issue -we've agreed for 25 years - will the hon. Minister see to it that we move forward?

**Mr Bodha:** I am for it. I am not going to speak on his behalf, but we have had many discussions about the democratisation of this industry because the potential is immense and that's where we should start.

**The Deputy Speaker:** Last question, hon. Lesjongard!

**Mr Lesjongard:** Mr Deputy Speaker, Sir, may I ask the hon. Minister to indicate to the House - maybe for the past three years - what concrete measures have been taken in the tourism sector in favour of the democratisation of the economy?

**Mr Bodha:** I have mentioned. Mr Speaker told me that it is a long answer and I should have circulated it.

**The Deputy Speaker:** In fact, I think that this is the purpose of the whole question. We move to the next question.

#### **PORT LOUIS MUNICIPAL COUNCIL - MAYOR'S FUND**

**(No. B/484) Mr A. Hossen (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Local Government and Outer Islands whether, in regard to the Mayor's Fund, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to the amount budgeted therefor, indicating the amount spent therefrom, since 2000 to 2005, on a yearly basis.

**Mr Aimée:** Mr Deputy Speaker, Sir, there had been much abuse regarding the utilisation of funds by the Municipal Council of Port Louis under the Mayor's Fund vote during the period 2000 to 2005.

*(Interruptions)*

**The Deputy Speaker:** Order! Order!

**Mr Aimée:** Some of the flagrant cases of abuse of the Mayor's Fund are as follows -

- The Council had budgeted an amount of Rs700,000 for financial year 2000/2001, and had spent that amount of Rs1,050,000 after reallocation of a sum of Rs350,000;
- It had budgeted the amount of Rs800,000 for the financial year 2003/2004 and had spent the amount of Rs1,199,424 after reallocation of the sum of Rs400,000;
- It had budgeted the amount of Rs900,000 for the financial year 2004/2005 and had spent the amount of Rs1,177,500 after reallocation of the sum of Rs280,000.

The situation of the Council is closely monitored and the local authorities are allowed to reallocate funds to this code to a strict minimum.

**Mr Hossen:** M. le président, exception faite de l'année 2005 où les dépenses ont été nettement en dessous de la somme budgétée, on constate que, pour les autres années, des allocations additionnelles représentant...

**The Deputy Speaker:** No, you put your question!

*(Interruptions)*

**Mr Hossen:** 50% du budget prévu ont dû être effectuées.

*(Interruptions)*

**The Deputy Speaker:** Order! Order, please!

**Mr Hossen:** M. le président, peut-on savoir à partir de quel item ces sommes additionnelles ont été puisées? Est-ce que, dans une certaine mesure, ces sommes additionnelles qui ont été puisées n'ont pas affecté les services essentiels de la mairie de Port Louis ?

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Aimée:** Mr Deputy Speaker, Sir, *ces allocations budgétaires...*

**The Deputy Speaker:** Order!

**Mr Aimée:** ...à l'époque, ils n'avaient pas obtenu l'aval du gouvernement. Je dirai que cela ne justifie pas qu'on ait dépensé autant d'argent et ces largesses qui ont été faites à cette époque.

**The Deputy Speaker:** Yes, hon. Ameer Meea! We come to you later on, hon. Hossen. I have called hon. Ameer Meea.

**Mr Ameer Meea:** Thank you, Mr Deputy Speaker, Sir. I take note that the Lord Mayor's Fund...

**The Deputy Speaker:** You put your question!

**Mr Ameer Meea:** I take note that, for the Lord Mayor's Fund for 2005 to 2010, it has taken us nine months to get the answer and, for 2000 and 2005, it took only one week.

**The Deputy Speaker:** You put your question, please!

*(Interruptions)*

**Mr Ameer Meea:** Can I ask the hon. Minister - I didn't hear the answer - whether it was on purpose that he skipped the years 2001 and 2003 in his answer? I didn't hear the hon. Minister's answer for 2001 and 2003. Can he repeat it? How much was budgeted and how much was spent?

**Mr Aimée:** I don't have the answer for 2001.

**Mr Hossen:** M. le président, puisqu'il s'agit de la gestion des fonds publics, ces réallocations budgétaires qui ont été effectuées sur plusieurs années ont obtenu l'aval du gouvernement central d'abord...

**The Deputy Speaker:** Put your question, please!

**Mr Hossen:** ...et à juste raison...

**The Deputy Speaker:** No, I can't hear the question!

**Mr Hossen:** ... le ministre des administrations régionales d'alors avait initié...

*(Interruptions)*

**The Deputy Speaker:** Hon. Deputy Chairman of Committees, please! I am on my feet. I urge the hon. Member to put his question straightaway, please.

**Mr Hossen:** M. le président, je voudrais demander à M. le ministre, suite à l'audit commandité par le ministre des administrations régionales d'alors sur cet aspect de réallocation, quelles ont été les mesures prises à l'époque pour éviter une telle dilapidation des fonds publics ?

*(Interruptions)*

**Mr Aimée:** Mr Deputy Speaker, Sir, since the set up of an audit committee on the Mayor's Fund at the Municipal Council of Port Louis, there is a close monitoring of the *réallocation*.

**The Deputy Speaker:** Order!

**Mr Aimée:** ...as I said, now the situation is being closely monitored by the local authorities and not allowed to reallocate money as and when needed.

**The Deputy Speaker:** Next question!

#### **PENALTY POINT SYSTEM - INTRODUCTION**

**(No. B/485) Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the proposal for the introduction of the penalty point system, he will state where matters stand.

**Mr Bachoo:** Mr Deputy Speaker, Sir, the decision to introduce the penalty point system was prompted by the need to induce drivers to behave more responsibly, to promote safety and address the high level of fatalities and serious injuries.

Amendments to the Road Traffic Act were worked out and submitted to the State Law Office. However, during discussions held with the State Law Office, practical problems which could crop up during its implementation were identified. The State Law Office has, therefore, referred it as a separate assignment to the Law Reform Commission.

**Mr Bérenger:** It is the opportunity to put the question. It relates to the penalty point system because from what I have heard and, of course, it is logical that the penalty point system

is to penalise those who cause traffic offences. Some years back, we passed legislation that darkened windows, '*les vitres teintées*', be done away with. This Government, since 2005 has reintroduced it. Now, using a portable phone while driving is an offence...

(*Interruptions*)

*Shut up, imbécile! Toi qui pou montrer moi faire travail parlementaire!*

(*Interruptions*)

**The Deputy Speaker:** Please, proceed with your supplementary!

**Mr Bérenger:** My question is: with those '*vitres teintées*', you can't see the offence. So, will Government do the necessary whilst introducing the penalty point system that this is done away, so that this offence be found and penalised?

**Mr Bachoo:** Mr Deputy Speaker, Sir, all those '*vitres teintées*' - as we call it - are regulated properly. They are not as dark, not that non-transparent, they are a bit transparent. Earlier, I remember we had taken the decision to have it stopped, but there were many people who had made complaints that they were bound to import such types of vehicles being given that they were suffering from different types of skin problems and because of this we had to make certain concessions.

**Mr Dayal:** Mr Deputy Speaker, Sir, can I ask the hon. Minister since when Government took the decision to implement the penalty point system and why this delay? A second question...

**The Deputy Speaker:** Please, one by one!

**Mr Bachoo:** Mr Deputy Speaker, Sir, in fact, this penalty point system already appears in our Act. It dates back to 2003, but we had plenty of problems, for example, the computerisation of the entire system had to be done. That has been the basic problem why we were not able to implement it. But, now, we have already taken the decision to go ahead, and we are trying to find how to link the Court decision with the Traffic Branch of the Police and the NTA, and that is the reason why we have submitted it to the Law Reform Commission. If I am not mistaken, within a few weeks, most probably the Bill will be brought to Parliament.

**Mr Dayal:** Can I know from the hon. Minister whether, in the case of *l'arrangement à l'amiable*, the penalty point will still be applicable?

**Mr Bachoo:** I am not in a position to say so, because we have got a series of offences which have to be included, and they are working on that. There are about 25 offences.

**The Deputy Speaker:** Last question hon. Ms. Anquetil!

**Ms Anquetil:** Being given that pedestrians are also concerned by road discipline, can the hon. Minister inform the House if, with the introduction of the point system licence, he will recommend the introduction of pedestrian laws in our country?

**Mr Bachoo:** Mr Deputy Speaker, Sir, it does not form part of this issue; that is not included in it. But, in case we have to take action against those who are crossing the street wherever they want, illegally, we have to think about it properly.

#### **ILOT MANGENIE - IRS VILLAS**

**(No. B/486) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Ilot Mangenie, he will, for the benefit of the House, obtain from the Board of Investment, information as to if it has authorised Integrated Resort Scheme Villas to be built thereat.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth):** Mr Deputy Speaker, Sir, I am informed by the Board of Investment that no proposal for a project under the Integrated Resort Scheme at Ilot Mangenie has been submitted by a promoter. As such, no approval has been granted by the Board of Investment.

**The Deputy Speaker:** The Table has been advised that PQ B/488 has been withdrawn. Next question, hon. Hossen!

#### **HAWKERS - MONNERON STREET - RELOCATION**

**(No. B/487) Mr A. Hossen (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Local Government and Outer Islands whether, in regard to the hawkers operating along the Monneron Street and in the vicinity of the LIC building, in Port

Louis, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if the Council is proposing to initiate a project for the relocation thereof.

**Mr Aimée:** Mr Deputy Speaker, Sir, I am informed that the Municipal Council of Port Louis is well aware of the hawkers problem at Monneron Street, Victoria Station, and in the vicinity of LIC building. The Council has, therefore, decided to construct a two-storey building on a plot of land of the extent of 651 m<sup>2</sup> at Barkly street, vested in it by the Ministry of Housing and Lands for the relocation of the hawkers operating in that region. The Council also proposes to put up another two-storey building on the land presently occupied by Monneron Fair.

I am informed that, in all, 325 hawkers can be housed in these two buildings once the project will be implemented, when funds to the order of Rs 60m. will be made available.

**Mr Hossen:** Mr Deputy Speaker, Sir, I would like to thank the hon. Minister for his reply. By the time the project gets implemented, can I ask the hon. Minister whether the hawkers, who are operating right now in the vicinity of LIC, Air Mauritius building, Cassam lane and Révérend Lebrun Streets, will be allowed to operate normally?

**Mr Aimée:** Till the project starts, yes, Mr Deputy Speaker, Sir.

#### TRAFFIC CONGESTION - STUDY

**(No. B/488) Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to traffic congestion, he will state -

- (a) if Government has appointed an expert to carry out a study in relation thereto and, if so, indicate the outcome thereof;
- (b) the financial impact thereof on the economy, and
- (c) where matters stand as to the light railway project.

*(Withdrawn)*

#### BANK OF MAURITIUS - FINANCIAL YEAR 2009/2010 - NET PROFIT

**(No. B/489) Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the

Bank of Mauritius, he will, for the benefit of the House, obtain from the Bank, information as to the amount of the net profit thereof for the last financial year.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth):** Mr Deputy Speaker, Sir, the net profit of the Bank of Mauritius for the financial year 2009/2010 was Rs 72m.

**Mr Dayal:** Can the hon. vice-Prime Minister and Minister of Finance give me the figures for the last three years?

**Mr Jugnauth:** For 2007/2008, it is Rs1,559,000,000; 2008/2009, it is Rs1,411,000,000, and I have just mentioned for 2010.

**Mr Dayal:** Can the hon. vice-Prime Minister give also the reasons as to why there has been a sharp drop, and whether the bank has curtailed its lavish spending?

**Mr Jugnauth:** I am informed that the decline of profit is mainly attributable to a decrease in interest income on foreign assets, and that central banks, in fact, around the world, have slashed down the interest rates. This has been coupled with the increase in expenditure in respect of printing of notes and the minting of coins also.

**Mr Dayal:** Mr Deputy Speaker, Sir, I know there are cases like the Bank of Singapore which has made record profit last year. Can I know from the hon. vice-Prime Minister what action has been taken by the Bank of Mauritius to review its policy to increase profit?

**Mr Jugnauth:** I am informed that the bank is looking at different possibilities of investing the reserves in such a way that we maximise on our profits. This is what I am told.

**Mr Bhagwan:** We are talking about the profits of the bank and financial accounts. We were made to understand here, in Parliament, through a reply, that the Governor of the Bank of Mauritius was not taking his salary. It was under protest, something like this. He was not satisfied; he was taking only a token sum and was putting the other as *cycle*; local savings account. Can the hon. vice-Prime Minister inform us whether, now, the Governor of the Bank of Mauritius is earning a full salary and, if yes, the amount thereof?

**Mr Jugnauth:** If the hon. Member comes with a substantive question, I will find out from the Bank of Mauritius.

**Mr Bérenger:** Since profits of more than one billion were being made and now it has dropped to nearly peanuts, and the hon. Minister has offered as one major explanation the printing of notes and coins, can we have the figure about how much the Bank of Mauritius has disbursed over the years mentioned?

**Mr Jugnauth:** On notes and coins issue, I can give for different years. For June 2008, it is Rs151,275,000; for June 2009 it is Rs47,463,000, and for June 2010 it is Rs149,372,000.

**The Deputy Speaker:** Last question hon. Uteem!

**Mr Uteem:** Mr Deputy Speaker, Sir, may I know from hon. vice-Prime Minister, out of the profit that has been realised, what is the amount attributable to profit or loss made on foreign exchange transactions?

**Mr Jugnauth:** I don't think I will have the breakdown in terms of foreign exchange transactions, but I can find out and circulate this figure.

**Mr Dayal:** Can I ask the hon. vice-Prime Minister whether he can say what action has been taken at the level of his Ministry to compensate for the loss in revenue to Government?

**Mr Jugnauth:** No, at the level of the Ministry, we cannot compensate, because it is the operation of Bank of Mauritius.

**Mr Dayal:** What action has been taken at the level of the Ministry to compensate for the loss in revenue?

**Mr Jugnauth:** Mr Deputy Speaker, Sir, if we don't get dividends from the Bank of Mauritius, we have to make do with the total revenue that we have. Therefore, there is a shortfall. Definitely, this is where we have to allocate resources according to revenue that Government collects.

#### **ALTIMA & EBÈNE HEIGHTS – GOVT. ACQUISITION**

**(No. B/490) 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 Altima and the Ebène Heights buildings purchased by Government, he will, in each case, state -

- (a) the date of acquisition and cost thereof,

- (b) the rate of occupancy, indicating the extent thereof which is unoccupied;
- (c) the names of the tenants, indicating in each case the;
  - (i) extent thereof,
  - (ii) rent payable, and
  - (iii) date of the tenancy contract, and
- (d) if valuation exercises have been carried out and, if so,
  - (i) by whom; and
  - (ii) table copy of the valuation reports.

**The Minister of Social Security, National Solidarity and Reform Institutions (Mrs L.**

**D. Dookun-Luchoomun):** Mr Deputy Speaker, Sir, may I with your permission answer this question.

At the very outset, I would like to clarify that it is not Government, as stated in the question, but the National Pension Fund, as part of its investment activities, which has acquired the Altima and Ebène Heights buildings.

I am informed that the acquisitions of the Altima and Ebène Heights buildings by the National Pension Fund fit with its objective of diversifying the investment of the Fund, with a view to optimising the returns. The decision of the NPF/NSF Investment Committee was based on the fact that the NPF is experiencing excess liquidity and interest rates are low and has been yielding less attractive returns since some time.

The Altima and Ebene Heights buildings were purchased on 20 December 2010, for Rs350 m. and Rs430 m. respectively, exclusive of Value Added Tax and Registration Duty. This acquisition exercise was carried out by the Investment Committee, following the launching of an expression of interest, whereby five proposals were received. The offers of Altius Ltd. and Fortius Ltd., which are both subsidiaries of the Altima group, were retained on the basis of the evaluation exercise carried out by the Investment Adviser of the NPF/NSF Investment Committee.

As regards part (b) of the question, I am informed that, as at to date, the Altima Building is 98% occupied while the Ebene Heights Building is 60% occupied and the unoccupied areas in

the two buildings presently stand at 4,649 m<sup>2</sup>, viz. 232 m<sup>2</sup> for the Altima Building and 4,417 m<sup>2</sup> for the Ebene Heights Building respectively. As far as the unoccupied slots are concerned, lease agreements are in the process of being finalised in respect to two additional tenants for an extent of 518.67 m<sup>2</sup> for Ebene Heights Building and 170.5 m<sup>2</sup> for Altima Building. Furthermore, in view of the increased pressure for additional office space in Port Louis, my Ministry is currently considering a proposal to relocate part of its services presently housed at the Renganaden Seeneevassen Building in Port Louis, to the vacant space available at Ebene Heights. The rate payable by the Ministry will be based on the current market price.

Concerning part (c) of the question, I am tabling a list of the existing tenants along with details pertaining to the areas rented, the rent payable and the dates of the tenancy contracts.

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mrs Dookun-Luchoomun:** As regards part (d) of the question, I am informed that, as part of the acquisition process of the two buildings, a full due diligence exercise was carried out, during which the service of an independent professional Valuer, namely Mr P. Ramrekha, was retained, through a tender exercise, to carry out a valuation of the Altima and Ebene Heights Buildings. For the benefit of the House, I am also tabling a copy of the valuation report.

**The Deputy Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Thank you, Mr Deputy Speaker, Sir. I also thank the hon. Minister for her reply. Will the hon. Minister agree that Government is renting so many spaces to private individuals and private companies costing almost Rs500 m. annually and now that it has come to our knowledge that Ebène Heights has 4,649 m<sup>2</sup> of unoccupied space, will it be wiser for the Government or for other offices to be moved to these buildings *au lieu de payer des loyers à prix d'or au privé?*

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir, my Ministry has submitted a bid in respect of rental of office space at Altima Building pursuant to tenders launched by the Ministry of Information and Communication Technology, and will do so for other Ministries as well wherever possible.

## **MILITARY ROAD - NHDC HOUSING UNITS - BENEFICIARIES**

**(No. B/491) Mr Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Housing and Lands whether, in regard to the project for the construction of NHDC housing units at Military Road, Port Louis, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the number thereof, indicating if -

- (a) the beneficiaries thereof have been selected and if so, give the list thereof as at to date, indicating the respective residential addresses;
- (b) sports and leisure facilities will be provided thereat, and
- (c) the Environment Impact Assessment licence and the Traffic Impact Assessment have been obtained.

**Dr. Kasenally:** Mr Deputy Speaker, Sir, in regard to part (a) of the question, I am informed by the NHDC Ltd. that 36 housing units will be constructed at Military Road, Port Louis. As at to date, 29 applicants have been selected based on the eligibility criteria that they should be a first time buyer and make a deposit of at least Rs100,000. It is premature at this stage to release the list of the selected beneficiaries.

As regards part (b) of the question, I am further informed that the land of an extent of some 2,870 m<sup>2</sup> has been reserved within the housing development for green space and other recreational and entertainment facilities.

Mr Deputy Speaker, Sir, regarding part (c) of the question, as provided in Part B of the Environment Protection (Amendment Schedule) Regulations 2006 under the Environment Protection Act 2002, an Environment Impact Assessment Licence is not required for a project involving construction of less than 50 housing units.

Regarding the Traffic Impact Assessment, the Traffic Management and Road Safety Unit has been consulted and is agreeable to an internal access parallel to Military Road being provided so as to service the proposed housing estate. No access will be provided to the proposed Ring Road. Furthermore, I wish to inform the House that since the Project is a Design and Build one, it will rest on the contractor to apply for and obtain all the necessary permits, licences and clearances.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, can I ask the hon. Minister what will be the selling price of each of the housing units?

**Dr. Kasenally:** Mr Deputy Speaker, Sir, the selling price of each unit is as follows - Rs1,185,000 to Rs1,200,000 for households with monthly income of less than Rs20,000; Rs1,685,000 to Rs1,700,000 for households with monthly income exceeding Rs20,000; for applicants whose monthly household income is above Rs20,000 they will be charged the cost of infrastructure as well.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, can I ask the hon. Minister if is it the first time that the NHDC is selling houses at these prices, that is, above Rs1 m? According to a reply to PQ No. A/182 which I just had from the Library, all the projects since 2005 to 2010 have been ranging from Rs170,000 to a maximum of Rs427,000. So, is it the first time that NHDC is building housing units above Rs1 m.?

**Dr. Kasenally:** Mr Deputy Speaker, Sir, all the houses which he has mentioned are Firinga houses which, as you know, are the basic units. This one will be ground floor plus one.

**Mr Ameer Meea:** Is it the first time?

**Dr. Kasenally:** Yes, it is first time, because taking into consideration the increase in the cost of infrastructure and cost of building. In fact, each house is being subsidised for those less than Rs20,000.

**Mr Uteem:** Mr Deputy Speaker, Sir, in a reply to a parliamentary question that I asked last year on the ring road, it is mentioned that part of the people in Vallée Pitot who are being affected by the ring road would be relocated in Military Road. May I know from the hon. Minister whether the NHDC project that he just mentioned will also be used to house the people who would be displaced from Vallée Pitot?

**Dr. Kasenally:** This is a project which has been opened to people. In fact, people from Vallée Pitot who want to go there will be considered. However, there is also land which has been earmarked for those people at Vallée Pitot in other parts of Military Road. In fact, currently, I have got, at least, 28 lots of land which have been earmarked for these people who may be displaced.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, this plot of land where this project is to be built is the last one in the surrounding, that is, in the east of Port Louis. Can I ask the hon. Minister if he has received any objection or any petition from the inhabitants of the surrounding and also if he has received any letter from those inhabitants to have a meeting with him, and, if not, why not?

**Dr. Kasenally:** Yes, Mr Deputy Speaker, Sir, I have received many calls - one petition. In fact, the hon. Member has been spearheading a campaign against this project.

*(Interruptions)*

**The Deputy Speaker:** Don't impute motives, please!

**Dr. Kasenally:** No, no, but this is a fact.

**The Deputy Speaker:** The hon. Minister must not impute motives, please!

**Dr. Kasenally:** However, having considered all the points raised, namely...

*(Interruptions)*

**The Deputy Speaker:** Order, please! Address the Chair!

*(Interruptions)*

Hon. Assirvaden, please!

**Dr. Kasenally:** Mr Deputy Speaker, Sir, these people did not want to have this housing estate. They wanted a football ground, they wanted *pétanque* courts, but this will be provided. Football ground will not be provided for the simple reason that within a radius of hundred metres, there are three football grounds. The national team does not play at *Stade Ellahee*.

*(Interruptions)*

**The Deputy Speaker:** Hon. Ameer Meea, let the hon. Minister answer!

**Dr. Kasenally:** St. François stadium, but there is *stade* Ellahee, there is another one.

**The Deputy Speaker:** Hon. Ameer Meea, you asked a question, let the hon. Minister answer!

**Dr. Kasenally:** If there is a *stade*, it is close, but there is one further up at Militaire Road, near ABC Motors. Mr Deputy Speaker, Sir, some of these people came. When we went for the

breaking ground, we got the land to the builders, all the people there near Militaire road came up and thanked us, because this is going to increase their business. However, there were a couple of individuals who came up and were asking questions and they have their own agenda, because these people were living on the other side in Terre Rouge and were parking their car on this land.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, the hon. Minister is misleading the House.

**The Deputy Speaker:** No!

*(Interruptions)*

No, the hon. Member should not...

**Mr Ameer Meea:** No, the petition has been signed by 660 people.

**The Deputy Speaker:** The hon. Member should withdraw this word.

**Mr Ameer Meea:** He has imputed motives.

**Mr Bérenger:** On a point of order! You ruled that the Minister was imputing motives.

**The Deputy Speaker:** Yes.

**Mr Bérenger:** You don't ask him to withdraw. Now you ruled in the case of this Member and he has to withdraw. Both should withdraw following your ruling.

**The Deputy Speaker:** Yes, in fact, if the hon. Leader of the Opposition is insisting, I will ask both Members to withdraw what they have stated.

**Dr. Kasenally:** I am not imputing motives, but I can say some facts.

**The Deputy Speaker:** No, I gave my ruling.

**Dr. Kasenally:** I withdraw, but I have to...

*(Interruptions)*

**The Deputy Speaker:** No, the hon. Minister has to withdraw.

*(Interruptions)*

**Dr. Kasenally:** I withdraw.

**Mr Ameer Meea:** I withdraw what I have said.

**The Deputy Speaker:** Thank you.

**Mr Ameer Meea:** I have another supplementary question.

**The Deputy Speaker:** Yes, put your question, please!

**Mr Ameer Meea:** Is the hon. Minister aware that the petition has been signed by 660 people, not only a few people as you just stated. Those people have written to the Prime Minister, they have written to the Leader of the Opposition and to the hon. Minister. It is not only a few people. 660 people signed on the petition. Is the hon. Minister aware of that?

**Dr. Kasenally:** I received a petition of about 150 people. Mr Deputy Speaker, Sir, I will inform you that they are about 235 people who have applied, but some of them do not qualify.

**Mr Bérenger:** One question! We are not trying to play political of football with that. The people from that region, from what I understand, it is the last green space. But, supposedly - I am saying supposedly - if it is true, some 200 yards on the other side, there is State land where those housing units can be set up. Has it been looked into? We should not make politics out of it, if that is true that there is Crown land to build those housing units a few hundred yards from there, what is wrong with considering having this last green space preserved?

**Dr. Kasenally:** Mr Deputy Speaker, Sir, may I remind the House that this project was even started before this Government and the previous Government led by the MMM and the MSM had earmarked this and we had already invested about over Rs25 m. to get rid of the high tension line. This project has gone well and as far as the land on the other side is concerned, I had already looked at it and there are certain problems. I am trying to get some sites and services there for people to build social housing. But let me inform the House that this project has been going on for many years. In fact, we were severely criticised during the last campaign that this Government did not build any house. However, taking into consideration other people, we are providing a green space, we are providing recreational, it is going to be in the context of *Maurice Ile Durable*. We are not just going to put *béton*. In fact, this is also a project of the previous MMM Government, but for many reasons perhaps they have not done it. We are determined to go and do it, because it is for the people and they are demanding it. There is a high demand for a bit of a higher class of housing, but we will also cater for low social housing and also for squatters who are being moved and for whom we are going to build decent houses.

**Mr Bérenger:** Since the Minister is giving the impression or even saying that the previous 2000-2005 Government had started this project and had spent money to move CEB electricity lines, is he aware that the project then was not for housing units. The project then was for building a school; there is no land left in that region of Port Louis. We had been building schools all over the place; we did not want to leave that region out. So, all this was done for schools. Now it has changed completely, it is housing units. So, now I understand that we are going to have housing units there plus other housing units 200 yards from there. We are crushing people one onto the other.

**Dr. Kasenally:** Mr Deputy Speaker, Sir, in fact, there were too many schools around the region. In fact, before we came there was already a project for housing. Anyway be it as it may, we are not crushing. We are going to provide some social housing on the other side of the road which is a bit far away. There is a lack of land in Port Louis, but there is a high demand for poor people as well. That's why we have to cater for them.

**Mr Lesjongard:** Deputy Speaker, Sir, since the hon. Minister has confirmed that he has received only 29 applications for the 36 houses to be built, we understand that the applications are coming in very slowly. Can I know from the hon. Minister how many applications are from families living within the vicinity where those houses are going to be built?

**Dr. Kasenally:** Mr Deputy Speaker, Sir, the hon. Member did not hear me well. I said there were 231 applications; only 21 are qualified and there are others which are being processed and most of the people come from the region of Port Louis, especially in the region of Constituency No. 3.

**Mr Hossen:** Mr Deputy Speaker, Sir, above all political considerations, expectations for housing projects have been longstanding and there is still a very big demand, Mr Deputy Speaker, Sir, especially from Constituencies No. 2 and 3 in Port Louis. For so many long years now, people who were born and brought up in these regions of Port Louis have had to move outside Port Louis, against their will. Can we get the assurance from the hon. Minister that no stone will be left unturned, whether it be on this side or on the other side, whether it be within 100 or 200 metres that in terms of housing projects, the expectations of people from Port Louis will be taken on board?

**Dr. Kasenally:** Mr Deputy Speaker, Sir, there are no stones left. I have overturned so many stones.

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, the hon. Minister is right to say that there are many demands for housing units, but the demands are for low-income groups, not for houses to be built above a million rupees.

**The Deputy Speaker:** No, put the question!

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, in a past Parliamentary Question, No. 1B/726, the hon. Minister stated that the housing units to be built at Military Road would cost around Rs200,000 to Rs250,000. Now we hear that it is above a million rupees. Can I know from the hon. Minister which is which?

**Dr. Kasenally:** It is a perfectly simple explanation. Military Road extends on a long distance. We are also going to build houses for the price I have said and even some very low cost. For some poor people who can never buy a house, we will try to see whether we can give them a house free. This is the policy of this Government. We will try, and I think everybody, on both sides of the House, will accept that we have to cater for all types of people of low income or sometimes no income.

#### **BEAU BASSIN/ROSE HILL MUNICIPAL COUNCIL & BLACK RIVER DISTRICT COUNCIL - STREET LIGHTING & SCAVENGING SERVICES**

**(No. B/492) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the Municipal Council of Beau Bassin/Rose Hill and the Black River District Council, he will state if his Ministry has received representations therefrom for the non-allocation of funds from the Ministry of Finance and Economic Development for the payment of street lighting and scavenging services and, if so, indicate the measures that have been or will be taken.

**Mr Aimée:** Mr Speaker, Sir, representations have been received from the Municipal Council of Beau Bassin/Rose Hill and the Black River District Council, but not for non-

allocation of funds from the Ministry of Finance and Economic Development for the payment of street lighting and scavenging services.

Requests were received for additional grants from these Councils to the effect that they were facing a long standing financial difficulty and were finding it difficult to meet their statutory expenditure, including street lighting and scavenging services. The requests were forwarded to the Ministry of Finance and Economic Development for consideration.

**Mr Nagalingum:** Mr Deputy Speaker, Sir, can I ask the hon. Minister what is the current practice when a local authority cannot satisfy services like street lighting and scavenging due to lack of fund?

**Mr Aimée:** The practice is that we try to have an inquiry on the financial situation of the said local authority and then inform the Ministry of Finance about the situation so as to get fund for the running cost.

**Mr Nagalingum:** In the meantime, what happens?

**Mr Aimée:** In the meantime, nothing would happen, Mr Deputy Speaker, Sir. Do you know why?

*(Interruptions)*

**The Deputy Speaker:** The hon. Minister should address the Chair, please.

**Mr Aimée:** The hon. Member is putting his question as if...

*(Interruptions)*

**The Deputy Speaker:** The hon. Minister should address the Chair, please.

**Mr Aimée:** ...it is an alarming situation. There is no alarming situation. We still have time. I have been looking into the matter. I know that we can stand some four more months before we need funds to be made available.

**Mr Nagalingum:** Mr Deputy Speaker, Sir, is the hon. Minister saying that for four months we are not going to have services for scavenging?

**Mr Aimée:** I said we have finance to run both local authorities, Beau Bassin/Rose Hill and Black River.

**Mr Bhagwan:** Mr Deputy Speaker, Sir, has the attention of the hon. Minister been drawn by the officers to the fact that in the town of Beau Bassin/Rose Hill, scavenging services are not being offered as it was during the past years? The services are at least every four weeks and in certain places, it is even more than one month. Has the attention of the hon. Minister been drawn to the situation by the officers?

**Mr Aimée:** Mr Speaker, Sir, I am not aware of the situation. I know that there are scavenging services every week in Beau Bassin/ Rose Hill.

**Mr Quirin:** M. le président, est-ce que le ministre est au courant qu'il y a sept camions de la voirie qui sont en panne et que, par manque de fonds, les pièces de rechange ne peuvent être achetées?

**Mr Aimée:** In fact, there are a few lorries, but not seven! There are three lorries - I have checked before I came here – that are in the garage now. They are seeing to it and very soon the lorries will be repaired.

**Mr Bhagwan:** Mr Deputy Speaker, Sir, is the hon. Minister aware that the Deputy Mayor of Beau Bassin/Rose Hill from the Labour Party stated on radio that due to lack of funds, the scavenging services are suffering and they are not able to cater for the scavenging services and this is causing a very serious health problem?

**Mr Aimée:** This means that we act in a democratic way in the Labour Party and people can talk. I am not responsible for what the Major or the Deputy Major said.

#### **SINGAPORE – GRANTS & ROAD SHOWS PROJECTS**

**(No. B/493) 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 Singapore, he will state, since 2005 to-date, on a yearly basis, the -

- (a) amount of grants obtained therefrom, indicating the purpose and beneficiaries thereof;
- (b) amount of Foreign Direct Investment obtained therefrom, indicating the (i) names of the investors
  - (ii) purpose therefor, and

- (iii) if the projects have been completed, and
- (c) number of official missions/ road shows carried out thereat, indicating in each case, the composition of the delegation, and
- (d) projects under study or negotiation therewith.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth):** Mr Deputy Speaker, Sir, as regards part (a) of the question, Mauritius does not benefit from any grant from Singapore. However, we benefit from fellowships under the Singapore Small Island Developing States Technical Cooperation Programme (SIDSTEC). Under this scheme, the Government of Singapore incurs all local costs including accommodation and fees whilst the Government of Mauritius only pays for travel to Singapore.

I am tabling the number of courses obtained in different areas yearly from 2005.

With respect to part (b) of the question, I am informed by the Bank of Mauritius that it compiles Foreign Direct Investment data by sector and by geographical origin in consolidated form with no individual information disclosed.

According to the Bank of Mauritius, there were no direct investment flows from Singapore to Mauritius in 2005 and 2006. I am tabling the FDI inflows from Singapore from 2007 to 2010.

With regard to part (c) of the question, the information is being compiled and will be tabled.

With respect to part (d), we are working on some 10 cooperation projects. I am tabling a list of projects.

**Mr Li Kwong Wing:** Mr Deputy Speaker, Sir, is the hon. Minister aware that the investment that has been made from Singapore is mainly for the purpose of buying IRS and RES villas and not for any productive investments?

**Mr Jugnauth:** There are, as I said, investments that have been made in 2008, 2009, 2010 including investments in IRS projects. But IRS projects are investment projects.

**Mr Li Kwong Wing:** Mr Deputy Speaker, Sir, is the hon. Minister aware also that the investment that has been discussed by the Singapore investors relate only to those projects where

Government is offering a guarantee like in the case of Betamax where a guarantee of 15 years has been offered for the supply of freight and as in the case of Petredec Singapore where another guarantee of 15 years have been offered by the STC?

**Mr Jugnauth:** I don't think the Singaporeans are interested only in the limited investments that the hon. Member is talking about. I think that is the purpose why, for the first time, we have had a high level delegation being led by the distinguished President of Singapore with the business community. I think we are working hard to see to it that they use Mauritius as a platform, not only for outward investment on to mainland Africa, but also for investments to be sought from Africa into Asia.

**Mr Li Kwong Wing:** Mr Deputy Speaker, Sir, is the hon. Minister also aware that the investment made by Singapore investors in Mauritius has never surpassed Rs200 m. in the last few years?

**Mr Jugnauth:** Mr Deputy Speaker, Sir, I can give the figures. For the years 2005 and 2006, we did not have any FDI, but from 2007 to 2010, it has started with Rs23 m. to Rs119 m., Rs304 m. and Rs285 m. Therefore, the figures speak for themselves. But, of course, we need to start somewhere. There need to be a follow-up so that eventually we hope that it will grow.

**Mr Li Kwong Wing:** Mr Deputy Speaker, Sir, in view of the fact that the investment has been very limited ranging around Rs200 m., will the hon. Minister agree that the many road shows that have been fielded by BOI and different organisations in Singapore had yielded very poor and limited results and whether this style of economic diplomacy have not outlived its usefulness and should not there be a fresh look at these types of promotions?

**Mr Jugnauth:** The hon. Member is talking about Rs200 m. I have just given the figure. For 2009, it is Rs304 m.; for 2010 it is Rs285 m. Probably, I should speak louder so that Members can listen. The hon. Member is saying that there were too many road shows and it has not yielded. I have said in my reply that this information is being compiled and will be laid before the House. Let us wait and see how many road shows there have been. But, Mr Deputy Speaker, Sir, let me say if the President of the Republic of Singapore has led a delegation to Mauritius, I think it speaks for itself. This is the first time that it has happened and I think we are on the right track.

### **MAURITIUS MILLION PARADISE POKER TOUR**

**(No. B/494) 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 Mauritius Million Paradise Poker Tour, held between 26 March to 03 April 2011, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the names of the organisers thereof, indicating -

- (a) if a gaming licence and work permits, if any, were granted thereto and if so, when;
- (b) where same was held and the hours of gaming allowed per day thereat, and
- (c) if a return on the cash games organised during the tour has been submitted to the Authority.

**Mr Jugnauth:** Mr Deputy Speaker, Sir, I am informed by the Gambling Regulatory Authority (GRA) as follows -

- (i) Million Poker Paradise Limited which is a Local Company was selected by the World Series of Poker (Las Vegas) and *La Française des Jeux* to organise a satellite International Poker tournament.
- (ii) This was a one-off tourism event and, therefore, no gaming license was issued by the Gambling Regulatory Authority.
- (iii) This event did not fall under the ambit of the Gambling Regulatory Authority Act as listed under Section 6(c) of the Act.
- (iv) No foreigners have been involved in paid employment to organise the event. As a result, the Ministry of Labour, Industrial Relations and Employment did not receive any application for work permit.
- (v) The Tournament was held at Le Paradis Hotel & Golf Club, Le Morne from 26 March to 03 April.

As this event does not fall under the regulatory ambit of the GRA, no information was provided to the Authority concerning the scheduled time of the tournament and there were no returns submitted to the Authority.

There may be a gap in our legislation for this type of event particularly if it is to be more than a one-off. Accordingly, I have asked the GRA to make proposals for regulating such events.

Mr Deputy Speaker, Sir, since competition in the tourism sector is ever growing, Mauritius, as a tourist destination, needs to offer more to reach its targets in terms of consolidating its current markets and boosting arrivals from emerging markets like India, China and Russia. To this end, we need to revisit incentives being provided, including fiscal incentives as well as our legislative framework to enhance the attractiveness of the Mauritius destination.

**Mr Li Kwong Wing:** Mr Deputy Speaker, Sir, can I table this extract from an Internet advertising of the poker games tour which spells out very clearly that cash games have been organised and promoted. If cash games have been organised and effectively carried out during the tour, is this not an infringement of the Gaming Act which says that poker games should be carried out only by a gaming house with A. licence where the licence is Rs3.5 m. per year?

**Mr Jugnauth:** I have just replied that it does not fall within the ambit of the GRA Act.

**Mr Li Kwong Wing:** Mr Deputy Speaker, Sir, is the Minister aware that the organiser of the poker tour has spelt out that in 14 previous occasions no licence had been issued and they are the first organiser to have been issued with this licence to organise these cash games and will the Minister also inform the House who are the shareholders of these organisers and what are their credentials because from our information, it is not *La Française des Jeux*, but it is a Réunion operator operating in Réunion Island.

**Mr Jugnauth:** Mr Deputy Speaker, Sir, I have just said that no licence has been issued, the very fact that it does not fall within the ambit of the GRA Act. If a licence would have been issued, certainly they would have had to pay. They would have had to make an application.

With regard to the information that the hon. Member is stating that it was not organised by *La Française des Jeux*, my information is that *La Française des Jeux* was selected by World Series of Poker of Las Vegas. Of course, I can check if the hon. Member will table the name of the Réunion organiser. I will check.

**Mr Bérenger:** The hon. Minister repeated at least three times that this paradise poker tour does not fall within the ambit of the Gambling Regulatory Authority? Has he been informed of that by the Gambling Regulatory Authority or by the State Law?

**Mr Jugnauth:** The Ministry of Finance has sought legal advice and we have obtained such advice from the SLO.

**Mr Bérenger:** The hon. Minister said that there might be a gap and the Ministry and the Gambling Authority are looking at ways of plugging that gap if it exists. Is the Minister telling the country therefore, that this event involving gamblers from all over the place, including Las Vegas took place in Mauritius without the Government knowing? You have not only gambling issues, but security issues also. Are we being told that no one was informed, no authority was sought apart from the gambling authority, no other authority was informed?

**Mr Jugnauth:** Mr Deputy Speaker, Sir, for the Ministry of Finance to have sought the advice of the SLO, it implies that the Ministry of Finance knew about such an event. That is why I have said that after having sought the advice of the SLO, we have found that there is a gap and we should be able to regulate such type of activities in the future and that is the reason why I have asked both the SLO and the GRA to look into the matter so that we can come with the proper legal framework to regulate such kind of activity.

**Mr Bérenger:** If you will allow me, Sir, gamblers, big money, millions involved, gamblers coming from outside and there is the security issue as well. My point is that the attention of the Ministry of Finance has been brought to this matter, but was any other authority sought?

**Mr Jugnauth:** As far as I know, after the event there was no problem of security. But, as I say again, we need to be able to look into the matter, come with proper legislation to regularise such kind of event.

**Mr Li Kwong Wing:** Given the papers that I have laid on the Table of the Assembly and given the fact that after the event it was announced that the first prize money was only 65,000 Euros when it was advertised that it is one million US Dollar prize, does the Minister agree that this is a violation of whatever permit that has been given to the organiser, if any? Even if it is a tourism event, given that so much cash has been involved and no return has been made, will he

be prepared to carry out an inquiry into what took place, how many foreign gamblers came in and how much money has been involved?

**Mr Jugnauth:** Let me again repeat that there has been no permit from any authority that has been granted to the organisers. With regard to the activity itself, of course, I will find out about the information that has been given by the hon. Member.

**The Deputy Speaker:** The Table has been advised that PQ No. B/507 has been withdrawn.

#### **CLUB MAURICE COMPANY LTD - IOIG - FUND RAISING**

**(No. B/495) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Club Maurice Company Ltd., he will, for the benefit of the House, obtain -

- (a) a list of the companies which have participated in the fund raising in regard to the 8th Indian Ocean Island Games (IOIG), indicating the amount of money contributed by each, and
- (b) sum allocated to each of the 15 participating federations in the 8th IOIG, indicating their initial application for funding.

**Mr Ritoo:** Mr Deputy Speaker, Sir, I am informed by the Club Maurice that, as at date, some 22 companies have contributed in the fund raising for the 8<sup>th</sup> IOIG games, to the tune of Rs13.8 m.

The money has been and is being used, *inter alia*, for payment of additional allowances to coaches and to meet part of the costs for training camps of athletes through their federations and upon requests from my Ministry.

The detailed information as requested for is being tabled.

**Mr Quirin:** M. le président, je pense que le président du Club Maurice Ltd., M. Giandev Moteea, a bien raison de remercier chaleureusement les généreux donateurs, car dans le budget de 2011, rien n'a été prévu en ce qui concerne la préparation des athlètes. Donc, M. le président, le ministre, peut-il nous dire comment compte-t-il financer le reste des demandes des fédérations pour des stages avant les jeux, puisque, paraît-il, les R 13.8 m. sont épuisées?

**Mr Ritoo:** Mr Deputy Speaker, Sir, I think that the hon. Member is a bit mistaken because, in fact, all the demands of the sports federations actually involved in the IOIG games have been approved and it all goes on like this because for the time being, only the sum of Rs7 m. has been spent on the training camps and the coaches' allowance. So, we have collected Rs13.8 m. actually and we are still looking for additional sums. We have already disbursed Rs38 m. to these 15 federations regarding the preparation and the main thing for them is regarding the IOIG. They are spending the money and these allowances have been given for one year. We have requested them that they should spend mostly regarding the IOIG, and so far no federation has complained.

**Mr Quirin:** M. le président, R 13.8 millions, comme mentionné par le ministre, ont été collectées par le Club Maurice ; R 6 millions vont servir à l'achat des équipements. Donc, il reste R 7.8 millions. Si je prends la liste des demandes des fédérations que le ministre lui-même avait fait circuler il y a quelque temps de cela, suite à une de mes questions, la totalité des demandes des fédérations s'élève à R 21 millions. Est-ce que le ministre pourrait nous expliquer d'où proviendra la somme additionnelle pour pouvoir financer le reste des stages?

**Mr Ritoo:** M. le président, chaque fédération fait une demande. Ce n'est pas nécessairement que je dois accepter toutes les demandes. Par exemple, je prends la boxe. Ils ont fait une demande pour une dizaine de déplacements au moins. Ce sont les officiers de mon ministère qui vont examiner la demande, et ensuite agréer à la demande dépendant de la compétition et des stages. On ne peut pas accepter toutes les demandes ; s'il y a des centaines de demandes de la part des fédérations, ce n'est pas possible.

*(Interruptions)*

**The Deputy Speaker:** Order!

En tant que ministre responsable, je dois agréer dépendant de la participation, des stages, et ce que cela va rapporter au pays.

*(Interruptions)*

**Mr Quirin:** M. le président, j'aimerais que le ministre nous dise quels sont les éléments qui ont été pris en considération dans l'allocation des fonds aux différentes disciplines.

**Mr Ritoo:** Il y a un comité qui travaille au niveau du ministère, dépendant des demandes. Il y a le *Desk Officer*, le directeur des sports et le chef de cabinet qui travaillent avec les fédérations et, à ce jour, il n'y a pas eu de demandes qui ont été refusées. Mais, par contre, si l'honorable membre me dit qu'il y a quinze boxeurs qui vont se déplacer ou bien qu'il y a une cinquantaine d'athlètes qui vont se déplacer, c'est tout à fait normal qu'on doit réduire le nombre. Par exemple, au niveau de l'haltérophilie, il y a neuf haltérophiles qui se sont déplacés en Bulgarie. Mais on a exigé que seulement neuf fassent le déplacement, parce que la demande a été faite pour une quinzaine. La demande pour une quinzaine d'haltérophiles reflète sur les R 21 millions de la totalité des demandes des fédérations. On doit travailler de sorte à satisfaire les fédérations, et ensuite chercher la qualité.

**Mr Bérenger:** Mr Deputy Speaker, Sir, can the hon. Minister inform us whether the money that the companies contribute to Club Maurice Company Limited is deducted from their CSR obligations?

**Mr Ritoo:** Yes, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Last question hon. Quirin!

**Mr Quirin:** M. le président, vu que les Jeux d'Afrique vont arriver juste après les Jeux des Iles, est-ce que le ministre peut nous dire quelles sont les possibilités que le Club Maurice...

**The Deputy Speaker:** No, this one concerns only the Indian Ocean Island Games, please.

#### VEGETABLES - PESTICIDE - TESTS

**(No. B/496) Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the Minister of Agro-Industry and Food Security whether, in regard to vegetables, he will state if a unit has been set up to analyse the pesticide content therein and, if so, indicate the -

- (a) number of persons employed and their respective qualifications;
- (b) methods used for the collection thereof and the carrying out of the tests;
- (c) number of times tests were carried out last year, indicating the number of cases of same found unfit for consumption, and

(d) remedial actions taken, including the mechanism put in place to ensure that same are free from harmful pesticides.

**Mr Faugoo:** Mr Deputy Speaker Sir, the analysis of pesticide residue in vegetables comprises two steps, namely the sampling of vegetables, and secondly the chemical analysis of the residue therein. Accordingly, two units have been entrusted the responsibility namely AREU to collect the samples at farm level and same forwarded to the other unit which is the National Food Technology Laboratory of my Ministry.

Besides these two units, we have enlisted the services of South African Standards Bureau laboratory to validate the results locally.

With regard to the part (a) of the question, I am tabling the list of names and qualifications of the technical staff involved in the analysis of pesticide residue.

As for parts (b) and (c) of the question, Mr Deputy Speaker, Sir, we have adopted a new method of collection since January 2010. The new methodology comprises the following changes -

- We are now collecting samples at farm gate unlike the collection of samples at the market. Hence a system of traceability is now in place.
- We are collecting a wider range of vegetables: hence, the number of vegetables that is sampled and analysed has increased from 7 in 2000-2005 to 22 in 2010.
- We are analysing a much higher number of pesticides: in 2000, only 10 pesticides were covered and this number has increased to 22 in 2010.
- We are sending samples to overseas laboratory for validation of the results. So far, 10 samples have been sent to South Africa and the results from this lab confirm ours.
- We have upgraded the analytical capacity of the National Food Technology Laboratory to undertake a higher number of tests with the purchase and commissioning of additional equipment to the tune of Rs14 m. last year.

- With the new method, the number of samples collected and analysed has increased from an annual average of 200 (over 2000 to 2005) to 599 in 2010, nearly 600, that is, a threefold increase.

With respect to chemical analysis, the methods are compliant with the standard recommended protocols under the FAO Codex Alimentarius Guidelines.

The percentage of samples with residues above the Codex Maximum Residue Limits in 2010 was 2.3 %, that is, only 14 out of the 599 samples collected and tested.

Mr Deputy Speaker Sir, coming to part (d) of the question, remedial actions, with the present method adopted, planters from whom samples collected and are found to contain pesticide residue above the Codex Maximum Residue Limits, are contacted and followed by AREU. The latter are tendered with necessary advice on judicious use of pesticide in particular the observance of pre-harvest intervals.

Furthermore, my Ministry is taking several remedial measures in a holistic manner. These include adoption of good agricultural practices and integrated pest management which reduces reliance on chemical pesticide use and adoption of alternative modes of pest control like use of baits, biological control agents, parasites, predators and also bio pesticides. Towards this purpose, AREU and the Entomology Division of my Ministry are conducting regular training. Last year, AREU conducted 35 training programmes which were attended by some 3000 planters. Twenty demonstrations on proper spraying techniques were conducted on judicious use and handling of pesticides followed by field demonstrations.

Mr Deputy Speaker Sir, the training programmes are supplemented by regular weekly radio and T.V programmes in Bhojpuri and Creole on Wednesdays and Thursdays and distribution of pamphlets on proper handling of pesticides. We should all be conscious that changing habit by planters on the use of pesticides requires constant and regular efforts and is thus a long process. However, my Ministry has already initiated various actions towards this end.

Mr Deputy Speaker, Sir, I take this opportunity to inform the House that pesticide use is not restricted to agriculture only. Pesticides are also used to control household pests and store pests and certain pests and vectors of diseases occurring in humans.

Moreover experience elsewhere has shown that pesticide residues above the codex MRLs have been detected in imported foods. The FDA, in its recent report, indicated that 6% of samples of imported foods and feeds were found to contain pesticide residues above the MRLs, which is much lower than the percentage samples of local fresh produce including vegetables and fruits.

Mauritius, being a net food importer country and also of animal feed, should therefore have a much broader consideration to pesticide residue monitoring. This important monitoring exercise requires the concerted efforts of all stakeholders. Agriculture is one. There are also health and environment.

**Mr Dayal:** Mr Deputy Speaker, Sir, concerning vegetables, can I ask the hon. Minister whether there is a system in his Ministry to make sure that there is some sort of test that is being carried out prior to the vegetables being harvested and sent to the market for sale?

**Mr Faugoo:** Mr Deputy Speaker, Sir, in fact, I have enumerated the process by which vegetables are collected and they are also tested. The whole purpose of the guidelines and the codes of practice which have been issued by the FAO, WHO Codex Alimentarius Commission are to that effect. Now, the question is how do we put them in practice? How do we convince the planters to comply by these guidelines and code of practice, Mr Deputy Speaker, Sir?

In that regard, we give training to planters and sprayer men and provision of extension services also, to promote the adoption of good agricultural practices by our local farmers. In particular, the use of safer bio pesticides and strict compliance, I must say, with the pre-harvest interval and also, generally on pesticide management. We have conducted - I said it earlier on in my main answer, Mr Deputy Speaker, Sir - 40 training sessions involving some 3,000 planters. We have also effected, for the past year 2010 and up to date, 9,000 field visits including those planters and farmers whose vegetables were found to be above the ML which is prescribed by the FAO and WHO. So, we sensitise; this is what we can do. But, it would be practically impossible to go and check in each of the fields, on each of the farmers, whether they are complying. It's a question of principle, it's a question of how do we bring home to them the dangers that pesticides represent to the society, to humans. This is what exactly we are doing.

**Mr Leopold:** Mr Deputy Speaker, Sir, misuse of pesticides can be a threat to human health. Can I know from the hon. Minister whether sampling is also done in Rodrigues and on what frequency, and what are the outcomes?

**Mr Faugoo:** Mr Deputy Speaker, Sir, I am told that there is very less use of pesticides in Rodrigues to start with, which is a good thing. So, already a sort of natural bio-product but, all the same, we have had requests from Rodrigues on not many occasions I must say but once or twice, on request made by the Rodrigues Assembly, we have tested foods, especially vegetables emanating from Rodrigues.

**Mr Leopold:** In that case, is the hon. Minister prepared to encourage food growers to use green houses as a means to reduce the use of pesticides in our agriculture?

**Mr Faugoo:** By all means, this is being done already but we will see how we can make maximum use of it.

**Mr Dayal:** Mr Deputy Speaker, Sir, does not the hon. Minister believe that there is a need to conduct more tests of pesticides residue in imported food items?

**Mr Faugoo:** The direct answer to this question is yes, Mr Deputy Speaker, Sir. I must say - as I said in my main answer - Mauritius is a net food importer country. We import 70% of what we consume in terms of frozen foods, processed foods, canned foods; our import bill stands at Rs25 billion per year, Mr Deputy Speaker, Sir. When we talk of pesticides residue or the application of pesticides, we have a tendency to concentrate only on the local market, on the local use of pesticides. But, 70% of food stuffs which we are consuming come from abroad. This in itself is a reason for us to concentrate also a bit more, maybe, on the imported food, but this is being done by the Ministry of Health. I understand they have a lab which is fully equipped and this is being done, Mr Deputy Speaker, Sir.

**Mr Bérenger:** I want to ask two questions. The hon. Minister said that it is not possible, as far as vegetables are concerned, to go and check every field. Of course, we know that but that is why the hon. Minister has explained the spot checks, the procedures that are followed. When all this is taken into consideration and all the spot checks and other checks have been carried out, can I know what is the general picture? As far as pesticide content in vegetables and so on are

concerned, is the situation under control? Is it alarming? Is it increasing? What is the general picture?

**Mr Faugoo:** From the figures that I have, and the reports that I have received, I must say that it is reasonably under control because, as I said, Mr Deputy Speaker, Sir, from the samples that we have taken and the samples which we used to take in the past, it was 200 samples on the average per year. We have taken 600 samples last year; for the 600 samples only 2% were found to be above what is prescribed by WHO, which is quite reasonable. Even for America, as I said from the report that I have read, it is above 2% but what they have said for imported food, they have found that it was 6%. I am talking of USA, not here. This is why I am saying that from the local picture it looks to be correct from all the indications that I have, but we have to be maybe a bit severe and check on the imported food also.

**Mr Bérenger:** Being given that the danger comes from locally produced vegetables and imported food, and the hon. Minister referred to the Ministry of Health - I am not a specialist but I am sure that excess of pesticide content develops into certain specific health problems. Now, have the two Ministries liaised to see whether cancer or what have you caused by the problem we are discussing, whether that has been on the increase or is steady or is on the decrease?

**Mr Faugoo:** Mr Deputy Speaker, Sir, if the level of pesticide residue is above the prescribed one, it has direct impact on the health of humans. We also know that pesticides have carcinogenic properties and this is why the Body which is responsible for the import of pesticides look into all the details. In fact, by studying all these factors, they have banned at least about 100 products; 100 types of pesticides from being imported here. So, this is being done. It has a potential, as I said, to the detriment of human health and we are working together and we will see how we can amplify what is being done today, especially as I said, the fact that we are importing 70% of our consumption.

**Mr Obeegadoo:** Mr Deputy Speaker, Sir, what is or is not harmful is relative to the norms. Now, my question arises from the last part of this present question. Last year, when I put a similar PQ, the hon. Minister conceded that our phytosanitary norms are not to European standards and conceded that there was an urgent need to review the regulatory framework and redefine norms. May I know from the hon. Minister whether this is on the way and what is his timeframe?

**Mr Faugoo:** It was a mistake on my part, Mr Deputy Speaker, Sir. I went and checked on this and whatever norm which is applied by our phytosanitary institutions is the same as of international norms which is imposed by the Codex, as I said, Alimentarius Commission.

**Mr Obeegadoo:** To go back to a question raised just now by the hon. Leader of the Opposition, again, last year, we did put the suggestion that there be closer collaboration between agriculture, environment and health in order to define a National Food Security Strategy. Is that something the hon. Minister would go along with and will he indicate?

**Mr Faugoo:** I reckon the hon. Member means food safety instead of security. Food security is something else; it is another issue which is being taken care of by Government. I am sure that he means food safety. We have a programme. We are working on food safety in collaboration with the Ministry of Health. It's more to do with the Ministry of Health but, nevertheless, we have collaborated, we are collaborating. We have a programme under the Food Security Fund; funds are available. In fact, the programme is also for the education of consumers, on how to use food, vegetables and fruits, as far as consumption is concerned, Mr Deputy Speaker, Sir.

**Mr Obeegadoo:** Again, we had raised the point of support to organic produce and even organic pesticides as alternative means for planters to move in the right direction. Have we made any progress on that scope?

**Mr Faugoo:** It's easier said than done, Mr Deputy Speaker, Sir, organic agriculture in itself or bio agriculture for that matter. Mauritius is a tropical country. The climatic conditions that prevail here do not, sort of, allow us like other countries to go for bio agriculture or organic agriculture. In fact, the climatic conditions, here, are conducive for pests, more pests, and also diseases in the agricultural sector. For this reason, planters apply pesticides as an insurance to have good quality food and also, they are driven by market forces, Mr Deputy Speaker, Sir. We all go to markets. Who in this House when he goes to market will take a cucumber, for that matter, which has a blemish? They are dictated by the market forces, the demand of the consumers, but all the same, we have, in fact, AREU and also the technical side of my Ministry together with other stakeholders to encourage organic culture. In fact, I had said last time in this House that there are two companies namely Aadicon and Gujarat Life Sciences. They are commercialising and putting on the local markets bio-inputs and bio-fertilisers, for example,

neem. We are importing a lot of neem. We are sensitising the planters and the farmers to use these bio-products. They are trying, but, as I said, it is a long process. We are also, as I said last year, encouraging planters to get into bio culture. It is very, very expensive and one component of it is much more expensive than a cost of growing, because even if we produce a product which we call bio-product or organic product, it has to be certified so and the certification process maybe higher than the cost of production. This, in itself, is an inhibition. We have to take all this into account. It is a systemic problem. It is a problem which exists for so many years and it will take time. At least, we are starting. I, sometimes, believe that...

*(Interruptions)*

**The Deputy Speaker:** Let the hon. Minister answer!

**Mr Faugoo:** The way they put it, as if they have solutions for all the problems of the world, that's only when they are on the other side of the House. When they are in this side of the House nothing is done, Mr Deputy Speaker, Sir.

*(Interruptions)*

**The Deputy Speaker:** Hon. Seeruttun and then hon. Ms Deerpalsing!

**Mr Seeruttun:** Mr Deputy Speaker, Sir, I believe there is a Pesticide Board...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Seeruttun:** Mr Deputy Speaker, Sir, I believe there exists the Pesticide Board that regulates the entry of pesticides into the country. In the controlled process of the use of pesticides, I didn't hear anything about the involvement of the Pesticide Board. Can the hon. Minister inform the House whether the Pesticide Board is involved in that controlled process in the use or misuse of pesticides in Mauritius?

**Mr Faugoo:** The Control Board falls under the aegis of the Ministry of Health and Quality of Life. They are responsible to allow or not to allow importation and the use of it, once it is imported, belongs to the Ministry of Agriculture, Mr Deputy Speaker, Sir. If there is any question pertaining to the Board or on the Act, it should be addressed to the hon. Minister of Health and Quality of Life.

**The Deputy Speaker:** We'll come to hon. Ms Deepalsing first and then we'll come back to the hon. Member.

**Ms Deepalsing:** Mr Deputy Speaker, Sir, may I ask the hon. Minister whether under his Ministry, there is anybody who goes actually to the field? Because in other countries like in Canada, for example, there are officers who go in the fields and check at different stages of growth, the level of pesticides as the vegetables grow and also, after the supply.

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Bérenger:** On a point of order, Mr Deputy Speaker, Sir. We are not here to waste the time of the House. All this has been answered. She comes late and puts questions.

**The Deputy Speaker:** The hon. Member stated 'at different stages'. This is what I understand, 'at different stages of the plantation'. Please, let the hon. Minister respond!

**Ms Deepalsing:** Mr Deputy Speaker, Sir, first of all, I was here when this question was put, and my question is about the various stages of growth in the fields.

**The Deputy Speaker:** Yes, please!

**Mr Faugoo:** Mr Deputy Speaker, Sir, as I said earlier, there were 10,000 visits...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Faugoo:** ...for the past year and up to date, this year, carried by the Extension Services of AREU and that does not pertain only to one stage. It is scattered. They follow for the whole crop season before the harvest, from the plantation to harvest, Mr Deputy Speaker, Sir.

**Mr Dayal:** Can the House know from the hon. Minister whether the Integrated Pest Management (IPM) has been accepted by the farming sector?

**Mr Faugoo:** Yes, I must say, Mr Deputy Speaker, Sir, that the IPM is, in fact...

*(Interruptions)*

**The Deputy Speaker:** No cross talking!

**Mr Faugoo:** ...more eco-friendly.

*(Interruptions)*

**The Deputy Speaker:** Hon. Bhagwan, please! The hon. Minister can continue.

**Mr Faugoo:** IPM is a better system to control pest. In fact, my Ministry has worked closely with the atomic energy and we have developed a programme whereby we have trained our local farmers on how to use alternative modes of pest control and with that we have managed to reduce 30% of pesticides on cauliflowers and broccoli as well, Mr Deputy Speaker, Sir. So, this is working well and we are trying to extend this to other products like potatoes and tomatoes also.

### SCHOOLS - SEXUALITY EDUCATION

**(No. B/497) Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Education and Human Resources whether, in regard to the proposal for the introduction of Sex Education in schools, he will state where matters stand.

**Dr. Bunwaree:** Mr Deputy Speaker, Sir, in my reply to Parliamentary Question B/212 of 29 June 2010, I informed the House - I think I would prefer to use the word 'sexuality education' to give my frame of mind, Mr Deputy Speaker, Sir – that sexuality education is already integrated in the curricular materials at the primary and secondary levels and as such it is being embedded in the school programmes.

The new National Curriculum Frameworks for the primary and secondary sectors which have been finalised as from January 2008 for primary and December 2009 for secondary respectively, provide for learning competencies for sexuality education.

At the primary level, the new National Curriculum Framework proposed the introduction of a new subject "Health and Physical Education" as from Std I. The topics have been developed according to the different stages and levels. Sexuality Education has been included in the new textbooks for Std V in 2010 and Std VI in 2011. The Health and Physical Education Curriculum addresses a range of health problems and issues, for example, Substance Abuse Prevention, HIV/AIDS and especially Sexual Health Education in Stds V and VI of primary schools.

Several components of sexuality education have already been introduced in the Teachers' manual and guides of Health Education for Stds V and VI in 2010 and 2011 respectively.

Mr Deputy Speaker, Sir, as regards the secondary sector, sexuality education has also been integrated in line with the new curriculum framework for secondary in different subjects but, more particularly, in subjects namely, Integrated Science and Biology. Sexual and Reproductive Health is thoroughly dealt with in the Biology syllabus of Form III which is compulsory for all children in secondary schools and further expanded in Forms V and VI.

*(Interruptions)*

**The Deputy Speaker:** Order, please, hon. Assirvaden and hon. Aimée!

**Dr. Bunwaree:** The Health and Physical Education domain also incorporates an element of Sexuality Education. However, with the newly approved National Curriculum Framework for secondary education, concepts of sexuality education will be addressed more comprehensively at both mainstream and prevocational levels. This will be reflected in the forthcoming textbooks which are presently being developed. Schools are encouraged to provide to students relevant exposure on sexuality education under co-curricular activities.

It must be emphasised that besides the curricular approach, my Ministry is working proactively with other line Ministries and stakeholders to complement its programme on sexuality education in the education sector.

For the primary school students of a certain age, the Ministry of Health and Quality of Life in collaboration with my Ministry conducts face to face sensitisation with pupils on topics such as puberty, physical changes and development, emotional and psychological changes, menarche, personal hygiene, awareness of sexual exploitation, etc. For secondary school students, the topics covered are puberty, changes in adolescence, social problems, menarche and teenage pregnancy.

The Ministry of Health and Quality of Life has prepared a manual on Sexual and Reproductive Health whose contents aim at creating a deeper awareness about sexuality education among the primary and secondary school population.

The Ministry of Gender Equality, Child Development and Family Welfare has, jointly with my Ministry, established a calendar of interventions in schools to sensitise students on the rights of the child, protecting children against violence, abuse and sexual exploitation.

My Ministry has also enlisted the collaboration of the Ministry of Youth and Sports which also intervenes in schools and has prepared information pamphlets on life skills, peer education and peer counselling. It also organises youth forums on sexuality, HIV/AIDS and drugs.

On its part, the M.I.E. conducted several workshops last year in Mauritius and Rodrigues in order to train both primary and secondary school educators on reproductive health, sexuality and education covering sexually transmitted infections. The school rectors and head masters of primary schools were also briefed on this thematic area. Some 600 participants attended the workshops run in April and July 2010.

Mr Deputy Speaker, Sir, recognised NGOs including *Action Familiale* and Mauritius Family Planning Association are also encouraged to deliver talks to students of upper primary and secondary schools on issues relating to sex education. These NGOs have been conducting sessions regularly especially since January this year and as a matter of fact, *Action Familiale* has conducted 25 sessions in primary schools and 26 sessions in secondary schools in 2011.

As for the Mauritius Family Planning Association, they have held 25 sessions in primary schools and 15 in secondary schools during this year. These interventions covered key concepts such as human growth and development, relationships, personal skills, sexual behaviour, sexual health, society and culture and *le corps humain*.

Mr Deputy Speaker, Sir, our primary objective is to promote an all-round and holistic development of the individual: physical, intellectual, social and emotional, leading to a balanced, active, healthy and productive lifestyle and I strongly believe sexuality education is a major item in this regard.

I wish to thank the hon. Member for putting this question which has given me the opportunity to highlight developments regarding sexuality education in schools and action being initiated to help our students to acquire knowledge, values and habits which will allow them to develop healthy and responsible relationships as they grow up.

**Mrs Ribot:** Mr Deputy Speaker, Sir, I would like to ask the hon. Minister whether he does not think that, in regard to the number of children being sexually abused very often by close relatives and members of the family, we should go beyond health and sex education as we have

always seen it in school books and introduced and even emphasised in the curriculum, important components such as to protect oneself against rape, incest and paedophilia.

**Dr. Bunwaree:** The point is taken, Mr Deputy Speaker, Sir. In fact, we have already taken it, and I think what I will do is to send a copy of all these published documents that are sent to children at different ages. Also there are the face to face interactive sessions between responsible people in the NGO's and the children. I think the work is being done and we will still try to go further, as the hon. Member said.

**Mrs Ribot:** Mr Deputy Speaker, Sir, I would also like to ask the hon. Minister whether he does not think that it would be better to have sex education as a separate subject being taught in schools instead of having it as a component integrated in other subjects.

**Dr. Bunwaree:** This is a debate going on, I must say, Mr Deputy Speaker, Sir. I have myself tried to canvas it at a certain point in time, but I must say that the trend for the time being in the majority of countries is the same that we have adopted. I have just found on the Internet that, this year, countries like Malaysia are deciding to go along the line as the hon. Member is saying. This can be taken on board, but then we will need as many teachers to go and teach the particular subject and so on. It involves other aspects, this will be looked into. What I am trying to do is that we have started, in fact, since last year, very actively, sexual education in schools. I think the hon. Member is aware of it, but we want to let it have its go in schools and the teachers who are teaching the other subjects are themselves trained and being asked to teach that subject. If this takes up well, then we will probably in future come with what the hon. Member is saying.

**Dr. S. Boolell:** Mr Deputy Speaker, Sir, in view of the rising number of sexual assaults at school level, outside and inside schools, including teachers sometimes, should the hon. Minister not consider revisiting his programme of sexuality education and convert it directly into sex education with sex protection and even maybe go beyond the schools and come up with a programme that would advertise the rights of children to the children?

**Dr. Bunwaree:** This is the debate, in fact, which is going on, Mr Deputy Speaker, Sir. I personally prefer the word sexuality education because it covers the other aspects of moral values and so on. But we are taking on board what the hon. Member is saying and the debate is still continuing. We will try to find what is the best way ahead.

**Mr Leopold:** Is the hon. Minister aware that even if in certain subjects like biology and human and social biology, topics on sexuality are compulsory, some teachers at present do skip parts of the topic as if to avoid like, we say, embarrassing questions? Does the hon. Minister don't think that it is time that teachers receive proper training in order that they can deliver the goods as sexual education is very important for our children at this age of 14, 15, and even at primary level, at a time that they have to know about the development of their body, they have to know how to behave into a responsible sexuality?

**Dr. Bunwaree:** This point also has got its importance, but I would like to say to the House that there are some cases like that. We have to look into the particular cases but, in the majority of cases, teachers take it well. There are the parents as well who have to be brought into the picture and make them understand what is happening in schools. But concerning this particular aspect of some teachers trying to skip parts of the topic - because they have their own particular reasons probably - we will take that on board in the training. In fact, it is taken on board, but we will go deeper in it.

**Ms Anquetil:** M. le président, est-ce que le ministre pourrait nous dire quelles sont les personnes qui donnent ces cours, et à quelle fréquence ?

**Dr. Bunwaree:** Comme je dis, les cours sont intégrés dans les programmes.

*(Interruptions)*

Sûrement pas, celui-là ! M. le président, ces cours, comme je disais, sont intégrés dans le programme scolaire. Donc, les cours sont assurés par les professeurs des écoles, que ce soit en primaire ou en secondaire. En secondaire, c'est obligatoire jusqu'en Form III, mais après la Form III, les enfants qui choisissent les sciences ont plus de formation là-dessus. Je suis en train de voir comment on peut étaler cette formation au-delà de la Form III. Mais ce sont les professeurs de l'école qui le font, comme je le disais tout à l'heure. Concernant la fréquence, cela dépend des chapitres ; c'est dans le programme. Mais c'est une formation régulière. C'est un enseignement régulier aussi qui est donné aux enfants.

**The Deputy Speaker:** Last question, hon. Mrs. Ribot!

**Mrs Ribot:** Mr Deputy Speaker, Sir, just a suggestion that I would like to make to the hon. Minister. Since it is a national issue and a national concern, could he not consider making a

kind of *table ronde* with all the stakeholders, to see the best way to make sex education be no longer a *tabou* and the best way to introduce it in schools?

**Dr. Bunwaree:** This is a very interesting suggestion, but I would wish the hon. Member to know exactly what is being done. This is why I thanked her because I feel that people do not really know what is happening in schools. We have to wait because we started sexual education in primary schools last year. So, by the time these small children come to the age of 15/16 we will have to wait for a few years and if all of the Members are well made aware and happen to understand what is happening in schools insofar as sexuality education is concerned as it is for the innovations brought to schools then, of course, we could sit down and see what is the best way ahead.

**The Deputy Speaker:** Time is over! The Table has been informed that Parliamentary Questions Nos. B/499, B/501, B/502, B/503, B/506, B/507, B/512, B/513, B/514 have been withdrawn.

## **MOTION**

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

**The Deputy Prime Minister:** Mr Deputy 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 Social Integration and Economic Empowerment (Mr X. L. Duval) rose and seconded.**

*Question put and agreed to.*

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded the Consumer Protection (Price and Supplies Control) (Amendment) Bill (No. XIII of 2011) was read a first time.*

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

*On resuming at 5.04 p.m. with Mr Speaker in the Chair.*

*Second Reading*

*Order read for resuming adjourned debate on the following Bills -*

**THE ARABIC-SPEAKING UNION BILL****(NO. VII OF 2010)****THE BHOJPURI-SPEAKING UNION BILL****(NO. VIII OF 2010)****THE CHINESE-SPEAKING UNION BILL****(NO. VII OF 2011)****THE CREOLE-SPEAKING UNION BILL****(NO. IX OF 2010)****THE SANSKRIT-SPEAKING UNION BILL****(NO. XI OF 2010)**

*Question again proposed.*

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth):** Mr Speaker, Sir, the presentation by my colleague, the Minister of Arts and Culture, of the Arabic, Bhojpuri, Chinese, Creole, and Sanskrit-Speaking Union Bills constitutes to me yet another historical event, and yet another decisive step in our country's endeavour to preserve, propagate and share our very rich and diverse linguistic and cultural heritage.

I heartedly welcome this initiative, and we can assure the hon. Minister of all our support and encouragement in successfully setting up the proposed Speaking-Union Bills.

Mr Speaker, Sir, we are, of course, all proud of our diverse linguistic and cultural heritage. It is a subject where, as we have seen, we have political consensus and political determination also. Indeed, it is another great moment in the process of nation building that we all started since 12 March 1968, when our country got its independence.

I am personally happy and satisfied that I have been party to such solemn events and decisive steps forward on the linguistic front, in fact, in the 2000-2005 Government. The setting up of the various cultural centres, through appropriate pieces of legislation, the setting up of the

World Hindi Secretariat in Mauritius, through the World Hindi Secretariat Act, and the setting up of the Urdu-Speaking Union, through the Urdu-Speaking Union Act, which was enacted in November 2002 were also to me solemn events in the history of our country.

Therefore, Mr Speaker, Sir, it is a matter of pride for me when I recall that, in my capacity as Acting Prime Minister, we took the decision on 13 February 2004 to give to oriental languages, including Arabic, the status they deserve in our school curriculum. Through this decision, oriental languages - Hindi, Tamil, Telegu, Marathi, Urdu, Arabic and Mandarin - were, in fact, put at par with any other examinable subject at CPE level, and since then they are being computed in the grade aggregate for admission to Form I. It, of course, showed my sincerity of purpose on the linguistic front, and I must say I had, at that time, the full support of my colleagues in Cabinet. So, I am happy that, after looking back the way, *le chemin qu'on a fait, M. le président*, I see that socio-cultural organisations and the population at large now recognise that it was a historical decision to encourage the teaching of oriental languages in our schools and, in so doing, to promote and propagate those languages.

Therefore, Mr Speaker, Sir, I am convinced that we can only strengthen unity in our diversity by recognising and promoting the cultural and linguistic values and, in fact, make of Mauritius so unique in the world. That's why I praise my colleague, the Minister of Arts and Culture, to come forward with the five Bills that we are debating today.

While the setting up of an Arabic-Speaking Union will complement whatever has been done so far to promote and propagate this language, I note that the proposed Chinese-Speaking Union will no doubt contribute significantly in promoting the Chinese language in all its spoken and written forms. But, here, we are not talking of Mandarin only but, of course, other forms of spoken and written Chinese language.

Mr Speaker, Sir, coming to the Creole-Speaking and Bhojpuri-Speaking Unions, we must acknowledge that they were definitely much awaited. Creole and Bhojpuri are our mother tongues, and their bonding characteristics in the process of nation building cannot be underestimated.

Creole, the way it is spoken here, is a 100% Mauritian language; in fact, that unifies the whole nation. Almost all Mauritians, both onshore and offshore, speak and are proud to speak - I hope - in Creole not only amongst them, but in trying to make even foreigners learn and

understand the language. Therefore, we cannot leave this language behind. Impediments have so far been linked, mainly to the lack of consensus on the written form of Creole. When it comes to writing in Creole, everyone does it in his or her own way.

*(Interruptions)*

Well, there are different ways, at least! There has not been until now an accepted way of writing...

*(Interruptions)*

**Mr Speaker:** Why is the hon. Member interrupting the Minister?

**Mr Jugnauth:** To my friend, let me say that I know much work has been done in terms of vocabulary, grammar, syntax and other aspects like phonetics in the recent years. As it has been mentioned by hon. Obeegadoo, we have dictionaries in Creole. But the recent development that has been the finalisation of the document '*Gramer Kreol Morisien*' which describes the very structure and the use of words in '*Kreol Morisien*' within linguistic perspectives, in order to help the trainers to devise pedagogical tools for training of teachers and teaching of the subject in schools. The orthography, I understand, has already been worked out. The next step is to develop the relevant curriculum and the preparation of workbooks for STD I pupils. Therefore, Mr Speaker, Sir, clearly, we have travelled a very long way in giving to the Creole language the status it deserves and pushing Creole through in our educational system. This is another milestone for our nation.

Mr Speaker, Sir, let me seize this opportunity to rectify what hon. Lesjongard has said while he was intervening on the Bills that we are debating. He was speaking, and I quote -

*« Combat ethno-identitaire mené par la Fédération Créole Mauricienne à travers le Père Jocelyn Grégoire pour l'avancement de la cause créole. »*

He said that *Père Grégoire* met political leaders, those of the MMM, the Labour Party and the PMSD where he was given the assurance that the Creole language will be recognised and included in the school curriculum. And I quote what was said -

*« Lors de ces rencontres, les leaders du MMM, du Parti Travailiste et du PMSD l'avaient rassuré de leur soutien et d'autres non ».*

By saying so, he is alleging that the MSM did not give its support. Let me inform the House, and I think it is my duty as leader of the MSM, that I personally, not only me but with my colleagues of the party, we met with the Executive Committee of the *Fédération Créolet Mauricien* on 25<sup>th</sup> February 2010, and the MSM gave its full support to the FCM on the Creole language issue and some other issues as well which were being discussed. In fact, I gave a press conference the day after, that is, on 26<sup>th</sup> February 2010 where I communicated this assurance that was given to the FCM on the Creole language issue. At that time, I stated, and I also wished that a Creole Speaking Union be set up at the earliest. I think it was my duty to rectify what has been said.

As regards Bhojpuri, we need to acknowledge the fact that the Bhojpuri spoken in Mauritius, I understand, is not the same as the one spoken in India and elsewhere where people of Indian origin are to be found. In fact, over the years, I am told that the Bhojpuri in Mauritius has been in a way Mauritianised. It is a language that is still widely spoken amongst our elders. But, unfortunately, Mr Speaker, Sir, Bhojpuri now is rarely spoken by the younger generation. Such a rich language cannot be left to die. If we allow that to happen, we will be killing our soul, since Bhojpuri has been rightly said by the President of the Republic to be our ‘*atma*’. It is the soul of all our fellow countrymen and women whose descendants came along all the way from India as indentured labourers. Bhojpuri was, in fact, the bonding factor between all those indentured labourers. There was a time when, as has been recalled by some Members of the House, that even some members of the other communities, in fact, shopkeepers have been using Bhojpuri, no doubt, as a marketing tool, but also because of the environment in which they were evolving. We have, therefore, a moral duty to revive this language. I wish here to congratulate Mr Jugdish Goburdhun, the President of the Indian Diaspora Centre and of the World Bhojpuri Institute, who has, in fact, been actively promoting a Bhojpuri revival. I think Government’s move today will be an encouragement to all those people who want Bhojpuri to flourish in our country.

The Bhojpuri Speaking Union that is intended to be set up has a bigger task ahead. It will have to look at both the speaking and the written forms of Bhojpuri. I understand that Bhojpuri has been, in fact, taught at Professor Basdeo Bissoondoyal College since 10 years already. I seize this opportunity to praise this initiative and congratulate Mr Ramnath Jeetah as well. I’m sure that the experience of Professor Basdeo Bissoondoyal College can serve as a firm basis for the

development and promotion of the language. As in the case of Creole, the objective has been to include Bhojpuri in the school curriculum as well.

However, I have also taken good note of the opinion expressed by the National Committee comprising of all socio-cultural organisations, including the Indian Diaspora Centre and the World Bhojpuri Institute. In fact, Mr Speaker, Sir, they are in favour of introducing Bhojpuri at pre-primary level rather than primary level. I believe the experts will have to have a look at it. But there might be wisdom in this thinking as we need, as I said earlier, to look closely both at the spoken and written forms of Bhojpuri. Also, it makes sense that a mother tongue be introduced from pre-primary education before moving ahead to other levels.

Mr Speaker Sir, indeed we have moved, I must say, a very long way ahead in legislating to recognise, promote and propagate our ancestral languages. In fact, after independence, every Government has done its part in supporting the blossoming of all the ancestral languages that enrich our linguistic and cultural heritage. In fact, I was listening to the intervention of hon. Obeegadoo when he initially mentioned whether there was any motive behind the presentation of the Bhojpuri and the Creole Speaking Union Bills. I somewhat did not clearly understand what he was drawing to because the very fact that we have all agreed here in this House that all the Bills will be taken together, I think there was no need to make an issue out of it. And I don't see the reasoning because from the other side of the House, I have not heard any difference in terms of opinion that has been expressed by hon. Obeegadoo. He also made a comment - which I need to reply - that no Member of the front Bench is intervening on this Bill. Well, the list of orators has been circulated on so many occasions while the debates were going on. My name has been appearing regularly and he very well knew that I was going to intervene. The other remark that he made also was in respect to whether we have abandoned the use of Creole in Cabinet. I can assure the hon. Member that since I am part of this new Government that has been put in place, we have always been using Creole also, of course, as a means of expressing ourselves.

Mr Speaker Sir, let me come again to the Bill. In spite of all that we are doing, there was still a major shortcoming. In fact, we left behind the mother of almost all languages which is Sanskrit. I am very happy today that this Government is also proposing to set up a Sanskrit Speaking Union through the Sanskrit Speaking Union Bill. I personally made a suggestion right

back in February 2010 when I was at that time invited by the Indian Diaspora Centre and the World Bhojpuri Institute to remit the Bhojpuri *Praveshika* certificates at the Hindu House.

It was indeed high time to realise that more than 600,000 Mauritians of Indian origin perform their prayers in Sanskrit, although the understanding and the knowledge of this language is limited to the priestly class and a few learned, I must say, spiritual individuals. Almost all of our Hindu sacred scriptures are written in Sanskrit. We have therefore a duty to promote the teaching, learning and understanding of Sanskrit, a language that encompasses divine and spiritual values.

In fact, Mr Speaker Sir, the word ‘Sanskrit’ is a combination of two words - ‘*sanskar*’ meaning ‘essence of moral values’ and ‘*krit*’ meaning ‘inculcating’. Thus, by its very meaning itself, Sanskrit means a language that has the capacity to inculcate moral values in an individual. I hope that the promotion of this language can certainly help us in tackling some of the social evils.

Sanskrit is in fact the most ancient, highly developed and literature-rich language. It is a treasure house of ancient Indian wisdom. It is the vehicle of universal religious and cultural values. Late Pandit Jawaharlal Nehru had said that if he was asked what is the greatest treasure which India possesses he would have answered unhesitatingly that it is the Sanskrit language and literature.

Mr Speaker, Sir, with the presentation of the Arabic, Bhojpuri, Chinese, Creole and Sanskrit Speaking Union Bills and the subsequent setting up of the proposed speaking unions, this Government has definitely moved ahead in the country’s quest to recognise, promote and propagate our ancestral and ethnic languages. Our ancestral languages constitute in fact the invaluable treasures that make our society so distinct and exemplary. That is why we have, over the years, been so actively endeavouring in setting up the necessary legal framework and facilitating the construction of the appropriate infrastructure that are aimed at the enhancement of our religious, linguistic and cultural heritage. We know how important it is to recognise and respect the languages, values and traditions of all the communities that make the Mauritian rainbow so resplendent. We know that in our non-segregative approach as regards cultural and linguistic issues lies in fact the consolidation of national unity in our diversity.

Therefore we should continue to take at heart the interests of all the communities living in this country. We should not let any community down. We must continuously ensure that each and every community feels at ease, in fact contributes equally to the socio-economic development of the nation and gets a fair share of the national cake.

Our efforts and decision-making since independence have been geared towards propelling this little island into a haven of sustainable progress, prosperity and economic success. But while we are doing that, we have never lost sight of the importance of preserving and promoting our religious and cultural values and traditions, without which no real progress is achievable.

Therefore, Mr Speaker, Sir, let me say that our religious, cultural and linguistic heritage is like a vast ocean. Let us gather the gems it enfolds as we walk along its shores on the sands of time.

I thank you for your attention.

(5.25 p.m.)

**Mr A. Ganoo (First Member for Savanne & Black River):** *M. le président, nous voilà arrivés presqu'à la fin de nos débats sur les Speaking Unions; presque tout a été dit.* In fact, during these past four weeks, the House has been called to debate an issue of paramount importance, containing such a multiplicity of ramifications and implications. The debates which we have listened have been as exhilarating as they have been profound, and this goes to the credit of the Members of both sides of this House.

In fact, Mr Speaker, Sir, when we are discussing the various Speaking Union Bills, we are addressing the issue of the management of our multilingualism. We are focusing on the cultural policy of our country which has, in fact, been defined through the years with particular reference to our cultural pluralism and our diverse ethnicity. When we debate language policy, Sir, we are in fact introspecting on the political management of our multicultural society, our cultural identity, our experience with diversity management, and our quest for nationhood. Inevitably, when we deal with all such issues, our politics of multilingualism, the status and function of the various languages, the changes that have been taking place on the language front

of our plural society, we inevitably have to dig into our past, our history, tread along memory lane, and revisit certain not too pleasant parts of our history.

Sir, the challenge of shaping a balanced and accepted multilingual policy has not been peculiar to our country. We have lived and are still living the historical processes of non-homogenous societies, more specifically of plantation economies imposed by western powers which have succeeded through the importation of labour force from a variety of countries into a society, as in our case, which has evolved due to the coexistence of a number of different groups spreading in terms of race, religion, culture and language.

Sir, different countries have different developed policies with regard to culture and language. There can be no grouping on such a complex issue. In our country, we have recognised, Government after Government, that our nation is constituted of different but equal communities, with the State granting equal recognition to the cultures and language of each constituent component. *Une politique culturelle et linguistique digne de ce nom*, Sir, is indeed to be forged through the equality of all in the eyes of the law, of constant fostering of the diverse cultural energies of our ethnic group in the broad framework of unity. Let a hundred flowers bloom, as so rightly said Chairman Mao.

Therefore, Sir, unlike Singapore, for example, where the particular cultural practices and representations were to be isolated from the public domain and restricted to the private domain only, where the State itself assumes no cultural colour at all and espouses no cultural cause, where no cultural claims could be espoused by the State, here, in Mauritius, we have institutionalised a cultural policy and guaranteed its conformity. Therefore, Sir, language diversity has been an inherent characteristic; in fact, it has been a challenge to our society. This diversity has formed an integral part of the genesis of the Mauritian society and in the constitution of Mauritian multilingualism, and it has passed through several stages.

The first stage, Mr Speaker, Sir, has been the emergence of Creole as a *lingua franca* for communication between the white master and the slaves, and between the slaves themselves. The subsequent adoption of Creole as the mother tongue by the locally born generation of slaves resulted, unfortunately, in the disappearance of the ancestral languages diversity in Ile de France. The second stage of the development of our multilingualism occurred when came the British. They implicitly acknowledged the dominant position of the French in the 1810 capitulation treaty and

even the status of Creole, as illustrated by the publication of the proclamation announcing the abolition of slavery in French and Creole alone. Yet, progressively, English language supplanted French as the language of colonial administration, especially in the field of public affairs, administration and justice.

The third stage of development of multilingualism in our country, Mr Speaker, Sir, took place with the influx of Indian labourers. Speaking a variety of languages, among which Bhojpuri, was clearly the dominant variety and which was, in fact, accepted as a *lingua franca* among the Indian immigrants. But these immigrants had also to adjust to the environment and communicate with other social groups, with a result that Creole developed into a wider *lingua franca* and as additional languages of intragroup connection along with Bhojpuri. Yet, the role and function of Bhojpuri, though restricted, and with the rise of the elite of the Indian Community, was the standard Indian reference languages which became the symbols of cultural maintenance and in promotion. But we remember, Sir, that our ancestral languages had to make heroic efforts in the struggle for survival.

Indeed, during these days with the rise of the baitkas, the madrassas, the kovils, the mandirams, the guarantee of the continuity of languages and religious festivals and rituals was secured. Cultural traditions survived in the first instance because of these institutions. Then came the next process, when our ancestral languages started to be taught in our schools, and the next stage in this process came with the setting up quite recently of the different cultural centres, especially to cater for these different ancestral languages.

Therefore, Mr Speaker, Sir, the history - and I am still on the third stage - of our ancestral languages in Mauritius has been the history of a long struggle. I think hon. Dayal referred to this particular point I wish to make. In 1941, for example, the Director of Education reported that -

“Neither Hindi, Urdu or Tamil, nor any other Indian language be either taught or inspected at Government expenses”.

This is what I meant by the strong struggle that our ancestral languages had to go through, and these types of statements raised indignation, Mr Speaker, Sir. There was no retreat, no surrender on the part of our ancestors in those days and we remember that those types of statements made were followed by the institution of a Select Committee and which indicated, in fact, the determination of Mauritians of Indian origin to promote their languages.

In fact, the literacy in these languages was accepted consequently as criteria for electoral suffrage. Oriental languages were introduced as from 1952 in the schools and the media.

The four stages of our multilingualism, Mr Speaker, Sir, is the emergence of *kreol morisien* that cut across group boundaries and belonging to the people at large and became the language of the national unity. The recognition and the promotion of *kreol morisien* as a common language constitute the fourth stage of the development of Mauritian multilingualism. To me, presently, we are currently in a new stage of our multilingual evolution with *kreol morisien* being called upon to play more important role since it is verily the medium through which we give expression to what constitutes most aspects of our ‘Mauritianness’.

Mr Speaker, Sir, cultural traditions and culture of a group cannot continue to survive without its language. The institutionalisation of these Speaking Unions to which we fully agree, together with the different cultural centres that had been set up recently when we were in Government, will inevitably guarantee the preservation of our different cultures, will activate our multiculturisation and help in the long search for the preservation of our cultural identity. The survival capacity of a culture is highly dependent on its language. This has been said before me, I would like to repeat it. A culture cannot survive or continue to survive over generation without the support of its language. Language and culture reciprocally help each other in their survival. A well-known researcher, Mrs Maharaj, in a study of Hindi in South Africa, had concluded that, in the early period of Indian settlement in South Africa, language helped in the development of culture whereas today in South Africa the present culture is resuscitating itself in the language.

There is no other evidence that any culture for that matter has ever survived without its language and there is a lot of truth, Mr Speaker, Sir, in the popular saying: “if you were to destroy a culture, destroy its language first and the culture will die of a natural death”. For example, Mr Speaker, Sir, for historical reasons none of the African languages have survived in Mauritius. And what has been the result? The extinction of the culture also and this pattern as reflected itself in many parts of the world! The Indians of Canada is another case in point, Mr Speaker, Sir.

So much, Mr Speaker, Sir, for a brief overview of the evolution of the state of our multilingualism in our country and for all these reasons, Mr Speaker, Sir, in as much as language represents the engine to re-engineer our multiculturism and enabling diversity to flourish, we, in

the MMM, have, since our early days, relentlessly identified ourselves with a language policy which will unfold the cultural recognition, the cultural identity and which will enhance our cultural tapestry.

On this score, Mr Speaker, Sir, we are proud; to us, it has been *un parcours sans faute*. I will not repeat what has been said before me, as regards the dynamisms of the Creole language, *le kreol morisien*, Mr Speaker, Sir, but allow me also to pay tribute to all those militants, to all those pioneers from Dev Virahsawmy, to *Lalit pu travayer, ledikasyon pu travayer*, the leaders of the Lalit movement, all these experts who have, for decades, given so much for the promotion of *kreol morisien*, Mr Speaker, Sir. The more so, as you will remember, the ostracism which the Creole language was subject to some 15 to 20 years ago, Mr Speaker, Sir. Hon. Obeegadoo was talking of the first attempts of the Soleil Rouge, the MMSP and so on. I was one of these leaders of this movement at that time. I can remember the disdain, the ridicule that was being poured upon the promoters of this language, Mr Speaker, Sir.

Let the past take care of the past, Mr Speaker, Sir. What matters today, is that the dignity of *Kreol Morisien* has been restored and we, from our first manifesto, we have underscored the necessity to *revaloriser la langue créole*, Mr Speaker, Sir, and I can tell you that we are very proud of this. *En effet, M. le président, cette langue qualifiée de langue impure, de langue bâtarde, a été longtemps considérée comme étant indigne de l'intérêt des linguistes*. Fortunately, Mr Speaker, Sir, the truth has been restored today and let us continue in our endeavour to make of Kreol Morisien the real and true language of all Mauritian population.

Mr Speaker, Sir, but we are not only proud of our accomplishment on this front. We have also been present when the language issue has been a source of tension and hon. Pravind Jugnauth, the Minister of Finance, just reminded us of that. When the language issue, unfortunately, spilled into the educational sphere, you will recall, Mr Speaker, Sir, how the status of Oriental languages became a locus of potential conflict in the 1990s. Thus, the challenge of managing the linguistic diversity on the education system was highlighted in this tension that prevailed over the issue of Oriental languages in the schools for decades, Mr Speaker, Sir. This culminated in the CPE Oriental Language Movement in 1995. Previous to that, Select Committees had been set up to delve into the issue and to find a solution to that complex and delicate issue, Mr Speaker, Sir. It was only when the MMM/MSM Government was in power,

we resolved this age-old conflict by proposing a formula which defused the situation - as the hon. Pravind Jugnauth reminded us - by putting at par Oriental languages with other examinable subjects. Fortunately, Mr Speaker, Sir, we did away with that climate of suspicion which was prevailing in our country in those days.

Mr Speaker, Sir, but we are not only proud of our accomplishment on this front. We have also been present when the language issue has been a source of tension and hon. Pravind Jugnauth, the Minister of Finance, just reminded us of that. When the language issue, unfortunately, spilled into the educational sphere; you will recall, Mr Speaker, Sir, how the status of Oriental languages became a locus of potential conflict in the 1990s. Thus, the challenge of managing the linguistic diversity on the education system was highlighted in this tension that prevailed over the issue of Oriental languages in the schools for decades, Mr Speaker, Sir. This culminated in the CPE Oriental Language Movement in 1995. Previous to that, Select Committees had been set up to delve into the issue and to find a solution to that complex and delicate issue, Mr Speaker, Sir. It was only when the MMM/MSM Government was in power, we resolved this age-old conflict by proposing a formula which defused the situation - as the hon. Pravind Jugnauth reminded us - by putting at par Oriental languages with other examinable subjects. Fortunately, Mr Speaker, Sir, we did away with that climate of suspicion which was prevailing in our country in those days.

So, Mr Speaker, Sir, our faith in a language policy relates also to the setting up of the Hindi Speaking Union, the Urdu Speaking Union. As was rightly said before me, this organisation - the Hindi Speaking Union - was set up in 1994 by an Act of Parliament, but it was only when the MMM/MSM Government came that the Speaking Union started to be granted subsidies; discussions to set up the Secretariat started during these days and we agreed to provide land and India proposed to finance the building. I have with me a copy of the speech of hon. Bérenger who was then the Deputy Prime Minister, Mr Speaker, Sir. This is what I can read from one of the speeches when the Cultural Centres Bill was being passed in this House. This is what he said -

*“Dans le cas du Hindi, je me demande combien de l'autre côté de la Chambre se rappelle que, dans le cas de cette belle langue, existe déjà un Hindi-Speaking Union mis sur pied par voie législative de 1994.* This is why a few weeks after the last general elections, that

is, elections of 2000, I called in the Hindi-Speaking Union leaders and the leaders of the different societies who are members of the Hindi-Speaking Union and who helped with the propagation of Hindi throughout the country. I called them a few weeks after the General elections and I told them I find it unfair and unjust that, whereas Cultural Centres set up by way of legislation gets subsidies, the Hindi-Speaking Union, which is representative, which has, as members, all the different societies propagating Hindi, is not getting any subsidy. This is why, in the context of the forthcoming Budget, this injustice will be corrected, and the Hindi-Speaking Union will get the required subsidies to carry on with the fantastic work that it has been doing without subsidies”

Mr Speaker, Sir, this is what the hon. Deputy Prime Minister, then, said in the Assembly.

Mr Speaker, Sir, coming to this question of finances, subsidies, this is the question I wish to ask the Minister of Culture, hon. Choonee. The question is, Mr Speaker, Sir, how will all these Speaking Unions survive financially? If we want them to play a meaningful role, the issue of their funding should be seriously addressed. I had a look in the last Budget, which was presented by hon. Pravind Jugnauth, Minister of Finance, and I had a look at the funds budgeted for the Speaking Unions. Mr Speaker, Sir, you would be surprised. For all the Speaking Unions that existed at that time, that is, a few months ago in November last, Mr Speaker, Sir, the sum of only Rs13 m. was budgeted. But, as I said, Mr Speaker, Sir, I think we should address this question of financing these Speaking Unions seriously if we want them to play a meaningful role in our society.

May I also, Mr Speaker, Sir, seize this opportunity to make a remark about what I saw in the Director of Audit’s Report concerning Oriental languages. Per year, Mr Speaker, Sir, for example, during the fiscal year 2008/2009, Rs27 m. were allocated as grant to Oriental language teachers, that is, about Rs27 m. to Rs28 m. per year are allocated as grant to Oriental language teachers, but this is not the problem, Mr Speaker, Sir. The problem is that in the Report one can see that the Director of Audit has made certain remarks about “control over payment of these grants was again far from being satisfactory”. So, I think there is a question of the proper utilisation of public funds for the propagation of oriental languages, Mr Speaker, Sir, of strengthening our multilingualism and, I think, the Minister of Education and the Minister of Culture should seriously look into the fact that good money which is to be spent in the

propagating, the promotion of our languages, Mr Speaker, Sir, should not earn unpleasant remarks from the Director of Audit.

Mr Speaker, Sir, I would also like, before I conclude, to say a few words on one of the Cultural Centres, the Sanskrit Speaking Union, Mr Speaker, Sir. I will not repeat what has been said. We know from what we have heard and been told in this House so far, how Sanskrit is a world language, Mr Speaker, Sir. How it forms part of a large cultural tradition comprising of the literature, the philosophy of India. Like Latin in Europe and elsewhere, Sanskrit has been used by the educated classes in India for literary and religious purposes. It is the eldest member of the Indo-European family of languages, Mr Speaker, Sir. It dates back to pre-Vedic period. It was in existence several centuries before even the Vedic literature. Mr Speaker, Sir, it is known as '*Devavani Surrabhasha*' and so on. It is described as the language of Gods. From time immemorial, it has stood for culture, for sweetness of speech and behaviour; it forms the basis of Hindu civilisation and it is a good thing that we have set up this Sanskrit Speaking Union.

But, Mr Speaker, Sir, - there is a 'but' - in Mauritius, at the MGI presently, there is a BA Sanskrit which is being offered to students. There has been a first batch of only seven graduates. Presently, there are only four undergraduates, Mr Speaker, Sir, a course in MA has just started and there are only four students following the MA in Sanskrit. Mr Speaker, Sir, why is that so? That is so, true it is, Mr Speaker, Sir, Sanskrit is a compulsory module in BA Hindi and it is a compulsory module in BA Indian Philosophy, that is true; but where *le bât blesse*, Mr Speaker, Sir, where the shoe pinches, is that - according to me - Sanskrit is not taught at Secondary level, in our SC and HSC classes. That would have been a better incentive for students to graduate in Sanskrit for they will feel that they have better job opportunities to get jobs as teachers. This is a friendly suggestion that I am making to the hon. Minister of Arts and Culture or the hon. Minister of Education and Human Resources, namely that we must seriously think of introducing Sanskrit at our secondary school level, in SC and HSC classes, Mr Speaker, Sir.

Somebody made the remark that, when we are introducing these Bills, we should be wary of the potential division in our society. Somebody asked this genuine question. He was not making any affirmation, but he asked this question, Mr Speaker, Sir. I think that the enactment of these Bills should, on the contrary, be construed as part of the process with the history that we have, with the evolution that our languages have taken, with our history of multilingualism, Mr

Speaker, Sir. I don't think that the enactment of these Bills can be construed as a process of ethnicisation, of divisiveness, *of cloisonnement* of our society. I think it should be seen as a way of curtailing that process on the contrary, because ethnicisation occurs when people are denied their history. True it is, exacerbation of conflicts, of tension among groups will flourish when people are denied of their language, literature, music; indeed, when they feel a cultural void, then the feeling of exclusion is born and grows unabated. But, these Speaking Unions, Mr Speaker, Sir, like the cultural centres, if implemented and monitored in the right spirit, can provide an open space of active exchange, which will broaden and deepen the network of relationships, thus consolidation, in fact, the foundations of mutual understanding and enrichment of our nation, and providing a cultural convergence. Mr Speaker, Sir, we are not *le nombril du monde*, but very few are the countries, as the hon. Leader of the Opposition said, where there are so many cultural centres, so many Speaking Unions, so many languages spoken. We are perhaps unique in the world.

Mr Speaker, Sir, having said this though, I cannot resume my seat before reminding ourselves, as Members of this House, that we should perhaps indulge in some self introspection. Our discourses inside and outside this august Assembly must be consonant with our responsibility as political captains. Let there be no *décalage* between our pledges in this House and our discourses out there. Let us not ponder to those socio-cultural organisations and to those different voices. We should not defeat, Mr Speaker, Sir, the whole purpose of the quest for our nationhood, and aid and abet in soiling our multicultural tapestry. Mr Speaker, Sir, we should pledge ourselves to true multiculturalism not only in this House during the debates, but also outside the House, during Labour Day meetings, electoral campaigns, and let us not betray our lofty ideals. Let us take a pledge *pour en finir avec les anthologies de la honte*. As a nation, Mr Speaker, Sir, I conclude by saying that, during the past decades, we have built a wonderful cultural and linguistic architecture.

Mr Speaker, Sir, we have avoided cultural assimilation. We have avoided cultural homogenisation. We have shied away from cultural synthesis, Mr Speaker, Sir. As an ethnically pluralist State, we have survived as a multicultural democracy. We have, in fact, enriched human history due to our internal diversity and dynamic multiculturalism.

Mr Speaker, Sir, George Duhamel, on his visit to Mauritius in the 40s, had this to say. I quote -

“If coexistence should fail here, in Mauritius, then one should despair of humanity.”

Mr Speaker, Sir, coexistence cannot fail in Mauritius. Humanity cannot despair so long as we will it. I have done.

Thank you, Mr Speaker, Sir.

(5.55p.m)

**Mr Choonee:** Mr Speaker, Sir, I would like to thank my colleagues in Government and hon. Members of the Opposition for their keen interest in the five Speaking Unions Bills. We gather that there is consensus around this issue. It is also a matter of pride, Mr Speaker, Sir, that more than a quarter of this House expressed its views on these Bills - 18, excluding me. On top of that, there have been a lot of debates going on in the media, and this is proof enough that language is a very important tool for all of us.

Mr Speaker, Sir, I wish to reassure hon. Members of the House, and reiterate the fact that Government did not present five Speaking Unions Bills at the same time with the objective of pitting them one against the other; far from that. Our ultimate objective is to ensure that all these languages blossom together.

Further, Mr Speaker, Sir, regarding the constitution of the various Unions, hon. Members may rest assured that the persons who will be chosen shall have long experience in the field of socio-cultural development, while being seasoned promoters of inter-culturalism. We want to see language not only as a vector of culture, but also as a vehicle for reinforcing our cultural pluralism. With the enactment of these Bills, we shall be having 11 language Speaking Unions.

Mr Speaker, Sir, what else can we do to give more vivid colours to the linguistic tapestry of our rainbow island! I think we have gone full circle, save for the French-Speaking Union Bill, which is being finalised and shall be presented in this House soon. Further, in this same House, hon. Dayal mentioned - for the first time, I believe it was mentioned - about the Gujarati speaking people of Mauritius. I just heard it here, but French is the Speaking- Union Bill that we will be bringing to this House very soon.

Mr Speaker, Sir, our linguistic diversity has reached its cruising speed. We are being faithful to our roots. We are empowering the future generations to perpetuate our values. We are also honouring our ancestors by keeping our ancestral languages alive in this globalised world.

For Government, Mr Speaker, Sir, languages are our anchor to stability. Languages are our main source of inspiration, of diversity of our people, which has nurtured the spirit of tolerance, sharing and mutual understanding. They are also the unifying factors which support and sustain a strong and prosperous and, of course, an intelligent nation in a bid to achieve nobler goals.

Mr Speaker, Sir, Speaking Unions cannot work in isolation. We have to move towards interculturality and sharing of our standing common values, as well as available logistics, for the promotion of all languages for the benefit of the population. Mr Speaker, Sir, the youth of our country muster courage. They demand dignity, they desire liberty, and we must share their hopes. Means and ways have to be found to capture their interests and impart values of interculturality to them. We have to use their modern languages and communication tools and I am here referring to the latest technologies such as Face Book, YouTube, emails, slam and others.

*(Interruptions)*

Mr Speaker, Sir, we've got three experts now. Talking of slam, it is good that I inform the House that Mauritius came out first, just like in sport activities. The secondary school of Palma came out first in the world in a slam competition organised in Paris.

*(Interruptions)*

It is good. In Parliament we have got a minimum of three slammers. Hon. Dr. Vasant Bunwaree is one of them, myself - we did it together with students, and I understand hon. Li Kwong Wing is also a slammer.

*(Interruptions)*

I don't know whether he is an expert. But one thing is for sure, in 1992, Mr Speaker, Sir, when I was first time Minister of Culture, we organised in Mauritius the first World Chinese Conference. And as Minister of Culture, I was made the Chairman of the organising committee and it so happens, coincidence has it, we are in Parliament today, hon. Li Kwong Wing was my

Secretary for the World Chinese Conference. Then only some of the recommendations of the members who came from around the world from China, the People's Republic of China in particular, one of the recommendations was that we bring in the Chinese Speaking Union in Mauritius. But then, we, in Government, focussed on Mandarin. We have to agree that the language of the future, the language of business tomorrow, the language that is spoken more than English language in the world is again Mandarin. So, the focus was on Mandarin. We wanted to have the Arabic, Bhojpuri, Creole, Chinese, and, of course, Sanskrit Speaking Union Bill, but Chinese was delayed because of our willingness to introduce both Cantonese and Hakka, because these are also languages spoken by the Mauritian population. We did not want to deny any Mauritian his/her right of having his/her ancestral language spoken and practised in the country.

Mr Speaker, Sir, to conclude, I will go very fast. Many are claiming paternity; especially, the Opposition is claiming paternity over the language Speaking Unions. I am sorry to say so. Let us call a spade a spade. Sir Seewoosagur Ramgoolam was the first one to mention about language Speaking Unions, about languages, about unity and diversity.

*(Interruptions)*

He was the first one. But now, *si Sir Seewoosagur Ramgoolam était l'initiateur, mais qui termine avec le Bill?* Who made it happen? It happens because of Dr. Navinchandra Ramgoolam! He is the one who made it happen. Anybody can say anything. At the most, we can say *zot inn amene zot blok* but the work has been completed by Dr. the hon. Navinchandra Ramgoolam, the actual Prime Minister. This is what has happened. So, we have to congratulate him.

Now, further, Mr Speaker, Sir, mention was made when hon. Dr. Bunwaree intervened - it was a very good intervention definitely - where he said, claiming paternity is one thing but the child is born. Once the child is born there are various phases of development.

*(Interruptions)*

DNA ? *Sa pa conner pou kisanla pu faire, mais pou bisin faire.* What happens? The fact that the child is born, it will grow. Phases of development are there, from infancy, with teething problems definitely, through childhood, through teenage, to adulthood. They are all phases of development. So, the Opposition should not worry about what would be next. We know, we will

grow from there. We are not stopping there, we are starting from there. We will grow from there and we will take our responsibility and I am sure the vice-Prime Minister who had a very good intervention just now, has a feeling, he knows, he spoke about it. He says he knows for instance the values of the various languages our ancestors have brought to this country. We are proud of them and definitely, he will make arrangements through the budget to allow us to operate because, as I said, we will start now and we will have to grow from there.

As other existing Speaking Unions, these new Speaking Unions will grow. We will have much more contribution because I know, as I said earlier, we are going to look for people, who are seasoned specialists in languages who will look after these Speaking Unions.

Mr Speaker, Sir, this is a wise investment into our future. I believe with these Speaking Unions, because I am not going into details to debate on what has been said, much has already been said. To conclude and to end I will simply quote the words of wisdom from Samuel Taylor Coleridge -

“Language is the armoury of the human mind and at once contains the trophies of its past and the weapons of its future conquests.”

Thank you very much for your attention.

*Question put and agreed to.*

*Bills read a second time and committed.*

## **COMMITTEE STAGE**

*(Mr Speaker in the Chair)*

The following Bills were considered and agreed to -

- (a) *The Arabic-Speaking Union Bill (No. VII of 2010)*
- (b) *The Bhojpuri-Speaking Union Bill (No. VIII of 2010)*
- (c) *The Chinese-Speaking Union Bill (No. VII of 2011)*
- (d) *The Creole-Speaking Union Bill (No. IX of 2010)*
- (e) *The Sanskrit-Speaking Union Bill (No. XI of 2010)*

*Third Reading*

*On motion made and seconded, the following Bills were read the third time and passed.*

- (a) *The Arabic-Speaking Union Bill (No. VII of 2010)*
- (b) *The Bhojpuri-Speaking Union Bill (No. VIII of 2010)*
- (c) *The Chinese-Speaking Union Bill (No. VII of 2011)*
- (d) *The Creole-Speaking Union Bill (No. IX of 2010)*
- (e) *The Sanskrit-Speaking Union Bill (No. XI of 2010)*

*Second Reading***THE PRELIMINARY INQUIRY****(MISCELLANEOUS PROVISIONS) BILL****(NO. XII OF 2011)**

*Order for Second Reading read*

**The Attorney General (Mr Y. Varma):** Mr Speaker, Sir, I move that the Preliminary Inquiry (Miscellaneous Provisions) Bill (No. XII of 2011) be read a second time.

Mr Speaker, Sir, one of the strongest commitments taken by this Government has been to modernise the legal and judicial system in Mauritius. The recent enactment of a number of pieces of legislation bears testimony to this reality, namely -

- the Divorce and Judicial Separation (Miscellaneous Provisions) Act, providing for divorce by mutual consent;
- the Courts (Amendment) Act, dealing with vexatious litigants;
- the Asset Recovery Act, dealing with recovery of proceeds of crime;
- the Court Ushers (Amendment) Act, providing for the liberalisation of the profession of usher;
- the Revision of Laws (Amendment) Bill, aiming at keeping our laws officially updated.

The Institute for Judicial and Legal Studies Bill, providing for the establishment of an Institute for Judicial and Legal Studies to promote proficiency and maintain standards in the legal and judicial professions, and the Law Practitioners (Amendment) Bill, providing for a number of measures to increase the standard of the legal and judicial professions, have already been introduced in the National Assembly.

Moreover, I wish to inform the House that the Constitution (Amendment) Bill and the Judicial...

**Mr Speaker:** This is a Bill restricted to three amendments. I think we have to focus on the amendments.

**Mr Varma:** I was just referring to the measures taken to modernise.

**Mr Speaker:** No.

**Mr Varma:** Mr Speaker, Sir, this Government does not intend to stop here. The Preliminary Inquiry (Miscellaneous Provisions) Bill, presently before this House, is yet another piece of legislation showing the Government's determination to strive forward to fulfil the commitment given to the people of this nation.

Preliminary inquiries have, for a very long time, been deeply rooted within our criminal justice system. As far back as 1852, District Magistrates in Mauritius have, at the request of the *Procureur* and Advocate General, been conducting preliminary inquiries in respect of crimes which are not within their jurisdiction. This practice, Mr Speaker, Sir, was inspired from committal proceedings in England. For years, our law has provided, in criminal matters, for preliminary inquiries before District Courts, especially in cases of murder and manslaughter which are only triable before the Supreme Court (judge and jury).

As at today, and as has always been the case, a preliminary enquiry is held at the request of the Director of Public Prosecutions ("DPP"). The holding of all preliminary inquiries is advised by the DPP after the Police have conducted the enquiry and submitted same for the benefit of advice. No court of law can proceed to hold a preliminary inquiry if the DPP does not advise that it should take place.

Mr Speaker, Sir, following the completion of a preliminary inquiry, the Magistrate sends his or her findings to the DPP who finally decides whether a case is to be lodged, if at all. I wish

to lay stress on the fact that even if the Magistrate commits the accused to the Assizes, the DPP is not bound to lodge a prosecution before the Supreme Court. For instance, the latter may well decide to lodge the case before the Intermediate Court on a lesser charge or not to prosecute the person on any charge.

Mr Speaker, Sir, the nature and purpose of a preliminary inquiry was considered in the case of *Sir Gaëtan Duval v District Magistrate of Flacq [1990 MR 125]* where the Court held as follows -

“A preliminary inquiry, therefore, is only a step in a process which may or may not lead to a trial even where the Magistrate decides to commit for trial. In practice, it amounts to a committal in custody or on bail (which we understand is the case here) with a view to enable the Director of Public Prosecutions to decide whether or not to proceed to trial on the basis of the evidence heard on oath at the enquiry instead of deciding, as he does in other cases, on the basis of unsworn and extra-judicial enquiries conducted by the Police.

We have already noted where a Magistrate discharges an accused is no bar to a new charge. Preliminary inquiries, therefore, must be distinguished from trial and administrative proceedings. Unlike decisions as a result of a trial or administrative proceedings, the interests of the individual are not finally affected and all procedural guarantees still remain available to him, if and when he is tried. ...”

Therefore, Mr Speaker, Sir, the object of a preliminary inquiry is to screen and filter weak, unjustified and unmeritorious charges and to ensure that a person be committed to stand trial where a *prima facie* case has been made out against him.

However, it has been observed that, in Mauritius, preliminary inquiries serve a useful purpose in relatively few cases. One of the main criticisms which have been levelled against preliminary inquiries is that they often take too long. The duration of a preliminary inquiry, from the time it is lodged before a District Court until the Magistrate submits his or her findings, depends on several factors, including the level of complexity of the case, the attendance of witnesses, the availability of Defence Counsel, as well as the number of objections raised during the inquiry.

Mr Speaker, Sir, the duration of a preliminary inquiry, therefore, varies from case to case. There have been cases, especially high profile cases, and those complex in nature, where the preliminary inquiry has lasted about two years or more.

Moreover, after the inquiry is heard, if the case proceeds to trial before the Judge and Jury at the Assizes, the same evidence is normally repeated, perhaps with some variations. The whole process involves a considerable length of time. As far as witnesses are concerned, they have to go through the trauma of repeating their evidence twice. For these reasons and for those I have indicated previously, the need to cut down delay is imperative.

Mr Speaker, Sir, from my own experience at the Bar, in one particular murder case, I had to attend court 36 times for a preliminary inquiry which lasted more than two years. I also recall, Mr Speaker, Sir, appearing for accused parties in murder cases where they wanted to plead guilty from the very start but had to go through preliminary inquiries to ultimately plead guilty before the Assizes. I am mentioning this to bring home the realisation that, even where an accused party intends to plead guilty to a murder or manslaughter charge, he currently still has to go through a lengthy preliminary inquiry before he can expect to be tried.

Mr Speaker, Sir, by way of current example, the recent case of a little girl, aged 7, who was sexually assaulted and burnt alive by her maternal uncle calls for attention. The gruesome and inhumane character of the murder has captivated the minds of the whole of our country, and various calls have been made for justice to be done in the matter. The accused has confessed in a straightforward account of the incident to the Police. The DPP has had no choice in view of the current state of the law governing preliminary inquiries but to request the District Court of Bambous to hold a preliminary inquiry in the matter. The decision was taken last April in the face of evidence of such quality that there is no need for it to be tested before a trial. This preliminary inquiry is likely to absorb an additional year or two before a trial proper can take place and before justice can be done.

In terms of recent statistics, I am informed that 27 preliminary inquiries were lodged in the year 2009 before District Courts in Mauritius and Rodrigues whilst 46 were lodged in the year 2010. Of the total of these 73 preliminary inquiries, 32 are still being heard before the District Courts whilst, in 30 cases, the accused parties have been committed to the Assizes.

Mr Speaker, Sir, I am also informed that there are already 10 cases going as far back as 2005 which have been lodged before the Supreme Court and are still awaiting trial. Amongst these cases, the case of the baby girl of two and half years who was raped, sodomised and murdered, which has just been heard before the Assizes, and in which the verdict was delivered yesterday after around 6 years. There are 40 cases of murder or manslaughter that will have to be referred to the District Court for preliminary inquiries before a full and final decision is taken. These cases go back 2 or 3 years and, if referred to the District Court for preliminary inquiry, will take another 2 to 3 years before eventual prosecution before the Supreme Court. I am told that, in respect of a large majority of these cases, the accused parties want to plead guilty and have their cases heard within the shortest possible delay.

As far as pleas of guilty are concerned, I am informed that, in a large number of murder or manslaughter cases where preliminary inquiries were held before District Courts and eventually lodged before the Assizes, the accused parties pleaded guilty at the trial. The statistics for the years 2009, 2010 and 2011 are as follows -

- (a) in 2009, out of 10 cases lodged before the Assizes, the accused parties pleaded guilty in 8 cases, that is, 80% of the cases;
- (b) in 2010, in 8 out of 11 cases, guilty pleas were recorded, that is, 73% of cases, and
- (c) so far, in 2011, out of 2 cases lodged before the Assizes, the accused parties have pleaded guilty in both cases.

These statistics, Mr Speaker, Sir, only serve to buttress my preceding argument that going through a preliminary inquiry unduly protracts matters, especially in cases where an accused party intended to plead guilty from the start.

Mr Speaker, Sir, whilst our committal process has remained unchanged since 1852, jurisdictions in other parts of the Commonwealth, including the United Kingdom, Australia and Canada, have reviewed the usefulness of committal proceedings and either reformed or abolished them. The reasons for this move have been the need to curtail delay and to ensure the cost-effectiveness of dispensing justice.

The object of the Bill, therefore, is to amend the relevant provisions of the Courts Act, the Criminal Procedure Act and the District and Intermediate Courts (Criminal Jurisdiction) Act

to provide that the DPP may, at his discretion, decide whether or not a preliminary inquiry shall be held before a person charged with an offence is made to stand trial before a Judge and a jury.

Mr Speaker, Sir, it is recognised that the procedure for preliminary inquiry may be useful in some cases where the evidence is otherwise doubtful or unclear, and will for this reason be maintained. The Bill does not aim at the abolition of this procedure. It only aims at ensuring that the procedure is only resorted to when necessary. There is no purpose served by perpetuating delays. In practice, the DPP may decide that a case may be tried directly without the need for a preliminary inquiry, based on the quality of the evidence.

As matters stand, a preliminary inquiry, in a large number of cases, only adds an additional layer for the prosecution, the defence and the accused parties alike, and leads to some two years, on average, being devoted to it. Even then the final decision as to whether to prosecute or not comes back within the DPP's province.

Mr Speaker, Sir, let me now deal with the specific provisions of the Bill.

Under clause 2 of the Bill, two sections of the Courts Act are sought to be amended, namely -

- (a) section 115 of the Courts Act is amended to give a discretionary power to the DPP to decide whether or not to require the holding of a preliminary inquiry where a Magistrate hears an offence within his jurisdiction but is of the opinion that the offence deserves a punishment that is beyond his jurisdiction or that the evidence discloses another offence which is not within his jurisdiction;
- (b) section 134 of the Courts Act is also amended to vest a similar power upon the DPP where an offence is committed on the high seas or on board a ship or aircraft registered in Mauritius and is not triable before the Intermediate Court or the District Court.

Mr Speaker, Sir, under clause 3, important amendments are brought to relevant provisions of the Criminal Procedure Act and under section 3, by inserting a new subclause (1A) which, as presently drafted, provides that where a person is charged with an offence referred to in section 116 of the Courts Act, the DPP may, "at his sole discretion" but subject to any other

enactment, decide whether or not a preliminary inquiry shall be held before the person is made to stand trial and prosecute the case -

- (a) before a Judge and a jury, without holding a preliminary inquiry;
- (b) before a Judge without a jury;
- (c) before the Intermediate Court, or
- (d) before the appropriate District Court for the Magistrate to inquire into the charge and commit the person for trial.

Mr Speaker, Sir, I am aware that some unease has been expressed about the DPP having the “sole discretion” in deciding whether or not a preliminary inquiry shall be held before a person is made to stand trial before a Judge and jury. Let me say outright that I do not consider there is any legal or constitutional problem in having such a provision in view of the powers already vested upon the DPP under section 72 of the Constitution. Nonetheless, I have given due consideration to representations received from various quarters, especially the Bar Council.

I shall, therefore, be moving at Committee Stage for the deletion of the word “sole” wherever it appears in the Bill. It follows from the proposed amendments that the word “sole” will also be deleted from the Explanatory Memorandum. I wish to stress that this is being done in a spirit of fairness although, as I have previously stated, I do not foresee any legal or constitutional problem with the expression used. I must say that the DPP has no objection to the amendment. In fact, in a letter addressed to me, the DPP has informed me of his intention to issue guidelines to explain how he proposes to exercise his discretion. Whilst it is natural that each case will be decided on its own merits, it is felt that the issue of guidelines will, to a large extent, alleviate the fears and concerns that have been expressed.

Mr Speaker, Sir, clause 3(d), as presently drafted, provides for section 65 of the Criminal Procedure Act to be repealed and replaced by a new section 65 which provides that every person charged with an offence before a Judge and a jury where the trial has not been preceded by a preliminary inquiry, before a Judge without a jury or before the Intermediate Court, shall be entitled to have, on demand, copies of the statements recorded from the witnesses for the prosecution and of any documentary evidence to be produced at the trial.

I have recently received representations from the Bar Council to include “unused material” among the documents which the accused shall be entitled to under the proposed new section 65 of the Criminal Procedure Act. I have decided to take on board this representation since I am of the view that it endorses the spirit of fairness through full disclosure. I shall, therefore, be moving at committee stage for minor amendments to be brought to clause 3(d) to include “unused material”.

In the case of a trial that has been preceded by a preliminary inquiry, the accused will, in addition, be entitled to copies of the depositions taken against him by the committing Magistrate.

Mr Speaker, Sir, clause 4 of the Bill amends section 44 of the District and Intermediate Courts (Criminal Jurisdiction) Act to provide for the discretionary power vested upon the DPP as to the holding of a preliminary inquiry.

Finally, under clause 5, transitional provisions are provided in respect of offences committed before the date of commencement of the Act and preliminary inquiries which are already being conducted before a District Magistrate.

I have, Mr Speaker, Sir, covered, in essence, the provisions of the Bill.

It is considered that the proposed amendments do not present any constitutional impediment. In the case of Sir Gaëtan Duval to which I have made reference, Justices Lallah and Pillay provide us with the answer by distinguishing a preliminary inquiry from the trial and conclude that the interests of the individual are not affected and all procedural guarantees still remain available to him, if and when he is tried.

Mr Speaker, Sir, by vesting the discretionary power upon the DPP to decide whether or not a preliminary inquiry shall be held before a person is made to stand trial before a Judge and a jury, the proposed amendments will have the effect of providing speedier and fairer justice to accused parties.

I wish to inform the House that the DPP has, in the course of the preparation of this Bill, been consulted. The latter has confirmed that the Bill meets the requirements of his office. Moreover, the Bar Council has endorsed the spirit of the Bill. However, one member has expressed reservations with regard to the proposed provisions.

In any event, Mr Speaker, Sir, the present reform is long overdue. Let me inform the House that, as far back as March 2008, the former DPP had written an official letter to the Attorney General's office to suggest that amendments be brought to the statutory provisions dealing with preliminary inquiries. The view was expressed that, in many cases, they constitute a waste of time, money and effort and unnecessarily protract criminal proceedings against accused parties, especially in straightforward cases. Since I assumed office, I have done all that is necessary to take on board the suggestion made to ensure that justice is fair and speedy.

The reform being brought by this Bill will work for the benefit of the parties and Counsel and the whole criminal justice system alike, and the rights to a fair trial as provided for in section 10 of our Constitution will continue to be guaranteed.

Mr Speaker, Sir, the winds of change are blowing. At the same time, we need to modernise our laws and adapt them to current realities. How many times have we witnessed or heard complaints of protracted preliminary inquiries? The time has now come to reform the system and to follow the footsteps of countries which have brought similar reforms. We all know that it takes a lot of courage to bring reforms which are as important as this. This Government has the courage and, in my capacity as Attorney General, I can give the reassurance that it will not stop in its endeavour and commitment to modernise the legal and judicial systems.

With these words, Mr Speaker, Sir, I commend the Bill to the House.

**Dr. Bunwaree rose and seconded.**

(6.38 p.m.)

**The Leader of the Opposition (Mr P. Bérenger):** Mr Speaker, Sir, we are strongly against the amendment that is before the House today. This amendment proposes, as the hon. Attorney General has said, that *dorénavant* it is the DPP and the DPP only who will decide whether or not a preliminary inquiry is held before a person is made to stand trial before a judge and a jury. As I said, we are strongly against that amendment. We consider that what is before us represents *un recul démocratique dangereux*. More power is going to the Executive. I know that the DPP is independent, but he is within the Executive as compared to the Judiciary. The Leader of the Opposition has to find a place also, and I am placed in the Executive. That does not change anything on the independence of the DPP. But we are moving away from powers

given to the Judiciary, the Magistrates to the Executive, the DPP. We are moving away from a situation where two human beings are involved, the DPP who has the final word, but a Magistrate also. Now, the DPP and the DPP alone will decide whether there is need for a preliminary inquiry or not. We are against that. It is not progress; it is *un recul démocratique dangereux*, Mr Speaker, Sir. What is being proposed *porte atteinte aux droits fondamentaux des accusés*.

Let me quote what somebody was going to say later on -

“Those who seek to abolish or curtail the process, which has formed an integral part of the criminal justice system for many years, bear the onus not only of justifying the necessity for change but of demonstrating that the new mechanism, which they advocate, does not increase the possibilities of injustice.”

Our view is that they have failed to discharge that onus, Mr Speaker, Sir. Today, it is not a question - I am not referring to other Bills and other amendments - of modernisation. It is putting all the power to decide whether there will be a preliminary inquiry into the hands of one person only. It is not a question of having the courage to do this and that. What is required is the wisdom necessary to progress and not go backwards, Mr Speaker, Sir.

When I was listening a few minutes ago, I must say I found that fantastic. We have tried to convince the Attorney General; we have pleaded with him to leave matters as they stand; two persons will decide and the final decision will be for the DPP. But we have pleaded with the Attorney General to put in an amendment to what is being proposed, so that where there is concurrence between the DPP and the Defence, there is no preliminary inquiry. I heard the Attorney General say - if I heard him rightly - that, in 80% of the cases, the accused has pleaded guilty. So, he is pleading in favour of what we proposed, namely that there be an amendment and in such cases where the accused pleads guilty, therefore, there is concurrence between the Defence and the DPP, there is no preliminary inquiry, and we go straight to the Court. All that the Attorney General has said about not wasting time, the answer is there; he gave the answer; in 80% of cases, the accused plead guilty! In 80% of the cases, there would be concurrence between the Defence and the DPP and, therefore, in 80% of cases, there is no preliminary inquiry. I honestly cannot understand why the Attorney General, why Government refused that proposal from the Opposition. It is a win-win situation. We keep the situation as we have;

where there is no concurrence, there are two people involved, but the final decision is the DPP's and, in cases where the accused has pleaded guilty - 80% of the cases - there is no preliminary inquiry. Then, we would have gladly voted that amendment. It is not too late. We would have gladly voted in favour of the amendment, as amended the way I have just mentioned, Mr Speaker, Sir.

I consider that this is adding insult to injury. Circulating amendments today, and what amendment! Whereas the amendment read that the DPP may at his sole discretion decide whether or not a preliminary inquiry shall be held, it is adding insult to injury to remove 'sole'! What does it change? It does not change anything! It will mean that the DPP, at his discretion, shall decide. Honestly, I find that, when we are dealing with such matters of life and death, to refuse the amendment that we proposed, where 80% of the cases would not have gone before a preliminary inquiry - this is thrown out - and this 'sole' is removed, it does not change anything. It will be at the discretion of the DPP finally to decide whether there is a preliminary inquiry, Mr Speaker, Sir.

I repeat, we made this suggestion. We tried to convince the Attorney General. We agree that we need to move on from where we are now. We agree with that, but we want genuine reform. We do not want the rights of the accused to go backwards. We are talking of life and death, as you know, Mr Speaker, Sir. It is not just a question of saving some money, of saving time. We are dealing with the fundamentals of the justice system, the Assizes; we are dealing with matters of life and death. Therefore, I am very, very sad. In spite of the attitude that we have taken, the amendment that we have proposed, where that would have done away, with 80% of the cases not going before preliminary inquiries, I am sad more than anything else, Mr Speaker, Sir, very sad. It is not too late. We consider that it is *un recul démocratique dangereux. Cet amendement porte atteinte aux droits fondamentaux des accusés.* Mr Speaker, Sir, most probably this will end up before the Privy Council. A case will come, and it will end up before the Privy Council.

Mr Speaker, Sir, with due respect to the Chair, we, the Opposition, want the Privy Council to know that the Opposition refused to be present when this amendment, *cet amendement retrograde*, was voted by the House, if it is voted today. There is still time to reconsider, but we are not prepared to be present, and we want the Privy Council to know that

the Opposition refused to be present when this amendment, in its present form, was voted by the National Assembly.

Thank you, Mr Speaker, Sir.

*At this stage, Members of the Opposition left the Chamber.*

*(Interruptions)*

**Mr Speaker:** Order!

(6.47 p.m.)

**The Minister of Agro-Industry and Food Security (Mr S. Faugoo):** Mr Speaker, Sir, allow me at the outset to congratulate the hon. Attorney General for bringing this present Bill to the House.

This Bill, Mr Speaker, Sir, purports to amend some provisions of the Courts Act, the Criminal Procedure Act and the District and Intermediate Courts (Criminal Jurisdiction) Act, to provide for and allow the DPP, at his discretion - as it is today, under section 72 of the Constitution, he has a discretion to prosecute any offence under the laws of this country, under the laws of the land - in this case, to decide whether or not to require the holding of a preliminary inquiry before a trial, before the Supreme Court, that is, the Assizes, before a presiding judge and a jury, Mr Speaker, Sir.

On the legal side, a preliminary inquiry is mandatory; it is a must, and it must be held in respect of an offence which cannot be tried summarily by a District Magistrate. This is provided for under section 116 of the Courts Act. A second scenario is an offence which is not triable by the Intermediate Court, section 112 of the Courts Act, which makes provisions for the jurisdiction of the Intermediate Court (IC). A third scenario where we need to have a preliminary inquiry is where a case is not being taken before the Supreme Court without a jury, meaning before one single judge. On this score, we have provisions made under section 10, subsection 1, of the Criminal Procedure Act, Mr Speaker, Sir.

If I may give one or two examples of these kinds of offences which are tried, which are prosecuted before a judge without a jury, where the DPP decides so, they are provided for under the Fifth Schedule of the same Criminal Procedure Act and these are offences under the Criminal Code, Sections 156, 249, 283, 284, 288 and also there were amendments made to include the

offence of rape with the averment that the offence was committed by two or more persons. For this the DPP has the discretion to prosecute before a single judge in the Supreme Court. Offences - we have heard, we have seen - which are very often of grave and serious nature, are taken to Supreme Court before a judge, offences under the Dangerous Drugs Act and also there is provision for offences under Prevention of Terrorism Act to be prosecuted before the judge without a jury. Why do we have such a procedure, i.e. a preliminary enquiry, a procedure by which a district court magistrate ascertains at the request of the DPP and nobody else? There is no other institution or anybody from the executive who has this power. It is at the request of the DPP, in almost all cases, to find out whether there is a *prima facie* case against the accused which has been established, so as to commit that accused party before the Supreme Court which shall, according to the law, be held before a Presiding Judge and as I have said earlier, also a jury consisting of 9 jurors.

What are the implications of a preliminary enquiry? This exercise of conducting a preliminary enquiry, at the request of the DPP, falls 100% under the realm of the prosecutorial standards of the DPP. He has to test whether he has sufficient evidence, evidence of the nature on which a Court, a jury specially, can rely upon to convict an accused person. We have listened to the hon. Leader of the Opposition, Mr Speaker, Sir. This process has been the subject of debate, not only in Mauritius, in so many jurisdictions in the Commonwealth, in the UK, in Australia and in Canada. There have been reflections by Law Commissions, also on reviews which have been taken place on criminal procedure and the criminal justice system. By legislators in certain jurisdictions, in fact, throughout, and they have felt that there is a need for change for so many reasons. Let us look at it in our case in Mauritius, Mr Speaker, Sir. It is a procedure, a jurisdiction which has been given to magistrates and it dates back to 1852. Do we sincerely believe that there have been no developments in the criminal justice system or in our society as it is today, that ask for, that requires changes to be brought? And the answer is, yes. After so many years, Mr Speaker, Sir, there has been a feeling that changes must be brought so that the system is more efficient and cost-effective. Also we need to modernise the criminal justice system, simplify the procedures and again make it more efficient.

Mr Speaker, Sir, when we have a debate on such a very important piece of legislation, one should not be motivated on which side of the House one is sitting. They should not be opposing just because this piece of amendment is coming from this side of the House, i.e., the

Government. The Attorney General has said it, there have been debates since 2008 and we have been talking about it. Today, we must congratulate him. There is no ulterior motive. Where is the motive, if the Bar is agreeable, it might not be in the interest of some, it is like losing business - only one single person. The DPP which is an institution, - we are not talking of the person - the person holding or looking after the institution today is agreeable. Where is the problem, what is the motivation behind this, Mr Speaker, Sir, for them to object and on what grounds are they objecting? I'll take one by one.

The first thing the leader of the Opposition said is that he is strongly against the amendment because the DPP alone will decide. Who decides today? I said there are three cases where we have PE's; the hon. Attorney General just said it - one is when the magistrate has the jurisdiction, he has the power to hear a case but he *proprio motu* finds that the offence which is being tried before him is a very serious offence and the penalty which he can impose, according to the law, is on the low side. He can, with the consent of the DPP, go forward to hold a preliminary enquiry and this is where we are bringing the first change in the Courts Act. We are saying, in that case, the power should go to the DPP. The second case where we have PE's is cases where offences are committed in high seas, outside the mainland in other parts of the Republic of Mauritius, and the only Court which has the power to try offences committed outside the jurisdiction, outside the mainland, for example, on a ship in high seas, it is the District Court of Port Louis and there is a specific provision for that. So what happens if the District Magistrate of Port Louis finds that the offence is so serious? Again he can, with the consent of the DPP, hold a preliminary enquiry and then commit that person to stand trial before the Supreme Court, Mr Speaker, Sir. He is saying that the present amendment represents *un recul démocratique dangereux*, that we are giving power back to the DPP.

The first thing, it is not a *recul*. In 1852, when this law was brought here in our country, were we not inspired by the British law, by laws in the UK? It came from the UK; we did not invent Committal Proceedings. It is inspired by the procedure of Committal Proceedings in the UK and it was copied from there. If today in the UK they are bringing changes because there have been developments, there are calls for changes, there is room for bringing amendments and changing the law as it is, which is done every now and then, in all jurisdictions in respect of all laws of the land, Mr Speaker, Sir. So, if they have changed there and that amendment suits our jurisdictions, suits the purpose of our law and institutions, where is the question of *recul*, Mr

Speaker, Sir? In fact, it is not *recul*, it is *avant-gardiste*. Once again, as we copied back in 1852; we are being inspired again by what is happening outside in other jurisdictions similar to ours and we are only adapting principles which will make our criminal justice system better.

This is what we are doing; giving power back to the DPP. That is his opinion. It is not our opinion. We don't subscribe to his opinion. He is free to think the way he thinks. He says DPP is part of the Executive. We don't agree because the institution which is the DPP is provided for under section 72 and it is outside the ambit of the Executive as it is in our country, Mr Speaker, Sir. So, it's not that we are giving sole power back to the DPP. Not at all! He has already the power, who decides to prosecute. He has the power to prosecute, to stop prosecution, to restart prosecution, in any case and in any court of law. So, what are we really adding?

Again, he says, in his second point, that we are taking powers from the Judiciary and giving it back to the DPP. This is not so. As I said, the holding of a preliminary inquiry is the realms of the DPP. It is at the request of the DPP that a preliminary enquiry is held to test the evidence available to the prosecution to secure a conviction. This is the issue. There is nothing to do with the jurisdiction of the Judiciary. Are we touching the jurisdiction for trial and sentence of District Courts or the Intermediate Court? Not at all! This is more or less, not even a judicial function, if I may say it, 'it is much more administrative', Mr Speaker, Sir. I have been on the Bench; I have been a Magistrate. Tell me one single case, Mr Speaker, Sir, I am not personally aware of. You have been in the profession for so many years, Mr Speaker, Sir. I don't know of any single case - there could have been since 1852 - where a PE is being held and the Magistrate discharges the accused. When the Magistrate sits to listen to a preliminary enquiry, forms are already filled in. The clerk of the court comes and signs; forms are already filled in, depositions of witnesses where the signature of the Magistrate should be affixed, the form where the accused makes his declaration, the accused does not even plead. An accused party in a PE does not plead. He is only allowed at the closure of the Preliminary Enquiry to say whatever he has to say and, very often, they don't say anything because they keep their card under their arm.

*(Interruptions)*

Exactly! So, he says we are taking fundamental rights of the accused. Which rights? Is it the right of a fair trial before a competent court? Are we taking that away? Are we taking the right

of a fair trial within a reasonable time? Are we taking away that? Are we taking the right of the accused to silence? Are we taking the right away of the accused to have access to evidence and documents? No, Mr Speaker, Sir! On the contrary, we are reinforcing section 65, if I am not mistaken. We are putting more to what already exists under section 65. We are giving him the right not only to get hold of the copy of the court record, of the proceedings of a preliminary enquiry, if there has been any, or alternatively to get all the statements of the witnesses which are going to be used by the prosecution; all unused materials and all documents, free of charge. He does not have to pay anything. He is free and we are keeping that as it is. So, where is the doing away with the fundamental rights of an accused party? It does not hold water, Mr Speaker, Sir. I don't know what he is talking about.

He comes back and he says that it is not a question of modernisation, but giving absolute power to the DPP. He says that they proposed an amendment; they spoke to the Attorney General; to do what? To say that the DPP must liaise with the defence and then, when there is concurrence either to hold a preliminary enquiry or not to hold, and go according to the decision that they will take mutually. This is the amendment they had proposed, Mr Speaker, Sir. What do we do in a case where the accused is not represented by Counsel? Does the DPP has to, in a country like ours, call the accused and sit with him? Where, if he is on remand? The DPP goes to the prison? He gets a Court Order; he has to go to court; apply for a Court Order; the accused has to be brought maybe to court - because they can't bring him to the DPP's Office - before a Magistrate where the DPP has to be present? *Cela ne tient pas la route!* We cannot do that in a country like ours where there are independent, established and respected institutions, which have proved their *raison d'être*. We cannot open the door for the DPP to be negotiating with accused parties, with criminals, Mr Speaker, Sir.

He says the fact that 80% of accused parties, after the preliminary enquiries are held, they plead guilty at Assizes when they are brought before a judge and a jury. But if these people are given the chance and especially, if they are on bail at the stage of preliminary enquiry, you think, Mr Speaker, Sir, they are going to rush, they will say: 'no, take me to Assizes, take me to the Criminal Court, before the Supreme Court and lock me for 15 or 20 years?' Counsel will dilly dally. They will play with the criminal justice system. They will delay the holding of a preliminary enquiry. They will ask for a preliminary enquiry. In 80% of the cases, they are sure that they are going to go in for some time. So, what will they do? They will take advantage of

the fact that they are already on bail. How do we cater for this? So, again, Mr Speaker, Sir, it does not hold water; all his arguments, not a single one. In fact, he takes one argument, but repeats it ten times. He does not make ten arguments at the end of the day. It remains one argument. At the very most, he made two or three points and I have refuted all the points. There is not a single point which can be retained.

We are open; we have an institution and we have a serious Government. This paper has been debated. It has been ventilated. The Judiciary had the chance to react, the Bar, all the legal professions, the public at large, Mr Speaker, Sir. There is nothing wrong! This is one step forward in a better system of justice, especially criminal justice. Justice delayed is justice denied, Mr Speaker, Sir. You know how long a preliminary enquiry lasts at the District Court level? Minimum is one year, two years or even three years. Do you know what happens to witnesses? Very often, you get hostile witnesses or witnesses who do not remember what took place four or five years ago. So many witnesses pass away. There are so many impediments, Mr Speaker, Sir. There is one thing we tend to forget very often - the rights of a victim. I would have liked the Leader of the Opposition to talk also of the rights of the victims. They are also interested with the legal process. We are a country now which is open for information, a country where people are educated, and a country where people are concerned about their rights. What about the victims, Mr Speaker, Sir? They have to wait for four, five or ten years in some cases, before they know what has happened to the person who has assaulted them or, in some cases, murdered their near and dear ones. It's unfair! The speedier the justice system is and justice is given, the better for all parties, Mr Speaker, Sir.

I won't go into the details of the amendments. My friend, the Learned Attorney General has done it. But to cut short my argument, none of the points raised by the Leader of the Opposition is serious, Mr Speaker, Sir. They are opposing for the sake of opposing. They are opposing because they are in Opposition. As I said earlier, when they are on the other side of the House, it seems that they have solutions to all the problems of the world, but "*zéro plombage*" when they are here. This is exactly what they are doing in this case, Mr Speaker, Sir; opposing just for the sake of opposing.

We mean business, like my friend said. We are doing justice to the country. We are doing justice to the people of this country. We are doing justice to the institutions of our country, Mr

Speaker, Sir. This is a very good piece of legislation. We are modernising the criminal justice system and, I am sure, even the Privy Council will endorse what we are doing today, because this has been done in so many jurisdictions, Mr Speaker, Sir.

(7.10p.m)

**Mr Varma:** Mr Speaker, Sir, I would like to thank the hon. Minister of Agro-Industry and Food Security for this brilliant exposé and intervention. Actually, it is quite sad, Mr Speaker, Sir, that the Opposition has decided to walkout. Indeed, I should inform the House that hon. Members of the Opposition had consulted me on a number of occasions to suggest certain amendments, and only this morning I spoke to some hon. Members to tell them to suggest something.

I was under the impression, Mr Speaker, Sir, after going through the list of orators - they had a very long list of orators - that they would come forward with a concrete suggestion. They made a suggestion and, of course, when a suggestion is made, we have to look at the legal implications. I went back to the office and spoke to my officers. We even consulted the DPP to see whether the proposed amendment stands good in law. But unfortunately, Mr Speaker, Sir, the amendment which was proposed, that is, the DPP taking the decision in concurrence or with the consent of the defence, does not stand good in law. We all know the powers of the DPP as per section 72 of the Constitution. He is the only one who is entitled to prosecute in a case. His discretion is unfettered, Mr Speaker, Sir. I would have thought that the hon. Members would come forward with a suggestion during the course of the debates. Of course, Mr Speaker, Sir, we have brought certain amendments, and if something good had come out of the debates, we would have considered. It is not good just to walkout. I don't know by which stretch of imagination Parliament can inform the Privy Council that the Opposition was not present during the course of the debates. This fails my imagination, Mr Speaker, Sir.

Mr Speaker, Sir, the hon. Leader of the Opposition had two points to make. He stated that powers are being removed from the Judiciary to reinforce the powers of the Executive. Mr Speaker, Sir, this is not correct. I stated, during the course of my intervention, that the ultimate decision is for the DPP. When the Police complete its inquiry, the file is sent to the Office of the DPP. The DPP sends the matter before a district magistrate for a preliminary inquiry to be held. The findings are then transmitted to the DPP, who ultimately decides whether the case should be

lodged or not. How are we removing a judicial function to confer it to the Executive? I fail to understand, Mr Speaker, Sir.

The second point is that this Bill, as it is, brings prejudice to the rights of the accused. Mr Speaker, Sir, I made reference to the case of Sir Gaëtan Duval, in which two former Chief Justices, namely Lallah and Pillay, have stated in no uncertain terms that the interests of the individual are not finally affected and all procedural guarantees still remain available to him if and when he is tried. We are basing ourselves on what has been decided by our courts of law. This has been decided before the Supreme Court. To come and say that the DPP is part of the Executive - well, he hasn't said it in so many words, but rather that the independence cannot be questioned; as far as the independence of the DPP is concerned, I would like to quote from the case of Edahtally and Glover. I quote -

"A distinguished feature of our Constitution like that of some of the new Commonwealth countries is the splitting of Executive functions between what one might call the political Executive, which remains answerable to Parliament, and an independent non-political Executive in specific matters consisting of, among others, the Director of Public Prosecutions, the Service Commissions, the Electoral Supervisory Commission, which are not answerable to Parliament."

Mr Speaker, Sir, we are basing ourselves on cases which have been decided by the Supreme Court. It is not correct to say that the Government as a whole has not paid notice to the debates which have been ongoing for this present Bill. Mr Speaker, Sir, the Bar Council, as I clearly stated in my speech, has endorsed the spirit of the Bill. Of course, there is one Member who has expressed some reservations but, on the whole, we had consultations with the President of the Bar Council. The provision to make available the unused material was made by the President of Bar Council, and this has been retained by Government.

As regards the other amendments, of course, we have removed the 'sole' discretion, because we have also been hearing from several legal quarters to see whether this word can be deleted. We have done it, Mr Speaker, Sir. The hon. Minister Agro-Industry and Food Security has stated earlier on that the Judiciary has not expressed any concern about the Bill. I would like to add, Mr Speaker, Sir, that the Judiciary has been contacted, though informally. They have

endorsed the Bill. There is no letter which has been sent to Government from the Judiciary to endorse the Bill, but we have had informal talks.

Mr Speaker, Sir, again, I would like to conclude by saying that this Bill is yet another step in the long way to modernise our judicial system, and it is by all means constitutionally and legally correct, contrary to what the Opposition has said. With these words, I would like to commend the Bill to the House.

*Question put and agreed to.*

*Bill read a second time and committed.*

### COMMITTEE STAGE

*(Mr Speaker in the Chair)*

### THE PRELIMINARY INQUIRY (MISCELLANEOUS PROVISIONS) BILL

**(NO. XII OF 2011)**

*Clause 1 ordered to stand part of the Bill.*

*Clause 2 (Courts Act amended)*

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

**Mr Varma:** Sir, I move for the following amendment -

(a) in clause 2, in paragraphs (a) and (b), by deleting the word “sole”;

*Amendment agreed to.*

*Clause 2, as amended, ordered to stand part of the Bill.*

*Clause 3 (Criminal Procedural Act amended)*

**Mr Varma:** Sir, I move for the following amendment -

(b) in clause 3 -

(i) in paragraph (a), in the proposed new subsection (1A), by deleting the word “sole”;

(ii) in paragraph (d), in the proposed new section 65 of the Criminal Procedure Act -

- (A) in subsection (1), by deleting the words “ and of any documentary evidence to be produced at the trial” and replacing them by the words “, of any documentary evidence to be produced at the trial and of any unused material”;
- (B) in subsection (2), by deleting the words “and documentary evidence” and replacing them by the words “, documentary evidence and unused material”.

*Amendment agreed to.*

*Clause 3, as amended, ordered to stand part of the Bill*

*Clauses 4 and 5 ordered to stand part of the Bill.*

*Title*

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

**Mr Varma:** Mr Chairperson, I move as per amendment circulated -

- (c) in the long title, by deleting the word “sole”;

*Amendment agreed to.*

*The title, as amended, ordered to stand part of the Bill.*

*The enacting clause was agreed to.*

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

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

*Third Reading*

*On motion made and seconded, the Preliminary Inquiry (Miscellaneous Provisions) Bill (No. XII of 2011) was read the third time and passed.*

*At this stage the Deputy Speaker took the Chair.*

*Members of the Opposition resumed their seats.*

*Second Reading*

**THE SENIOR CITIZENS COUNCIL (AMENDMENT BILL)**  
**(No. XI OF 2011)**

*Order for Second Reading Read.*

**The Minister of Social Security, National Solidarity and Reform Institutions (Mrs L. D. Dookun-Luchoomun):** Mr Speaker, Sir, I move that the Senior Citizens Council (Amendment Bill) (No. XI of 2011) be read a second time.

Mr Speaker Sir, the Senior Citizens Council Act first came into force on 27 December 1985 to provide for the setting up of a Senior Citizens Council. Subsequently, the Act was repealed and replaced by the Senior Citizens Council Act No. 5 of 1995.

This is a major law which speaks of the Government's commitment to the welfare of our elderly citizens and in recognition of their invaluable contribution to the development and progress of this country. The main objectives of the Senior Citizens Council are to -

- (i) promote activities and programmes for the welfare of senior citizens;
- (ii) advise Government on matters relating to the welfare of senior citizens;
- (iii) maintain effective communication with senior citizens, and
- (iv) set up and manage homes for senior citizens.

The Senior Citizens Council is a corporate body and any voluntary organisation catering for senior citizens and registered with the Registrar of Associations may become a member. It is worth noting that for the purpose of the Senior Citizens Council Act, "senior citizen" means a person of the age of 55 years and over.

Mr Speaker Sir, the Council is presently administered by an executive committee comprising the representatives of ministries and departments as well as, nine elected representatives of member organisations and two independent persons.

The Council has known a resounding success. Starting with 35 Senior Citizens Associations in 1985, it has now registered 664 organisations in Mauritius, including 65 in Rodrigues, involving some 71,000 members.

The support of my Ministry to the Council is in line with the general policy of Government to see to it that our elders benefit from all services to which they are entitled. Non contributive basic retirement pension, free domiciliary visits by officers of the medical unit, optical and hearing aids are among common facilities provided by Government through the Ministry of Social Security, National Solidarity and Reform Institutions. My Ministry provides a yearly grant amounting to Rs6 m. to meet the operational costs, the organisation of activities of the Senior Citizens Council as well as to the payment of grant to the Senior Citizens Associations.

M. le président, la vision du gouvernement, c'est celle d'une population de *seniors* actifs et autonomes capables de se prendre en main. A cet effet, mon ministère offre, à travers le *Senior Citizens Council*, différentes activités, tels que des cours d'initiation à technologie moderne, tel que l'informatique et l'hydroponique entre autres, des compétitions littéraires, des programmes de loisir, des débats sur des sujets allant de la santé à la protection et les droits des personnes âgées sans oublier la gestion des associations.

Il y a néanmoins la nécessité d'instituer et de maintenir des relations intergénérationnelles qui se font de plus en plus rares. C'est ainsi que mon ministère a mis en place un réseau de jeunes collégiens à travers les *We Care Clubs* afin de rendre possible les rencontres entre les personnes âgées et ces jeunes.

Par ailleurs, à travers le *Elderly Watch*, les personnes âgées, avec l'aide des officiers de mon ministère, travaillent en réseau afin de prévenir et d'alerter sur les abus dont elles peuvent être victimes. C'est ainsi que ce matin même des officiers de mon ministère ont- en collaboration avec la police et le *State Law Office* - procédé à une inspection surprise sur des maisons de retraite qui opèrent illégalement.

Les actions nécessaires ont été enclenchées et les opérateurs de ces *homes* ont un délai de six semaines pour se conformer à la législation. Les proches des résidents seront informés des places disponibles dans d'autres institutions autorisées. La liste de ces institutions sera publiée dans la presse et sur le site du ministère.

Ceci, M. le président, est surtout pour démontrer qu'au ministère *we mean business* et qu'on veut envoyer un signal fort à tous ceux qui opèrent dans l'illégalité sans respecter les normes régis dans le *Residential Care Homes Act* de 2005.

M. le président, la qualité de la vie de nos concitoyens a été grandement améliorée. De ce fait, l'espérance de vie s'est considérablement allongée se situant de nos jours à 70 ans pour les hommes et de 76 ans pour les femmes. Aujourd'hui la population de personnes au-dessus de 60 ans est de 154,000 soit environ 11% de la population. Les prévisions démographiques indiquent un doublement de ce chiffre en 2037. Le gouvernement a depuis longtemps pris note et acte de cette tendance et a initié nombre de mesures pour accompagner les aînés dans cette nouvelle période de leur vie.

C'est ainsi que mon ministère, sur les recommandations du *Senior Citizens Council*, a décidé de proposer quatre amendements à la *Senior Citizens Council Act 1995* pour faire face aux nouveaux défis que pose le vieillissement de la population et aider à une meilleure gestion du Conseil.

Mr Speaker Sir, firstly, in the context of the growing ageing population, it is proposed to amend Section 4 in paragraph (g) dealing with “The objects of the Council” to include in the objectives of the Council the setting up and management day-care and recreation centres and other institutions for senior citizens by inserting after the word “homes” the word “day-care centres, recreation centres and other institutions.” This will enable the implementation of new projects and activities for our senior citizens.

Secondly, Section 6 (1) (g) of the Principal Act related to the “Management of the Council” is being amended to increase the number of elected representatives of Senior Citizens Association from 9 to 10. With the mobility of the population over the past years causing an increase in population of elderly citizens in the Plaines Wilhems region, the Senior Citizens Council has proposed to increase the number of the elected representatives of Senior Citizens Associations of the Plaines Wilhems district from one to two - one for Lower Plaines Wilhems and one for Upper Plaines Wilhems, so as to ensure a fairer representation of the Senior Citizens Associations on the Executive Committee of the council. As a matter of fact, the present number of Senior Citizens Associations for Plaines Wilhems district is 225 compared to the maximum of 80 for each of the other districts.

Thirdly, Section 6 (1) (h) is being amended to increase the number of independent persons appointed by the Minister from two to three so as to provide more opportunities for

senior citizens having required experience and know-how to guide and support the Council in the implementation of its programmes and projects.

Fourthly, Section 9 is being amended in paragraph (3) by repealing the sub-paragraph (3)(b) and by adding a new Section 9(a) so as to increase the period for holding the election of the elected members on the executive committee of the council from one to two years. This increase in the length of the mandate aims at providing sufficient time to the elected members to implement their projects and activities.

Fifth, Section 10 of the Principal Act is being amended in Section 1 by deleting the word subscription and replacing it by the words subscription and fund raising activities to enable the Council to obtain income from fund-raising activities in addition to the annual grant received from my ministry, to enable it to organise its growing activities for the benefit of our senior citizens.

These amendments, Mr Deputy Speaker, Sir, aim at providing more conducive conditions to the Council, in order for it to function more efficiently and meet the growing and legitimate expectations of our seniors. My Ministry has deemed it necessary to propose these amendments on the ground of experience received during the past 25 years of the Council's operation. I, therefore, commend the Bill to the House.

**Mr Ritoo rose and seconded.**

(7.31 p.m.)

**Dr. S. Boolell (Second Member for Curepipe & Midlands):** Mr Deputy Speaker, Sir, it is my intention to agree with the Minister on most of the proposals that she has made. The great tragedy is that when we visit a law and we have to make amendments, we have to make sure that these amendments are going to change the destiny of whoever we are going to cater for.

When I look at the objects of the Council, there are a lot of objectives in present which are not being implemented. For instance, if we were to change, if we were to make good amendments, one is to maintain effective communication with senior citizens. If you want to go to your constituencies and ask the elderly people, those above 60, those who constitute 10% of the population, who will be, in 10 years from now, about 20%, who will be, in 30 years from

now, about 30%, they are not even aware of the conditions of protection which they are entitled to by the Senior Citizens Council.

As far as I am concerned, from my experience with the elderly, the Senior Citizens Council has been effective in maintaining get-togethers, like for the National Elderly Day, the elderly are taken to the beach like Mont Choisy, are asked to dance and celebrate without toilet facilities available, and the food being given very often consist of a chicken when you need dentures...

*(Interruptions)*

But it is the truth! Maybe, the hon. Member is too young to understand.

But when you get to the stage of being old - and I am in my early 60s - when you are entitled to the free card, like my friend is saying, the Senior Citizens Council is actually supposed to diffuse knowledge and information on gerontology. There should be consultations with the elderly. I would be grateful if somebody could illuminate my meninges and inform me whether the elderly have been consulted on the progress in geriatric medicine, on the future of geriatric medicine; whether they are aware that, when they go to a hospital, they are going to have a priority. Mauritius is a museum of good intentions concerning the elderly. We seem to be very happy having provided free transport in buses which only take citizens on board after ten. We seem to please ourselves without realising that, if we are supposed to abide by the provisions of this Council, the future of being an elderly doesn't consist of minding the grandchildren or just going to school to collect them; it means an age at which the experience of our elders can be tapped for a better future.

Before coming to this Bill, I am sure it's coincidental that probably today some homes were visited and found to be wanting in their facilities. It helps for the speech, no doubt! I have asked the elderly what is the future of the Senior Citizens Council, a very good organisation, but these changes with which I agree will not change the destiny of anyone. You change from nine members of the Council to nine representatives of member organisations to become ten. You change from two independent members to become three and, then, at the end of the day, the Ministry of Social Security has the upper hand. We are aiming to render the geriatric population independent. We are there to empower them, but if you look at the composition of the management of the Council, the Minister has the power. The Ministry or the Minister already

has the power to appoint the chairman, the vice-chairman, a representative of the Ministry of Social Security, the Director of the Ministry of Social Security and then, to top it all, three more independent members. So, at the end of the day, that will become seven - from my basic mathematics - and you only have about ten members on the other side who will be elected.

For me, there should be an independence of action of the Senior Citizens Council. When we make amendments and take the time of this Assembly to make amendments to this law, I wish that, by tomorrow, when the senior citizens of this country get up, the changes, the amendments to this Council will change their destiny. I fail to see how it will change their destiny, but I wish to give it a chance; I am not being obstructive, and I will agree with the Minister.

Thank you.

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir, I will start by thanking the hon. Member to have given us a piece of his mind and to have, at the same time, said that he agreed with the propositions being made to this House this evening. But I would like to clarify certain points. The hon. Member mentioned that we should try to look into upgrading or enhancing our mode of communication with our senior citizens. He was questioning himself whether the life of our senior citizens will be changed tomorrow after this Amendment Bill has been passed.

Let me clarify the situation. The amendments being proposed today in this House have been discussed and have been proposed initially by the Senior Citizens Council itself, to start with. If the hon. Member had listened to the points that I have put forward, we are saying that we want to empower the Senior Citizens Council, so that it can now control other institutions. We are talking about new institutions. If you look at the amendment being brought to the Act, we are saying that, now, apart from looking after residential homes, they will also take care of the day-care centres and other institutions. By other institutions, we mean here the activity centres for elderly, and it is through the activity centres that we communicate with our elders.

As I mentioned earlier, the Elderly Watch Committee, the various committees that we have with the Senior Citizens Council help in this communication process. By no means have we chosen today to carry out the visits to the residential homes; this is a regular feature in the Ministry. This is done by the Residential Home Care Board.

Further, I would like to ask the Member to make a proper count of the number of members on the committee. He has himself mentioned that we have ten elected members and, on the other hand, the Minister can just nominate the Chairperson, the vice Chairperson, who is already a member elected by the various associations. So, it is not true to say that we have a *mainmise* on the Senior Citizens Council. Quite on the contrary, we work in collaboration with the senior citizens, and we feel that this Bill will allow them to be able to better cater for the needs of our seniors in the society.

M. le président, puisque l'honorable membre a précisé qu'il est d'accord avec les amendements que nous apportons, nous allons espérer avec lui que le futur de nos seniors sera bien meilleur. D'ailleurs, moi, je compte m'assurer que cela sera ainsi, parce qu'au niveau du ministère, nous sommes en train d'œuvrer dans cette direction, et nous voulons à tout prix avoir, comme nous l'avons mentionné, des *senior citizens* autonomes et capables de se prendre en main. Nous avons toute une panoplie de services que nous offrons aux *senior citizens* afin qu'ils puissent, à l'avenir, mieux gérer cette nouvelle phase de leur vie.

M. le président, nous sommes aujourd'hui un pays indépendant, développé, et faisant la fierté de la région. Personne ne doute que, si nous sommes arrivés là, c'est grâce aux efforts de nos aînés qui se sont sacrifiés dans les champs, dans les usines, dans le port et dans tant de secteurs, pour que ce pays trouve sa voie. Si nous sommes là, c'est aussi parce que nos aînés ont compris l'importance d'investir dans l'éducation de leurs enfants, souvent en sacrifiant leurs propres ambitions. Si nous vivons dans une société, où, les dérives du monde industrialisé, sont encore contenues, c'est parce que nos aînés ont su inculquer les valeurs qui sont essentielles pour le maintien de l'harmonie dans notre société. Et là, je voudrais, encore une fois, souligner l'importance de ces réunions, de ce qu'on appelle des activités intergénérationnelles que le ministère est en train de mettre sur pied avec l'aide des collégiens à travers l'île.

**The Deputy Speaker:** I take it the Minister is summing up. Isn't it?

**Mrs Dookun-Luchoomun:** Yes, I am doing this, Mr Deputy Speaker, Sir.

Il est tout à fait normal, voire nécessaire, de montrer notre gratitude et notre reconnaissance pour ces aînés en les aidant à mieux vivre cette nouvelle phase de leur vie. Les conditions de vie sont bien meilleures aujourd'hui qu'elles ne l'étaient quand nos pères, nos mères devaient affronter leurs dures conditions de leur jeunesse. Ils vivent donc plus longtemps

et doivent se garder actifs afin de vieillir en toute sérénité. Le *Senior Citizens Council* pourvoit en cela depuis 25 ans avec la réussite qu'on lui connaît. Cette réussite demande toutefois une actualisation de ses objectifs et de ses moyens humains. C'est dans cette optique que mon ministère a proposé ces amendements.

M. le président, je manquerai à mon devoir si je ne remerciais pas tous les aînés qui nous ont aidés au fil des ces 25 dernières années à travers le *Senior Citizens Council* pour le bien-être de nos aînés. Je remercie la Chambre d'avoir accepté les amendements que nous avons proposés aujourd'hui et je vous remercie, M. le président, pour votre attention.

*Question put and agreed to.*

*Bill read a second time and committed.*

## COMMITTEE STAGE

*(The Deputy Speaker in the Chair)*

### **THE SENIOR CITIZENS COUNCIL (AMENDMENT) BILL**

**(NO. XI OF 2011)**

*The Senior Citizens Council (Amendment) Bill (No. XI of 2011) was considered and agreed to.*

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

*Third Reading*

*On motion made and seconded, the Senior Citizens Council (Amendment) Bill (No. XI of 2011) was read the third time and passed.*

(7.43 p.m.)

**The Attorney General (Mr Y. Varma):** Mr Deputy Speaker, Sir, I do not propose to move for the Second Reading of the International Criminal Court Bill (No. XXIII of 2010), the Institute for Judicial and Legal Studies Bill (No. IX of 2011) and the Law Practitioners (Amendment) Bill (No. X of 2011) today.

**ADJOURNMENT**

**The Deputy Prime Minister:** Sir, I beg to move that this Assembly do now adjourn to Tuesday 21 June 2011 at 11.30 a.m.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth) rose and seconded.**

**The Deputy Speaker:** The House stands adjourned.

**MATTER RAISED****TRAFFIC CONGESTION - MOTORWAY M1**

**Mr S. Obeegadoo (Third Member for Curepipe & Midlands):** M. le président, c'est sans prétention d'expertise par rapport à l'infrastructure routière que je m'adresse à la Chambre. Mais, depuis quelques temps, je suis assailli par de nombreuses personnes, mandants et autres, et de multiples questions sont posées quant aux travaux d'aménagement ou de réaménagement de l'autoroute principale, le M1 - c'est comme ça que cela s'appelle je crois- le tronçon du réseau routier de Port Louis à Curepipe, et je commence par un constat.

Le constat est que depuis six mois/huit mois, je n'en sais trop, il y a des travaux d'aménagement ou de réaménagement majeurs en cours le long de l'autoroute; les travaux que, bien sûr, nous accueillons positivement. La congestion routière nous coûterait dans les R 1,2 milliards tous les ans et, donc, vaut mieux tard que jamais, même si nous avons perdu énormément de temps.

Ces travaux sont sans doute parmi les plus importants qu'aura connu l'île Maurice depuis son indépendance et aurait dû donner lieu à un partage d'information, à un large débat démocratique, puisque ce qui va découler de ces travaux vont déterminer le devenir-mauricien. Au lieu de cela, nous connaissons un *black-out*, pour ce qui est de l'information. Quel est le sens de ces travaux, sur quoi tout cela va déboucher ? C'est un mystère qui fait l'objet de spéculation pour l'homme de la rue, et provoque même beaucoup de confusion. Pourtant, c'est un processus évolutif. Les choses changent de semaine en semaine, les voies empruntées évoluent, le comportement des conducteurs doit suivre, et on ne sait vraiment rien du sens global de ce qui se fait, d'où les dix interrogations que je vais essayer de formuler pour le ministre dans le prochain quart d'heure, non pas en tant qu'expert - c'est vrai que je suis conducteur depuis quelque 25 ans

et que j'utilise tous les jours le tronçon Port Louis-Curepipe dans les deux sens - et surtout non pas dans un but partisan, mais pour essayer d'éclairer les gens dont je vais faire leur porte-voix.

Je débuterai par demander au ministre s'il existe un plan d'ensemble ; un plan d'ensemble qui nous indiquerait, qui indiquerait au public la vision du ministre, du gouvernement. Où va-t-on ? Quel est l'objectif du gouvernement par rapport à ce réaménagement ? Où va-t-il se faire ? Est-ce tout le long du tronçon de Port Louis jusqu'à Pont Fer ? Est-ce que ce sera au-delà ? Donc, où, quand, comment, par qui et à quel coût ? A toutes ces questions, le public n'a eu droit à aucune explication. Nous sommes sans doute le seul pays qui se dit démocratique au monde où des travaux d'une telle ampleur sont entrepris sans qu'il y ait un éclairage offert au public, mais au contraire l'opacité la plus totale, alors que cela aurait dû faire l'objet de ce qu'en Anglais on appelle le *public scrutiny*.

Donc, M. le président, dix questions que je vais rapidement formuler et je dois dire, puisque cela n'est pas de nature partisane, hier j'ai eu l'occasion d'en parler au ministre. Donc, il sait dans les grandes lignes ce de quoi je me propose de parler. Première question, pour l'essentiel, a-t-on affaire à un élargissement pour faire que l'autoroute demain sera dotée de trois voies dans les deux sens ? Est-ce cela ? Qu'on nous le dise clairement ! Et, si oui, qu'adviendrait-il des rondpoints ? J'ai compté qu'il y a entre Port Louis et La Vigie quelque dix rondpoints. Elargissement veut dire aussi agrandissement des rondpoints. Déjà, le rapport en date de 2004 identifiait les rondpoints comme des obstacles principaux pour le décongestionnement de nos routes. Donc, qu'adviendra-t-il, d'une part, des ponts, et qu'adviendra-t-il, d'autre part, des rondpoints ? Sinon, si l'élargissement ne concerne ni les ponts, ni les rondpoints, on va tout simplement déplacer les goulets d'étranglement ou en créer de nouveaux.

Deuxième question, qu'adviendra-t-il des *fly-overs*, c'est-à-dire des échangeurs ? D'abord, celui du Caudan qui avance vite, mais personne n'est absolument sûr - je parle du public, de l'opposition - à quoi va servir cet échangeur. Il n'y a pas eu d'information circulée. L'échangeur de St. Jean ! A quoi servira-t-il d'élargir les autoroutes si, une fois arrivé à St. Jean, on se retrouve avec deux voies menant vers Curepipe et un rondpoint impossible vers Quatre Bornes ou Rose Hill ? L'échangeur de Pont Fer ! Y aura-t-il un échangeur à Pont Fer ? Sans un échangeur, ce sera l'enfer, comme c'est déjà le cas durant les heures de pointe. Et, au rond-point

de Phoenix, envisage-t-on un échangeur ? Ma deuxième question est: qu'en est-il des échangeurs ?

Ma troisième question: le système de trois voies implique conceptuellement la disparition de ce que nous appelons le *crawler lane*. Ce *crawler lane* était déjà un non-sens, parce qu'il avait été construit à l'intention, je suppose, des poids lourds. Les bus l'empruntent quelquefois; pas toujours; tout cela représente au maximum 20% du trafic routier, selon le rapport de Halcrow Fox de 2000 ou le rapport Menon de 2004. Donc, pour 20% du trafic routier au maximum, nous avions toute une voie. Le résultat c'est que parfois les deux voies utilisées par les voitures sont complètement encombrées et le *crawler lane* est libre. Donc, cette notion déjà n'avait pas son utilité mais, désormais, avec trois voies, le *crawler lane* doit logiquement disparaître. Et pourtant, en ce qui concerne du marquage routier, il n'y a pas d'évolution. Nous avons toujours, je suppose, légalement *un crawler lane*.

Deuxième problème avec les trois voies, c'est qu'à Maurice nous n'avons pas, M. le président, des *slow lanes*, des *fast lanes*; nous avons un *overtaking lane*. C'est pour cela qu'on trouve toujours à quelques points de l'autoroute un grand panneau de signalisation qui dit 'keep left except when overtaking.' Donc, il n'y a pas de *fast lane*. Pourtant, il est de notoriété publique que les conducteurs mauriciens ignorent totalement ces panneaux de signalisation. Quelqu'un, à partir de Pailles, qui va tourner à droite à Réduit, prend la voie de droite, ce qu'on appelle souvent le *fast lane*, à tort, et ne le quitte jamais; ce qu'il pense être un *fast track*, mais qui devient un *slow track*. Rien n'est prévu. Il faut toute une campagne d'éducation, de sensibilisation des conducteurs. Cela n'est pas prévu, et la police ne sanctionne pas. Et, souvent, l'autoroute devient la loi de la jungle, où les plus pressés dépassent en utilisant le *crawler lane* à 120 kms/heure. Donc, dans une situation où le nombre d'accidents de la route a augmenté, si je ne me trompe pas, par 10% en six mois, il faut d'urgence traiter de ces problèmes. Je pourrais parler aussi des autobus qui n'utilisent pas les espaces où ils sont censés se garer. Nous avons à Maurice une particularité mauricienne; des arrêts d'autobus tout le long de l'autoroute. C'était ma troisième question.

Ma quatrième question concerne les cyclistes et motocyclistes.

**The Deputy Speaker:** Hon. Obeegadoo, you are on the fourth question, and I understand you have got ten.

**Mr Obeegadoo:** And I shall try to finish even the next six. I shall do my level best, Mr Deputy Speaker, Sir, rest assured. Cyclistes et motocyclistes, une autre particularité mauricienne. Ailleurs, à l'étranger, l'on voit très rarement des cyclistes et des motocyclistes sur les autoroutes ou alors des motocyclettes très, très puissantes. A Maurice, c'est courant. Et, pourtant, les voies sont tellement limitées en terme de largeur; il suffit que vous ayez un cycliste devant vous que cela bloque toute la circulation, parce qu'il faut prendre la droite. Serait-ce envisageable d'avoir des voies plus grandes; serait-ce possible, comme du côté de Gymkhana, d'avoir une petite voie d'un mètre, d'un mètre cinquante de large, qui serait réservée exclusivement aux cyclistes et aux motocyclistes ? C'est une question, je pense, tout en n'étant pas expert, et j'aimerais bien avoir l'avis des experts là-dessus.

Mon cinquième point concerne la signalisation. Les panneaux de signalisation ne suivent pas. Par exemple, si vous venez de Réduit en avançant vers Port Louis, la troisième voie, c'est cette voie qui va déboucher sur un échangeur menant vers Bell Village. Pourtant, il n'y a aucun panneau de signalisation. On est censé apprendre en pratiquant la route. Donc, pour quelqu'un qui n'est pas habitué, il se retrouve coincé dans cette voie et il doit changer de voie dans une situation de trafic très dense, ce qui représente de gros dangers pour le trafic routier. Nous avons des panneaux de signalisation à l'approche du rondpoint de St. Jean, mais rien à l'entrée de Port Louis. C'est pareil après le collège Royal de Port Louis, où vous pouvez prendre la gauche pour aller vers Les Salines. Donc, il y a un problème de panneaux de signalisation.

Les feux de signalisation, c'est la catastrophe. D'abord l'entretien. Je prends le carrefour de la route Sivananda, peut-être le carrefour le plus dangereux de l'île. Au moins une fois par mois, les feux ne fonctionnent pas. Deuxièmement, il n'y a pas de réglage. Aujourd'hui, tous les feux de signalisation modernes sont dotés de détecteurs de présence, *sensors* comme on dit en anglais, permettant au bout de 30 secondes de changer, de passer au vert dans l'autre sens. A Maurice, les feux de signalisation ne sont pas réglés. Pire, ils ne sont pas synchronisés. L'accès à Port Louis, entre les feux de signalisation sur la place du Quai et la place d'Armes, nulle synchronisation, parce que ce sont des feux de signalisation de différentes marques. Et, le pire, c'est quand vous avez des feux en opération et les policiers viennent donner des signaux contradictoires. Il est tellement facile dans ces cas-là de provoquer des accidents de la route. Je vais donc, accélérer, M. le président.

Ma sixième question concerne les effets des cameras de surveillance, sujet très controversé. Quel en a été l'impact sur la sécurité routière et la circulation routière? Je pense qu'il serait temps; beaucoup de conducteurs se plaignent, par exemple, en descendant vers Port Louis, à partir de Sorèze, il y a un ralentissement qui affecte tout le flux du trafic routier, il faudrait qu'il y ait une fois pour toutes une évaluation.

Le septième point concerne les parapets en ciment, parapets en ciment sans aucune ouverture en cas d'urgence. Je ne sais pas où de tels parapets existent. Je n'en ai vu ni dans les grandes métropoles européennes ni en Amérique du nord. Il y a un véritable couloir de la mort, comme l'appelle mes collègues. En sortant de Pailles, si vous voulez aller vers Grande Rivière Nord Ouest, il y a sur - je ne sais pas - 200 ou 300 mètres, des parapets en ciment des deux côtés. Le jour où nous aurons un autobus en flamme ou un attentat terroriste sur la voiture d'un dignitaire, c'est la catastrophe. Il n'y a pas moyen de s'enfuir.

Le huitième point concerne les drains. Déjà ces parapets en ciment posent problème pour l'évacuation d'eau. On a *post facto* creusé des trous pour permettre l'évacuation d'eau; le résultat c'est qu'il y a des trous sur la route bitumée. Donc, les motocyclistes et les cyclistes ne peuvent plus rouler à l'extrême gauche mais doivent prendre le milieu de la voie. Et là, je ne comprends plus très bien ce qui se passe entre Nouvelle France et Curepipe. On est en train d'installer des drains alors que nous savons que cette route, dans les prochains dix ans, va devoir aussi être élargie pour passer à trois voies. Et, alors, combien est-on en train de dépenser pour des drains qu'il s'agira de déplacer d'ici dix ans?

Le neuvième point, ce sont les implications pour les autres routes. Je n'aurai pas le temps d'entrer dans les détails, mais si on ne traite pas du problème de l'avenue Sivananda, du Sodnac Link Road, je m'inquiète, les constructions augmentent à une vitesse vertigineuse. Si, dès à présent, on ne songe pas à deux voies dans les deux sens, il sera trop tard. Dans un an ou deux, l'Avenue des Tulipes à Sodnac, qu'on allait élargir- on ne l'a pas fait - est essentiel, parce qu'on ne peut pas changer grand-chose à la route St Jean. Il y a toute une série d'exemples que je pourrais donner. On ne peut pas élargir l'autoroute sans penser aux effets par rapport aux voies d'accès.

Le dixième point, je voudrais savoir pour ce qui est du tracé du métro léger ou du *bus lane*, quel que soit le choix éventuel du gouvernement. N'est-on pas en train d'utiliser la même

bande de terre qui allait être utilisée pour le *bus lane* ou le LRT pour la troisième voie? Et si c'est le cas, nous prévoyons donc pour les prochains dix ou quinze ans; cela va aller, mais, après, pour nos enfants et les enfants de nos enfants, il n'y aura plus de possibilité de *bus lane* ou de LRT. Je pose la question. Je ne peux rien affirmer; je ne suis pas expert, je ne suis pas dans les secrets du ministre.

Un dernier point. Je fais un appel spécial. Il y a beaucoup d'accidents près de la Route Ménager, derrière le magasin Courts, juste avant le collège Royal de Port Louis. Il est urgent d'envisager une passerelle ou quelque chose d'autre à ce point-là. On élargit les routes, et cela devient encore plus difficile pour les piétons de traverser la route. Il y a là un problème urgent.

Donc, mon appel, M. le président - et je termine là-dessus - est que le ministre vienne nous dire s'il y a un plan direct, si le gouvernement a une vision globale. Et si oui, dites au peuple mauricien où serons-nous dans deux ans, dans trois ans. Si ce plan directeur existe, rendez le public, permettez aux gens de savoir comment sera utilisé leur argent, l'argent de l'État. Si ce plan directeur n'existe pas, je vous dirai simplement: au moins dites-nous ce que vous êtes en train d'entreprendre sur l'autoroute afin que les gens comprennent.

Je pense que le droit à l'information est un fondement même de toute démocratie. Permettez que tous les mauriciens, conducteurs ou usagés de la route, passagers aient le droit de commenter, de critiquer, de suggérer et de proposer! Mais, l'on ne peut plus tenir avec cette opacité! Donnez au peuple mauricien l'information requise!

Merci, M. le président.

**The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Deputy Speaker, Sir, I listened attentively to the concern of the hon. Member that he has been expressing all throughout. I would request him to listen to me attentively and be patient till the last.

The first point is that I still remember, so many times, in this very House I have been speaking and describing all the works that are being done and will be done, to such an extent that even the Leader of the Opposition had been passing comments: *chaque fois pe coze sa meme!* I had been repeatedly telling it, either in the House or outside the House. This is the vision of the Prime Minister of this country. I remember that a few years back he told me and he gave the

instructions that he wanted to see a modern infrastructure as far as road network is concerned. On various occasions, in the debate on Budget, I have taken hours and hours to explain in detail all the works that are being done. There is no time for us to sit down and discuss. There is no time for us just to hold conferences. We have to act and we have started acting. We are going slowly, but surely towards our goal. Every rupee which we are spending, every cent that we are spending is being properly spent and well spent. I can assure the House and, through the House, I can assure the entire nation. I know what I am doing and we know what we are in for.

Mr Deputy Speaker, Sir, let me start with the third lane. We started from Grewals to Port Louis which was the first phase of the work and I am happy to note and to announce that the work has been completed up to 99%. We are left with one flyover which we have just started constructing. Once the construction is over, the third lane is already in operation. I am also happy to note that, in the public, everybody feels happy. We have put up the speed camera and since the time that we have put it up, by the grace of God, there has not been any accident at any time. I am happy that, at least, we have been able to reduce the number of minutes which people were spending in the traffic jam.

Secondly, we started with Pont Fer and we moved towards Shoprite. That work is nearly in completion. Unfortunately, in any type of job that we undertake on roads, we have got the biggest problem of land acquisition and because of that, the project got a little bit delayed. One part of land has not yet been obtained because we have to pass through many stages. But the second part of that road is already nearing completion. From Shoprite, we have to come to Pont Colville Deverell Bridge. Work has already started and is almost 40 to 45% completed.

The fourth part is the Pont Colville Deverell Bridge which we are also doing and after that, the fifth part will be the grade separated junction at Cassis. On this grade separated junction also, we had given enough indications and we have spoken lengthily on it. That will be completed probably within two to three months' time. This means that from Pont Fer down to Royal College or Caudan, the work on the third lane will be completed. We have also in mind the crawler lane. Wherever necessary and possible, engineers of my Ministry are working day and night and they will see to it that wherever necessary, the crawler lane will be maintained.

Mr Deputy Speaker, Sir, at the same time, we had also in mind the security of the pedestrians and of the general public. Concerning the flyovers which the hon. Member has been

talking about, the three phases can easily pass through. We have made provisions for that and there is no cause of alarm. At the same time, there was one question which he had been raising most of the time concerning Wootun where we are supposed to put a flyover. I had already answered earlier that we have got a big problem because when we went for tender, nobody tendered. We are again trying to call for tender and I hope that contractors will take interest in that. That concerns the third phase. There won't be any bottleneck at any time, because we are having that grade separated junction and from there to Caudan up till the City Centre, the third lane will be under the PPP project which is coming next year.

And to enter Port Louis, there have been many comments which have been made in the papers, that we are transferring the problem from one end to the other. Even here, I would like to assure the House that we will be having the underpass and the work is going to start, let us say, within two or three months. The underpass will be for pedestrians and we are going to do away with the pedestrians crossing as we have got two in the heart of the city and in front of the Parliament House. These will be removed and instead we are going to construct the underpass. That work has to start within two to three months. This is all about the third lane starting from Phoenix and ending up in Port Louis.

The question was raised regarding the bottleneck which I have already explained. At the same time, we have got the flyovers which we are trying to put up wherever necessary. One is being put up in the vicinity of Bell Village; another one will be at Mount Ory and the third one will be at Wootun.

The question was raised concerning the installation of speed cameras. I consider that to be very effective, at least, that creates a sense of fear also. There are Members of Parliament who have been complaining to me about the number of time they have paid. This is a very good sign. At least whenever people pay, they realise that there must be a sense of *retenu* in them. Government has taken the decision to go ahead with the procurement of another 50 speed cameras. We are not going to go back on this decision that we have taken.

As for Terre Rouge/Verdun, work is already completed at almost 40%. From Verdun to Trianon, the work has already started and that will also be one of the ways to decongestion the city and, at the same time, from Port Louis to Phoenix. In the vicinity of Sodnac also, we have already completed almost 98% of the work which starts from Phoenix and ends in Beaux Songes.

The work is nearly completion and within a month or two, we are going to inaugurate the road. That will also be of a very great help for the inhabitants of that region. The Avenue Tulip will be enlarged, the acquisition procedures are already over and the work is going to start sooner or later.

Mr Deputy Speaker, Sir...

**The Deputy Speaker:** The hon. Minister is left with five minutes.

**Mr Bachoo:** I do not have much to say, because I have replied to what the hon. Member has been saying. One thing that I can assure the hon. Member is that we are not acting haphazardly. In addition to this...

(*Interruptions*)

Which one? I am coming on that! Why is the hon. Member in a hurry? He took about 20 minutes, he should give me at least 10 minutes! We have the B6 from Wootun to Quartier Militaire which is already over from Wootun to Belle Rive. From Belle Rive to Quartier Militaire, we have already given the work orders and work is going to start and it is going to cost us about Rs800 m. Wherever necessary, starting from Pamplemousses till Forbach, the work is already ready. The road is already on and people are utilising it. From Forbach to Grand' Baie is also coming up, because the Prime Minister's instruction was that, when we speak in terms of road decongestion programme, it should not necessarily be one corridor, but we have to look at every nook and corner of this country. Keeping that in mind, we have been investing wherever the need was felt. The Goodlands by-pass is already over, it was about Rs300 m. The Triolet by-pass is already over. Another by-pass at Rivière du Rempart to the tune of Rs80 m. is 99% completed and we are waiting for an opportunity to inaugurate it. Flacq by-pass is also nearing completion. In this way, in every nook and corner of this country, wherever the need was felt, we have taken decision that had to be taken.

Mr Deputy Speaker, Sir, the Ring Road Phase I is also going to be of great help to our people and 40% is already completed. The Ring Road Phase II will be under the PPP and we are also moving for the acquisition of land. The Harbour Bridge is also coming up and here also section 6 has already been published. A few weeks ago in Parliament, I answered a question on that. A1 to M1, that is, from Sorèze to Coromandel, there will be a bridge and here also land

acquisition has already started. In a nutshell, I can say that it is not a haphazard development; it is a well calculated and well organised development. As the hon. Member himself has said, for the first time in the history of Mauritius, after the independence or rather since its creation, we have been doing so much work. I can assure him that we have got competent technicians and engineers. I am not an engineer, I am only a Minister. I stand guided by the engineers and they are all indigenous, they are all offspring of this country, and they are working day and night. There are seven days in a week, and had there been an eighth day, they would have been working even for the eighth day.

The last question was on the issue of the light rail, and I will ask the hon. Member to be a bit patient. Even here Government has already decided to go along that line and we are taking care to see to it that whatever *tracé* we are going to follow - in fact, there are certain amendments that have to be made regarding the original *tracé* - won't tamper in any way with our third lane which we are trying to put up.

Ultimately, Mr Deputy Speaker, Sir, that was the vision of the Prime Minister and the concretisation of the vision is our responsibility, we are doing it and I hope that once again I can assure everybody that it is not a haphazard growth, it is a well calculated organised development which is taking place and I am happy to note that the whole population is taking interest in the development.

Thank you, Sir.

*At 8.12 p.m. the Assembly was, on its rising, adjourned to Tuesday 21 June at 11.30 a.m.*

#### WRITTEN ANSWERS TO QUESTIONS

##### AIR SERVICES – RODRIGUES & REUNION ISLAND

(No. B/478) **Mr F. François (Third Member for Rodrigues)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to air services on the domestic route and on the one between Rodrigues and the Réunion Island, he will state if Government is in presence of any expression of interest from any company for the operation of scheduled air services on either a temporary or permanent basis and if so, indicate -

- (a) the names and country of origin thereof, and
- (b) if Government proposes the liberalisation thereof and, if not, why not

and, if so, when.

**Reply:** The domestic route between Mauritius and Rodrigues can be serviced only by airlines incorporated in Mauritius. The Rodrigues-Réunion route, however, can be serviced by airlines designated by the aeronautical authorities of Mauritius and France in accordance with the Bilateral Air Services Agreement between the two countries.

Currently, Air Mauritius Ltd is the only local company operating the scheduled flights on the Mauritius-Rodrigues Route with an ATR 72-500 aircraft.

In August 2005, Catovair Ltd, a subsidiary company of Ireland Blyth Ltd, was issued an Air Operator Certificate to operate on the domestic route as well as on the Rodrigues-Réunion route. However, Catovair Ltd operated only on the domestic route. In 2007, it ceased operation.

I am informed that in 2009, Solit Aviation, a company incorporated in Rodrigues, proposed to operate scheduled air services on both the domestic route and between Réunion and Rodrigues. The company held discussions with the Department of Civil Aviation but it has so far not provided the additional information required by the Regulatory Authority. Consequently, it has not been issued with an Air Operator Certificate.

I should like to inform the House that from December 2003 to March 2006, Air Mauritius operated two weekly direct flights between Rodrigues and Gillot, Réunion with an ATR 42-500 aircraft. The operation was discontinued due to low seat occupancy and the consequential losses registered.

I am advised that, yesterday, my office received an expression of interest from Superfly Aviation Ltd to start a Charter Cum Aviation project in Mauritius and Rodrigues to service the Indian Ocean region. The company has indicated that it is in the process of applying to the Director of Civil Aviation for an Aircraft Operating Certificate. The application will be examined. The question of liberalisation of access on the Rodrigues-Réunion route therefore does not arise for the time being.

#### **RODRIGUAN POLICE OFFICERS – DISTURBANCE ALLOWANCE**

**(No. B/479) Mr F. François (Third Member for Rodrigues)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Rodriguan Police Officers, domiciled in Rodrigues, who came to Mauritius for training, since 2001 to date, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, indicating if the disturbance allowance or the 50%

allowance, as recommended by the Pay Research Bureau reports, have been paid to them and if not, why not, indicating if remedial actions will be taken.

**Reply:** I am informed by the Commissioner of Police that Police officers domiciled in Rodrigues and coming to Mauritius on training are entitled to an allowance equivalent to 50% on their salary for the duration of the course. Any officer eligible for this allowance is required to submit an application to the Human Resource section and payment is made upon approval of the application by the Deputy Commissioner of Police (Administration).

I am informed that since 2001 up to 10 June 2011, 60 Police officers domiciled in Rodrigues who came to Mauritius for training purposes have, upon application, been paid the relevant allowance.

It may have happened that officers from Rodrigues having followed training courses in Mauritius have not submitted the relevant application and have thus not been paid the allowance for which they are eligible. I have requested the Commissioner of Police to instruct the Divisional Commander (Rodrigues) to enquire into any cases of officers from Rodrigues having followed training courses in mainland Mauritius but have not submitted their applications to enable payment of their allowance for which they are eligible.

#### **PASSPORTS – ISSUE - FEES**

**(No. B/480) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the passports, he will state if consideration will be given for amendments to be brought to the regulations in relation thereto, with a view to lower the fees payable for the replacement thereof, in case of loss through theft or damage by fire.

**Reply:** The issue of passports to citizens of Mauritius is regulated by the Passports Regulations 1969 as amended. Regulation 11 thereof prescribes the schedule of fees applicable for issue of a new passport, and also for replacement of a passport which, during its validity period, is declared lost or damaged, or is found to be unusable due to tampering.

A fee of Rs5,000 is paid for the first replacement of a passport during its validity period, and Rs15,000 for second issue. For issue of every subsequent new passport, an additional and cumulative fee of Rs15,000 is charged.

The philosophy behind applying higher fees for replacement of a passport is to discourage the holder from intentionally tampering with the document. Furthermore, payment of

higher fees for passport deters abuse on the part of a person who makes false declaration that his/her passport is lost or damaged and who has the bad intention to use fraudulently the document for criminal activities. There have been several cases of Mauritians repatriated from France or the United Kingdom who voluntarily damaged their passports because these countries have endorsed a red cross or a remark therein.

Regulation 18 of the Passports Regulations 1969 makes provision for exemption from payment of fees for issue of a new passport. Persons who are victims of theft of their passports or whose passports are damaged by fire or in a natural disaster, may, on a case to case basis, apply for exemption from payment of higher fees and pay only the normal fee for replacement of their passports.

My office applies the following criteria to determine eligibility for exemption -

- (i) the passport is lost in a natural disaster or through theft or damaged by fire and the case is reported to the Police;
- (ii) the case is genuine and the holder of the passport has not acted negligently, and
- (iii) the person is from a low income group.

In line with the above criteria, 21 persons were exempted from payment of the fee of Rs5,000 for the replacement of a stolen or damaged passport during the period 2005 to date.

The existing regulations guarantee fair treatment to genuine victims whose passports are lost through theft or damaged. It is, therefore, not envisaged to amend the existing regulations.

#### **STC - PETROLEUM PRODUCTS - INSURANCE COVER**

**(No. B/498) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to the importation of petroleum products from Mangalore Refineries and Petrochemicals Ltd., he will, for the benefit of the House, obtain from the State Trading Corporation -

- (a) and table copy of the insurance cover for the -
  - (i) contaminated petroleum products, and
  - (ii) importation of petroleum products on the CIF basis;
- (b) information as to who is responsible to dispose of the petroleum products, where and how, in case of contamination.

**Reply:** As regards part (a) of the question, I wish to refer the hon. Member to the reply to PQ B/338 made on 17 May 2011. I am informed by the STC that, as from August 2010, the STC

has taken an all-risks policy to cover the importation of petroleum products including the risk of contamination. A tender exercise was launched in July 2010 and the most competitive offer was chosen on a consignment fee basis. The insurance cover extends over a 3-year period from 1 August 2010 to 31 July 2013.

The House will appreciate that an Insurance Cover is a privileged and confidential document made between two parties, the insured and the insurer. It is a commercial document which contains information of a sensitive and strategic nature. It will, therefore, not be appropriate to table a copy of the Insurance Cover.

However, Members of the House may consult the document at the State Trading Corporation.

In regard to part (b) of the question, I am informed by the STC that as the petroleum products are covered by an insurance policy, it is the responsibility of the Insurer to dispose of any petroleum products found to be contaminated. Any contaminated product is sealed on board. This product is not unloaded and normally does not reach the local market. As the product is covered by an all-risks Marine Cargo Open Policy, it is left to the insurer to dispose of it as it may deem fit.

We are advised that since such products cannot be recycled in Mauritius, they are normally sold on International markets where they can still fetch some value.

#### **VEGETABLES - AUCTIONS**

**(No. B/499) 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 current practice of carrying out vegetables auctions, he will state if Government proposes the review thereof and, if so, when and, if not, why not.

*(Withdrawn)*

#### **MARE AUX VACOAS - WATER TRANSFER - CONTRACT**

**(No. B/500) 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 transfer of water from the Mare Longue reservoir to that of Mare aux Vacoas, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the

-  
(a) contract value thereof, and

(b) name of the bidders.

**Reply:** I am informed by the Central Water Authority that on 01 April 2011, eight local firms with the capacity and experience in civil engineering works had been invited to submit bids for laying of pipelines from Mare Longue reservoir to the Mare aux Vacoas system on an emergency basis.

At the closing date on 19 April 2011, two bids were received from PAD & Co. Ltd and Sotravic Ltée. The two bids were evaluated by a Bid Evaluation Committee at the Central Water Authority. The contract was awarded to the only technically responsive bidder, Sotravic Ltée on 4 May 2011, for the sum of Rs82,489,016.89 inclusive of 15% VAT.

#### **FLACQ HOSPITAL - NEW WING - CONSTRUCTION**

**(No.B/501) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil)** asked the Minister of Health and Quality of Life whether, in regard to the Flacq Hospital, she will state if the construction of the new wing is completed and, if so, when will it be operational.

*(Withdrawn)*

#### **CENTRAL FLACQ - RIVER BANKS - EMBELLISHMENT**

**(No. B/502) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil)** asked the Minister of Environment and Sustainable Development whether, in regard to the river banks found between the new market and the Winners Supermarket, at Central Flacq, he will state if consideration will be given for the carrying out of embellishment works and the creation of a green space thereat.

*(Withdrawn)*

#### **AUGUSTE VOLAIRE STADIUM - SYNTHETIC TRACK**

**(No. B/503) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil)** asked the Minister of Youth and Sports whether, in regard to the synthetic track of the Auguste Volaire Stadium, he will state the state and condition thereof, indicating if consideration will be given for the replacement thereof and, if so, when and, if not, why not.

*(Withdrawn)*

### TOURISM FUND - PROJECTS

**(No. B/504) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil)** asked the Minister of Tourism and Leisure whether, in regard to the Tourism Fund, he will, for the benefit of the House, obtain therefrom, information as to, since its setting up to date, on a yearly basis, the -

- (a) major projects initiated, implemented and financed thereby, indicating in each case, the sum disbursed, and
- (b) amount of money received thereinto.

*(Withdrawn)*

### CWA - GENERAL MANAGER/CHIEF EXECUTIVE

**(No. B/505) Mr S. Obeegadoo (Third Member for Curepipe and Midlands)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the post of General Manager/Chief Executive of the Central Water Authority, he will, for the benefit of the House, obtain from the Authority, information as to when same became vacant, indicating the reasons why same has not been filled.

**Reply:** The post of General Manager at the Central Water Authority became vacant on 18 December 2010.

The profile for the post is being reviewed in order to attract highly competent persons with the required experience in the field of water management. In view of the reform of the water sector to be carried out by the Singapore Public Utilities Board, my Ministry will finalise the profile for the post in consultation with the Singaporean experts, as a priority.

Thereafter, the post will be advertised locally and internationally.

### PROJECT PLAN COMMITTEE – SET UP

**(No. B/506) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Project Plan Committee, he will state-

- (a) when it was set up;
- (b) its composition and terms of reference;

- (c) the projects which have been considered and recommended for the construction of new buildings and the acquisition of existing ones, since July to December 2010, indicating the date and the budget recommended, and
- (d) if the acquisition of the Med Point Clinic was channeled through the Committee and, if so
  - (i) when and
  - (ii) table the minutes thereof.

*(Withdrawn)*

#### ***CHARTE DE L'OBSERVATOIRE DES PRIX - GUIDELINES & CRITERIA***

**(No. B/507) Mr J. Seetaram (Second Member for Montagne Blanche and G.R.S.E)** asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to the guidelines and criteria set down in the *Charte de L'Observatoire des Prix*, he will state if consideration will be given for amendments to be brought thereto in order to give an accurate picture of the price level of consumer goods.

*(Withdrawn)*

#### **STC - DEBTS**

**(No. B/508) Mr R. Uteem (Second Member for Port Louis South and Port Louis Central)** asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to the State Trading Company of Mauritius Ltd., he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the amount of the debts thereof that has been written off, since its incorporation up till its closure, indicating-

- (a) the names of the debtors, and
- (b) who authorised the writing off, indicating the reasons therefor.

**Reply:** I wish to inform the House, and in particular, the hon. Member, that there is no such company as State Trading Company of Mauritius Ltd. I presume that the hon. Member is referring to the STCM Ltd which was incorporated as a private company limited by shares on 11 September, 2007 as a company wholly owned by STC to engage in commercial and trading activities.

I am informed by the STC that a total amount Rs 10.9 m. has been written off by the STCM Ltd as follows-

- (i) Tantsaha Mihary Menabe (TAMI) Madagascar : Rs2,194,250. Approval was granted by the then Executive Director of STCM Ltd.
- (ii) Tantsaha Mihary Menabe (TAMI) Madagascar : Rs4,607,925. Approval of the Board of STCM Ltd was granted.
- (iii) Qingdao United Dairy (China): Rs2,077,500.00. Approval of the then Executive Director of STCM Ltd was granted. In respect of the balance of 50% amounting to Rs2,077,500.00, approval of the Board of STCM Ltd was granted

I am further informed by the STC that an amount of MUR12,483,358.93 was treated as bad debts in the books of STCM Ltd. In fact, it should have been treated as Discount Allowed/Sales Return as the products had either expired their shelf-life or were no longer saleable in view of deterioration. The retailers concerned were requested not to return the goods to STCM Ltd and to dispose them. No credit note was however issued to those retailers.

#### **STC – OIL - PRICE**

**(No. B/509) Mr R. Uteem (Second Member for Port Louis South and Port Louis Central)** asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to hedging by the State Trading Corporation on the price of oil in 2008, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to if the prior approval of the then Minister responsible for Commerce was sought and obtained therefor, indicating if same was monitored and, if not, why not.

**Reply:** Questions on this subject have been asked and replies given repeatedly.

In respect of the hedging exercise carried out in July 2008, I am informed that there is no record on file of any prior approval being sought by the STC or given by the then Minister.

The question of monitoring did not, therefore, arise.

#### **NATIONAL WEIGHTLIFTERS TEAM – BULGARIA - TRAINING CAMP**

**(No. B/510) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the National Weightlifters Team, he will table copy of the project of the Mauritius Weightlifters and Power-lifters Association for the training camp in Bulgaria and the recommendations made by the technicians of his Ministry in relation thereto, indicating the -

- (a) budget allocated therefor and the amount spent, and
- (b) reasons why the team has returned before the scheduled date.

*(Withdrawn)*

### **RODRIGUES - WATER TANK GRANT SCHEME**

**(No. B/511) Mr J. F. François (Third Member for Rodrigues)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the extension of the Water Tank Grant Scheme to Rodrigues, he will state where matters stand.

**Reply:** The hon. Member may wish to refer to my reply to PQ B/175, wherein I informed the House that the scheme will be extended to about 2,500 low income families in Rodrigues as identified by the Ministry of Social Integration and Economic Empowerment.

In April 2011, my Ministry consulted the Ministry of Fisheries and Rodrigues on the criteria and procedure for the implementation of the grant scheme in Rodrigues.

The Ministry of Fisheries and Rodrigues consulted the Commission for Water Resources of the Rodrigues Regional Assembly which is of the view that low income families would not be able to top up the Rs 3,000 grant in view of the higher costs of water tanks in Rodrigues and that a different scheme is required.

The Commission has indicated that it is currently implementing a project for the construction of 340 concrete water tanks of  $6\text{ m}^3$  for vulnerable households, for which a sum of Rs10 m. has been provided in the budget.

My Ministry will have further discussions with the Ministry of Fisheries and Rodrigues on the implementation of the water tank grant scheme in Rodrigues.

### **RODRIGUES - BANDWIDTH CAPACITY & INTERNET ACCESS**

**(No. B/512) Mr J. F. François (Third Member for Rodrigues)** asked the Minister of Information and Communication Technology whether, in regard to bandwidth capacity and internet access, he will state if Government proposes to obtain further satellite space from Intelsat with a view to improving connectivity in Rodrigues, as a short and medium term measure.

*(Withdrawn)*

### **EMBASSIES & HIGH COMMISSIONS - PUBLIC OFFICERS – POSTING**

**(No. B/513) Mrs A. Navarre-Marie (First Member for G.R.N.W & Port Louis West)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to our Embassies and High Commissions, he will state the names of the Public Officers

posted thereat who have overstayed the three years period of tour of duty as at to-date, indicating in each case, the -

- (a) status/grade;
- (b) number of years of posting in the same place, and
- (c) reasons therefor.

*(Withdrawn)*

#### **LYCEE POLYTECHNIQUE DE FLACQ - STUDENT STRIKE**

**(No. B/514) Mr S. Obeegadoo (Third Member for Curepipe & Midlands)** asked the Minister of Education and Human Resources whether, in regard to the Lycée Polytechnique de Flacq, he will state if the issues raised by the students and by their parents, in connection with the strike action thereat, have now been addressed and, if so, indicate the measures that will be taken with a view to improving the management and overall running thereof.

*(Withdrawn)*

#### **POLICE INSPECTORATE TEAM – VISITS**

**(No. A/183) Mr D. Nagalingum (Second Member for Stanley and Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Police Inspectorate Team, he will, for the benefit of the House, obtain from the Commissioner of Police –

- (a) a list of the Police officers constituting same, indicating their respective grades and posting, and
- (b) information as to the number of visits carried out over the past six months, indicating if -
  - i. the shortcomings detected, if any, are followed up, and
  - ii. vehicles from the Police Transport Branch are put at their disposal for visits at night and, if so, indicate the reasons therefor.

**Reply:** In regard to part (a) of the question, the Police Inspectorate Team comprises 18 officers of the following grades –

- 1 Deputy Commissioner of Police
- 2 Assistant Commissioner of Police
- 3 Superintendent of Police
- 4 Assistant Superintendent of Police
- 1 Deputy Assistant Superintendent of Police
- 4 Chief Inspector
- 2 Inspector
- 1 Temporary Inspector

For security and operational reasons, it is not in order to give the posting of these officers.

In regard to part (b) of the question, 31 visits have been carried out over the past six months and all shortcomings reported have been addressed.

It is an established practice that whenever officers of the Police Inspectorate Team have to perform visits and checks, they utilise vehicles from the Branch, Division or Unit to which they are posted. If transport is not available, arrangements are made to provide them with vehicles from the Police Transport Guard Room as most of the time, such visits and checks are carried out at night or early in the morning.

#### **MBC – FOREIGN NATIONALS – EMPLOYMENT**

**(No. A/184) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the foreign nationals, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to the number thereof presently employed on a full time/part time basis or on specific assignment by the Corporation, giving details of the assignment and of the terms and conditions thereof.

**Reply:** The information is as follows –

NUMBER OF FOREIGN NATIONALS	FULL TIME/PART TIME/SPECIFIC ASSIGNMENT	DETAILS OF ASSIGNMENT	TERMS AND CONDITIONS OF EMPLOYMENT
1	Full time (on contract)	<ul style="list-style-type: none"> <li>(i) to conceive, direct, produce and present programmes on radio and television;</li> <li>(ii) to liaise with collaborators for the production of programmes including commercials;</li> <li>(iii) to carry out the duties of announcer, newsreader, programmes and commentary reader;</li> <li>(iv) to audition and preview programmes and attend rehearsals;</li> <li>(v) to look for research work for programmes and preparation of background materials on various topics of local and international importance; and</li> <li>(vi) to perform such other duties directly related to the main duties listed above.</li> </ul>	<p>Contract period: One year with effect from 14 February 2011</p> <p>Terms and conditions of employment as per PRB Report 2008.</p>

*Source: Mauritius Broadcasting Corporation*

### **POLICE – DIVISIONAL SUPPORT UNIT**

**(No. A/185) Mr D. Nagalingum (Second Member for Stanley and Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Divisional Support Unit, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the regions where its offices are located, indicating in each case the number of –
  - i. Police Officers posted thereat per shift
  - ii. vehicles attached thereto, and
- (b) if consideration will be given for the creation of additional sub-units in Divisions covering large areas

**Reply:** Divisional Support Units are set up to provide support to front line personnel at Police stations level, and are located in each of the seven Divisions.

In regard to part (a) of the question, the hon. Member will appreciate that for security reasons, it is not advisable to give such information.

In regard to part (b) of the question, the Divisional Support Unit is called on a spot after the front line services, that is, the local Police and the Emergency Response Services are overpowered and have difficulty to deal with a given situation. Thereafter, if the situation so warrants, the Special Support Unit and the Special Mobile Force may be called upon to support the local Police.

Consequently, it is not proposed to create additional units in Divisions covering large areas.

### **POLICE STATIONS & DIVISIONS – TELEPHONE LINES**

**(No. A/186) Mrs L. Ribot (Third Member for Stanley and Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the telephone lines of Police Stations, Divisions and/or Branches operating on a 24 hour basis, he will, for the benefit of the House, obtain from the Commissioner of Police –

- (a) a list thereof which are equipped with a PABX Telephone System, indicating if regular faults occur thereon at the Police Stations of Flacq, Vacoas and Curepipe and the Divisional Headquarters, and

(b) information as to if all Police stations in the Eastern Division are equipped with at least two telephone lines on a 24 hour basis.

**Reply:** In regard to part (a) of the question, the list of Police Stations, Police Posts, Units at Divisional and Branch levels which are equipped with a PABX telephone system is being laid in the Library.

The PABX telephone system at the Police stations of Flacq, Vacoas and Curepipe, and the Divisional Headquarters is functioning properly and there are no regular faults. However, any fault which is detected in the PABX telephone system is attended to on a priority basis by the companies which have installed the system.

In regard to part (b) of the question, all the 12 Police Stations in the Eastern Division are equipped with at least two telephone lines on a 24 hour basis.

#### **POLICE FORCE – PERSONS EMPLOYED – CONTRACT**

**(No. A/187) Mrs L. Ribot (Third Member for Stanley and Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to persons employed on a contractual basis/on deputation, in the Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, a list thereof, indicating in each case, the –

- (a) rank and posting
- (b) duties assigned
- (c) country of origin and
- (d) terms and conditions of employment, including the period.

**Reply:** In line with bilateral relations with several friendly countries including France, United Kingdom, India and USA, several foreign nationals are often sent on deputation to the Police Department for advisory, training and operational duties covering, *inter-alia*, protective security and surveillance of our Exclusive Economic Zone (EEZ) for piracy and other illegal activities like drug trafficking.

The hon. Member will appreciate that for security reasons it will neither be in order nor proper to give such information requested by her which also relates to Citizens of Mauritius with specific expertise who are attached to the Police Department.

**AIRCRAFTS AND MARINE VESSELS – ACQUISITION - FOREIGN EXCHANGE PAYMENTS**

**(No. A/188) 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 aircrafts and marine vessels, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the amount of foreign exchange payments effected for the acquisition thereof, since 2005 to date, indicating in each case the -

- (a) name of the supplier and of the nationality thereof; and
- (b) make and model thereof.

**Reply:** According to the Bank of Mauritius (BOM), the import bill for aircrafts and marine vessels for the period 2005 to June 2009 stands as follows –

*Rs million*

	2005	2006	2007	2008	2009
Aircraft and Marine vessel	120	6,846	2,730	583	2,862

Once aircraft valued at Rs120 m. was purchased in 2005. In 2006, three aircrafts (2 by the national carrier and 1 by a private entity) were acquired (purchased/leased) and one marine vessel, totaling Rs6,846 m. Another aircraft was acquired in 2007 valued at Rs2,730 m. In 2008, two marine vessels were purchased by private entities valued at Rs583 m. An aircraft amounting to Rs2,862 m. was purchased in 2009.

The Bank of Mauritius obtains information about external trade statistics, which include imports of aircrafts and marine vessels, from the Central Statistics Office. The latter provides the information without disclosing the name and the nationality of the supplier. Details about the make and model are not available at the Central Bank.

### **MAURITIUS TELECOMS - BUSINESS DIRECTORY SERVICE**

**(No. A/189) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Information and Communication Technology whether, in regard to the Business Directory Service on line 152 of the Mauritius Telecoms, he will –

- (a) for the benefit of the House, obtain from the Mauritius Telecoms, information as to if it has received complaints as to the poor quality and to the high cost of the service and, if so
- (b) state if he will consider referring the matter to the Competition Commission for an inquiry thereinto.

**Reply:** I am informed by the Mauritius Telecom Ltd that the Service 152 is provided by Call Centre Services Ltd (CSL), a wholly owned subsidiary of Mauritius Telecom Ltd.

The Service 152 is not part of services which Mauritius Telecom Ltd is under obligation to provide under its licence. The Service 152 is a value-added service provided commercially to members of the public who wish to have access to information. The information provided is based on the data submitted by the parties (restaurants, shops, cinemas, etc) who wish to advertise for the said service to the public.

The CSL has received a total number of 7 complaints for the year 2010 and 4 complaints from January 2011 to date. The number of complaints received is not considered as being significant, when compared to the average number of 84,760 calls per month for the period January to May 2011.

I am informed by the Mauritius Telecom Ltd that the CSL is ISO Certified and there is a quality system which has been put in place. The Quality of Service provided is monitored regularly internally and externally by quality audits. The last external quality audit on services provided to the public by CSL was carried out by the firm SGS (Mauritius) Ltd on 16 May 2011.

The House may wish to note that the Service 152 is a tele-agent operated service, as opposed to automated services. There is, therefore, a higher cost associated with the provision of service by an agent as compared to an automated machine, which simply provides recorded information. However, the price of Service 152 is the same as those of several existing automated services such as audiotext services e.g. horoscope.

As regards part (b) of the question, given that the matter does not fall under the purview of the Competition Act, it cannot be referred to the Competition Commission.

#### **MINISTRY OF YOUTH AND SPORTS – ADVISERS**

**(No. A/190) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the advisers attached to his Ministry, he will give a list thereof, indicating in each case the –

- (a) date of appointment;
- (b) job description, and
- (c) salary and other fringe benefits drawn.

**Reply:** The information is being placed in the Library.

#### **ABDOOL RAMAN ABDOOL GOVERNMENT SCHOOL – SECURITY - MEASURES**

**(No. A/191) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Education and Human Resources whether, in regard to the Abdool Raman Abdool Government School, he will state if he has taken cognizance of the bad state of the school blocks and of the toilets and of the lack of security thereat during school hours and, if so, indicate the remedial measures that will be taken.

**Reply:** The Abdool Raman Abdool Government School is accommodated in a building complex with 4 blocks which have been constructed some 60 years ago.

During a recent island-wide survey carried out by the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, the buildings of the Abdool Raman Abdool Government School, among other schools, have been identified to be pulled down and replaced by new blocks.

My Ministry has, since 2009, embarked on the Primary School Renewal Project (PSRP) which consists in the demolition of old classroom blocks and the construction of new ones to cater not only for existing facilities but to provide for new ones as well.

Phase I of the PSRP, which concerns 17 primary schools, has already started and will hopefully be completed by end of this year.

Phase II of the PSRP, in respect of which preliminary works have already been started, concerns 10 other primary schools including Abdool Raman Abdool Government School. The project is expected to be implemented in 2012.

In the meantime, the Maintenance Team in my Ministry is attending to minor works in the schools.

In regard to toilet facilities, I am informed that same were upgraded by the District Contractor of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping in 2008 to the tune of Rs 1.7 m. and that they are in a satisfactory state.

Insofar as security during school hours is concerned, my Ministry has consulted the Traffic Management and Road Safety Unit which has informed that there is, in fact, little traffic on the streets surrounding the school. Furthermore, there are footpaths on both sides of the two roads at the back and in front of the school and there is also a pedestrian crossing on the street at the main entrance. Hence, considering the traffic situation on the roads, the road safety condition is considered adequate.

However, during school release time in the afternoon, there is congestion near the entrance of the school for a short period of time. With a view to dealing with the situation, a Police officer is posted at the school entrance at time of dismissal to ensure safety of the pupils.

**PORt LOUIS MUNICIPAL COUNCIL - ATTORNEYS AT LAW - FEES PAID**

**(No. A/192) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Local Government and Outer Islands whether, in regard to the Attorneys at Law whose services have been retained by the Municipal Council of Port Louis, he will, for the benefit of the House, obtain from the Council, a list thereof, since 2005 to-date, indicating, in each case, the total amount of –

- (a) retainer fees paid to them, and
- (b) money collected through their services and remitted to the Council.

**Reply:** I am informed by the Municipal Council of Port Louis that no Attorneys-at-Law were appointed in 2005. It is only since the year 2006 that the following Attorneys at Law had been appointed to recover arrears –

- (i) Me Pazhany Rangasamy;
- (ii) Me Salim Daureeawoo;
- (iii) Me Booneshwar Sewraj, and

(iv) Me Chedumbrum Pillay (no more under contract since elected as Member of National Assembly).

I am informed that no retainer fees are paid to these Attorneys except 10% of the amount recovered is being paid to Messrs Rangasamy, Daureeawoo and Sewraj only. The amount collected by these Attorneys and remitted to the Council from 2006 to date are as follows –

<b>Attorney</b>	<b>Amount (Rs)</b>
Me Salim Daureeawoo	5,340,476.52
Me Pazhany Rangasamy	21,808,389.12
Me Booneshwar Sewraj	11,913,920.60
Me Chedumbrum Pillay	2,745,545.64

#### **FSC - MANAGEMENT COMPANIES - COMPLAINTS**

**(No. A/193) 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 management companies, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to the number of complaints received against each of them, if any, since 2005 to date, and if so, indicate the sanctions taken, if any.

**Reply:** The Financial Services Commission receives complaints from several sources.

Those pertaining to Management Companies (MCs) mostly relate to the following –

- (a) Inflated fees charged by MCs
- (b) Retention or mishandling of client files by MCs
- (c) MCs not following instructions from clients on a timely manner
- (d) Industrial relations issued – employees complaining about conditions of employment
- (e) Poaching of clients by other MCs

Once the Commission receives a complaint, an assessment is made of same.

Based on the initial assessment, the Commission determines whether there are elements to pursue the matter further. In some cases, MCs are requested to provide further information and clarifications. Additionally, the parties involved may be called for explanations.

Most of the complaints received are of a commercial nature and depend on the terms of agreement between the clients and the MCs.

In some cases, the parties agree to remediate the situation following Commission's intervention.

In a few cases, the Commission has probed further through fact finding visits and inspections. However, in these cases, the MCs have undertaken to address all shortcomings and there were not enough grounds to pursue the matter further.

### **MOTORCYCLES & CARS – RACING TRACK**

**(No. A/194) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Youth and Sports whether, in regard to the racing motorcycles and cars, he will state if consideration will be given for the construction of a racing track therefor and, if not, why not.

**Reply:** At present no specific motorcycling and motor racing circuits exist in Mauritius. On several occasions my Ministry through the Mauritius Sports Council has placed the parking area of the Anjalay Stadium at the disposal of the Motorcycling Federation to organise motorcycling races. Following the recent motorcycling race and the death of a rider, the Mauritius Sports Council is in the process of reviewing the conditions to let the stadium for the purpose of motorcycling races.

Professional motorcycling and car racing are not organised yet in Mauritius. The question of the construction of a racing track in the immediate future, therefore, does not arise.

### **PETITE RIVIERE/GAMMA COMPANY, BEAU BASSIN - STREET LIGHTING**

**(No. A/195) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Local Government and Outer Islands whether, in regard to the street lighting system found on the main road at the level of the Petite Rivière junction to the Gamma Company in Beau Bassin, he will, 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 the -

- (a) reviewing thereof, and
- (b) regular trimming of trees so as not to obstruct the street lanterns.

**Reply:** I am informed that the main road from Petite Rivière junction to the Gamma Civic Company in Beau Bassin is a classified one and falls under the responsibility of the Road Development Authority. However, only the stretch of the road between Bata and Gamma Civic Company is under the jurisdiction of the Municipal Council of Beau Bassin-Rose Hill.

I am informed that there are 71 poles fitted with street lanterns of 250 watts each along this stretch of the road and which are regularly maintained by the Council. However, following road accidents, six other poles have been damaged and removed. The matter is being taken up with the Police and the concerned insurance companies for the reinstatement of the damaged poles and lanterns.

As regards trimming of the trees along the main road, I am informed that an exercise has been scheduled during the month of August this year before the advent of the cyclonic season.

As far as the stretch from Petite Rivière junction to Sunray Hotel is concerned, this falls under the jurisdiction of the Municipal Council of Port Louis and some trees which are obstructing the street lanterns will be trimmed by the Council during off-peak hours in the coming days.

#### **CUREPIPE MUNICIPAL COUNCIL – HEAD PLANNER**

**(No. A/196) Mr S. Obeegadoo (Third Member for Curepipe & Midlands)** asked the Minister of Local Government and Outer Islands whether, in regard to the post of Head Planner at the Municipal Council of Curepipe, he will, for the benefit of the House, obtain from the Council, information as to the date from which the present incumbent is occupying same in an acting capacity, indicating when same will be filled.

**Reply:** I am informed by the Municipal Council of Curepipe that the post of Head, Planning Department was filled on 23 November 2009 with the appointment of Mr Mohammud Al-Ilshaad Subratty.

I am informed that Mr Subratty proceeded on vacation leave from 05 January 2011 to 01 February 2011, followed by one year leave without pay for study purposes abroad with effect from 02 February 2011. Consequently, Mr Rajeswar Phul, Head Planning Department at the Municipal Council of Vacaos-Phoenix has been supervising the Planning Department of the Council on two days weekly from 05 January 2011.

I am further informed that since Mr Phul has proceeded on vacation leave for a period of 19 days from 06 June 2011, Mr Keeranlallsingh Santokhee, Head, Planning Department at the

Pamplemousses-Riviere du Rempart District Council is now supervising the Council during the absence of Mr Phul.

As such there is no permanent vacancy in the grade of Head, Planning Department at the Council.

**BANK OF MAURITIUS - CHEQUE TRUNCATION (CTS) PROJECT –  
CONTRACT VALUE**

**(No. A/197) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes)** asked the Vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Bank of Mauritius Cheque Truncation (CTS) Project, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the

- (a) date the tender was launched;
- (b) list of bids received ;
- (c) name of the successful bidder, indicating his profile, and
- (d) contract value.

**Reply:** I am advised by the Bank of Mauritius that the information sought is of confidential nature and pertains to their day-to-day administration and therefore cannot be disclosed.

**QUATRE BORNES MUNICIPAL COUNCIL - LEGAL ADVISERS**

**(No. A/198) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes)** asked the Minister of Local Government and Outer Islands whether, in regard to the legal advisers whose services have been retained by the Municipal Council of Quatre Bornes, since July 2005 to-date, he will, for the benefit of the House obtain from the Council, information as to the names of the incumbents, indicating in each case the

- (a) date on which their services were retained, and
- (b) total amount of retainer and any other fees paid to them.

**Reply:** The information requested by the hon. Member is being placed in the Library.