



REPUBLIC OF MAURITIUS

FIFTH NATIONAL ASSEMBLY**PARLIAMENTARY****DEBATES****(HANSARD)****FIRST SESSION****TUESDAY 28 JUNE 2011**

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(Formed by Dr. the Hon. Navinchandra Ramgoolam)

Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	<i>Prime Minister, Minister of Defence, Home Affairs and External Communications</i>
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Hon Yatindra Nath Varma	<i>Attorney General</i>
Hon John Michaël Tzoun Sao Yeung Sik Yuen	<i>Minister of Business, Enterprise, Commerce and Consumer Protection</i>

*Members**Members*

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MAURITIUS

Fifth National Assembly

FIRST SESSION

Debate No. 14 of 2011

Sitting of Tuesday 28 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)

PAPERS LAID

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

A. Prime Minister's Office –

Certificate of Urgency in respect of the Cadastral Survey Bill (No. XV of 2011).

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

The Road Traffic (Taxi, Bus and Lorry Stands) (Amendment) Order 2011 (Government Notice No. 126 of 2011).

C. Ministry of Agro Industry and Food Security –

(a) The Annual Report 2008/2009 of the Mauritius Meat Authority.

(b) The Annual Report and Accounts of the Irrigation Authority for the Financial years 2001/2002, 2002/2003, 2003/2004, 2004/2005 and 2005/2006.

ORAL ANSWERS TO QUESTIONS

UNITED NATIONS HUMAN RIGHTS COUNCIL RESOLUTION - HOMOSEXUALS - RIGHTS

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Resolution which was recently adopted by the United Nations Human Rights Council, with the support of Mauritius, affirming for the first time the rights of the homosexuals and directing the UN High Commissioner for Human Rights to produce a report on the laws and practices that discriminate against the homosexuals in various countries, including Mauritius, by December 2011, he will state if Government proposes to bring amendments to the domestic laws which discriminate against the homosexuals to be in line thereto and, if so, indicate the laws to be amended.

The Prime Minister: Mr Speaker, Sir, Mauritius has always adhered to the principle of universality of human rights, as enshrined in the Universal Declaration of Human Rights, Article 1 of which proclaims that “All human beings are born free and equal in dignity and rights”.

The House will recall, Mr Speaker, Sir, that the National Assembly had, after different Members had intervened on the matter, adopted, on 16 December 2008, the Equal Opportunities Act which prohibits discrimination on various grounds, including sexual orientation, in a number of spheres of activities, namely employment; education; provision of goods, services or facilities; accommodation; disposal of immovable property; companies, partnerships, “sociétés” or registered associations; clubs; and access to premises and sports.

Further, the Employment Rights Act and the Employment Relations Act, which were both passed in 2008, prohibit discrimination and harassment by an employer on the ground of sexual orientation.

Moreover, in December 2008, Mauritius had co-sponsored along with 66 other countries a Statement delivered in the United Nations General Assembly on human rights, sexual orientation and gender identity. This statement expressed deep concern about violations of human rights and fundamental freedoms based on sexual orientation or gender identity.

It is to be noted that at the Universal Periodic Review of Mauritius held in February 2009, the United Kingdom had called upon Mauritius to take further measures to prevent discrimination based on sexual orientation, and to make provision in our Equal Opportunities Act for the legal acknowledgement of homosexual couples and their human rights. It is noteworthy that the reaction of Mauritius to the UK proposal was that Mauritius would give further consideration to the proposal.

Against this background, Mauritius supported the Resolution on “Human rights, sexual orientation and gender identity” which was adopted on 17 June of this year by the 17th Session of the Human Rights Council.

This Resolution affirms the universality of human rights and expresses concern about acts of violence and discrimination based on sexual orientation and gender identity.

The Resolution also requests the UN High Commissioner for Human Rights to commission a study to be finalised by December 2011, to document discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, in all regions of the world, and how international human rights law can be used to end violence and related human rights violations based on sexual orientation and gender identity.

The Resolution further calls for a panel discussion during the 19th Session of the Human Rights Council, informed by the facts contained in the study commissioned by the High Commissioner for Human Rights and for constructive, informed and transparent dialogue on the issue of discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity. The Panel will also discuss the appropriate follow-up to the recommendations of the study.

The Resolution, Mr Speaker, Sir, is a procedural one and not a normative one, in the sense that it initiates a process for a study, dialogue and further discussion, but does not establish standards.

Since Mauritius is in favour of dialogue on ending acts of violence and related human rights violations based on sexual orientation and gender identity, it voted in favour of the Resolution.

The integration of sexual orientation in the international human rights architecture in an explicit manner will depend, among others, on the study to be commissioned by the High Commissioner for Human Rights and ensuing discussions in the Human Rights Council. It is not guaranteed that such integration would be politically achievable.

As the Resolution only envisages a study to be commissioned by the High Commissioner for Human Rights, followed by a panel discussion to be convened by the Human Rights Council during its 19th Session, it is premature at this point in time to state which domestic laws would need to be amended in case they discriminate against homosexuals. However, in the light of the study and the outcome of the panel discussion, Government will consider the desirability of having a Select Committee to obtain the views of all interested parties on related legislative or other changes.

Mr Bérenger: On 30 May 2006, replying to a Parliamentary Question which wanted to know what was the Government policy on homosexuality, the same hon. Prime Minister replied -

“Given the sensitivity of this issue, I think any future policy should be determined after extensive and wide consultations have been held.”

Would the hon. Prime Minister agree with me that the same thing, that is, extensive and wide consultations should have taken place before we voted for that resolution at the Human Rights Council?

The Prime Minister: I tend not to agree with the hon. Leader of the Opposition because, as I said, this is now going to be studied by the Human Rights Council. The Commissioner will have to report by December of this year and then there will be a panel discussion. I think we will also learn from these panel discussions, what are the other issues that we might not have touched upon. Then, we will have a full debate. I think that will be the better way to proceed.

Mr Bérenger: The Opposition already strongly supports the rights of homosexuals as human rights. This is already there. The study and so on will follow. Will the hon. Prime Minister agree with me that although the resolution is not legally binding, but it is politically and morally binding, and especially that when the study of all the countries around the world is carrying out, will the hon. Prime Minister agree with me that certainly those carrying out the study will pay very special attention to countries where there are laws that discriminate against

homosexuals, including Mauritius where in our legislation sodomy and bestiality are linked together?

The Prime Minister: I am sure whatever comments will be made will be made although we have in our Constitution different sections like section 3. I think section 16 talks on the fundamental rights and equal protection under the law. I suppose that also will have to be looked into and, as I said, we had debates on the Equal Opportunities Act in 2008 where this issue of homosexuality has been specifically mentioned.

Mr Bérenger: The hon. Prime Minister refers to the Equal Opportunities Act as having been voted by his Government some time back by Parliament. Of course, he does not forget that the Equal Opportunities Act has still not been proclaimed and although the presence of this prohibition of discrimination on the basis of sexual orientation appears elsewhere, as the hon. Prime Minister said, for example, in the Employment Rights Act, but is the fact that this appears in the Equal Opportunities Act one of the reasons why to date it has not been proclaimed.

The Prime Minister: There were people who protested if the House remembers about this, but that is not the reason. In fact, the hon. Leader of the Opposition himself had suggested during the debate that the Equal Opportunities should be kept separately not a division of the National Human Rights Council which we have come to see, that might be a better procedure. We are also having an Action Plan for Mauritius on human rights which I think is coming to an end in June or July of this year and after that that we will be able to see what we will do with the Equal Opportunities Act. We have already decided that there will be a separate Equal Opportunities Commission as, in fact, was suggested by the Opposition at that time.

Mr Bérenger: Yes, I am sure that the hon. Prime Minister will agree with me that amending that part and setting up the new commission does not need to take all that long. It is a simple amendment. The hon. Prime Minister says that it is too early to say whether some of our laws will have to be amended. I am not proposing. I want to know whether consideration has been given to amending the Constitution because, as we know, the fundamental clauses of the Constitution prohibit discrimination on the base of race, caste, class, sex, but not sexual orientation.

The Prime Minister: I think all this will have to be looked at together because, as I said, section 3 says equal protection under the law of fundamental rights. Section 16 mentions

all these points but does not say specifically, although it says sex; it does not say sexual orientation. Perhaps we will have to look at this in the light of the debates that we can have.

Mr Bérenger: Am I to understand that Mauritius voted the resolution on 17 June last which, again I repeat, strongly supports homosexuality rights as human rights without at this stage Government having a clear vision of things, whether the Constitution will be amended, whether the sodomy law will be amended, whether sex marriage will be provided for in the law? Am I to understand therefore that we voted this resolution without all these subjects having been thrashed out?

The Prime Minister: No, in fact, what we said is generally we are in favour of human rights. As I said, at different times we adopted even on the Employment Rights Act, Employment Relations Act and all the statements that were delivered at the UN. We expressed our opinion on the fundamental rights of people. That goes in that line although I must say that the representative of Mauritius, when he was voted did say that we had a nuance position.

Mr Bérenger: When you think about it the way things have evolved, does not the hon. Prime Minister agree with me, especially considering *les différentes sensibilités religieuses à Maurice* that pending this survey, that report, that panel discussion, pending a dialogue that should already have taken place at national level here, we should have abstained like Burkina Faso or Zambia instead of voting for that resolution.

The Prime Minister: I tend not to agree, Mr Speaker, Sir, because, as I said, we have always adopted the position which prohibits discrimination on various grounds and I think abstaining would give the wrong impression that we are as if going back on what our positions have been in the past. We had, as I said, cosponsored in December 2008 along with the 66 other countries, a statement in the United Nations General Assembly on Human Rights, Sexual Orientation and Gender Identity and we have also, as I said, at different times, supported the different resolutions on human rights. So, I think that would be in line with what position we have taken. I know there are lots of sensitivities. Besides we had lots of debates at one point, people were writing and talking on radio, being interviewed and all this about what they think because there are sensitivities in Mauritius and we know of that, but whether we should then start a whole debate again, because we had a select committee on these things and it lapsed because of

the election. I think that we should therefore look at what they say, look at what the panel discussion is and then come here with a debate; that is my opinion.

Mr Bérenger: I wanted to know from the hon. Prime Minister whether he is proposing formally that after the enquiry, after the panel discussions in Geneva and so on, there will be another select committee set up on the subject.

The Prime Minister: I think it will be proper to have the select committee at some point, Mr Speaker, Sir, after the debates, as I said, because we need to know what Members think and also what is the general opinion of the public?

Mr Bérenger: I agree fully, but on the condition that the new select committee to be set up does not perform like the one which was set up on the Sexual Offences Bill and dies a long premature death. Will we have the guarantee therefore that when the time comes to set up that committee, we will pick the right Chairperson, the right composition and we will see to it that it delivers in time.

The Prime Minister: I think that is essential, Mr Speaker, Sir. There were lots of debates. The reason it lapsed because of Parliament also, but it took a long time I must agree and because there were lots of sensitivities in Mauritius about the subject. But I think we need to take the bull by the horns and decide once and for all what kind of society we want to live in.

Mr Bérenger: A last point, with your permission. The Sexual Offences Bill, 90% was very good, protecting children, women against gang rape and so on and because of the sodomy polemic, the whole thing has died. Will the hon. Prime Minister agree with me that we should come forward with a revised Sexual Offences Bill containing all that was positive and is positive in the Bill and not wait for this long process in Geneva, then the setting up of another select committee in the meantime that we should vote the 90% of the Sexual Offences Bill that was positive?

The Prime Minister: I agree it was positive. Whether we should do it and then have to re-amend it at some point or not, that is something that I'll have an open mind at.

Mr Speaker: No further questions? Questions addressed to Dr. the hon. Prime Minister. The Table has been advised that PQ B/575 has been withdrawn. Hon. Nagalingum!

GRAND'BAIE - DRUG & PROSTITUTION ACTIVITIES

(No. B/562) 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 region of Grand'Baie, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an increase in drug and prostitution activities at night thereat has been reported and, if so, indicate the additional measures that will be taken, if any.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the region of Grand'Baie is policed by the Grand'Baie Police Station, with the support of the CID, the Anti-Drug and Smuggling Unit, the Divisional Traffic Police and the Emergency Response Service.

Regular crackdown operations are being carried out to deter illicit activities in the region of Grand'Baie. From 2008 to 22 June 2011, 55 such operations were carried out. Between 2008 and 2010, the number of cases relating to drug offences had decreased from a peak figure of 28 to 12 and the number of cases relating to prostitution has also gone down from 14 to 7. The details are as follows -

Year	Number of cases related to Drugs	Number of cases related to Prostitution
2008	28	14
2009	23	0
2010	12	7
2011 (as at 22 June)	4	7

Although statistics over the past three years on the reported cases of offences relating to drug and prostitution do not indicate an increase in drug and prostitution activities in the region of Grand'Baie, the Police have worked out a strategy with a view to further reducing and

preventing crime and anti-social behaviour in the region. In this regard, the following additional measures have been taken -

- (i) increased mobile patrols by Anti-Drug and Smuggling Unit personnel in collaboration with the Central Investigation Division, the Divisional Support Unit, the Emergency Response Service and the local police to prevent drug activities, both during day and night;
- (ii) regular stop and search exercises to detect such cases are being done;
- (iii) crackdown/joint operations against drug traffickers with the support of other units of the Police Force such as the Special Supporting Unit and the Special Mobile Force;
- (iv) Field Intelligence Officers in collaboration with Anti-Drug and Smuggling Unit gather information relating to drug and other activities;
- (v) intensive and discreet surveillance over high profile drug targets and their movements by the Anti-Drug and Smuggling Unit officers is being carried out;
- (vi) the establishment of a Force Crime Intelligence Unit and a Divisional Crime Intelligence Unit to collect, collate, analyse data and disseminate criminal information is also being done;
- (vii) the installation of 68 CCTV cameras in the region of Grand'Baie which is going to be fully operational by next month, and also
- (viii) the monitoring of movement of pleasure crafts, private yachts and merchant ships at sea at Grand'Baie by the recently installed Coastal Surveillance Radar System with a radar station located at Grand Gaube.

Mr Speaker, Sir, with the implementation of the National Policing Strategic Framework, much emphasis is laid on community policing and crime prevention whereby the Police work in close collaboration with all stakeholders and sensitise the population on anti-social activities. Since 2010, 82 community forums and 20 awareness campaigns have been carried out in the region of Grand'Baie.

Mr Speaker, Sir, the Police are closely monitoring the situation not only in the Grand'Baie region but also in other specific areas and will take measures, as appropriate, to keep anti-social behaviour under check.

Mr Nagalingum: The hon. Prime Minister just mentioned the installation of CCTV cameras in Grand'Baie. Can I ask the hon. Prime Minister when the CCTV system will be fully operational?

The Prime Minister: I just said by next month, the CCTV street surveillance system will be fully operational.

Mr Nagalingum: Can I ask the hon. Prime Minister whether he will liaise with the Commissioner of Police to have a close monitoring of some nightclubs which may have some link to drugs and prostitution activities?

The Prime Minister: This is already being done, Mr Speaker, Sir.

Mr Dayal: The hon. Prime Minister mentioned that in other sensible areas vigilance is maintained. Can he inform the House what are these areas?

The Prime Minister: I don't know if it would be a good idea to mention, because we know what has happened at Flic en Flac when we put the CCTV cameras: crimes went down. So, we want to try to catch those people who are doing these anti-social activities.

Mr Nagalingum: Is the hon. Prime Minister aware that alcohol is easily available after closing hours in the Grand'Baie region?

The Prime Minister: The Police do crackdown operations on these places and they are constantly booking people for these offences. Whether we should now strengthen those laws by making the penalty higher is something that we have to look at.

Mrs Ribot: I would like to know from the hon. Prime Minister whether a survey has been carried out as to the number of minors who are involved in those drug and prostitution activities.

The Prime Minister: I think the Ministry concerned was looking at the possibility of that, but I am not aware if that survey has been carried out yet.

PMO - POLICY GUIDANCE & PRIORITISATION UNIT

(No. B/563) Ms K. R. Deepalsing (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether he will state if consideration will be given for the setting up of a Policy Guidance and Prioritization Unit within his Office.

The Prime Minister: Mr Speaker, Sir, as I stated in my address at the Mauritius International Investment Forum, organised by the Board of Investment some two weeks ago, my vision is to take Mauritius from the status of an Upper Middle Income class to the league of developed nations, while at the same time promoting inclusiveness and ensuring sustainability.

The Maurice Ile Durable project is one of the major projects which precisely embodies the philosophy of Government about sustainable development and inclusive growth. The Project seeks to transform the environmental, economic and social landscape of our country. The MID vision is embedded in a strategic framework embracing five pillars of development, namely, education, environment, energy, employment and equity. The MID seeks to build up capital, not only for our generation, but for generations to come.

Mr Speaker, Sir, as the House is aware, since assuming office in 2005, we have initiated a process of change at various levels for the establishment of a modern, innovative and prosperous society. The bold and decisive measures taken by the Government have allowed the country to weather the worst financial crisis in the last 60 years. Besides, the policies pursued by the Government since 2005 have also been endorsed by the population. We are now working resolutely for the implementation of the policies enunciated in the Government Programme 2010-2015 so as to take the country to a still higher level of development. We are clear on our priorities for the short and medium term and so far we have fared well, in spite of the difficult international context. Our success is acknowledged worldwide.

However, as I said the other day at the conference, we must avoid the pitfall of “satisfactory underperformance”. There is no room for complacency. We still have higher rankings to reach in several areas. We are conscious of the fact that moving the nation forward will require more than a set of sound and well crafted policies. Indeed, policies are of no value until and unless they are successfully implemented. Policy implementation is just as important as

the policies themselves. There is a need therefore for a close monitoring of the major Government projects so as to ensure their effective and timely implementation.

This is precisely the reason why the Government has set up a High Level Project Monitoring Unit which will operate under the aegis of my Office. This Unit, which will be chaired by the Secretary to Cabinet and Head of the Civil Service, has been tasked with the responsibility of monitoring the timely implementation of important policies and specific major projects for the Government.

As the House is aware, we have earmarked 10 Billion USD to finance infrastructure development projects over the next few years. We are expanding the airport. We have embarked on a major road decongestion programme which includes building a Light Railway Public Transport system. We are also developing an integrated water management system. It is through these decisions that we are building the Mauritius of tomorrow.

During my official visit to Singapore last year, I discussed several avenues of cooperation, including the LRT project. I would like to point out that the first phase of the LRT project will cover the Curepipe - Port Louis corridor, but this first phase is part of a much bigger project under the LRT system which will eventually cover the whole island. Such huge projects deserve a special monitoring mechanism so as to ensure their timely completion.

Mr Speaker, Sir, the Government Programme of 2010-2015 does reflect our policies and priorities, but I do agree that we must take a long term view of our social and economic development and come up with a blueprint for the next 25 years or so. Some Members will surely recall that during our first mandate, we did prepare a document entitled "*Vision 2020 – The National Long Term Perspective Study*" which charted out a development strategy for Mauritius for the following twenty-five years.

I am, therefore, envisaging the setting up of a multi-disciplinary team of eminent professionals, both from Mauritius and abroad, to elaborate a similar document that will reflect our long term vision for Mauritius for the next 25 years and provide a much broader perspective for the development of our country.

Ms Deepalsing: I am very happy to hear that the Prime Minister will set up this multi-disciplinary team. May I ask him whether this team will be an initiative, spearheaded by his office and not by any Tom, Dick or Harry from any other Ministry or Department?

The Prime Minister: For this to be successful, it needs to be spearheaded from the Prime Minister's Office. I have no doubt about this.

Ms Deepalsing: That being said, Mr Speaker, Sir - because some people are thinking they can be the think-tank of Government - may I ask the hon. Prime Minister whether this team could inform itself on the works of National Planning Commissions like there are in South Africa, Zimbabwe, Namibia and so on, and have wider consultations for NGOs, other professionals and so on, to be able to give their input for the long-term strategy of this country?

The Prime Minister: I think I replied a question last week on that matter where I pointed out that many countries including South Africa, as the hon. Member has mentioned, have organisations that group the brightest minds to generate policy-oriented research, analysis and advice on domestic and international issues.

I did explain that the concept of a think tank already exists, transport of our institutional architecture and a number of institutions have already been set up with the objectives of conducting research. So, what we need to do is to pull all these together under the same umbrella.

Ms Deepalsing: Can I ask the hon. Prime Minister whether this team would be a structured team with a particular term of reference and not just an *ad hoc* team that would work for a certain time as it is the case in National Planning Commissions in all these countries I just mentioned where there is a structured team unit that works and thinks about the long-term of the country?

The Prime Minister: I also agree that it has to be structured otherwise it will die a natural death after a while. That is why I think it is important that we have it properly structured.

Mr Uteem: Mr Speaker, Sir, previously, we used to have a Ministry of Economic Development and Planning. What the hon. Prime Minister is saying about what the think tank will do is something which used to be done by Civil Servant Economists in the Ministry coming up with economic plan for 20, 25, 50 years. Will not the hon. Prime Minister agree with me that

instead of having a parallel set of experts that it is better to revamp the Civil Service? We already have very good economists who are at the Ministry of Finance. Shouldn't we now empower them rather than create a parallel Ministry?

The Prime Minister: The reason it was dismantled was some time back, the economic development...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: ...but the reason why we are doing it in that way is because we want to...

(Interruptions)

Not just economists as somebody was saying, but other issues also have to be discussed and that is why we are doing a larger organisation.

Mr Li Kwong Wing: May I ask the hon. Prime Minister whether he would consider setting up a policy unit along the lines of the US model tasked with the responsibility of clearly defining and overseeing Government policy with regard to conflict of interests and ethics in the conduct of public office, especially after his recent public warning to the effect that 'if you want to do business, don't come into politics'?

The Prime Minister: I said: 'if you want to be rich'. Perhaps the hon. Member does not know. I did have a policy unit in my first mandate when we were together with the Opposition at the time. I mean we were together and we had a policy. I must say, in all frankness, although I think it was a good idea, we have it in the UK, for example. It did not work as well as I hoped, because there was opposition, opposition from Civil Service themselves, because they got the impression that the policy unit is deciding for them. I think that was why, after a while, we rejected the idea that we should have another policy unit. I must say even Ministers were objecting to the policy unit at the time.

Mr Fakkeemeeah: Last week, the hon. Prime Minister said he will do away with some lame ducks. Does that mean that everything will now be centralised at the level of the PMO under the direct supervision of the Prime Minister?

The Prime Minister: I am not saying I am taking up everything, but as Prime Minister, I have the responsibility to ensure that everything is done and moved. The office of the Prime Minister is extremely important as some of you would know and that is why I need to supervise what is happening to make sure that things get implemented, that is why we want to monitor.

Mr Ganoo: We understand that in the recent week the hon. Prime Minister has received at his office, the former Minister of Finance, Mr Sithanen. Will he be forming part of this new team?

(Interruptions)

The Prime Minister: Well, first of all, I think it was in one of the papers. It is untrue that I received him in my office.

Ms Deepalsing: May I ask the hon. Prime Minister, further to questions that have been put, whether he can confirm that long-term planning, long-term strategy for the country is not just about economic planning and whether the hon. Prime Minister, in the multi-disciplinary team that he has mentioned, will think about how people are going to live, and work and what kind of environment they are going to live in 20, 30, 40 years later?

The Prime Minister: That is what I said; it is not just about economy.

POLICE FORCE - HEALTH & FITNESS TESTS

(No. B/564) Ms K. R. Deepalsing (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if all the members of the staff thereof are required to undergo health and fitness tests at regular intervals.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that, as an entry requirement at the time of their appointment, all Trainee Police Constables have to satisfy a minimum standard of health and fitness to qualify to join the Force and to be fit for Police duties. It is to be pointed out that although there is no statutory or administrative requirement or PRB recommendation for Police officers to undergo health and fitness tests, a health and fitness culture has always been encouraged in the Police Force through the promotion

of indoor and outdoor sports activities, and facilities are provided for the organisation of such events.

Since June 2010, this culture has been reinforced by the Police by the implementation of a Stress Prevention and Intervention Strategy which is designed to provide support at two levels: namely medical and organisational. The Strategy provides a framework for Police Managers at different levels to identify stress signs and symptoms in Police officers at all levels who may be facing psychological problems, so that they can receive meaningful assistance in a timely manner. Management has also taken the responsibility to promote welfare/recreational activities for the benefit of Police officers and members of their families.

Mr Speaker, Sir, in line with the above strategy, since August of last year, the Police Medical Unit (PMU) has embarked on a programme of routine medical check-ups for all members of the Force of the age group of 45 years and above, with a view to identifying those officers who may require different tests, including a stress test. Medical check-ups are being carried out at a rate of 10 Police officers weekly. Those requiring stress test are being referred to the Cardiac Unit of the Princess Margaret Orthopaedic Centre, Candos. Recently, brand new stress test equipment purchased by the Police Department has been placed at the Cardiac Unit and is being for stress test for Police officers.

Furthermore, by virtue of the nature of the duties of some specialised branches/units such as the Special Mobile Force, the Special Support Unit, the VIP Security Unit, the National Coast Guard, the Police Helicopter Squadron, a minimum standard of physical and medical fitness is required. Police officers selected for eventual posting to these units are required to undergo a thorough medical examination, including blood tests, ECG, stress test and physical tests. Thereafter, those Police officers who undergo these tests regularly have to monitor their level of fitness as long as they are required to serve there. The frequency is determined by their posting.

Mr Speaker, Sir, the Commissioner of Police has put in place the necessary framework to ensure that potential health risks being faced by the members of the Police Force are identified at an early stage and are promptly addressed.

Ms Deepalsing: The hon. Prime Minister in his answer mentioned when all the police officers are recruited have BMI test. Could the hon. Prime Minister consider whether this should

be made mandatory all throughout their career? I mean visibly you see some Police officers on the street have big bellies and they are very unfit...

(Interruptions)

The Prime Minister: In fact, that's why I say although there are no statutory requirements the Police are actually doing it.

Ms Deepalsing: Mr Speaker, Sir, the hon. Prime Minister in his answer has said that a minimum standard of physical fitness is required for certain categories of Police officers. I am asking whether this minimum physical standard should not be extended to all Police officers, especially on the streets when you have thieves or whatever that these Police officers are fit enough to be able to run?

The Prime Minister: We have to prioritise, Mr Speaker, Sir.

(Interruptions)

Mr Speaker: Order! Order, now!

The Prime Minister: I know what the hon. Member is referring to.

Mr Speaker: Some silence, please!

The Prime Minister: I know what the hon. Member is referring to. I have also seen such cases, but we have to prioritise. We are doing about 10 a week, as I said. We need to have the ability to do it for the whole Police at one go, but gradually, this is being done.

Mrs Labelle: Mr Speaker, Sir, I am going to refer to the police officers who visibly suffer from obesity. This is known to everyone of us. May I ask the hon. Prime Minister whether there is a scheme to help these officers suffering from obesity? It is the same thing for alcoholism too. What support are we giving to Police officers who suffer from obesity?

The Prime Minister: As I said, they are being told what to do, what to eat and what not to eat. We can't actually starve them, but what we are doing is to, at least, give them the opportunity to know what is right and what is wrong.

Dr. S. Boolell: Mr Speaker, Sir, may I ask the hon. Prime Minister whether in line with what I spoke last week there would be considered a programme of redeployment of those who

are found unfit, following this stress testing because in some way, Mr Speaker, Sir, we have to dispose of the big bellied ones? So, how do we do it?

The Prime Minister: In fact, I did say last week that this kind of putting them in a different job, doing different things is being done by the Police already. Obviously, we cannot do all at one go, but we are trying to do this.

Mr Fakeemeeah: Mr Speaker, Sir, may I know from the hon. Prime Minister who is responsible for fitness and form at the level of the police?

The Prime Minister: I did say that there is a Police Medical Unit which has embarked on a programme since August of last year.

Ms Deepalsing: Mr Speaker, Sir, may I ask the hon. Prime Minister whether the BMI test could be made mandatory every year, for example, because Government is encouraging fitness and health awareness for the long term? Could this BMI test, as an incentive, be made mandatory every single year?

The Prime Minister: It would be ideal if we could do it, but the problem is the capability, whether we have the means to do it straightaway. We are gradually trying to implement it in our policy, Mr Speaker, Sir.

Dr. S. Boolell: Mr Speaker, Sir, would the hon. Prime Minister agree that a delay in exam results causes stress among the members of the Force?

The Prime Minister: That is also a good test. We need to be able to survive.

POLICE OFFICERS - KREOL LANGUAGE COURSES

(No. B/565) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the recording of statements, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will be given for the organisation of Kreol language courses, with the required standard autography, for Police Officers for the purpose thereof during inquiries, with a view to avoiding confusion in statements.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that in accordance with the Instructions Book of the Mauritius Police Force, any statement should be recorded as nearly as possible in the own words of the person giving the statement. The recording of statements by the police in Creole language is a long established practice, and so far no problem has been encountered in that respect.

Mr Speaker, Sir, I have recently informed the House that an exercise for the development of an agreed standardised spelling and grammar for the *Mauritian Kreol* is ongoing. Besides, I understand that the Mauritius Institute of Education is working on the curriculum and teachers' training requirement for the teaching of the *Mauritian Kreol*. When these exercises are completed, consideration may be given for the mounting of specific training courses in *Mauritian Kreol* for the Police Officers with regard to the use of a standard autography for recording of statements in Creole.

Mr Fakeemeeah: Mr Speaker, Sir, I would like to know from the hon. Prime Minister if he could consider the possibility of having penalties charges for motor vehicle written in Creole so that the drivers know exactly...

Mr Speaker: This question is irrelevant to the present one. Next question, hon. Dayal!

MOKA POLICE STATION - RENOVATION

(No. B/566) 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 Police Station at Moka, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will be given for the renovation and upgrading thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the Moka Police Station is accommodated in an old building constructed in 1866. The building has a timber structure and is covered with roof tiles. The compound of the station also comprises four other separate buildings which house the Sub-Divisional Headquarters, the Prosecutor's Office, the CID office, the Traffic Unit and the Divisional Support Unit.

In view of the old state of the building, minor repairs and maintenance works have been undertaken by the Ministry of Public Infrastructure, National Development Unit, Land Transport

and Shipping and the Technical Unit of the Police Force to upkeep the building, so that the Police officers posted thereat work in a conducive environment. However, in view of the limited working space and of the state of the building, the Police have decided to construct a new building to accommodate the Sub-Divisional Headquarters, a Police station as well as the attached units.

The new building will comprise three floors consisting, *inter-alia*, of offices, armoury, Police cells, barracks for male and female officers, the Police Crime Intelligence Office and a conference room. The project is scheduled to be implemented in 2012.

Mr Speaker, Sir, in view of the fact that the existing building is among the list of potential national heritage buildings, consideration will have to be given to restore it.

RODRIGUES - PRIVATE RADIO BROADCAST

(No. B/567) Mr F. François (Third Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the liberalisation of private radio broadcast in Rodrigues, he will, for the benefit of the House, obtain from the Independent Broadcasting Authority, information as to if it has received applications for the issue of licences therefor and if so, where matters stand.

The Prime Minister: Mr Speaker, Sir, I am informed by the Director of the Independent Broadcasting Authority that licences issued by the Authority to private radio operators in mainland Mauritius authorise the broadcast of their respective channels in Rodrigues. However, before a licensed private radio operator in mainland Mauritius can start broadcasting in Rodrigues, it has to apply, pursuant to the provisions of section 18(2) of the Information and Communication Technologies Authority Act, to the Information and Communication Technologies Authority, for the allocation of broadcasting frequencies.

I am further informed by the Director of the IBA that the Authority has received a request from a licensed private radio operator in mainland Mauritius which wishes to operate a broadcasting station in Rodrigues. The IBA has been apprised of the application and clarifications have been sought from the private radio operator as to whether the proposed broadcasting services in Rodrigues would be an extension of the existing services being provided in Mauritius or those of a separate and dedicated broadcasting station to be set up in Rodrigues.

Once the clarifications have been obtained from the private radio operator, the Director will refer the matter back to the IBA Board for further consideration.

AIR ACCESS - REQUESTS

(No. B/568) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to air access, he will state the number of requests for air landing rights or additional air landing rights in Mauritius received, since 2005 to date, indicating in each case, the -

- (a) name of the applicant
- (b) requested route, and
- (c) outcome thereof.

The Prime Minister: Mr Speaker, Sir, air access to Mauritius is governed by the Civil Aviation Act 1974 and associated regulations, namely the Civil Aviation Regulations 2007, which are in line with the provisions of the Convention on International Civil Aviation concluded at Chicago on 07 December 1944, what is called the Chicago Convention. Mauritius has up to now signed Bilateral Air Services Agreement for scheduled air services with 35 countries. The agreement provides, *inter alia*, for issues such as designation of airlines, the route schedule, frequencies of flights to be operated on the agreed routes, capacity entitlements, as well as traffic rights.

Once a Bilateral Air Services Agreement is concluded and initialed, it is incumbent upon each party to designate its airline or airlines to operate the agreed services on the specified routes subject to its obtaining the necessary operating rights.

Since August 2005, our air access policy has been reviewed in order to -

- (a) boost and revitalise the tourism sector which has the potential to become one of the main engines of economic growth, and
- (b) stimulate demand from markets with high potential and, at the same time, induce more price elasticity in low seasons through the interplay of market forces.

Since then, Mauritius is pursuing a gradual air transport liberalisation policy within the established bilateral framework through the adoption of a pragmatic approach to enhance seat capacity and competition on all routes with high growth potential.

In line with this new policy, the following measures have been taken -

- Air seat capacity and competition have been enhanced on routes with potential for growth e.g a second carrier has been allowed to operate from France, Italy, United Kingdom and South Africa;
- Access into Mauritius has been opened to other major tourist destinations like China - we are, in fact, inaugurating the flight to China, I think next week - the Netherlands, Russian Federation, Spain and Thailand;
- Scheduled carriers have been allowed to operate supplementary flights during the peak period;
- Special ad hoc flights have been authorised from Central and Eastern Europe i.e, on routes which fall outside the network of scheduled airlines serving Mauritius, and
- During peak periods, requests for special flights, even on routes served by scheduled carriers, are also favourably considered, in case the scheduled carriers are not in a position to inject additional capacity to meet demand.
- Mr Speaker, Sir, from 2005 to date, requests for landing rights from six foreign airlines to operate to Mauritius have been approved. These airlines are -
 - Transaero - Russia
 - Corsair - France
 - Virgin Atlantic - United Kingdom
 - Comair - South Africa
 - Edelweiss Airlines - Switzerland
 - LTU - Germany

During the same period, Bilateral Air Services Agreements have been signed with five countries namely Spain, Sri Lanka, Thailand, Mozambique and Botswana. Besides, Bilateral Air Services Agreements with 16 countries have been amended to provide for multiple designation of airlines to operate into Mauritius.

Other requests received from Qatar, Turkey, United Arab Emirates and Czech Republic for talks on air services with Mauritius are still under consideration.

Mauritius has further approached Finland, Iceland, Ireland, Poland and the Scandinavian countries for talks on Bilateral Air Services.

Over and above normal scheduled flights, ad hoc requests for landing rights are normally received from airlines not operating regular services to Mauritius. For the period 2005 to date 50 such requests have been received, out of which 44 have been approved.

Mr Uteem: The hon. Prime Minister mentioned that six foreign airlines have been approved since 2005, namely Virgin Atlantic and others. Out of these six, there are a number which have not even started operation and there is one, Virgin Atlantic, which has stopped its operation. May I know from the hon. Prime Minister what are the conditions attached to the granting of these licenses and what monitoring and follow-up are done once the licenses are granted?

The Prime Minister: We do have monitoring, but in the agreement, there is no specific time limit when they should start operating and how often. For example, the hon. Member mentioned Virgin Atlantic, which started, and then it stopped for commercial reasons, I believe. I understand that they are going to relook at their position.

Mr Uteem: The hon. Prime Minister mentioned earlier the conference held by the Board of Investment. At that conference, the Mauritius International Investment Forum, the single factor which had been identified by successive speakers, as being the main constraint, was air access, the flow of passengers and cargo. This is one of the main considerations which investors identified. Being given that this is a consideration, would the hon. Prime Minister agree that there is an urgent need to prioritise the air access, and also see to it whether, in respect to Air Mauritius, the fleet can be increased to meet this increasing demand for passengers and cargo?

The Prime Minister: In fact, that is why we adopted the policy of liberalising the whole sector and, Air Mauritius, I am told, is looking at all the number of aircrafts that they have, and whether they should expand or not, because they have to look at it from an economic point of view as well.

Mr Speaker: Time is over! Questions addressed to hon. Ministers. Hon. Ms Anquetil!

CRUISE SHIPS – EMPLOYEES - TRAINING

(No. B/572) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Education and Human Resources whether, in regard to the cruise ships, he will state the training available to young persons wishing to take up employment on board thereof, giving details thereof.

Dr. Bunwaree: Mr Speaker, Sir, I am informed that the Ecole Hôtelière Sir Gaëtan Duval, operating under the aegis of the Mauritius Institute of Training and Development, provides training at various levels from certificate to diploma in various fields, namely housekeeping, restaurant and bar, front office, butchery, laundry, bakery, tour guiding, travel and tourism, and leisure and entertainment for the hospitality and tourism sector. The training offered provides the trainees with the necessary knowledge, skills and attitude for them to take up employment in Mauritius and abroad, including on cruise ships, if they so wish. For the employment on board the cruise ships, the trainees, after successful completion of their course at the Ecole Hôtelière Sir Gaëtan Duval, are required to undergo additional training at the Mauritius Maritime Training Academy.

I am also informed that, at the request of the Ministry of Labour, Industrial Relations and Employment, a specific programme has been developed by the Ecole Hôtelière Sir Gaëtan Duval to train 400 persons willing to take up employment as public area cleaners on cruise ships. The selection exercise has been carried out, and these 400 persons will undergo at the Ecole Hôtelière Sir Gaëtan Duval a training course of 52 hours on public area cleaning and stewarding services, which is expected to start in mid-July 2011.

These candidates will also have to complete another training session at the Mauritius Maritime Training Academy, prior to taking up employment on board cruise ships. This training at the Training Academy is essentially meant for safety and firefighting measures.

Ms Anquetil: M. le président, est ce que le ministre pourrait confirmer à la Chambre qu'après la formation, ces jeunes seront directement dirigés vers des compagnies de croisière pour être recrutés?

Dr. Bunwaree: En effet, et c'est pourquoi on a choisi 400, parce qu'on sait que, dans l'immédiat, il y a ce nombre qui est disponible. Mais, il y aura sûrement encore plus à venir.

MAURITIUS HANDBALL ASSOCIATION - CARETAKER COMMITTEE

(No. B/573) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the representative of the National Olympic Committee who was sitting on the caretaker committee set up by his Ministry to review the legal status of the Mauritius Handball Association, he will state the reasons of his recent decision to withdraw therefrom.

Mr Ritoo: Mr Speaker, Sir, I refer the hon. Member to the reply that I made to PQ No. B/136. Following the resignation of several members of the Managing Committee of the Handball Federation, a caretaker committee, comprising a representative of my Ministry, the Registrar of Associations and the Mauritius National Olympic Committee was set up with the following terms of reference -

- (i) to run the affairs of the Association pending the election of a new Managing Committee;
- (ii) to organise the election of a new Managing Committee in consultation with the Registrar of Associations, and
- (iii) to ensure maintenance and administration of the assets of the Association pending election of the new Managing Committee.

At a meeting of the caretaker committee on 31 May 2011, the representative of the Mauritius National Olympic Committee insisted that a forensic auditing of the accounts of the Federation be carried out. As an annual audit exercise for the year ending 31 December 2010 was already underway, his proposal was not acceded to, and he immediately left the committee meeting. This was followed by a letter from the Mauritius National Olympic Committee, informing us of his resignation from the caretaker committee.

I wish to inform the hon. Member that the audited accounts for the year ended 31 December 2010 have been obtained, and no irregularities have been noted.

Mr Quirin: M. le président, le ministre peut-il nous dire s'il y a eu une tentative de faire revenir le représentant du CNOM au sein du comité, ou est-ce que le comité continuera à fonctionner sans le comité national olympique?

Mr Ritoo: J'ai parlé personnellement au Président du *Mauritius National Olympic Committee*, et je lui ai dit de le faire remplacer par une autre personne parce qu'il insiste pour que le *forensic auditing* de la fédération soit fait.

Mr Quirin: M. le président, le ministre peut-il nous préciser combien de fois le *caretaker committee* s'est réuni, et quelles sont les décisions qui ont été prises?

Mr Ritoo: Le *caretaker committee* s'est réuni quatre fois pendant les mois de mai et juin. Les membres sont satisfaits de tous les comptes, parce qu'il y a le représentant du *Registrar of Associations* qui siège dans ce comité.

Mr Quirin: Est-ce qu'on peut savoir jusqu'à présent quelles sont les décisions qui ont été prises par rapport, par exemple, à l'organisation de nouvelles élections?

Mr Ritoo: M. le président, les élections sont fixées pour le 06 août 2011 à l'assemblée générale, et à partir de là, on aura un nouvel exécutif qui prendra en charge la *Mauritius Handball Federation*.

ELECTRIC CYCLES - REGISTRATION

(No. B/574) 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 electric cycles, he will state if Government proposes to introduce legislation to regulate the use thereof.

Mr Bachoo: Mr Speaker, Sir, I wish to inform the House that the Road Traffic (Electric Cycle and Power Assisted Cycle) Regulations, which provide for the registration of electric and power assisted cycles, are being finalised. Consultations have already been held with the NTA, the Traffic Management and Road Safety Unit, and the Police Department in this respect.

Ms Anquetil: Can the hon. Minister inform the House how many electric bicycles are presently in use on our roads?

Mr Bachoo: There are about one thousand.

Mr Barbier: May I know from the Minister whether there will need to be an appropriate license to ride these electric bikes?

Mr Bachoo: Mr Speaker, Sir, that's why we are working on the regulations. I would request the hon. Member to be a bit patient; we will take a decision on that.

HIGHLANDS - SATELLITE CITY

(No. B/575) Dr. R. Hawoldar (Third Member for La Caverne & Phoenix) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the proposed construction of a satellite city at Highlands, he will state where matters stand.

(Withdrawn)

CIVIL SERVICE - PROMOTIONAL POSTS & ADDITIONAL STAFF - JANUARY- JUNE 2011

(No. B/576) Dr. R. Hawoldar (Third Member for La Caverne & Phoenix) asked the Minister of Civil Service and Administrative Reforms whether, in regard to the civil service, he will state, since January 2011 to date, the number of -

- (a) promotional posts which have been filled, and
- (b) additional staff recruited.

Mr Gungah: Mr Speaker, Sir, the PBB Estimates 2011 makes provision for the filling of 3,586 promotional posts and the recruitment of an additional of 2,076 staff in the civil service. I am pleased to inform the House that 1,026 promotional posts have been filled and 1,405 additional staff have been recruited since January 2011 to date, as reported by various ministries and departments.

With a view to ensuring the timely filling of all vacancies, my Ministry has, on 11 March 2011, issued a circular, requesting ministries and departments to submit a quarterly return on their status of recruitment and vacancies in their respective organisations. The next monitoring report is expected at the end of this month.

In this context with your permission, Mr Speaker, Sir, may I take this opportunity to appeal to my colleague Ministers to see to it that their respective Supervising Officers initiate all necessary procedures for promotion and recruitment...

Mr Speaker: I am sorry this is not the place; the hon. Minister can make an appeal to his colleagues in Cabinet.

Dr. Hawoldar: Mr Speaker, Sir, I would like to thank the Minister for his answer and just point out to him that, according to the figures, only 28% of promotional posts have been filled and we are half way through the financial year. So, in spite of having announced that he is making a request for these posts to be filled, I would like to remind him also that those who fill interim jobs in the Civil Service they don't assume their responsibilities as they should, and the whole Civil Service suffers. So, could I make an appeal to him to make sure that, by the end of the year, he fills all those vacancies because otherwise the Ministry of Finance is going to cut on his allowance for the coming year, that is, 2012 to favour promotions?

Mr Gungah: Mr Speaker, Sir, it is expected that most of the vacancies would be filled by the end of this financial year.

HIGHLANDS - SMALL & MEDIUM ENTREPRENEUR VILLAGE

(No. B/577) Dr. R. Hawoldar (Third Member for La Caverne & Phoenix) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the setting up of a Small and Medium Enterprise Village at Highlands, he will, for the benefit of the House, obtain from the Development Bank of Mauritius Ltd., information as to where matters stand.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Speaker, Sir, with your permission, I wish to draw the attention of the House to replies made to previous PQs on the same subject matter made by my predecessor, namely PQ No. B/503 of May 2008, PQ No. B/1462 of December 2008, PQ No. B/368 of April 2009 and PQ No. B/31 of March 2010.

The House would recall that DBM was entrusted with the responsibility for constructing three industrial estates for SMEs at Terre Rouge, La Tour Koenig and Highlands. As at date, the construction of the industrial estates at Terre Rouge and La Tour Koenig has been completed and both industrial buildings are fully booked.

With regard to Highlands, the DBM made the acquisition of two plots of land of the extent of 3,319.50 m² and 4,474.10 m² at Highlands from the State Land Development Co. Ltd, in October 2008, for the purpose of constructing an SME Village, comprising 20 units ranging from 100 m² to 200 m² in floor area.

In 2009, it was estimated that the cost of setting up the SME Village at Highlands would be around Rs45 m. This cost included Rs35 m. for the construction of industrial buildings and Rs10 m. for road and infrastructural works.

In order to construct the three industrial estates and rent them at affordable rates to SMEs, the DBM approached the National Empowerment Foundation in 2007 to obtain funds to finance the three projects. However, this endeavour did not succeed. Despite the fact that funds could not be made available to the DBM and its budget constraint, the Bank still decided to proceed with the construction of two industrial estates at La Tour Koenig and Terre Rouge.

For Highlands, as one industrial building of 25,000 ft² had in the meantime become vacant in DBM's Industrial Estate at Phoenix, the Bank decided to proceed with the conversion of the building into 14 smaller units of 1,000 to 2,000 ft² so as to accommodate SMEs in the region. The cost of the conversion works amounted to Rs1.72 m. The industrial building is presently fully occupied.

I am informed by the DBM that the Highlands project has been shelved for the time being pending the availability of funds.

I wish to inform the House that a working group has been set up to restructure the DBM and convert it into a Development Finance Agency to better service the Small and Medium Enterprises. A decision regarding Highlands will be taken in the light of this restructuring.

Dr. Hawoldar: Mr Speaker, Sir, I wish to thank the vice-Prime Minister and Minister of Finance. We have been informed that there is a centre in the region of Phoenix which is replaced for the setting of the SME Village at Highlands. Could I know the names to whom those shops have been rented?

Mr Jugnauth: I don't have this information with me but I can undertake, of course, to circulate this information to the House.

Dr. Hawoldar: Mr Speaker, Sir, may I just remind the vice-Prime Minister that we did not know about the time these shops became ready, we don't know at what time these were rented out to people. And is the vice-Prime Minister aware that the Municipality of Vacoas/Phoenix receives between 25 to 30 demands from small entrepreneurs to have a license to work in the region and every year about 30 demands are being turned down? This thing in

Phoenix has been rented to people and the inhabitants of Constituency Nos. 15 and 16 still don't have a place to work. Could you please just let us have a list of those people who have been chosen to occupy this place so that we can see where they come from?

Mr Jugnauth: Yes. I have just replied that for transparency sake I am willing to circulate this list of the 14 units' holders.

Mr Hossen: Mr Speaker, Sir, I would like to know from the hon. vice-Prime Minister, taking into account that this is an issue pertaining to the SME sector whether it would not be more appropriate to entrust that responsibility of SME Village under another authority like, for example, the SMEDA.

Mr Jugnauth: This is one of the reasons why we are also restructuring the DBM and that is being looked into because the DBM has been, in fact, managing industrial estates also as part of its responsibilities. So, that will be also looked at.

CHANGE OF NAME - PROCEDURE

(No. B/578) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil) asked the Attorney General whether, in regard to the procedure for change of name, he will state if Government proposes to reduce the statutory time period during which an interested person may lodge an objection thereto and, if so, when and, if not, why not.

Mr Varma: Mr Speaker, Sir, Section 56(3) of the Civil Status Act lays down that -

"at any time within 4 months from the last publication under subsection (2), any interested person may oppose the application by filing at the Attorney General's Office an objection in writing, specifying his grounds of objection."

I have, in recent months, chaired several meetings with members of my Office in order to look into ways into which applications for 'change of name' may be processed more expeditiously.

I am pleased to inform the House, Mr Speaker, Sir, that at its last meeting on 24 June 2011, Cabinet had agreed to reduce the prescribed delay from four months to one month.

My Office is already working on the amendment to be brought to the Civil Status Act. Measures will also be taken at the administrative level to ensure that there is no undue delay in the processing of such applications.

FROZEN FOODS - SALE

(No. B/579) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to frozen foods, he will state the measures which are being taken to ensure that the cold chain thereof is maintained all throughout, with a view to preventing food poisoning.

The Minister of Health and Quality of Life (Mrs S. B. Hanoomanjee): Mr Speaker, Sir, with your permission, I will reply to this Parliamentary question.

According to the Food Regulations, all frozen foods have to be kept and stored at a temperature of -18^0 C or below. The control of frozen foods is effected by the Health Inspectorate of my Ministry at the Port, Airport, cold rooms and food retail outlets. Moreover, the transportation of frozen foods is also controlled by officers of the Health Inspectorate, as according to the Food Act such transportation should be carried out in refrigerated vehicles which are equipped with temperature monitoring devices.

All frozen foods which are imported are verified by the officers of the Health Inspectorate at the Port and Airport before the necessary health clearance is given. Such verification entails a physical examination of the food items to check whether there has been defrosting and subsequent refreezing. As the case requires, detailed temperature records all throughout from shipment to the port of entry are verified. In case of any breach of the Food Regulations, the food items are not released, and are eventually destroyed under the supervision of my Ministry.

Furthermore, frozen foods are controlled by the Health Inspectorate...

Mr Speaker: No! This is a very simple question. I think the hon. Minister is travelling outside the scope of this question. The question is about maintaining the cold chain level all throughout. That is a simple answer. Can hon. hon. Minister give a simple answer?

Mrs Hanoomanjee: Mr Speaker, Sir, the cold chain starts from the port of entry to the main retail outlet. This is it.

Mr Speaker: Whether it is being done or not! That's it! There is no need to give all the details! Yes, carry on!

Mrs Ribot: Mr Speaker, Sir, I would like to know from the hon. Minister whether inspection is carried out regularly enough to make sure that the shops and supermarkets do not switch off their freezers at night?

Mrs Hanoomanjee: Yes, in fact, Mr Speaker, Sir, I can give as example, from January 2011 to June, we have had 4,063 inspections of cold rooms and food retail outlets.

Mr Barbier: Can the hon. Minister give us some figures of frozen foods which have been destroyed in the recent past?

Mrs Hanoomanjee: Well, I don't have this information with me. I can circulate it later.

Mr Obeegadoo: Will the hon. Minister confirm whether in the course of the inspections she just mentioned, there has been found to be salmonella infected minced meat from India?

Mrs Hanoomanjee: No, Mr Speaker, Sir.

Mrs Labelle: Mr Speaker, Sir, the hon. Minister has just mentioned that there have been some 4,000 inspections. May I ask her whether there has been any contravention during these inspections and, if so, how many?

Mrs Hanoomanjee: There have been 22 contraventions which have been established.

Mrs Ribot: I would like to know from the hon. Minister, Mr Speaker, Sir, how many Health Inspectors does her Ministry consist of?

Mrs Hanoomanjee: Last time, I replied to this question, Mr Speaker, Sir.

Mr Baloomoody: I just wanted to know from the hon. Minister whether checks are carried out at night because we know that many supermarkets do switch off their refrigerators at night and only switch them on in the morning. How are these checks carried out? Can the hon. Minister clarify it?

Mrs Hanoomanjee: Mr Speaker, Sir, I have just said that we carry out regular inspections. But in cases when there is a cyclone, for example, the products are seized but contraventions are not issued and the same thing happens when there is a long power cut.

Mrs Ribot: Mr Speaker, Sir, can I make an appeal to the hon. Minister of Health and Quality of Life so that more regular inspections be carried out to prevent any risk of food contamination so current these days?

Mrs Hanoomanjee: Mr Speaker, Sir, I can say that the Health Inspectorate is working night and day to ensure food safety.

Mr Bérenger: Can I know from the hon. Minister whether we are technically equipped to find out if the refrigerating system has been switched off and on again? Are we technically equipped to detect that?

Mrs Hanoomanjee: Well, the Health Inspectorate of my Ministry has got equipments and usually they have calibrated equipments which have been standardised by the Mauritius Standards Bureau.

SC & HSC STUDENTS - THIRD TERM - ABSENTEEISM

(No. B/580) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Education and Human Resources whether, in regard to the School Certificate and Higher School Certificate students, he will state the measures his Ministry proposes to take to address the issue of their absenteeism during the third term.

Dr. Bunwaree: Mr Speaker, Sir, absenteeism in Secondary Schools especially at SC and HSC levels is a cause for concern. It is common knowledge that absenteeism level of SC and HSC students during the third term is relatively higher as compared to the first and second terms. Students generally tend to absent themselves from school supposedly for revision purposes being given that much of the syllabus is already covered by the end of the second term.

Mr Speaker, Sir, I do not subscribe to this. It is not pedagogically sound for students to absent themselves since teaching and learning has to take place in accordance with the approved school calendar which is made up of three terms of specific duration and known to one and all.

I wish to point out that the practice of absenteeism has been prevalent for a number of years and it has been the subject of discussion and consultation at the level of my Ministry with different stakeholders. In the context of the ongoing educational reforms process, my Ministry is addressing the issue as a priority and is considering various options. In fact, the Education and Human Resources Strategy Plan 2008 – 2020 for the secondary sub-sector, highlights the need to

define processes and a *modus operandi* to reduce absenteeism and put in place a monitoring mechanism. Accordingly, consideration is being given to the following proposals -

- (i) The possibility of amending the Education regulations to make it mandatory for students of SC and HSC level to have an attendance of above 80% in order to qualify to sit for these examinations.
- (ii) All schools be requested to monitor rigorously the level of attendance and only candidates having an attendance of above 80% would qualify to sit for the internal end of year examinations.
- (iii) Spreading the curriculum over 3 terms (or over 6 terms in the case of HSC) such that the syllabus is completed in the third term.
- (iv) Introduction of an attractive and well planned school based revision programme running until the start of the examinations.
- (v) Enlisting the support of parents and PTA's to encourage better attendance.
- (vi) A strict enforcement of legal provision governing minimum requirements to compete for Laureateships to act as a deterrent against absenteeism. The Education Regulations regarding scholarships provide that for a student to be eligible for the award of the SSR National Scholarship or the State of Mauritius Scholarship, he shall not have been absent from school for more than ten school days in either of the two school years immediately preceding the first day on which is held the State of Mauritius Scholarship Examination for which he sits, exclusive of absences which the Principal of his school is satisfied are due to illness, absence from Mauritius approved for any other reasonable cause.
- (vii) Achievement in attendance of students of different classes to be celebrated and given credit by the school (e.g. during the assembly).
- (viii) Student's attendance to be reckoned and a percentage of marks to be given for regular attendance in internal examinations.
- (ix) Record of regularity and punctuality to appear on the Leaving Certificate of the student or any testimonial issued to him/her.

I have also requested, Mr Speaker, Sir, the MES to have consultation with the Cambridge International Examinations (CIE) about the changes that may be brought to the rules and regulations governing eligibility for school students to sit for the SC and HSC examinations such that they be tied with a minimum attendance level.

The situation regarding absenteeism is being monitored at the level of my Ministry and the PSSA. The support of the PTA's, parents and the educational community is essential in this endeavour.

Mrs Ribot: Mr Speaker, Sir, I would like to know from the hon. Minister whether the 80% minimum presence he is referring to, does include the absence notes that are so graciously given by parents?

Dr. Bunwaree: Yes. This is another problem. In fact, I was going to highlight that for HSC students going for laureates. They have to be present a number of days except if the absences are acceptable to the Principal. But there are, I must say, some Principals who fall in the trap and they try to say: okay; they are understandable and so on. We are looking into that. It's a major factor, I must say, and that applies also to the other students and not laureates only.

Mrs Ribot: Last question, Mr Speaker, Sir. I would also like to ask the hon. Minister to look into a very common practice nowadays; people who are not always in the teaching profession, take their annual leave to deliver very expensive crash courses to students as revision. Would the hon. Minister kindly look into that matter too?

Dr. Bunwaree: I don't know whether the hon. Member is saying in the school premises, but this is a question that has to be looked into.

Ms Deepalsing: Mr Speaker, Sir, may I ask the hon. Minister - in his answer he has mentioned a number of measures that his Ministry will take - whether these will be effective as from third term which is coming up or are we talking about the next year, now?

Dr. Bunwaree: No. All these are already being looked into, measures will be taken very soon but then, we need to talk to Cambridge, as I mentioned. A delegation is coming in the month of July. So, we'll have to sit with them also, and see what are the things that we can do immediately, but as soon as possible.

Ms Deepalsing: As a follow-up to this answer, Mr Speaker, Sir, can I ask the hon. Minister; what then, is going to be the case for this third term coming up, as we know that most students don't go to school and teachers also, don't attend school at all for the third term? So, what is his Ministry proposing to do for this third term coming up?

Dr. Bunwaree: We have to sensitise the teachers, the students and the parents, also. Apart from that, for the time being, we are in a difficult situation, as I mentioned, and we are working on that. We hope to find the best solution. But, I must say, when I look at the figures, for example, for the months of April and May - let's take these two figures for State Secondary Schools - last year, in the month of May it was 41.5% which is well unacceptable but this year, it is 38.3%. Despite the fact that we have heard on the news that in two or three schools, there have been some major problems, the problem is not going beyond control. It is still within the limits of what we used to see for the past few years. I believe that when these measures will come into force, some will need amendments to regulations. We should be able to find a better solution to this problem.

Ms Deepalsing: Mr Speaker, Sir, what happens is that when the students don't come, the teachers come to schools and see that the classes are empty, they go back home and give tuitions all day long. Can the hon. Minister make sure that schools take the presence of teachers? They should be in the schools.

Dr. Bunwaree: This will be taken care of. But, more importantly, the teachers themselves end the syllabus too early. In fact, this is what is happening this year in some cases, the syllabus of HSC has already ended and we are not at the end of the second term. The teachers do that probably on purpose and this will have to be monitored. The Monitoring Unit at the level of the Ministry has to do a very important job.

Mr Ganoo: The hon. Minister has given the list of measures to solve the problem. Has his Ministry given thought to the possibility of preponing the exams in the case of SC and HSC students, that is, holding the exams earlier on, but not necessarily cancelling the third term completely?

Dr. Bunwaree: Thought has been given to that, but I don't think it will solve the problem, because apart from academic, we are moving fast on extracurricular activities and we

are even thinking of sending the students for *stage, comme on dit*, either work placement or social interventions.

Mr Speaker: Hon. Labelle and then hon. Obeegadoo.

Mrs Labelle: Mr Speaker, Sir, among the measures, the hon. Minister has mentioned that there is the intensive revision programme. True it is, all the measures mentioned can't be implemented right now. But regarding the intensive revision programme, will the hon. Minister consider having this measure for this present year?

Dr. Bunwaree: Of course, if we have mentioned it, it has to be taken on board as soon as possible. In some cases, in some pilot schools, they are starting already, but it has to be generalised in the system.

Mr Obeegadoo: Does hon. Minister agree that the pattern shows that there are considerable variations from one school to another in terms of absenteeism and if so, has he looked into the causes thereof?

Dr. Bunwaree: Yes, there are links to many other aspects, for example, teachers who are more prone towards private tuitions, students who are doing extremely well. There so many other factors. They are being looked into.

Mr Obeegadoo: In that case, will he consider school leadership and school management, which is noticeably lacking from the list of measures envisaged?

Dr. Bunwaree: No, I don't agree with what is being said by the hon. Member.

ILOT MANGENIE, ILE AUX CERFS & TROU VIRÉ ISLET - WATER CHANNEL

(No. B/581) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil) asked the Minister of Environment and Sustainable Development whether, in regard to Ilot Mangénie, Ile aux Cerfs, the Trou Viré Islet and the surroundings, he will state if, following the site visit he effected thereat, accompanied by officials of his Ministry –

- (a) it has been observed that the water channel found between Ile aux Cerfs and Ilot Mangénie is obstructed by sand and, if so, the remedial actions that will be undertaken;

- (b) any impact assessment has been carried out regarding the golf course on the Ile aux Cerfs, the degradation of the surroundings and the quality of water, and
- (c) his Ministry will carry out a study on the ecological impact on that region.

Mr Virahsawmy: Mr Speaker, Sir, as regards part (a), the water channel between Ile aux Cerfs and Ilot Mangenie is, in fact, obstructed due to accumulation of sand. During the joint site visit it was also observed that beaches were eroded at certain places and parts of a water pipeline were exposed at both Ilot Mangénie and Ile aux Cerfs representing a hazard to beach users.

As a short term remedial measure, my Ministry in collaboration with other relevant Ministries has agreed to a proposal submitted by Sun Resorts International to rehabilitate the channel by removing the accumulated sand and using same to refurbish the eroded beaches of Ilot Mangénie. The rehabilitation of the channel would be an immediate measure and will be monitored closely during and after completion of the works.

My Ministry is also envisaging a holistic study which will be carried out on erosion and accretion of sand in the area by a team of consultants who will come up with long term remedial measures.

I would also wish to inform the house that an EIA licence was issued to Sun Resorts International Ltd on 01 August 2003 for the laying of a pipeline for potable water supply from Ile aux Cerfs to Ilot Mangénie. The pipeline was laid under the sand at a depth of 0.5m and works were completed in November 2003. Following the site visit and my intervention immediate remedial action has been taken by Sun Resorts to cover the exposed pipe.

With regard to part (b), the carrying out of any impact assessment is under the responsibility of the Ministry of Fisheries and Rodrigues and I am informed that the latter regularly monitors both the marine environment and the sea water quality in the surroundings of Ile aux Cerfs.

As regards part (c), a study on the ecological impact can be carried out when undertaking a holistic study on erosion and accretion of sand in that region as envisaged.

Mr Khamajeet: Can I ask the hon. Minister whether the decision to stop extracting sand from the lagoon has contributed to the obstruction of that particular channel between Ilot Mangenie and Ile aux Cerfs?

Mr Virahsawmy: I am not a marine engineer, Mr Speaker, Sir, to answer to that.

Mr Bérenger: I listened carefully to the hon. Minister. Am I right in what I heard? There was a site visit by Ministers and technicians; there was a proposal by Sun Resorts to remove the sand and this was agreed to, without expert analysis of what caused the accumulation of sand, whether it was that pipe or not?

Mr Virahsawmy: The decision was not taken at the site visit. The decision was taken after the site visit in a joint meeting with technicians and representatives of Sun Resorts International and we have taken the decision as a first measure. We had to take immediate decisions. The second measure will be medium and long term decision where consultants will be appointed to evaluate and study why there has been this accumulation of sand. We have to take an immediate decision to liberate the channel so that there is a proper flow of water. But this has been taken jointly by the Ministry, by technicians and qualified people.

Mr Bérenger: The decision has been to remove the sand there. Will the hon. Minister see to it that due care is taken? Because we could be adding insult to injury; if the removal of that sand is not strictly controlled and supervised, it could make matters worse.

Mr Virahsawmy: I have said in my reply, Mr Speaker, Sir, that this will be done under close and proper monitoring by the different Ministries.

Mr Khamajeet: As the hon. Minister is saying that he is not an expert biologist, will he inform the House whether, for the benefit of the inhabitants in the region, and the population at large, he will initiate a full-fledged study to be carried out by marine biologists, environmental experts and marine consultants of the negative impact on the degradation of that marine region?

Mr Virahsawmy: I have replied, Mr Speaker, Sir, that when we carry out the study by consultants; they will also look at the different aspects of the problems.

Mr François: Mr Speaker, Sir, will the hon. Minister inform the House whether there has been a complete survey or a GIS map of the water current all around Mauritius and Rodrigues and if not, whether he is proposed to do it?

Mr Virahsawmy: No, this is under the responsibility of the Ministry of Fisheries and Rodrigues and perhaps, next time, if the hon. Member puts a question to him, he will reply.

Mr François: I am talking about waters around Mauritius and Rodrigues.

Mr Speaker: No, we are talking about Ilot Mangénie, Ile aux Cerfs and Trou Viré Islet, not around Mauritius.

CENTRAL FLACQ - RIVER BANKS - EMBELLISHMENT WORKS

(No. B/582) 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.

The Minister of Local Government and Outer Islands (Mr H. Aimée): Mr Speaker, Sir, with your permission, I shall reply to this question.

I am informed by the Moka Flacq District Council that the land forming part of the river banks found between the new market and the Winners Supermarket at Central Flacq is privately owned.

Mr Khamajeet: Being given that Flacq is changing into a modern town, will the hon. Minister compel the Sugar Estate to upgrade the river bank and to always keep it neat and clean?

Mr Aimée: I think 'compel' is a very hard word, but I will ask the Moka Flacq District Council to find ways and means, probably, through land acquisition or deal with the Sugar Estate to remedy the situation.

At 12.59 p.m the sitting was suspended.

On resuming at 2.30 p.m with Mr Deputy Speaker in the Chair.

AUGUSTE VOLAIRE STADIUM - SYNTHETIC TRACK

(No. B/583) 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.

Mr Ritoo: Mr Deputy Speaker, Sir, it is a fact that certain areas of the synthetic track of the Auguste Volaire Stadium have been affected following adverse climatic conditions and the overflow of the river near the stadium.

The same situation prevails at Camp du Roi Stadium in Rodrigues and Marie Justin Stadium, Réduit which host important athletic events as well as national training. Therefore, depending on availability of funds, the replacement of the synthetic track will be scheduled in the forthcoming financial years.

Mr Khamajeet: Being given that *l'école d'athlétisme* at Auguste Volaire Stadium is doing very well, having a very good reservoir of talent in this part of Mauritius with a good group forming part of the *Jeux des îles* selection, can I humbly request the hon. Minister to put the replacement of the synthetic track on a fast track at his Ministry?

Mr Ritoo: Mr Deputy Speaker, Sir, I totally agree with the hon. Member that *l'école d'athlétisme* of Flacq is doing a marvellous job and we have got very young talents there and definitely we will see that we have a cost estimate and see how quicker we can change the synthetic track.

Mr Khamajeet: Can I ask the hon. Minister if any cost estimate of this project has been worked out?

Mr Ritoo: We have not yet worked any cost estimate, but will shortly send the consultant to see how much it will cost.

NTC - EMPLOYEES

(No. B/584) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the National Transport Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to the -

- (a) monthly salary and benefits drawn by the General Manager thereof, and
- (b) number of employees employed as per the -
 - (i) Pay Research Bureau, and
 - (ii) National Remuneration Board recommendations respectively, indicating the reasons why there are two categories of employees.

Mr Bachoo: Mr Deputy Speaker, Sir, I wish to inform the House that following a selection exercise, Mr. A. M. K. Soonarane was offered appointment as General Manager of the

National Transport Corporation with effect from 15 January 2010 on a two-year contract basis renewable upon satisfactory service and upon mutual agreement.

Mr. Soonarane draws a salary of Rs100,000 and an extra duty allowance of Rs20,000 monthly. He is being paid Rs25,000 as car allowance and Rs7,000 as driver's allowance in accordance with the provisions of the PRB Report 2008. Moreover, he is paid a monthly fuel allowance of Rs12,200. He is entitled to two months' salary as gratuity on completion of 12 months' satisfactory service.

As regards part (b) of the question, the number of employees employed as per the Pay Research Bureau and National Remuneration Board recommendations are 126 for PRB and 2,235 respectively for NRB.

At the creation of the National Transport Corporation, in March 1980, several officers were deployed thereto from various Ministries, on secondment. Those officers were offered conditions of service which were not less favourable than those they were enjoying in the Public Service. Those employees were eventually absorbed under the PRB conditions of service in 1987 and are governed by these conditions since then.

The bulk of NTC's other employees were however ex-employees of the defunct Vacoas Transport Co. Ltd. These employees were and have continued to be governed by the NRB, which sets out the conditions of service in the public bus transport industry, the Public Transport (Buses) Workers (Remuneration Order) Regulations 2008.

Dr. Sorefan: Mr Deputy Speaker, Sir, will the hon. Minister consider, in the next financial year, to bring all the workers and the staff through only one entity as per the PRB report?

Mr Bachoo: Mr Deputy Speaker, Sir, this has always been the demarche of the CNT in the past ten or twelve years I still remember, but I don't think it is that easy for us to do it.

Mr Bérenger: Mr Deputy Speaker, Sir, I think I heard the hon. Minister say that candidatures were called for, can I ask him how many persons responded to that call for candidatures and can he give the names of the other non selected candidates?

Mr Bachoo: Well, the information that I have is that the post of General Manager was advertised locally and internationally on 04 November 2009. Ten applications were received, an

interview was held on 11 January 2010 and Mr Soonarane was selected for the post and he was offered appointment as General Manager on 15 January 2010. I am going to lay a copy of all those who had applied for the job.

Mr Obeegadoo: Mr Deputy Speaker, Sir, on the second part of the question, this co-existence of workers and employees governed by different conditions of employment has been a show point in industrial relations at the NTC for many, many years. Will the hon. Minister not agree that given the difficulties faced by the NTC there need to be complete overhaul of the management freeing the NTC from chronic political interference and looking again, redefining the whole staff structure ensuring standardisation of conditions of employment?

Mr Bachoo: Mr Deputy Speaker, Sir, first assurance I can give to the hon. Member now there is no political interference of any kind at the CNT and that is the reason why I am proud to say that the CNT is doing very well and, in fact, in a span of one year, we are able to procure 117 new buses. This gives you an indication now that CNT is on good lines. Secondly, I don't think that question is a very complex one as I have just mentioned for the past decades this has been going on and if ever you are going to put all those who are at the NRB level at par with PRB, then we have to close down the shop and go home.

COMPANIES - EIA & INDUSTRIAL LEASE

(No. B/585) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Environment and Sustainable Development whether, in regard to the Environment Impact Assessment, he will state the name, over the past five years, of the -

- (a) companies;
 - (i) which have signed an industrial lease with Government, prior to the granting of a licence thereof, if any, and
 - (ii) for which obtaining a licence thereof was a pre-requisite condition for the signature of the lease, indicating the reasons therefor, and
- (b) private medical and surgical clinics which are presently operating without a licence thereof, if any, indicating the actions initiated against them.

Mr Virahsawmy: Mr Deputy Speaker, Sir, information with regard to part (a) has been sought from the Ministry of Housing and Lands. I am informed that the information is being compiled and same will be tabled once available.

As regards part (b) my Ministry is not aware of any such case.

Should the hon. Member be aware of any such case, my Ministry will investigate into the matter.

Dr. Sorefan: Mr Deputy Speaker, Sir, may I know from the hon. Minister if we have seen one case well debated with PNQ here that a lease agreement has been signed by the Government with a company and the same company has tried a EIA report for a license afterwards if..

The Deputy Speaker: No, please the hon. Member should...

Dr. Sorefan: May I know from the hon. Minister if the EIA license is not approved now, what will happen to that company who has already signed a lease with the Government?

Mr Virahsawmy: Well, if the EIA is not approved, the company will not be authorised to carry on the trade.

Mr Bérenger: In the normal practice for the EIA to be submitted, approved then...

(Interruptions)

The Deputy Speaker: Order! Please.

Mr Bérenger: ...is a lease signed or vice versa?

Mr Virahsawmy: No, as far as the EIA is concerned, we are not concerned with the lease. Some companies apply for an EIA, we will follow the procedures and if he is granted the EIA, then he will apply for the lease, but this is not the same Ministry in any case. The lease is from the Ministry of Housing and Lands.

Dr. Sorefan: Mr Deputy Speaker, Sir, the hon. Minister is saying that he is not aware of the medical and surgical units. There is one case at Flic en Flac where a license to operate as a private clinic has been granted. The license has also been granted by the radiation unit for the same company and the company does not have an EIA.

It had just forwarded an EIA now. May I know from the Minister whether he is aware of this because the same company does not have a development permit in a residential complex?

Mr Virahsawmy: I would like to repeat for the information of the hon. Member that my Ministry grants only EIA licence. If a hospital or any other clinic applies for a permit, it has to apply to the Ministry of Health and I do not control what the Ministry of Health does. As far as we are concerned, we will consider the EIA on its own merits.

RODRIGUES - BANDWIDTH CAPACITY & INTERNET ACCESS

(No. B/586) 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.

Mr Pillay Chedumbrum: Mr Deputy Speaker Sir, I am informed by the Mauritius Telecom Ltd (MT) that presently they have a satellite bandwidth capacity of 15 Mega bits per second (Mbps) between Mauritius and Rodrigues; out of which 7 Mbps are used for voice services and data services for businesses. The remaining 8 Mbps are used for Internet Services, if Government proposes to obtain further satellite space from Intelsat.

By the end of this year, when Comoros and Madagascar will be connected to the new EASSy submarine cable, 4 Mbps of satellite bandwidth, would be relinquished and would be available for re-allocation to cater for Rodrigues. This will enable MT to connect some of the potential customers on the waiting list for ADSL and provide new Synchronous High-speed Digital Subscriber Line (SHDSL) based offers for businesses in Rodrigues. However, further capacity will still be required to cater for demand for high bandwidth services and to improve the speed of existing services.

Mr Speaker Sir, in fact, the existing satellite bandwidth available to MT is currently being used at its optimum. Thus, in the short and medium term, additional satellite bandwidth has to be leased from Intelsat or any other satellite operators having a footprint on Rodrigues by either MT or any other licensed International Long Distance operators who intend to provide international bandwidth in Rodrigues.

Mr François: I thank the hon. Minister for his answer. In that case, will the hon. Minister inform us whether, with regard to additional capacity from other satellites Government will fund this or will the universal service fund be used to finance these projects?

Mr Pillay Chedumbrum: If any ILD operators make a request for funding under the Universal Service Fund, then ICTA will launch a competitive bidding exercise to obtain the best value for money operator.

Mr François: By the end of this year, can we have an idea about how many Kbps for residential and business will be delivered by these satellites. At present, we have ADSL only at 128 for residential and 256 for businesses, will we be looking at 500 Kbps or 600 Kbps?

Mr Pillay Chedumbrum: Let me tell you one thing. Mr Deputy Speaker, Sir, it is to be pointed out that the telecom services being provided by MT in Rodrigues are highly subsidised. As a matter of example, the provision of Internet at 128 kilobyte per second should have been at the price of, at least, Rs2000 and yet MT charges only Rs450 for that service. MT cannot practise full cost recovery principles in its tariffs for Rodrigues. This service is not commercially viable.

BAIL ACT - AMENDMENT

(No. B/587) Ms K. R. Deepalsing (Third Member for Belle Rose & Quatre Bornes) asked the Attorney General whether, in regard to the Bail Act, he will state where matters stand as to the proposed amendments to be brought thereto with a view to imposing a curfew requirement and the ordering of the wearing of electronic bracelets.

Mr Varma: Mr Deputy Speaker, Sir, paragraph 23 of the Government Programme 2010-2015 indicates the intention of Government to reform our law on bail as follows –

“A new Bail Act will be introduced. The Courts will be able to impose a curfew requirement on detainees and order them to wear electronic bracelets.”

In fact, the Law Reform Commission, in its annual report for the year 2009 on the Activities of the Commission and in its report on Bail and other related issues, has recommended the introduction of electronic monitoring devices, which will monitor the location of a detainee who has been granted bail, as one of the conditions for the release on bail.

Mr Deputy Speaker, Sir, our Bail Act must be read together with sections 1 and 5 of the Constitution which guarantee the right to personal liberty and which preclude any automatic denial of bail even where the suspect is charged with the most serious crimes. As investigations become more complex and take longer to be concluded, it has become urgent to introduce modern methods of monitoring detainees who have been released on bail. In the case of Islam v The State 2006 SCJ 282, the Supreme Court observed that –

“25. Each country has developed its own home-grown system proper to its demography, land mass and other socio-economic factors. For example, a good many countries as early as the eighties adopted the electronic tagging system. A device is placed on the person which sends a signal to a transmitter in the offender’s home and relays it to a central control. Where appropriate, this system is coupled with other conditions imposed on suspects such as night-time curfew, for example from 1900 to 0700 (...)

31. In Mauritius, the monitoring mechanism in bail administration has remained old-fashioned. Our primitive tools and techniques are today the greatest obstacles to the promises of our law and to an enhanced promotion of the enshrined guarantees of our constitution. (...)"

Mr Deputy Speaker, Sir, I have to inform the House that I chaired a meeting with the representatives of the Prime Minister’s Office, the Office of the Director of Public Prosecutions and my Office on 03 June 2011 to discuss the proposals of the Law Reform Commission and the amendments to be brought to the Bail Act.

Mr Deputy Speaker, Sir, a draft Bail (Amendment) Bill has already been circulated amongst stakeholders -

- (a) the Prime Minister’s Office;
- (b) the Office of the DPP;
- (c) the Police; and
- (d) the Ministry of Finance and Economic Development because of the financial implications.

A meeting is scheduled on the 06 of July in my Office to consider any comments from stakeholders on the draft Bail (Amendment) Bill so that it may be finalised and submitted in due course for Cabinet approval before introduction in the National Assembly.

Mr Deputy Speaker, Sir, I can assure the House that, when drafting the legislation on bail, we shall be guided by human rights principles and the need to strike a right balance between the right to liberty of the individual and the protection of society.

Ms Deepalsing: Mr Deputy Speaker, Sir, the hon. Attorney-General has said that this will come in due course to Cabinet for approval and then to the House. May I ask him what kind of timeframe we are looking at? I have a constituent whose family is psychologically traumatised because someone else is released on bail and I am sure a lot of us have the same kind of situation. What kind of timeframe are we looking at?

Mr Varma: I do get the point from the hon. Member, Mr Deputy Speaker, Sir, it will be done as soon as possible.

Ms Deepalsing: Mr Deputy Speaker, Sir, may I ask the hon. Attorney General whether he has any idea of what the financial costs indications would be at that point?

Mr Varma: Yes indeed Mr Deputy Speaker, Sir. According to the estimate, it will cost around Rs35 m. to Rs40 m. excluding the recurrent costs.

Mr Obeegadoo: I may be mistaken, but in the list of stakeholders consulted, I did not hear mention of the Bar Association

Mr Varma: Of course, in due course, it will be circulated Mr Deputy Speaker, Sir. We will hear the views of the Bar Council and the legal profession will voice their views through the Bar Council and, if necessary, the Law Society.

Mr Ganoo: The Bail Act already provides a situation where the magistrate may impose conditions of a general and specific nature on the defendant who is released. The hon. Attorney-General knows that the magistrate today can even impose on the defendant the necessity to inform the police where he is sleeping for example! The most fundamental principle that I think should be looked into is the question of time. Today, before our courts of law, when applications for bail are made, very often, unfortunately, it takes about 15 days or more to fix the bail hearing. This is a denial of the fundamental principle that everybody should be granted bail or should be

released on bail, unless there are circumstances which prevent the magistrate from doing so. Doesn't the hon. Attorney General think that we should insert in our law the necessity of requesting court of laws to deal with applications for bail as expediently as possible? After the bail hearing is heard, it takes another week or ten days for the ruling! So, could this issue be looked into so that it might be addressed when the Bill is proposed?

Mr Varma: Mr Deputy Speaker, Sir, I have been at the Bar for many years, and I know about the point which has been raised by the hon. gentleman. In fact, the point is noted, and we will take it into consideration while finalising the Bill.

Mr Uteem: Mr Deputy Speaker, Sir, when the hon. Attorney General is going to look into the Bail Act again, would due consideration be given also to the fact that, today, although the law provides that, during weekends, you may have sitting magistrates who would hear bail applications, in practice, the police don't even give you the name of the magistrate. Would consideration be given to reinforce this provision, so that it works in practice?

Mr Varma: Again, Mr Deputy Speaker, Sir, the point is noted. I know the difficulty being faced by barristers in general regarding the weekend custody. The point is noted, and we will take that into account.

BICYCLES & MOTORCYCLES - HEADLIGHTS & REFLECTORS

(No. B/588) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to bicycles and motorcycles, he will state if consideration will be given for the toughening of the law and the provision of more severe sentences in respect of the riders thereof who ride without headlights and reflectors between sunset and sunrise.

Mr Bachoo: Mr Deputy Speaker, Sir, I wish to inform the House that the Road Traffic (Construction and Use of Vehicles) Regulations already provide for motorcycles to be equipped with headlights, rear and brake lamps, bicycles to be fitted with reflectors.

Moreover, bicycles are not allowed to be used during hours of darkness unless they are fitted with a lamp in front, emitting white light and a lamp at the rear emitting red light, red reflector at the rear, and spoke reflectors on both wheels.

Any person who contravenes these regulations is liable to a fine not exceeding Rs10,000. The possibility of toughening this sentence will be looked into.

Mr Bérenger: Can I ask the hon. Minister who is supposed to enforce the law in that case. Is it the police or the NTA?

Mr Bachoo: It is, in fact, the police.

STATE SECONDARY SCHOOLS - MARILYN MANSON CULTURE

(No. B/589) Mr S. Dayal, (Third Member for Quartier Militaire & Moka) asked the Minister of Education and Human Resources whether, in regard to the State Secondary Schools, he will state if a survey has been carried out in relation to the spread of the Marilyn Manson Culture thereat and, if so, indicate the outcome thereof.

Dr. Bunwaree: Mr Deputy Speaker, Sir, at the very outset, I wish to highlight that there is a difference between what is referred to as Marylin Manson subculture and self-inflicted injuries by some students in certain specific circumstances. It is common knowledge that the Manson subculture is characterised by a number of features, including self-mutilation, self-inflicted cuts.

As stated in reply to Parliamentary Question B/824 on 08 July 2008 by the then Minister of Education and Human Resources, action had been initiated by the Ministry of Education and Human Resources for a survey to be carried out at the level of the four Zonal Directorates and the PSSA in order to assess the spread of the Manson Culture in our schools.

The survey, which covered I must say two or three months in that period, had revealed that there were two cases of self-inflicted mild injuries in one State Secondary School, and these cases were reported to the *Brigade pour la Protection des Mineurs*. However, they were not evident cases of adherence to the Manson subculture. Parents of the students were informed, and those students were referred to the Educational Psychologist. There were also a few suspected cases of minor self-inflicted injuries in other schools which were followed up.

It is to be noted that there was no evidence of adherence to the Manson subculture among students in general. Nonetheless, my Ministry has been repeatedly drawing the attention of Heads of schools to the need to be vigilant and to report such cases forthwith. They were also

advised to take preventive actions against this phenomenon, and to curb the spread of such a culture in schools.

Special attention is being given by the National Education Counselling Services to reinforce sensitisation programmes, and guard students of the adverse effects.

Mr Deputy Speaker, Sir, in addition, I wish to inform the House that, with regard to preventive actions against this phenomenon, I have had consultations and discussions with Mr S. Lauthan, social worker who, as we all know, is well versed and experienced in the matter. The latter had voluntarily offered his services, as and when required, with a view to assisting in the matter and this in the interest of the students' community.

I shall be elaborating on the measures initiated in my forthcoming reply to Parliamentary Question B/599.

BOARD OF INVESTMENT - RECRUITMENT

(No. B/590) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Board of Investment (BOI), he will, for the benefit of the House, obtain from the Board, a list of the persons recruited thereat, since June 2010 to date, indicating in each case -

- (a) the names, qualifications, addresses and salaries drawn;
- (b) when the posts were advertised, and
- (c) the names of the members of the interviewing panel.

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 as follows -

- Since June 2010, only one recruitment exercise has been carried out.
- The exercise was for filling in vacancies for the positions of Manager, Senior Investment Advisor, and Investment Advisor.
- This was done through an open advertisement in the local dailies in October 2010, as well as through the Board of Investment portal.

- As at the closing date of 08 November 2010, 131 applications were received for the post of Manager, 87 for the post of Senior Investment Advisor and 152 for the post of Investment Advisor.
- No offer of employment was made to any candidate for the post of Manager; three Senior Investment Advisors and six Investment Advisors were recruited on a contract basis for a period of two years.

As regards part (a) and (c) of the question, I am tabling the requested information.

ACANCHI LTD - BRAND STRATEGY & MTPA STRAP LINES

(No. B/591) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Minister of Tourism and Leisure whether, in regard to branding, he will -

- (a) state if his Ministry is still using the Brand Strategy of Acanchi Limited and
- (b) for the benefit of the House, obtain from the Mauritius Tourism Promotion Authority, information as to if it has -
 - (i) recently adopted new logos or strap lines, and
 - (ii) a new website with domain name as *divine-Ile Maurice* and, if so, indicate if the domain name belongs to the MTPA and, if not, why not.

Mr Bodha: Mr Deputy Speaker, Sir, the reply for the first part of the question is in the affirmative.

In fact, the development of the Brand Strategy was a country exercise to highlight the intrinsic and essential facets and values of the nation for the purpose of promoting tourism, investment, promoting Mauritius as a workplace, and other economic sectors of the country.

The Brand Strategy report from Acanchi Ltd thus provided us with recommendations and proposals to highlight the essence of Mauritius.

The philosophy and findings of the exercise encapsulate several components such as the Brand Personality, Brand Proposition, Brand Positioning, and the Brand Values. For instance, it is being used in strategic locations such as the airport and in promotional material.

Mr Deputy Speaker, Sir, I wish, however, to point out that it is also provided in the report that each sub-sector can derive its own essential messages from that philosophy.

Institutions, companies and individuals were expected to derive their own strategies from the recommendations of the report, and I understand that Airports of Mauritius Ltd, the BOI and Enterprise Mauritius, for instance, have done so.

With regard to part (b) of the question, I am informed by the MTPA that it has not adopted a new logo recently. The current MTPA logo was registered in June 2003, and has since been used in all the MTPA publications, promotional materials and campaigns.

I am also informed that the strap lines that are used in MTPA campaigns abroad are specific to each market, depending on its requirements, and are called upon to evolve with changes in the market trends. Some of the latest strap lines presently used by the MTPA are as follows, for example -

- i. in France '*Divine Ile Maurice*;
- ii. in Germany 'Mauritius. My kind of holiday';
- iii. in Italy 'Wonder why I am happy';
- iv. in Spain 'There is a place for you in Mauritius', and
- v. 'One destination, many a voyage' in South Africa.

Mr Deputy Speaker, Sir, with regard to the tourism sector, we have considered it appropriate to use the strap line '*Divine-Ile Maurice*', as it is in total alignment with one of the seven Brand Values, namely 'Reverence'.

With regard to the last part of the question, Mr Deputy Speaker, Sir, I am informed that the website '*Divine Ile Maurice*' was set up as part of the online '*Divine Ile Maurice*' campaign. The website is owned by the MTPA and is managed by the MTPA Advertising Agent in France, namely the firm TBWA/Compact, which is also responsible for the design, the development and maintenance of the website, including the registration of the domain name. The domain name was registered on 10 August 2010 by the firm Kartel, the digital communication partner of TBWA/Compact.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Minister whether he confirms that the domain name is registered with the MTPA and that the administrative contact is the MTPA?

Mr Bodha: No. What I explained is that the website belongs to the MTPA and the domain name has been designed and is managed by the MTPA agent in France, that is, TBWA/Compact.

Mr Lesjongard: May I ask the hon. Minister to confirm because from the information I have, it is stated that the domain name *divine-Ile Maurice.com*, the registrant is Kartel Savanne Germain residing at 3, Rue Turbigo Paris. The administrative contact is also one Savanne Germain and the Technical contact is also one Savanne Germain. May we know who is that gentleman?

Mr Bodha: Kartel is the digital communication partner of TBWA/Compact, that is, the MTPA advertising agent in France.

Mr Lesjongard: Anybody goes on that site where you have the logo of the MTPA; that's what we see, that gentleman. May we know who is that gentleman?

Mr Bodha: What I said is: first of all, the website belongs to the MTPA. It was designed and it is being managed by the MTPA agent in France, TBWA/Compact and Kartel is the digital communication partner of digital compact.

Mr Lesjongard: How can the website belong to the MTPA if it is registered, that is, the registrant is Kartel Savanne Germain?

Mr Bodha: I said Kartel is the digital communication partner of TBWA/Compact which is the advertising agent of the MTPA in France. We have a contract with them.

Ms Anquetil: Mr Deputy Speaker, Sir, have the stakeholders in the tourism industry been invited to participate in the formulation of this new branding strategy?

Mr Bodha: No. I have to explain, Mr Deputy Speaker, Sir. It is not a new branding strategy. A branding strategy is where the whole exercise involving the country and it is an umbrella exercise. Under this umbrella, we have a number of sub sectors strap-lines which we have used according to markets. For example, in France, we used one strap line, in England we have used another one. But the branding is the branding of the country not only for tourism, it was also for Enterprise Mauritius, it was for Air Mauritius, it was also for BOI.

Mr Uteem: Mr Deputy Speaker, Sir, we have in Mauritius the National Computer Board and very able people at the Ministry of Information Technology. May I know from the hon. Minister why is it that for the development and maintenance of a website that belongs to MTPA, they had recourse to outsiders? Was there a tender exercise to select that outsider and how much is being paid to that outsider?

Mr Bodha: Mr Deputy Speaker, Sir, what I explained is that the MTPA campaign in France is done according to the contract that the MTPA has with this advertising agent. It is the advertising agent, on the agreement with the MTPA, which decides on the campaign and manages the campaign on the website.

Mr Uteem: Mr Deputy Speaker, Sir, the Minister did not answer my question. Can I ask the hon. Minister how much money is being paid annually to this firm for maintaining the website?

Mr Bodha: I don't have a specific answer to that, but it forms part of the contract as regards the advertising agent in France.

The Deputy Speaker: Two last questions; one from hon. Ms Anquetil and one from hon. Lesjongard.

Ms Anquetil: Mr Deputy Speaker, Sir, can we know from the hon. Minister on what criteria have the brand names - based on specific markets - been selected?

Mr Bodha: Well, there have been a number of PR agents who have been working with each market, and who have come with a number of suggestions and in some cases some strap-lines have been used for specific markets. For example, in India where we wanted to promote the weddings, we came with one strap-line that "marriages are made in heaven".

Mr Lesjongard: Mr Deputy Speaker, Sir, we have spent Rs14 m. of public money to come forward with branding strategy whereby a logo was devised, that is, '*Mauritius, c'est un plaisir*'. Now, we hear another logo, '*Divine Ile Maurice*' which does not even belong to the MTPA. I want to know from the hon. Minister who came forward with that logo and to whom that website belongs?

Mr Bodha: The whole branding exercise was an umbrella exercise for a number of things: for tourism, for investment, for promoters of the country. Now, there was one strap-line

which was decided. But the whole exercise contains a number of values which can be used by each and every sector for its own promotion. When it comes to '*Divine Ile Maurice*', we designed it, the MTPA came with this concept.

(*Interruptions*)

The MTPA, in Mauritius.

(*Interruptions*)

The Deputy Speaker: Please, let the hon. Minister answer!

Mr Bodha: The MTPA came with this concept and then we requested our PR agent in France to design the website and they designed it within the contract that we have with them.

Mr Lesjongard: Mr Deputy Speaker, Sir, I have one last question. If it was the MTPA, then why did not the MTPA choose from the 33 slogans that were submitted by Acanchi Limited? There were 33.

Mr Bodha: I really want to explain one thing, Mr Deputy Speaker, Sir. The branding exercise took a whole year. It has done a lot of research on the essence and the intrinsic values of Mauritian society and it was to promote all that Mauritius has as essence. That exercise came up with a number of recommendations for tourism, investment and Mauritius as a work place. And the BOI, Enterprise Mauritius, Airports of Mauritius and the tourism, each one was then to develop its own strategies under that umbrella branding. We have done it according to markets.

RODRIGUES - PATIENTS - TREATMENT

(No. B/592) Mr J. F. François (Third Member for Rodrigues) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the patients who are transferred from Rodrigues to undergo treatment in Mauritius, he will state if Government will consider using Corporate Social Responsibility money for the construction of a building or a residence in Mauritius, with a view to accommodating the accompanying medical officers and parents thereof.

The vice-Prime Minister, Minister of Social Integration and Economic Empowerment (Mr X.L. Duval): Mr Deputy Speaker, Sir, with your permission I shall reply to this question.

The House may wish to note that the funding of projects under the CSR Scheme is subject to such projects falling within the purview of guidelines governing the management thereof.

I am informed by the National CSR Committee that the construction of a building or residence to accommodate medical officers and parents accompanying patients who are transferred from Rodrigues to undergo medical treatment in Mauritius does not fall within the ambit of the existing CSR guidelines. I am also informed that except for specific projects, the construction of buildings is generally not favoured for CSR funding, in view of the very high capital costs involved.

Mr Deputy Speaker, Sir, notwithstanding the above, I am given to understand that the National CSR Committee could, except for the building component, consider projects for assistance to be extended in genuine cases, if these are channelled through an approved NGO which can secure CSR funding.

Mr François: Mr Deputy Speaker, Sir, I have read the CSR guidelines and there is one particular area called health. Being given that there is no firm request or negotiation from the Regional Assembly on that issue which is a very pressing one, may I ask the hon. Minister whether he is aware that many of the accompanying parents are from vulnerable groups and are facing great difficulties to find an accommodation or paying a room while they come here to Mauritius to accompany the patients?

Mr Duval: Mr Deputy Speaker, Sir, I am given to understand by the Ministry of Health that mothers, in many cases, are allowed to stay with their very young children in the hospital.

In order for a project to be started on CSR, obviously they need to comply with our guidelines; secondly there needs to be an NGO, which is willing to run the facility, and thirdly, we need a company which is willing to finance the project. These are the three factors needed for a project on the CSR.

Mr François: What about the 50% of CSR by the Government?

Mr Duval: It is the same principle. You need the three factors to be able to start a project on the CSR.

Mr Bérenger: With regard to the vulnerable groups, there is a real problem there. If it can't be funded through the CSR, can't the Ministry find another funding possibility?

Mr Duval: Mr Deputy Speaker, Sir, I did not say it cannot be funded by the CSR, I said we do not like to construct buildings under CSR; the project could make use of Government quarters for instance, if available.

Mr Bérenger: My point was CSR cannot be involved in the building, but there is a real problem there. Can't the Ministry which is responsible for vulnerable groups liaise with other Ministries and find a funding?

Mr Duval: Mr Deputy Speaker, Sir, buildings are not a problem; there are a lot of buildings belonging to Government, some of which are already put at the disposal of people from Rodrigues. So, building is not really the problem. The problem is whether it should be an NGO running it or whether Government should run some sort of guest house for Rodriguans. I would myself prefer an NGO running it.

Mr François: Mr Deputy Speaker, Sir, may I make a suggestion to the vice- Prime Minister to use his good office to liaise with the Commission for Health of Rodrigues and any local NGOs from Rodrigues or Mauritius which want to look into that issue, to make sure that this problem be looked into because this is a very, very pressing issue.

Mr Duval: Mr Deputy Speaker, Sir, I will certainly do that and perhaps we can meet also to discuss it.

RODRIGUES - RICE (RATION) - SALE

(No. B/593) Mr J. F. François (Third Member for Rodrigues) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to ration rice, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the total number of bags thereof sold in Rodrigues, in 2010 and in 2011, as at to date, indicating the -

- (a) total number thereof –
 - (i) that were unfit for consumption;

- (ii) discarded, since January 2011 to date, indicating, in each case, the brand, and
- (iii) dumped at sea, if any, indicating if the prior environmental clearance was sought and obtained and, if so, table copy thereof, and

(b) procedures for quality control.

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, I am informed that the number of bags of ration rice sold in Rodrigues in 2010 and 2011 to date are as follows -

Year	Total
2010	73,999 bags of 50 kg
2011 to date	32,423 bags of 50 kg

Mr Deputy Speaker, Sir, as regards part (a) (i) (ii) of the question, I am informed that in 2010, 48 bags (50 kg) were found unfit for consumption and were disposed as follows -

Quantity (Bags)	How Disposed
40	Sold as animal feed
5	Dumped at high seas
3	Dumped at dumping sites
48 bags	

In 2011 to date, 1,103 bags (50 kg) were found unfit for consumption. 637 bags were sold as animal feed because of its poor quality. 466 bags had to be disposed in high seas because they were damaged by sea water during the transportation on the vessel.

Mr Deputy Speaker, Sir, as regards part (a) (iii) of the question, I am informed that health authorities recommended their being disposed by dumping in high seas.

It is the Commission for Health of the Rodrigues Regional Assembly that issues authority for either dumping at high seas or destruction on dumping sites. I am tabling a copy of the clearances.

This operation is attended by officers of STC as well as the representatives of Commission for Health to ascertain that the condemned goods do not find their way into the market.

It is the Mauritius Port Authority of Rodrigues Division that arranges for the dumping of rejected rice at high seas. It is not the practice to seek further clearances from other institutions once the local Health Authority has already issued certificates for dumping.

Regarding procedures for quality control, the Local Health Authority verifies the goods in containers prior to unstuffing. In addition, during unstuffing operations, whenever bags are found in abnormal conditions, they are segregated and it is on the initiative of the STC officers that the advice of the Local Health Authority is sought for further action.

Mr François: Mr Deputy Speaker, Sir, the hon. Minister mentioned about dumping at high seas. He agreed that ration rice was dumped at sea. I did ask whether environmental clearance was obtained prior to the dumping of the condemned rice at high seas.

Mr Yeung Sik Yuen: We have received the clearances and, as I said, we are tabling a copy.

Mr Ameer Meea: Mr Deputy Speaker, Sir, can I ask the hon. Minister what is the total value of rice that was found to be unfit for consumption?

Mr Yeung Sik Yuen: Rs555,000.

Mr François: Mr Deputy Speaker, Sir, when the rice arrives in Rodrigues, some are caked, some are putrid and, according to the answer given, they are on two days shipment from Port Louis to Port Mathurin. May I ask the hon. Minister whether there is a strict control, here, in Mauritius at Port Louis by the health officers of the quality of rice before it reaches Port Mathurin? I would also like to know whether the hon. Minister will request to organise a MoU between the Ministry of Health, the Rodrigues Regional Assembly and the STC to make sure that good quality rice reaches Port Mathurin.

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, I am informed that the rice that has reached Rodrigues is in good quality and I do have a certificate that says it is fit for consumption.

(Interruptions)

The Deputy Speaker: Order, please!

Mr Ameer Meea: Mr Deputy Speaker, Sir, can I ask the hon. Minister for the rice that was found unfit for consumption and dumped at sea, whether there was any insurance cover on that?

Mr Yeung Sik Yuen: There is insurance cover.

Mr Uteem: I heard from the hon. Minister that the rice in several bags was unfit for consumption because they were damaged by sea water. Was an investigation carried out to find out whose responsibility was it? Was it the owner of the ship or was it during transit that it was damaged?

Mr Yeung Sik Yuen: According to the information that I have, we have claimed the carrier of the transportation.

Mr François: May I make a humble request to the hon. Minister to invite the STC, the Mauritius Port Authority and the local authorities to find a more appropriate way to discard condemned rice instead of it being dumped at sea? It is not even beyond one kilometre from the shore, which is a violation of the EPA 2002 Act. Can the hon. Minister also ask them to make sure that we respect and do not damage our natural marine environment?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, the point is noted and I will look into the matter with the STC.

RICE - IMPORTATION

(No. B/ 594) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to rice, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the amount thereof imported from Thailand, since 2010 to date, indicating the -

- (a) quality thereof;
- (b) purchase rice thereof;
- (c) procurement method used therefor;
- (d) selling price thereof on the local market, and

(e) amount thereof in stock.

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, I am tabling the information requested for with regard to parts (a) and (b) of the question.

Regarding part (c) of the question, the procurement method used for the above purchase was open bidding by an international request for tender exercise.

Mr Deputy Speaker, Sir, concerning part (d) of the question, the prices at which the rice is being offered for retail on the local market are as follows -

- (1) 25% broken: Rs5.40 per ½ kg;
- (2) 10% broken: Rs10 per ½ kg, and
- (3) 5% broken: Rs13 per ½ kg.

Concerning part (e) of the question, amount in stock as at 23 June 2011 was as follows –

- (1) 25% broken: 1,612 metric tons;
- (2) 10% broken: 264 metric tons, and
- (3) 5% broken: 1,852 metric tons.

Mr Uteem: May I know from hon. Minister whether any survey had been carried out to find out whether there was a demand on the market for 5% and 10% broken rice before the STC went ahead and imported such a huge amount of rice?

Mr Yeung Sik Yuen: According to my information, Mr Deputy Speaker, Sir, the answer is no.

Mr Uteem: Would the hon. Minister confirm whether the 5% and 10% broken rice are today being repackaged in packets of 50 kilos and sold as ration rice?

Mr Yeung Sik Yuen: Part of them, Mr Deputy Speaker, Sir.

Mr Uteem: The hon. Minister said part of it, can we know how much is being sold as ration rice?

Mr Yeung Sik Yuen: About 3000 bags.

Mr Bérenger: I think I heard the Minister say that normal procurement bidding was resorted to. Am I not right in saying that the last time quotations were called for, the cheapest quotation was from Pakistan, but, that firm, because of troubles there, could not deliver and, therefore, STC turned to that Thailand firm and negotiated, which is not normal tender procedure, a price? Am I correct in saying that?

Mr Yeung Sik Yuen: Yes, Mr Deputy Speaker, Sir.

Mr Bérenger: Quotations were called for, the cheapest was a Pakistani firm and could not deliver. Can I know which firm was the second cheapest and why it was not retained and we turn to negotiating with a Thailand firm?

Mr Yeung Sik Yuen: In fact, Matco Rice Processing could not supply the 1000 tonnes which were left to supply in April 2011 because of unrest situation in Pakistan.

Mr Bérenger: My question is: why did we not go to the second lowest? Why did we go to negotiating, *gaspille ène ti pé*, negotiating with the Thailand, instead of going to the second lowest?

Mr Yeung Sik Yuen: I don't have the information with me, but I don't mind to table it.

Mr Ameer Meea: Mr Deputy Speaker, Sir, since the hon. Minister informed the House that the rice has been repackaged as 'ration' rice, I presume that the rice will be sold at a lower price. Can I ask the hon. Minister what would be the total loss to the STC on this specific transaction?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, there are only 10 dollars USD per metric tonne difference between the two kinds of rice.

(Interruptions)

Mr Ameer Meea: Mr Speaker, Sir, I asked for the total amount of loss, not per packet.

Mr Yeung Sik Yuen: I don't have the amount with me.

The Deputy Speaker: Last question, hon. Uteem!

Mr Uteem: Thank you. Would the hon. Minister confirm that the only ...

The Deputy Speaker: Order please!

Mr Uteem: ... reason why the STC had had to go and buy those Thai rice from Chaiyapoon, Thailand, is because the STC breached the contract which was awarded to them in 2010 for the import of 'ration' rice and that is why they had to go and negotiate or else they would have been sued by Chaiyapoon?

Mr Yeung Sik Yuen: This is the opinion of the hon. Member, Mr Deputy Speaker, Sir.

Mr Uteem: I am asking the hon. Minister a question. Is it yes or no.

Mr Yeung Sik Yuen: This is the opinion of the hon. Member.

Mr Bérenger: The question is: we have information that STC breached its agreement with that Thailand company and that Thailand company started proceedings, sued STC and the reason that STC went and negotiated with them, *cas prix*, is that it had breached its agreement and was being sued. It is yes or no.

Mr Yeung Sik Yuen: I will check the information Mr Deputy Speaker, Sir.

The Deputy Speaker: The table has been advised that PQs No. B/604, B/605, B/606 and B/613 have been withdrawn.

CHAMP DE MARS - GAMBLING OPERATORS

(No. B/595) 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 gambling, he will for the benefit of the House -

- (a) obtain from the Gambling Regulatory Authority, information as to the number of operators presently operating SMS Pariaz, Tote Lepep, Supertote, Stevenhills, Booksystem, Bet on Line, Play on Line and Bookmaking inside and outside the Champ de Mars, indicating their exact location, and
- (b) state if Government proposes to limit the operation thereof inside the Champ de Mars.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Speaker, Sir, with your permission I am tabling the information requested in part (a) of the question. As regards part (b), of the question, the House has been informed by the Prime Minister in the reply to PQ No. B/420 at the sitting of 31 May 2011 that the unintended

consequences of activities of bookmakers and other gambling activities operating outside the race course have been looked into by the Technical Committee instituted under the chairpersonship of the Secretary to the Cabinet and Head of the Civil Service. The Prime Minister stated that, I quote -

“In order to attenuate the negative consequences of the activities of off-course bookmakers, the Technical Committee has recommended that these bookmakers be eventually confined to the Champ de Mars”.

Consultations on the measures which have been recommended by the Technical Committee are under way with the Attorney General’s Office, including review of the functions of the Gambling Regulatory Authority.

Mr Ramano: M. le président si mes chiffres sont bons, il y a actuellement 127 *outlets*, excluant les *bookmakers* qui opèrent dans le monde des courses en dehors du Champ de Mars. Si on veut vraiment combattre la mentalité *zougader*, pourquoi ne pas caser tous ces opérateurs carrément au Champ de Mars et pourquoi cette politique de deux poids deux mesures ?

Mr Jugnauth: The bookmaking outside the Champ de Mars is 11 altogether, not 127.

Mr Ramano: Non, je parle des opérateurs, tels les noms que j’ai.

(*Interruptions*)

Mr Ramano: Je peux donner les chiffres, M. le président.

(*Interruptions*)

The Deputy Speaker: Order please!

Mr Ramano: SMS Pariaz, il y a 21; Tote Lepep : 25, Supertote : 24, Stevenhills :17 ; Booksystem : 20 ; Bet Online :20. Tous ces opérateurs opèrent en dehors du Champs de Mars. Pourquoi ne pas caser ces personnes-là aussi ?

Mr Jugnauth: Their activities are different, Mr Deputy Speaker, Sir. With regard to *bookmakers*, one has to go with his money and bet, whereas with regard to some of the companies that the hon. Member has mentioned, one can do remote gambling, that is, by telephone, by SMS. One needs to have, before that, deposited an amount of money that will

allow him to do this remote gambling. Therefore, we cannot mix all of them together. But, as the Prime Minister has said, we are looking at the gambling situation globally.

E-COLI EPIDEMIC – MEASURES

(No. B/596) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, following the outbreak of the E-Coli epidemic abroad, he will state if Government proposes to take measures with a view to averting the risk thereof through controls of the vegetables and fruits imported for the local market.

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Deputy Speaker, Sir, with your permission, I shall reply to this Parliamentary question.

Mr Deputy Speaker, Sir, we all are aware of the threats of the virulent strains of *E-Coli* 0104 contamination in food as witnessed in Europe, USA and Canada. The WHO has yesterday, that is, 27 June 2011, also notified that E-Coli has been detected in the Bordeaux Region of France.

Mauritius is a net food importer and food safety measures are being taken to avert risks of contamination in strict compliance with the guidelines of the FAO Codex Alimentarius on Foodborne diseases. These include -

- strengthening vigilance and monitoring of all imports of fruits and vegetables by the National Plant Protection Office of my Ministry;
- close monitoring of the evolution of the *E-Coli* through the Rapid Alert System for Food and Feeds of the EU Food and Veterinary Office and from importing countries for Mauritius;
- networking with laboratories in Mauritius and in the region for early detection of *E-Coli*, and
- close collaboration with the Ministry of Health and Quality of Life on detection of micro organisms in imported fresh vegetables and fruits.

Furthermore, the analytical capacity of the Food Technology Laboratory of my Ministry is being strengthened along with training of the personnel to face any such new situations.

Mr Deputy Speaker, Sir, I have been informed by the Ministry of Health that samples of vegetables imported from France have been sent to the laboratory for microbiological analysis and that results obtained so far have not revealed any presence of *E-Coli* contamination.

My Ministry is in the presence of a notification from WHO dated 27 June 2011 on the second outbreak of E-Coli infections in the Bordeaux region of France, as I have said earlier, with a possible link to raw sprouted seeds and beans. Since Mauritius imports a monthly average of 40 kg of vegetable sprouts from France exclusively for the hotel sector, I have immediately put a temporary ban on import of vegetable sprouts from countries reported to have this infection.

Mr Deputy Speaker, Sir, there should be a concerted effort to mitigate any risk as regard food safety in Mauritius. This includes a surveillance mechanism in a regional and international network along with a rapid alert system. My Ministry endeavours to work with all stakeholders to address this pertinent and urgent matter.

The Deputy Speaker: I would like to be enlightened whether the Minister has answered also to PQ No. B/614.

Mr Faugoo: No.

The Deputy Speaker: Only this one.

Mr Bérenger: We are talking about control, detection of contaminated food, vegetables and so on, coming into the country, and we have been told that the Ministry of Agriculture checks on that and liaises with the Ministry of Health. There have been reports that the laboratory of the Ministry of Agro-Industry recently discovered salmonella in meat imported from India. Is that a fact? What is the situation and has that collaboration with the Ministry of Health been put on?

Mr Faugoo: Mr Deputy Speaker, Sir, there are two things. When we import fruits and foodstuffs, especially vegetables, the import permit is granted by my Ministry and when the vegetables arrive here, my Ministry check for any pest and plant diseases. My Ministry is responsible for plants and diseases relating to agriculture whereas on the food aspect this is checked by the Sanitary Division of the Ministry of Health and Quality of Life. So this question

concerning vegetables should have ideally been addressed to the Ministry of Health and Quality of Life and not to me, because it concerns more human health than animal health or agriculture.

As for the question pertaining to the presence of salmonella in meat products imported from India, this is a fact. That was back in 2010, in October of last year; there were two consignments of meat which were contaminated by salmonella and this was detected, in fact, by my Ministry because we give the import permits for frozen meat, meat products, fish and fish products, and the test is done both by my Ministry and also by the Ministry of Health and Quality of Life. This particular test was done by the Food Technology Laboratory of my Ministry.

FINANCIAL SERVICES SECTOR - FOREIGN DIRECT INVESTMENT

(No. B/597) 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 Foreign Direct Investment in financial and insurance activities, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the -

- (a) amount thereof, since 2005 to-date, in each year classified by -
 - (i) banking, insurance, stock exchange and other financial activities;
 - (ii) geographical origin;
 - (iii) acquisition or expansion of existing business and creation of new business;
- (b) percentage of foreign ownership in the capital of the deposit-taking institutions as at to date, compared to 2005, and
- (c) measures taken, since June 2010 to date, to encourage more competition in the financial services sector.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, Foreign Direct Investment (FDI) data is compiled by the Bank of Mauritius on a cash-basis and not on a project-basis. FDI data in Mauritius is published by the Bank of Mauritius by sector, in this case 'Financial and Insurance Activities', and by geographical origin in consolidated form with no individual information disclosed.

From the records of the Bank, foreign direct investment flows into the 'Financial and Insurance Activities' sector picked up from Rs481 m. in 2005 to increase steadily to reach Rs4,564 m. in 2008. Thereafter, following the global financial crisis, foreign direct investment inflows into the 'Financial and Insurance Activities' sector slowed to Rs1,371 m. in 2009. In 2010, FDI surged to a peak of Rs4,645 m. During the first three months of 2011, FDI of an amount of Rs182 m. was recorded. The data for the first quarter of 2011 are still provisional.

As regards data on FDI in the financial services sector by geographical origin, these are not published by the Bank of Mauritius.

Concerning part (a) (iii) of the question, I have been informed by the Bank of Mauritius that for the period 2005 to date, the FDI in the banking sector was mainly for the expansion of existing banks, except for 2006 when the bulk of the FDI was for the setting up of banks.

In regard to part (b), I have been informed that, on an aggregate basis, the percentage of foreign ownership in the capital of deposit-taking institutions went up from 58 per cent in 2005 to 72 per cent as at end April 2011.

Mr Deputy Speaker, Sir, we introduced a number of measures in the 2011 Budget. These included amendment to the law to expand the scope for corporations holding Category 1 Global Business License to extend their operations to the domestic economy as well. This fundamental shift in policy attempts at further invigorating our global business sector and the domestic economy. More importantly, it provides even more reasons why Mauritius is a jurisdiction of choice and substance.

In addition, we have introduced the rule of perpetuity for trusts in view of enhancing the position of Mauritius as a Trust and wealth management destination.

Mr Deputy Speaker, Sir, we have also set up a committee under the Chairmanship of my Ministry, together with the main stakeholders of the industry to look at the OECD Peer Review mechanism, products and markets diversification strategies as well as the DTA strategy of Mauritius to boost the country as a preferred Financial Centre of substance in the region. This committee has already met four times since its inception and has worked extensively to come up with new strategies in view of enhancing our competitiveness as a jurisdiction.

I also wish to inform the house that the BOI recently organised the Mauritius International Investment Forum which had a very strong component of promoting Mauritius as the preferred regional financial and investment centre. Deliberations made at the conference are positive and the need for the introduction of new investment products and structures like Limited Partnership was reiterated. I must highlight that my Ministry is in the process of finalising the Limited Partnership legislation.

Another measure taken is to give information, through the Bank of Mauritius website, on fees, commissions and charges of banks so that consumers can make more informed decisions in their choice of financial products offered by banks.

To encourage more competition in the financial services sector, a new bank came into operation in June 2010, thus bringing the total number of banks licensed to carry banking business to 20. In addition, a new cash dealer came into operation in July 2010. To expand the services provided by the banking sector beyond conventional banking, the Bank of Mauritius licensed a bank offering Islamic banking services, which came into operation in March 2011.

Further, CAMEL ratings of banks have been published on the Bank's website as from March 2011. Those ratings are expected to allow consumers to make informed decisions on banks.

The Bank has also signed a MoU with the Competition Commission of Mauritius in August 2010 in an effort to promote more competitive behaviour in the banking sector.

Mr Li Kwong Wing: Will the vice-Prime Minister confirm whether foreign investments in the stock exchange and in GBOT in the commodities market are included in the FDI figures given?

Mr Jugnauth: Well, I should think so. They are included.

Mr Li Kwong Wing: Unfortunately, I think it is not. In spite of the massive investments in billions of rupees in the banking sector, will the vice-Prime Minister confirm whether these injections of money for acquisition and expansion of existing banks have added competition in the banking sector in view of the fact that the interest spread between lending and selling rates and the foreign exchange spread between buying and selling rates are still among the highest in the world?

Mr Jugnauth: Well, when there is additional investment for the expansion of the banking institution it, first of all, shows the trust that the companies have in the jurisdiction. But secondly, it should normally bring in, let's say, more economic activities in terms of the sector to the country and, therefore, hopefully more competition.

With regard to the spread in terms of the interest rate, I think this has been a longstanding and everlasting issue, because there are a number of factors that contribute to make the spread such as it is in Mauritius. I think all previous Ministers of Finance must have had a look at it and there are, unfortunately, not many things that we can do. Unfortunately, we cannot regulate, to ask banks to practice a certain policy with regard to interest rate. So, it is left to the free market to decide and, because we are of such a size, because we are limited also by a number of other factors, and the cost of money also, that is why the spread is such as it is.

Mr Uteem: Thank you, Mr Deputy Speaker, Sir. The hon. vice-Prime Minister mentioned that one of the measures introduced to increase competition is the amendment to the perpetuity period of purpose trust, and this, he said it in his Budget Speech and he is repeating it today. But, is the hon. vice-Prime Minister aware that, up to now, the law has not been amended to give effect to the change in perpetuity period of purpose trust? This he said it in his Budget Speech and he is repeating it today. But, is the hon. vice-Prime Minister aware that up to now, the law has not been amended to give effect to the increase in perpetuate period of Trust?

Mr Jugnauth: Of course, we will be looking at a number of legislations as I have mentioned. There is also, the limited partnership Legislation which is still under preparation and hopefully, they will be ready by at least - I hope - quite soon.

The Deputy Speaker: Yes.

Mr Li Kwong Wing: Will the vice-Prime Minister confirm that the massive billions of rupees investment in financial services and the introduction of new players have added nothing to competition in the financial services sector and it has made matters worse because there is an excess liquidity in the market which is fuelling speculation in property by foreign capital and this is totally against the mantra of economic democratisation which is promoted by Government when they try to attract FDI?

Mr Jugnauth: Well, this is a matter of opinion to which I will not agree with the hon. Member and I believe that it has contributed to bringing more competition to the sector.

AMUSEMENT MACHINES WITH PRIZES - LICENCE

(No. B/598) 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 Amusement Machines with Prizes, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the -

- (a) number of licences issued therefor as at to-date, per district, indicating the name of the licensees thereof;
- (b) licence fee and any tax payable per machine, indicating the total amount of money collected in 2005;
- (c) if Police clearance has been obtained for the issue of each licence;
- (d) opening hours of operation thereof, and
- (e) if there is a mechanism to control the revenues collected therefrom for tax purposes and, if not, why not.

The Deputy Speaker: Yes, hon. vice-Prime Minister!

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir. Amusement Machines have been introduced in the country for more than two decades now, and were commonly known as 'video games'. With the evolution in technology, certain promoters introduced a new version of Amusement Machines which are known as 'Amusement machines with Prizes', commonly known as AWP machines. These machines did not fall under the ambit of the Gambling Regulatory Authority Act of 2007.

Government took the decision to regulate this particular activity in 2009 and mention was, in fact, made in the Budget Speech of 2009. Subsequently, amendments were brought to the GRA Act through the Finance (Miscellaneous Provisions) Act 2009 to include Amusement Machines with Prizes. The relevant part of the GRA Act was proclaimed on 31 December 2010 and became operational in January 2011.

I am informed by the GRA that Hing Tse Investment Co. Ltd was the first to apply for an AWP machines licence. The application was made on 22 January 2011. The Board of the GRA gave its approval on 31 January 2011.

I have been informed by the GRA that up to now only six applications have been received and only one licence has been issued, that is, to Hing Tse Investment Co Ltd.

Mr Deputy Speaker Sir, let me further inform the House that when officers of the Mauritius Revenue Authority and GRA visited the outlets of Hing Tse Investment Co Ltd, they reported that most of the machines operated therein were not in conformity with the new provisions of the GRA Act as regards AWP machines.

When this fact was brought to my attention, I immediately directed the Board of the GRA pursuant to powers conferred upon me in Section 7 (3) of the GRA Act to refrain from issuing any licence to Hing Tse Investment Co Ltd. Despite this directive, the Chairperson of the GRA ordered management to issue an AWP machines licence to the Company. This licence was issued on 09 March 2011.

I am further informed by the GRA that the licence issued to Hing Tse Investment Co. Ltd on 09 March 2011 related to 571 machines in 19 outlets. A second application for 301 machines in 22 outlets was submitted on 10 March 2011.

As regards part (b) of the question, the licence fee for each AWP machine is Rs500. As far as tax is concerned, any company licensed to operate AWP machines has to pay either 10% of its gross takings or Rs500,000 whichever is higher.

I stated earlier that this particular activity has been regulated only recently. Therefore, the question relating to licence and fee collected in 2005 does not arise.

Concerning part (c) of the question, I am informed that Police Clearance has not been sought for the issue of AWP Machines licence to Hing Tse Investment Ltd. Such a clearance is normally required prior to issuing a new licence.

As regards part (d) of the question, I am informed that as per the conditions of the licence, the opening hours are as follows - Monday to Friday - 14 h 00 to 23 h 00; and Saturday, Sunday and Public Holiday - 9 h 00 to 23 h 00.

Concerning part (e) of the question, I said earlier that a licensed company operating AWP Machines would have to pay tax at the rate of 10 per cent of gross takings or Rs500,000, whichever is the higher to the MRA on a monthly basis after one month of operation. A control mechanism would be put in place to ensure payment of the tax in accordance with the prescribed amount.

Mr Deputy Speaker, Sir, I wish to inform the House that at its last meeting held on Wednesday 22 June, the Board of the GRA decided to give a one-year moratorium to Hing Tse Investment Co Ltd to replace the existing non-compliant AWP machines by genuine compliant AWP machines as per the GRA Act. As Minister, responsible for the GRA, I do not agree with this decision. I have also given strict directives to the Board of the GRA to ensure that other existing AWP machines operators register themselves and comply with the law before any licence is issued.

Mr Li Kwong Wing: Will the hon. vice-Prime Minister confirm whether these Amusement machines with Prizes are not actually disguised electronic slot machines with electronic pay outs and should therefore, be taxed as slot machines paying 50% gaming tax on the drops and also, a licence of Rs125,000 per machine? Because if there are 900 machines that have been licensed according to the hon. vice-Prime Minister although illegally, then it means that there is a revenue loss already, for license fees of more than Rs100 m. on these 900 machines.

Mr Jugnauth: As I have said, I am not happy with the situation and I am looking into this matter.

Mr Li Kwong Wing: Will the hon. vice-Prime Minister, therefore, not institute a full scale inquiry to determine why that licence has been issued in contravention of the law and also, why is it that there should be a moratorium now that *les dégâts* have been caused?

Mr Jugnauth: I have said in my reply that, as Minister, I am personally not agreeable with giving a moratorium of one year because at the end of the day what will happen? One year is the time of the licence; therefore, the operator will be operating illegally throughout the duration of the licence. This is why I have said - I am looking into the matter. I have requested for further information with regard to the circumstances in which the license has been given.

Mr Li Kwong Wing: Can I, therefore, ask the hon. Minister why does he not cancel the licence and ask for sanctions and inquiries into the matter, especially because the hours of operations have been extended now, from 4.00 p.m to 10.00 p.m, in a weekday, to 2.00 p.m to 11.00 p.m and then, on weekends it used to be from 2.00 p.m to 10 p.m, now it has been extended from 9.00 a.m to 11.00 p.m.? Why has this extension of hours been granted...

The Deputy Speaker: Order!

Mr Li Kwong Wing: ...for an illegal activity and Police clearance has not been sought because many of these machines are being placed near schools and market places where housewives and students are being fleeced?

The Deputy Speaker: Order, please!

Mr Jugnauth: Mr Deputy Speaker, Sir, in the light of this, I cannot just take a decision and ask the GRA to revoke the license. I need to listen to all the parties who are concerned with this matter, to see what appropriate measure can be taken.

The Deputy Speaker: Next question!

Mr Li Kwong Wing: Is the hon. Minister, therefore, aware that all this time the license has been given exclusively to one operator? Why should that be the case?

The Deputy Speaker: This has also been...

Mr Jugnauth: I have said there were six applications. There is only one company which has been given the license, that is, Hing Tse Investment Co. Ltd. This is what I am informed.

EMILIENNE ROCHECOUSTE GOVT. SCHOOL - SELF MUTILATION CASES

(No. B/599) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Education and Human Resources whether, in regard to self mutilation, he will state the -

- (a) number of reported cases thereof at the Emilienne Rochecoste Government School;
- (b) number of cases thereof or group mutilation reported at both primary and secondary level over the past five years, and

(c) actions being considered to prevent any future recurrence thereof.

Dr. Bunwaree: Mr Deputy Speaker, Sir, I am informed that the cases at Emilienne Rochecouste Government School refer to 35 pupils with self inflicted mild cuts and slight bruises, but without any evident external blood effusion nor any oozing. The incident took place on 15 June 2011. My Ministry viewed the matter very seriously, and called for an investigation to be carried out at school level on the spot.

A team from the Zone, comprising a Senior Educational Psychologist and a School Inspector, proceeded to the school on the spot on the same day. The pupils involved in the incident were identified and questioned. The School Inspector also met parents and informed them of the situation, and requested them to have strict control over their wards at home. The Senior Educational Psychologist and Educational Social Worker held class talk sessions with the 35 pupils. Dedicated psychological support and counselling were given to these pupils.

According to the Senior Educational Psychologist, the situation is under control, and the Head Master has been requested to be vigilant.

At my request, Mr Samiullah Lauthan, social worker had a working session...

(Interruptions)

Well, he is experienced in that! Members should be happy! I must say that I have been having discussions with him for the last two years on the matter - not now. He had a working session at Emilienne Rochecouste Government School with the teaching and non-teaching staff, as well as the parents of the pupils on 21 June 2011. He made an exposé on the phenomenon of causing physical harm to the self, highlighting the adverse effects it may have on our children and society at large. He also advised on the ways to deal with and observe children both at home and school through proper listening, observation and communication.

I seize this opportunity to express my appreciation to Mr Lauthan for his dedicated support to the cause of students.

As regards part (b), in respect of the number of cases reported at both primary and secondary levels over the past five years, the information is being compiled.

With regard to part (c), I wish to reassure the House that we are taking strong measures to prevent the recurrence of similar incidents as follows -

- (a) Efforts are being sustained to continue to exercise vigilance at school, and to detect any abnormal behaviour that might lead to self-inflicted cuts. In this regard, I have instructed the National Education Counselling Services of my Ministry to pay special attention to such cases, and reinforce its sensitisation programmes with particular attention to this phenomenon.
- (b) In each of the reported cases, an Educational Psychologist follows the students and provides back up support. It is also important for the parents to be vigilant, and assume their responsibilities. It must be highlighted, Mr Deputy Speaker, Sir, that some cases of self-inflicted cuts take place in the home of the child.
- (c) We are making every effort to promote the holistic development of the learner through the implementation of a number of measures that would transform the student into a responsible citizen -
 - (i) the curriculum level is being designed to focus on a number of values that foster discipline, positive thinking and respect for self and others, and
 - (ii) we are also seeking the participation of parents, social workers and the community to sensitise our children on the need to exercise self-discipline, and refrain from acts that may lead to self-injury.

In addition, we are also encouraging students to participate in co and extra-curricular activities, and providing them with the necessary exposure to healthy living.

We are also working with the MIE, Mr Deputy Speaker, Sir, to put in place a system, to provide educators with appropriate techniques and skills for an early detection of abnormal behaviour among students. Relevant expertise will be tapped, and a training of trainers programme will be organised. Psychologists and social workers will also be taken on board.

Dr. S. Boolell: May I ask the hon. Minister at what time of the day did the events happen?

Dr. Bunwaree: I think it was at the end of the morning session, but during recreation around 11 o'clock, that is, after the oriental classes took place.

Dr. S. Boolell: May I ask the hon. Minister whether this matter is not one for a clinical psychologist or a child psychologist as opposed to an educational psychologist, and certainly no matter for any amateur experience?

Dr. Bunwaree: I have often replied to such questions in the House, Mr Deputy Speaker, Sir. In fact, we don't have enough clinical psychologists. Some of them are based at the Ministry of my colleague, the Ministry of Gender Equality, but we tap their expertise for such types of work.

Mrs Labelle: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether, following an inquiry, we have come to know the cause or causes of such behaviour and also whether he will ensure that we look for proper help? Because it is very dangerous in such situations to have recourse to unqualified persons in that domain, be it an educational psychologist or a person of good will but who does not have the professionalism to help these children. It can be very dangerous.

Dr. Bunwaree: If I look into the figures that I have for the time being - because they are being compiled; they are not all here - I can say that when the problem crops up, then the psychologist enters and, in almost all cases, the problem has been solved. But my problem goes further. It is to prevent such occurrence in schools. This is why I am saying I have thought that the best thing is to train teachers themselves, to be able to detect the behaviour of children before the actions take place.

The Deputy Speaker: Last question! Time is over!

Dr. S. Boolell: Would actually the hon. Minister consider using the educational psychologists to see whether there is a link between the school curriculum, the cut-throat competition and the cut-hands competition?

Dr. Bunwaree: This is being looked into. We all know this problem but, as I said, the educational psychologists are doing a very good job, and I should thank them for that.

The Deputy Speaker: I will allow hon. Obeegadoo to put his question, as he has been catching my eyes for so long.

Mr Obeegadoo: Thank you, Mr Deputy Speaker, Sir. Will the hon. Minister not agree that the instigator, as reported, was a CPE repeater? This is a high esteem, high demand school CPE wise. Will he not agree that this problem, as these problems of self mutilation, is related to the excessive competition, rat race related to the CPE, as he himself admitted in days gone by, and will he look into the possibility of setting up a dedicated unit at the Ministry to deal with

prevention of school violence, whether it be self mutilation, whether it be bullying, whether it be other acts of violence and learn from the experience of other countries?

Dr. Bunwaree: We already have a unit looking after school violence etc, but the problem in such cases is essentially family ones, and also other problems associated. We have to go deeper into the matter.

The Deputy Speaker: Time is over!

MOTION

SUSPENSION OF S.O. 10(2)

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

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth) rose and seconded.

Question put and agreed to.

PUBLIC BILLS

First Reading

On motion made and seconded the Cadastral Survey Bill (No. XV of 2011) was read a first time.

At 4.00 p.m. the sitting was suspended.

On resuming at 4.33 p.m. with Mr Speaker in the Chair.

STATEMENT BY MINISTER

(By leave of Mr Speaker)

UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW – CHAIRMANSHIP – MAURITIUS ELECTION

The Prime Minister: Mr Speaker, Sir, with your permission, I should like to make a statement to inform the House that Mauritius has been elected to the Chairmanship of

UNCITRAL, the United Nations Commission on International Trade Law, at the 44th Session of the Commission held in Vienna yesterday.

As hon. Members are aware, UNCITRAL is the core legal body of the United Nations system in the field of international trade law, and a legal body with universal membership specialising in commercial law reform worldwide for over 40 years. UNCITRAL's mission is the modernisation and harmonisation of rules on international business, and the Commission's work is premised on the development of trade as a means to foster growth, higher living standards, and new opportunities through commerce. In order to increase these opportunities worldwide, UNCITRAL's work has focused on the formulation of modern, fair and harmonised rules on commercial transactions.

Mr Salim Moollan who has been the delegate of Mauritius at UNCITRAL since 2006, succeeds Mr Ricardo Sandoval Lopez of Chile as the elected Chairperson of that institution for the next twelve months.

Mr Moollan is already chairing one of UNCITRAL's working groups dedicated to international arbitration. He is a barrister in independent practice from Essex Court Chambers in London and from the Moollan Chambers in Mauritius.

In addition to his part-time work at UNCITRAL, Mr Moollan is a vice-president of the International Court of Arbitration of the International Chamber of Commerce, and a Visiting Lecturer in International Arbitration Law at King's College, London.

The election of Mauritius to the Chairmanship of UNCITRAL with the support of the representatives of the 60 member States of UNCITRAL will no doubt give further momentum to a long commitment to making Mauritius a hub for international arbitration in the years to come.

I thank you.

PUBLIC BILL*Second Reading*

Mr Speaker: I'll have to suspend the sitting for a few minutes as the Minister is not available.

At 4.35 p.m. the sitting was suspended.

On resuming at 4.38 p.m. with Mr Speaker in the Chair.

**THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL)
(AMENDMENT) BILL (NO. XIII OF 2011)**

Order for Second Reading read.

The Minister of Business, Enterprise, Cooperatives and Consumer Protection (Mr M. Yeung Sik Yuen): Mr Speaker, Sir, I sincerely apologise for not being here when the Bill was called to be read a second time.

Mr Speaker, Sir, I move that the Consumer Protection (Price and Supplies Control) (Amendment) Bill (No. XIII of 2011) be read a second time.

The Bill seeks to amend the Consumer Protection (Price and Supplies Control) Act (hereinafter referred to as “the principal Act”) to provide that a trader, or any person who has in his possession or custody or under his control a specified document, who fails to comply with a requirement from an authorised officer or an order from the Permanent Secretary for production of information or documents within a specified time limit shall commit an offence.

It also provides for harsher penalties in case of non-compliance with the request or order.

Mr Speaker, Sir, this Government attaches a lot of importance to the promotion and protection of consumers’ rights and interests. The Government’s main objective is not only to promote, but to consolidate and strengthen the protection of these rights and interests by providing an adequate and robust legal framework responsive to the requirements of a constantly evolving market.

Mr Speaker, Sir, this exercise stems from the Government Programme 2010-2015 which highlights that our Government will undertake an in-depth review of all the legislations

governing protection of consumers' rights and interests, and the strengthening of the Consumer Protection Unit with a view to creating confident consumers.

The Consumer Protection Unit, which is the enforcement arm of my Ministry in respect of consumer protection, operates under the powers conferred and duties imposed by various Statutes, namely –

- (i) The Fair Trading Act (No. XX of 1979);
- (ii) The Essential Commodities Act (No. VIII of 1991);
- (iii) The Consumer Protection Act (No. XI of 1991);
- (iv) The Consumer Protection (Price and Supplies Control) Act (No. XII of 1998), and
- (v) The Hire Purchase and Credit Sales Act (No. XXVI of 2000).

These Acts are supplemented by a number of subsidiary enactments in the form of Regulations.

Mr Speaker, Sir, since the creation of my Ministry, in May last year, it has been noted that in many instances, the provisions of the pieces of legislation in force need to be reviewed and updated. The foregoing assessment of the situation has been found to be largely due to a more competitive environment, a greater variety of goods and services, growing product complexity, changes in spending patterns, influence of technological change, changing consumers with higher expectations, lack of policy responsiveness to emerging needs and complex redress arrangements for consumers.

Mr Speaker, Sir, in that vein, and after these introductory highlights, I now come to the present Consumer Protection (Price and Supplies Control) (Amendment) Bill (No. XIII of 2011) as a 'kick start' for that review exercise, which purports to strengthen the consumer protection legal framework and would send a strong signal to offenders.

Mr Speaker, Sir, the overarching objective of my Ministry is to empower consumers to enable them to obtain goods and services that meet their needs and which are value for money. Mass production of goods and services has brought our society on the threshold of a new dimension in consumer behaviour. This behaviour is causing many consumers to be more vulnerable to the market and to the endless variety of products put at their disposal for consumption, especially in the era of liberalisation.

Mr Speaker, Sir, in the wake of the recent substantial increase in the price of basic and non controlled commodities, largely influenced by exogenous factors, for example, rice, pulses, edible oil, soap, etc, the Consumer Protection Unit of my Ministry carried out enquiries and surveys to conduct analysis of the price structure of these commodities and to assess whether there is any form of profiteering market abuse at consumer detriment.

With a view to obtaining more precise figures, additional documents from importers are required by my Ministry. Furthermore, the documents which are required to conduct such analysis include, among others, invoices, bills of entry, bills of lading, letters of credit and other basic documents relating to trade.

Mr Speaker, Sir, as regards presentation and submission of documents by importers, the Consumer Protection (Price and Supplies Control) Act 1998 provides that the Permanent Secretary of the Ministry responsible for consumer protection may order any trader to furnish any information or produce any document, in his custody or control that may be required in connection with the Act. Likewise, any authorised officer under the Act may require a trader or any person present on a trade premise to produce any information and may require any person, who has in his possession or custody or under his control any document, to produce that document.

However, there is no time limit prescribed for the submission of the documents. Moreover, based on past experience, it has been noted that many of those firms, which refuse to comply with the provisions of the Act only have to pay minimal fines and this encourages them to continue to flout the provisions of the Act.

Mr Speaker, Sir, lately, in the context of the deliberations of the inter-ministerial committee on the price of essential commodities, requests were also made to many traders and trading firms to submit documents for analysis. Some have done so with considerable delays, whereas some firms have squarely ignored the requests of my Ministry. They have been contravened but there has been no positive response despite the contraventions. This can be imputed to the presence of a loophole in the law and there is no forceful instrument to ensure compliance.

Mr Speaker, Sir, with a view to addressing this gap, let me now take the House through the key features of the Bill.

Clause 3 of the Bill provides for section 24 of the Act to be amended to provide that an authorised officer may in connection with the Act require any trader to produce any information forthwith, or within such time limit as may be specified, and may require any person, who has in his possession or custody or under his control any document to produce that document forthwith, or within such time limit as may be specified.

It also provides for section 24(3) of the Principal Act to be amended to provide that the Permanent Secretary may, in connection with this Act, order any trader to produce any information forthwith, or within such time limit as may be specified, or may order any person, who has in his possession or custody or under his control any document, to produce that document forthwith, or within such time limit as may be specified.

More importantly, clause 3(c) of the Bill provides that failure to comply with such a request or an order amounts to an offence. Opportunity has also been taken to create an offence of refusing or failing to produce a price list.

Clause 4 of the Bill provides for section 31 of the Principal Act to be amended to provide for the penalties for non-compliance with provisions of section 24, which shall be as follows.

Mr Speaker, Sir, in that breath, and after this *exposé*, I strongly believe that this Bill will address the aforesaid legal problems at hand and will be an impetus in the consumer protection landscape.

With these words, Mr Speaker, Sir, I commend the Bill to the House.

Mr Bachoo rose and seconded.

(4.48 p.m.)

Mr R. Uteem (Second Member for Port Louis South and Port Louis Central): Mr Speaker, Sir, this Bill is being introduced at a time of high inflation, at a time of rise in basic commodities where there is an *effritement du pouvoir d'achat*.

In these circumstances, the consumers need to be protected. I am glad that the Minister states that he is looking into ways and means to better protect the consumers. But, Mr Speaker, Sir, in the Government Programme, the Government announced in-depth review of legislation. Is it what is being done today? Is this amendment that is being introduced...

Mr Speaker: No.

(Interruptions)

Please! This is an amendment and the debate has to be on the amendment. We cannot have a general debate on the protection of the consumers in spite of the fact that the Minister very briefly stated that he is going to have a review of the law. Debates should be concentrated on the amendment and we cannot travel outside the amendment.

(Interruptions)

Yes, but now you are going into a debate about consumer protection.

Mr Uteem: Mr Speaker, Sir, I was just making introductory remarks like the hon. Minister has made and now I am turning to the amendment itself.

Mr Speaker: The hon. Member must come to the amendment.

Mr Uteem: Whether this amendment will better protect consumers, how far reaching are those amendments.

If we take a closer look at what is being amended today, there is the existing section 24 of an existing legislation which the hon. Minister referred to as the Principal Act, which already requires traders to provide certain information which are in their possession.

The first part relates to the provision of a price list. If a person who sells goods is required to provide a price list and if upon demand he does not produce this price list, this should be made an offence. We agree with that. But why limit it to only those traders dealing with valuable goods? At the moment, this requirement is only where VAT is chargeable by a trader. Why limit it to only cases where VAT is chargeable when we know that, in this country, most of the basic foodstuffs are exempted from VAT or zero-rated? Therefore, they do not cover most of the traders who deal with essential basic foodstuffs.

Then, the amendment requires documents and information to be produced. This is extremely wide. What do we mean by documents? There is a definition for information in the Act, but again it is not an exhaustive definition. It only says that information includes certain things. Now, we are opening the floodgate. We are saying that we can ask an authorised person, a Permanent Secretary can come to any trader, ask for any information that is necessary for him to enforce the legislation. We are talking here about potentially very sensitive commercial

information. Nothing prevents an officer, for example, to ask very pertinent, sensitive pricing information, but also source of import where they are buying it, from whom they are buying it, whether they have exclusivity agreement. This is extremely far-reaching and potentially may infringe on the Constitutional right of privacy of traders when we know that most of the traders in Mauritius are individual sole practitioners. We are not talking just about big corporations here we are talking even of the petty hawker who is selling goods and who may be required to provide very sensitive information. The information and documents are not limited to control goods. The Act refers to control goods, goods that have a maximum markup and a maximum selling price. But today, what we are doing is for any good whether it is luxury or ultra luxury. The Permanent Secretary and any authorised person can come in and ask for any information, from where they import this goods, because he wants to import the same. Isn't that an unfair trade practice?

The amendment proposes that the information be provided forthwith, on the spot. The authorised person comes in and said that he wants to see all the information relating to such and such product. If it can't be provided to him, it is an offence. He wants it forthwith. The potential for abuse is tremendous. What would happen: "if you fail to give me this information, you have a fine or you are sent to jail." There are very serious consequences if the person fails to provide the information. I stress again, Mr Speaker, Sir, it may be any information, any document for any product. We are not talking about control goods, we are talking of any goods. We are not talking about basic necessities, but of any luxurious goods. So, the potential for abuse is enormous.

The next issue is to whom this information is to be provided. The law provides that the Permanent Secretary can ask this information. He is a top civil servant, we have no problem about it. But then, the law goes further and states that any authorised officer can do so. What is an authorised officer? Section 22 of the main Act provides that the Permanent Secretary may designate any public officer to be an authorised officer. There is no need for qualification or seniority; anyone can become an authorised officer. Once the authorised officer is identified, is a badge going to be given to him? Is there going to be a special feature, a badge, an information? Or can anybody else just come to a trader and says that he is an authorised officer, he should give him this information, otherwise he is going to report him? Again, we can see the potential for corruption, the potential for harassment when there is such clause.

Mr Speaker: But the clause already exists in the law. All the provisions that have been cited by the hon. Member already exist in the law, as it stands now. Here, there are only two issues which are being added. One is to produce the document forthwith or within such a time limit as may be specified. The hon. Member can criticise this aspect, but cannot go back on clauses which do not form part of this amendment.

Mr Uteem: Mr Speaker, Sir, the main difference is that it was not a criminal offence before. That is the danger today. The amendment is coming and making it a criminal offence if you don't produce a document when requested by an authorised person.

Mr Speaker: Does the hon. Member mean to say that corruption will arise now because it is being made a criminal offence?

Mr Uteem: Yes, Mr Speaker, Sir.

Mr Speaker: Or was there the potential of any corruption happening if the officer was not given a badge?

Mr Uteem: The difference, Mr Speaker, Sir, is that in the past an ordinary hawker can refuse to give information when requested by the authorised officer. He can refuse to do it and he will get, worse comes to worst, a small fine. Today, there is the ability to send him to prison. So, the potential for harassment, the potential for corruption is greater. What I am saying is that there is a need for checks and balances. Because now it is a criminal offence, there is a need to properly empower a public officer and limit it to certain people of a certain experience and having a track record. This is what I am saying. Because now it is an offence, it becomes more important.

Mr Speaker, Sir, we, on this side of the House, agree that we should give officers the means to carry out their duties, but this should be accompanied by checks and balances. In this respect, in my humble opinion, the amendments seriously lack in that respect. But more importantly, Mr Speaker, Sir, the main qualms I have with this amendment relate to the amendment of the punishment which is being brought to section 31 of the Principal Act. Mr Speaker, Sir, the Supreme Court of this country and the Privy Council have time and again drawn the attention of practitioners and, indirectly, of the legislature. I am glad that I see representatives of the State Law Office present today. The courts have told us to be careful when it comes to imposing minimum sentence. Minimum sentence is not illegal *per se*, but can be anti-constitutional and against section 7 of the Constitution. The courts have given guidelines

time and again. There has been legislation made by this House which has been struck down in important cases such as drug cases and murder cases and also in less important cases of VAT, of road traffic. Here, we are again tying up the hands of the Judiciary, preventing the Judiciary from taking into consideration mitigating factors and discriminating between offenders. There is automatically a minimum sentence for first time offenders and a minimum sentence for second time and future offenders.

In my humble opinion, and on this side of the House, we feel that it is important that key be given to judicial pronouncement by the Supreme Court and Privy Council. We should not, as far as possible, tie the hand of the Judiciary; we should allow them to consider all the factors. We can impose and set a maximum penalty. We can say that if you are an offender, you will have the maximum fine and the maximum imprisonment. But why put a minimum fine and a minimum prison sentence when we know that this can be challenged before the appropriate Supreme Court?

Mr Speaker, Sir, when we look again closely to the amendment being proposed to the penalty, we find that there is now going to be discrimination between offences committed by an individual and offences committed by a body corporate. In the case of the individual, first time there is a minimum fine of Rs10,000 and a maximum of Rs25,000 and, for the corporate, a minimum of Rs25,000 and a maximum of Rs50,000. Why is there a difference? The hon. Minister has not cared to explain to us the logic in treating the two differently.

But, worse, when it comes to second and subsequent offences, for an individual the minimum rises to Rs25,000, the maximum is Rs50,000 and an imprisonment of the term which shall not be less than seven days and no more than three years. So, there is a prison sentence for second time offenders in the case of an individual but, not in the case of the corporate which has a maximum fine of Rs100,000 and a minimum fine of Rs50,000. If we look at the existing legislation, section 31 (2) of the Principal Act, there is provision for imprisonment also, but it concerns any person convicted of an offence. It does not discriminate between individuals and corporate, it is any person. Because we all know that the controlling mind of the corporate can be criminally liable. We cannot say that just because it is a corporate, it cannot go to prison. The controlling mind, the person who takes the decision can be sent to prison. Again, I cannot understand why discrimination in respect to sentencing.

Mr Speaker, Sir, on this side of the House, we are in favour of any legislation which is going to empower consumers to better protect them. We also believe that the problem of consumer protection is not necessarily related to traders who fail to provide information. We agree that the dishonest trader, the profiteering, must be sanctioned. But, we should not put all consumers in the same basket. Today, after one year in office, this Government is providing an amendment which, on this side of the House, we feel, has the potential to be dangerous and can be struck down as being anti-constitutional.

This is all I have to say, Mr Speaker, Sir.

(5.04 p.m)

Mr Yeung Sik Yuen: Mr Speaker, Sir, I would like to thank the hon. Second Member of Port Louis South and Port Louis Central for his participation in the debate. Mr Speaker, Sir, I would like to respond to the hon. Member. This Bill has been prepared after in-depth consultation at the level of my Ministry and the Attorney General's Office. The hon. Member has stated that this Bill will have far-reaching effects. In fact, Mr Speaker, Sir, this is precisely what we want for the lower income group.

Mr Speaker, Sir, the hon. Member evoked about law reforms in respect of the consumer protection. Indeed, the Law Reform Commission has done a marvelous job looking at all our legislation, same is being examined. Mr Speaker, Sir, for the VAT and non-VAT goods, both are subject to this legislation.

Concerning the hawker, if a hawker is an importer, he has to give the information that we are requesting. The penalty provisions give discretion to the Court for the imposition of the appropriate sentence. The minimum sentence should, however, not be disproportionate with the sentence of the offence.

I wish to reassure the House that the information that will be submitted by traders will be used to conduct enquiries to see whether there is any market abuse or consumer detriment, especially on essential products. Let me quote what has been said on this Bill during the week by the consumer protection organisations. I quote –

“...cela va aider à voir de près s'il y a des marges de profit exagérées de la part de certains opérateurs dans divers secteurs. Il était important que le gouvernement puisse accéder à certaines informations. Cela va dans la bonne direction car il y a des opérateurs qui refusent de donner certaines informations. Les consommateurs vont sortir gagnants.”

As you can see, Mr Speaker, Sir, consumer protection organisations are welcoming these amendments.

Mr Speaker, Sir, I would like to conclude by saying that I can reassure the House again that the intention of Government is not to sanction traders but, to collaborate with traders. However, the Government is also here to prevent any market abuse. Thank you, Mr Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The Consumer Protection (Price and Supplies Control) (Amendment) Bill (No. XIII of 2011) was considered and agreed to.

On resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

On motion made and seconded, the Consumer Protection (Price and Supplies Control) (Amendment) Bill (No. XIII of 2011) was read the third time and passed.

(17.09)

Second Reading

The Road Traffic (Amendment) Bill (No. XIV of 2011)

Order for Second Reading read.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Speaker, Sir, I move that the Road Traffic (Amendment) Bill (No. XIV of 2011) be read a second time.

The main object of this Bill is fivefold. The first objective is to empower Police Officers to enter any medical institution for the purpose of undertaking tests on drivers involved in accidents. As the law stands now, such course of action is only possible where State-controlled medical institutions are concerned. The term “hospital” is therefore being redefined to include private medical institutions such as private clinics and private hospitals. This has been rendered necessary because in many cases of road accidents in the past, the Police could not carry out appropriate tests to determine the proportion of alcohol in the breath, blood or urine of a driver when the driver had been admitted in a private medical institution. Hon. Members may recall that there have been questions on the subject in this very Assembly, the last one being from the hon. Ms Deerpalsing addressed to the hon. Prime Minister on 31 May 2011.

Mr Speaker, Sir, it is a priority for this Government to reduce the number of road accidents in Mauritius. We are determined to approach road safety issues with tenacity. We need to take bold decisions in order to protect our citizens from inappropriate and careless utilisation of motor vehicles and to put a halt to aberrant driving behaviours. This amendment comes at an opportune time to deal with culprits who get admitted to private clinics to prevent Police Officers from having access to them.

Mr Speaker, Sir, the second objective is to provide for the Road Transport Commissioner to refuse to issue a new registration book in respect of a registered vehicle, commonly known as horsepower, if he is not satisfied that the said vehicle for which the document is being sought is the actual registered vehicle.

Vehicle crime is a serious problem. It is costing the economy millions of rupees annually and it affects motorists directly by higher insurance premiums. One aspect of vehicle crime is car cloning. "Cloning" is a practice which involves passing off stolen cars as repaired accident damaged cars or scrapped ones. One consequence of this is that innocent members of the public can find that they have purchased a car which later turns out to be a stolen or a scrapped one.

In this respect, the Vehicle Identity Check is being introduced to help reduce vehicle crime and, initially, it will apply to cars only. The Check will deter criminals from disguising stolen cars with the identity of written off or scrapped ones. When a car is written off by an insurance company or is declared scrapped by its owner, the registration book will have to be surrendered to the NTA in which case the car will be given a Vehicle Identity Check marker, which will be a note added to the NTA computer record and, as long as it remains on the record, the NTA will not issue a replacement registration book or a vehicle licence – commonly known as road tax i.e declaration for the car.

If the car is subsequently repaired with the intention of returning it to the road, the NTA will not issue a new registration book or motor vehicle licence until the car passes a Vehicle Identity Check. The check will be carried out by a vehicle examiner and it will determine whether or not the car presented is the same one that is listed in the NTA records. It will involve comparing the chassis number, make, model, type, colour and engine number. The Vehicle Identity Check marker will be removed only when the car passes a Vehicle Identity Check. Only then will the NTA be able to issue a replacement registration book.

The check is designed to confirm the car's identity and help ensure that the car returned to the road is the genuine one. It will be a check on identity and not one on the quality of repairs carried out to the car. The Check will be necessary to ensure that an accident damaged car is not a stolen or cloned vehicle.

Similarly, where someone buys a car without a registration book and applies for a duplicate registration book, that person will have to apply for a vehicle identity check to be carried out before he is issued with a duplicate registration book.

Mr Speaker, Sir, in order to fight vehicle crime, the Vehicle Identity Checks alone will not be enough. The third amendment proposed in the Bill is to enable the NTA to obtain from insurers whatever information is necessary in relation to a particular vehicle, especially information as to the true identity of the owner of a vehicle. This has been rendered necessary because very often, vehicles are sold without the new owners registering the deeds of sale with the Registrar-General Department and carrying out the transfer of ownership at the NTA. Insurance policies are drawn on the registered owners but addressed to the care of the new owners.

Mr Speaker, Sir, this Government decided in 2005 to provide free travel to old aged pensioners, disabled persons and students. This social measure is of significant importance as it ensures greater mobility and independence to old aged pensioners and the disabled and facilitates greater access to education. However from time to time complaints are received by my Ministry, the National Transport Authority or it is reported in the press that some unscrupulous drivers and conductors deliberately leave students and old-aged pensioners standing at bus stops or behave rudely towards the beneficiaries of free travel. The Road Traffic (Bus Fares) Regulations was amended in 2005 to take the following actions against drivers and conductors who failed to pick up or behave uncivilly towards students –

- (i) in the case of a first breach, a forfeit of 5 days payment is applicable, and
- (ii) in the case of a second or subsequent breach committed within 6 months from the date of the first or previous breach as the case may be, a sum representing 10 days payment is forfeited.

Mr Speaker, Sir, it has been possible to take these measures because drivers and conductors are licensed by the NTA and this renders them liable to disciplinary action. However, unlike bus drivers and conductors, Stand Regulators are not licensed by the National Transport Authority although they play an important role in the everyday operation of buses on our roads. In the bus industry, conductors are promoted to stand regulators, ticket examiners, traffic officers etc. Complaints have been received at the NTA that buses are not released on time. When

convened for statements at the NTA, the Stand Regulators do not turn up on the ground that they are not answerable to the NTA. In order to address this problem, it has been decided that Stand Regulators should henceforth be licenced by the NTA and it will be an offence if anyone acts as a Stand Regulator without a licence.

Mr Speaker, Sir, the NTA currently operates two vehicle examination stations. One is located at Plaine Lauzun and the other one at Forest Side. Vehicle examination aims at ensuring roadworthiness of motor vehicles and trailers. The present arrangements are by no means adequate to ascertain the reliability and genuineness of vehicular examinations with the daily high attendance records of vehicles. The present system has to be completely overhauled, if not replaced by one which is more responsive.

In order to achieve a performance-based, modern, reliable and trustworthy system, Government has decided that the activities of the examination of vehicles be outsourced to private operators, the objective being to improve the current examination methods and standards, ensure objectivity in examination and comply with international norms. The Road Traffic Act currently empowers only a vehicle examiner of the NTA to issue certificates of fitness. The Act is being amended to enable regulations to be made to empower any authorised examiner to issue certificates of fitness.

Mr Speaker, Sir, these amendments to the Road Traffic Act are necessary to facilitate proper enforcement of the law and provide a better service to the public.

With these remarks, Mr Speaker, Sir, I commend the Bill to the House.

Mr Speaker: The Bill has not yet been seconded.

Mr Virahsawmy rose and seconded.

Mr Speaker: Thank you.

(5.17 p.m.)

Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix): Thank you Mr Speaker, Sir, I wish to thank the hon. Minister for his *exposé* and here, on this side of the House, we concur with the amendment on this Bill, a Bill that was long awaited for and it should have come very urgently especially coming to the definition of hospitals, but then it is coming now. It is better late than never because we have seen - especially regarding definition of hospitals which is

mentioned in the Road Traffic Act at that time - it prevented Police Officers to enter private institutions. Now, we have jurisdiction. The Police have jurisdiction to walk in to get samples and the definition of hospitals as mentioned in Section A, I have no problem with this, but Section B includes Health Centres. I wish that for the benefit of the House, for law to be more accountable, people know where they are, the definition of Health Centres should be well defined in the law.

Mr Speaker, Sir, I will just mention a case, that is, the importance of definition of this hospital because it was last year at Beaux Songes. We had an accident, a 4X4 driven by a foreigner and surprisingly the foreigner went to a private institution where Police Officers could not walk in for a specimen. That is why this should have been very urgent, even modifying coming to this House just for changing the definition of hospital should have come quite early, not today, but anyway it is coming and I am thankful to that. Regarding walking in a hospital, in a private institution, it is not just walking in and taking a specimen, you have to get the right of the patient as per Section 123 (h), but you have to get the consent of the Medical Officer in charge and this Section is 123(k) "duties of doctors regarding patient". Mr Speaker, Sir, if you will allow me I will quote the law –

“(1) A person who has been admitted as a patient at a hospital shall not be required to provide a specimen of breath for a breath test, or to provide a specimen of blood or specimens of urine for a laboratory test, unless the medical practitioner in immediate charge of this case has been notified of the proposal to make the requirement and -

(a) if the requirement is then made, it shall be for the provision of a specimen at the hospital; but(...)"

We are not talking hospital here; we are talking as per the new definition.

“(b) if the medical practitioner(...)"

especially in private clinic

“objects on the ground specified in subsection (2) below,”

which I will read later on,

“the requirement shall not be made.”

Very important. We are changing the definition of our hospital for people to walk in. Another thing we must be very careful concerns the doctor himself. Subsection 2 of the law states -

“(2) The ground on which the medical practitioner may object is that the requirement or the provision of a specimen or, in the case of a specimen of blood or urine, the warning required under section 123H(5), would be prejudicial to the proper care and treatment of the patient.”

Now, the patient and the doctor have a verbal contract with the clinic itself - a verbal contract, and the doctor has to protect his patient. But, when you go to the doctor and the doctor, for some reason, can qualify that this patient can't give his blood or urine because of his advanced treatment, there may be doors open for corrective mechanism. In State-owned hospitals, we know that it does not work like this, but with regard to private ones we must be careful.

Mr Speaker, Sir, the definition of hospital as per section (a) is fine; as for section (b) - health care, I must stress that we must come with a proper definition. When I was doing my research yesterday, I came to a ‘section’ - just to give an idea - on health centres, and we must be careful about the definition. Would you believe me that there is a factory by the name of SAV Garment Limited Health Centre? The ‘health centre’ word is there. So, we must be careful when we define health centres in that amendment.

Mr Speaker, Sir, regarding this medical private institution, I am very happy that it came to the House, and we are for it, because it really protects persons who have got accidents, especially as there are drivers who run away, being alcoholic or drug takers. So, this protects those people on the road.

Regarding the section on the definition of conductors and conductor's licence, it's not law but I think the NTA requests conductors' licence. At one time, it was Rs50 and now, if I am not mistaken, it is Rs100.

Regarding the stand regulator, which will be law after proclamation of this amendment, in the remuneration order for bus transport companies, it used to be called traffic officers. I will come again on stand regulator; I am taking section by section.

Regarding vehicle crime, the hon. Minister has exposed all the drawbacks that used to be, and we are protecting people against stolen cars or other vehicles. I am very happy with this. No comments on this.

But, regarding stand regulators' licence, the companies like the NTC, UBS and others have - like I said - traffic examiners and, now, we want to call them traffic regulators. So be it. But, the conditions state -

“A person shall be disqualified from obtaining a licence to act as a stand regulator unless he fulfils such conditions as the Authority may specify.”

I would wish that the conditions be mentioned and not leave the doors open, and after we have approved this amendment, different conditions come in play. Like I said, all the big companies, more or less, have those stand regulators. The problem is with regard to private ownership. They employ anyone; they can employ anybody, be it an alcoholic, be it a drug trafficker or be it somebody with no real sentiment for people. They can harass people on the bus stands. That's where I really thank the hon. Minister for coming with this. That will put order, because people should be respected, even if they don't pay; the old-aged people don't pay; students have to be respected even if they don't pay. Stand regulators is very good on that line.

One thing about those companies. At one time, when drivers lost their licence, for some reason, they were posted as stand regulators - now we call them stand regulator, as if to compensate them and not throw them out. But this is wrong. When somebody has been penalised, bus companies tend to put them as traffic controllers. Sometimes, there are people who are very ill, who have long years of service in bus companies, and they also are protected. They are given light jobs, and they go and sit as stand regulator. There also, this amendment will put order, so that people with the right capacity do the job.

Regarding the section on examiners, I have a tendency to think that we are going to privatise examination centres very soon. We are paving the way, which is good. Alright, let's make the law before we proceed with privatisation. But, there is one thing I would like the House to think about. We have presently two examination centres; one at Forest Side and one at Pailles, Plaine Lauzun. My information is that we are going to have about four, and all of them will be privatised. Then, we must be careful not to create problems, and that all four are on the same footing, that they pay the same amount, and that we don't have two different types of

examination centres. If we privatise these centres, we must be careful not to let people who get the contract to examine make huge money on people who have cars to be examined. We must be careful about that and, as on the other side of the House you say that you are a caring Government, so be it that you care for people, for the drivers.

Mr Speaker, Sir, I wish to end on saying that although the amendment came a bit late, I congratulate the Minister and ...

(Interruptions)

We are here, even in the Opposition, when we do the good job for people, why don't say ...

(Interruptions)

Yes, the people who benefit. We are here to make laws, to make by-laws for the people.

(Interruptions)

I will just end up, Mr Speaker, Sir, to say that ...

Mr Speaker: No cross-talking in the House! There are some Members who are very excited on the other side, I don't know why.

Dr. Sorefan: I will just say to the House that when you are making laws or by-laws for the people, the important thing is not to be quick, but careful on this.

Thank you, Mr Speaker, Sir.

(5.21 p.m.)

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): Mr Speaker, Sir, first of all, I must congratulate the hon. Minister for bringing these important amendments to the Road Traffic Act. I am happy to note that the whole Opposition is agreeable to these amendments. On several occasions, especially when questions were put to the hon.

Prime Minister on road accidents, there have been proposals to re-define the term 'hospital', as the actual definition, as it stands now, relates to public hospitals as we all know.

Mr Speaker, Sir, we cannot forget the fatal accident - as was mentioned by the hon. Member - that occurred at night, a few months ago at Cascavelle, whereby the driver, a jockey, was taken to a private clinic hence prohibiting the police to carry out the usual tests on specimen of urine and blood. I firmly believe that this amendment that is being put before this Assembly, today, will henceforth bring to justice those drivers who think they might get away from the Police.

As to bring in a definition for stand regulator, I believe it is a good step forward. I know bus operation very well, being given that I was the General Manager of the National Transport Corporation for a certain time.

(Interruptions)

Yes, the hon. Minister is right in saying that stand regulators are not answerable to the NTA. They get promoted from the grade of bus conductors and as such do not fall under the control of the NTA. With such an amendment, stand regulators will be answerable to both his employer and the NTA. In fact, stand regulators who are responsible for scheduling buses, regulating the departures and ensuring the frequency and punctuality of buses were not licensed by the NTA. The issue is more acute on the route serviced by private bus operators. The stand regulators when appointed are answerable to the bus owners and bus cooperatives. They are not answerable to the NTA, the authority responsible for public transport. Several instances have been reported where the stand regulators do not keep proper records nor are they willing to follow the directives of the NTA inspectors. In this Bill, this anomaly is being corrected with stand regulators being now subject to licensing and control.

As more than half of the bus fleet in the island is operated by private owners and cooperatives, this amendment will lead to significant improvement in the service offered to the public. In so doing, the bond of trust that should exist between the operators and the commuters will be greatly enhanced and with time, many users of private means of transport could be moved back to the public transport system. This would certainly contribute in encouraging bus

operators to become more daring in their investment and Mauritius would, without doubt, see the arrival of more reliable fuel efficient and comfortable buses in the near future. The paradigm shift will also be in harmony with the '*Maurice Ile Durable*' concept, as a greater utilisation of buses by the population will bring about abatement in the present level of vehicle pollution.

Mr Speaker, Sir, vehicle crime is a world phenomenon and Mauritius has not escaped the trend. Once more many questions have been put to the hon. Prime Minister on the subject of stolen vehicles; the last one being on last Tuesday. The subject became so alarming in the UK that the British Government came out with the Vehicles Crime Act in 2001 to combat the proliferation of stolen vehicles.

The amendments which are being brought to the Road Traffic Act, in order to get access to insurance information on motor vehicles, is a laudable act by the hon. Minister. We all know the phenomenon of what is called '*papier blanc*'. Someone selling his vehicle to a third party without the latter registering the deed of sale with the Registrar-General and transferring the ownership to his name. Many innocent persons have had the nasty surprise of receiving either a parking ticket or a fix penalty by post for an offence which has not been committed because, according to the record of the NTA, they are still the registered owners of vehicles already sold.

We all know, Mr Speaker, Sir, that some insurance companies might issue an insurance policy on anyone's name without proper verification of authentic document. With this amendment, let us hope that the insurance companies will be more careful before issuing a new insurance policy in the future, otherwise severe actions will have to be taken against those not complying with relevant legislation.

Government has been saying it for sometimes that the examination of vehicles will be privatised. The amendment which is being introduced by way of Section 122A shows that Government means business. The new section gives the hon. Minister the power to make regulations to authorised private operators to act as authorised examiners and to lay down the conditions by which they should comply. This goes in the right direction and will pave the way for significant improvement in the examination and testing of vehicles and the fitness centres.

We all know about the black smoke emitted from vehicles and hopefully the private centres will have the appropriate and necessary tools and equipment to carry out test on smoke emission. At my Ministry, many complaints are received on the subject and the black smoke also affects our Tourist Industry.

I am pleased, Mr Speaker, Sir, to inform the House that the '*Maurice Ile Durable*' and my Ministry are finalising the purchase of 10 smoke meters which will be donated to the Police to control and contravene black smoke emitting vehicles. We are also arranging to purchase special equipment for control of noise from mufflers as well as equipment for control of ` as we all know that overweight vehicles damage our roads.

With these few words, Mr Speaker, Sir, I would like to congratulate the hon. Minister again for his laudable initiatives. Thank you.

(5.37 p.m.)

Mr S. Obeegadoo (Third Member for Curepipe & Midlands): Mr Speaker, Sir, I do not mean to be long and I am not to repeat what hon. Sorefan has stated on behalf of the Opposition.

As indicated by and large, the Opposition has no objection and is willing to give the benefit of the doubt to Government for the proposed provisions of this Bill. On the issue of the definition of 'hospital', as my colleague said 'better late than never', on the issue of vehicle identity checks, we are all in support. Indeed, the tests will be in the implementation. This section confers wide powers on the Commissioner. We trust that he will judiciously use such powers and it is with time that we will be able to judge of the adequacy or otherwise of the proposed measures.

I would like to take a few minutes on the two other issues. First, the stand regulator's license and secondly, on the issue of privatisation of vehicles examination to raise a few issues and to put a few questions to the hon. Minister.

Now, stand regulators being regulated in turn, I think we all welcome this provision to the extent that better regulation should mean better management of road traffic and better protection to users. My first query was that, as we know there is a chain: the driver, the conductor, the ticket examiner and the stand regulator. We, now, have conditions applying to drivers, to conductors. We are introducing conditions for stand regulators and I was just asking myself, what about ticket examiners. For a moment, looking at the definition in the new Section 108A, subsection 1, which speaks of regulations along bus routes, one could be forgiven for believing that this also applies to ticket examiners. But I understand it does not. Now, if it does not, I just wish to raise the issue whether this is not a gap in the law. True it is a ticket examiner does not regulate road traffic. True it is a ticket examiner is there to check that the conductor is doing his work properly. Nonetheless, the ticket examiner is in daily contact with the public and any person who has travelled by bus knows that time and time again there are conflicts between the ticket examiner and the bus conductor which may cause significant discomfort to bus travellers. Now, if we are - as regards conductors, drivers and stand regulators - setting standards in terms of conduct, physical capacity, in terms of no record or no improper convictions standing in stopping the stand regulator from qualifying for licence, should we not, within the same logic at some point in time, regulate the issue of who becomes a traffic examiner?

Now, my second remark is under sub-section (3) where it is stated that a person will be disqualified if he does not, unless he fulfils such conditions. Now, these conditions are not mentioned and it would have been helpful if the hon. Minister although true it is, it is by what of regulations that these conditions will be set down. If he had given us some idea of what we have here in mind. Of course, he would probably be referring to experience. It has been the practice that with age and experience, bus conductors become stand regulators, but there is a risk of overregulation also. In this regard, since we are talking of private operators, I think there should be room for manoeuvre for them to choose who, in the interest of their business, are better able to discharge those functions. So, there again, in terms of conditions, it would have been interesting to have some idea of where the hon. Minister is headed.

The next amendment concerns appeals. Right now, under section 109, if I recall correctly, both drivers and conductors can appeal refusal of the authority to grant them a licence, but what has always troubled me is that the appeal lies to the Minister. As we know, Mr

Speaker, Sir, one of the areas for potential abuse in our law attaches to the discretionary power of Ministers and it has always struck me that in this particular case, Ministers deciding upon appeal whether a licence should be granted or not to a conductor or to a driver, can have no possible justification. This is not a policy issue, it is technical and no Minister, in his right mind, would be happy of being burdened with many cases of appeal concerning licence. So, now, we are adding stand regulators to the list of persons who can appeal to the Minister and my suggestion would have been that the Government should have taken this occasion to review this issue as to whether appeals should really lie to the Minister as has been the practice, unfortunately, for a long time.

Section 11, it is the same comment. I believe that at the appropriate time we should add ticket examiners to the list.

If I may move on to the last clause of this Bill, the new section 122A. In fact, Mr Speaker, Sir, I am sure you will agree that this is a major policy initiative. It is important and it is at the same time very sensitive. We, in the Opposition, are not against. We are not against. For a long time, rightly or wrongly, the perception within the public is that the provision of this service by the State has led to corruption and/or inefficiency so that we should move towards privatisation which is the trend internationally, it is fine. The Opposition is all in support as hon. Dr. Sorefan stated.

If privatisation can remove any suspicion of corruption, if privatisation can bring more efficiency, we go along, but on condition that there be transparency and democratic accountability and this is where, Mr Speaker, Sir, we have here a very short section leaving all the crucial issues to be addressed by way of regulations. This is a major policy initiative, but we will have no chance of debating the details, the specifics because whatever else will come by way of regulations. So, I would have hoped that the hon. Minister on this occasion since I presume that this has already been well thought through by the Ministry of Public Infrastructure, by the NTA and by Government as to how, when and where it will be implemented that we would have been given some more indications of what Government has in mind. For instance, location of these private vehicles examination centres. What does Government have in mind? This is of crucial importance for the public that there be a decentralised service being offered.

Secondly, what about the numbers? What does Government have in mind? Now, here we have serious concerns. Are we going to prioritise quality of private vehicle examination, quality, technically, but also in terms of transparency and accountability, or shall we, under the guise of democratising the economy, provide the opportunity to all sorts of persons to become vehicle examiners. This leads me to the question of criteria. What will be the criteria? Again, the regulations may come but when will we have the chance of debating this in the House?

The amendment being proposed at subsection 2 (b) speaks of the conditions to be complied with by the authorised examiner, but I am going a step backwards. What will be the criteria for registration as a private vehicle examiner? Once they are accepted, they are registered, they have to comply with conditions and, again, this is very sensitive. If you consider section 118 of the Act as it stands today, vehicle examiners have very wide powers who despite all the talk of corruption, were acceptable to the public because they were public officers. Now, it is going to be privatised. We need to know what will be the conditions which will allow private individuals to exercise the very wide powers under the Act and especially the powers under section 118.

Secondly, we would like Government to tell us whether these registered private vehicle examiners will have to be doing this as their sole business because the potential for conflict of interest - if I may have the attention of the hon. Minister of course - is immense. I'll take one example. Under section 116 (2), an examiner can withhold the certificate of fitness until the vehicle owner has carried out such and such repairs. Now, imagine the situation where the vehicle examiner is at the same time a car dealer, a spare parts dealer or has a repairs workshop! The potential is there, it is immense.

What task does Government have in mind? What would be the guarantees that will be offered for there to be no conflict of interest and there to be complete transparency and democratic accountability? We are moving from a situation of monopoly, of State provided service that is being highly criticised within the public. If we privatise, it must be for the better and Government would need to spell out in what way the situation will be improved through privatisation.

I have one last point under subsection 2(d). The regulations may provide for the levying of fees and taking of charges. Now again, in our law, under section 122, the powers there do

already exist in terms of fees being prescribed for examinations. Section 122 goes further to mention that no fee shall be payable when no defects are discovered and no fee will be payable for an examination by a Road Traffic Inspector under section 119. So, we would like the Minister to tell us what is going to be happening here. Again, will vehicle examinations that reveal no defect be free, even though it is going to be carried out by a private vehicle examination institution? I have some difficulty in envisaging such a possibility, if not, in general cases where we had the risk of a cartel operating and setting the fees very high for the public. Is it Government's intention? Has this been thought through? Is it the intention to prescribe a level of fees that would be regularly reviewed as may be appropriate? I think this is a crucial consideration for the public in taking a stand on this issue of privatisation.

I have done, Mr Speaker. By and large, as I say, we would like to give the benefit of the doubt to Government but, on this last issue of privatisation of vehicle examination, since this is the only opportunity that the House has of probing into this matter before Government goes ahead, we would have been very much obliged if the Minister, even now in summing up, could give us some indication of what the intentions of Government are.

Thank you, Sir.

Mr Bachoo: Mr Speaker, Sir, first of all, I would like to thank the Members on the Opposition and, at the same time, my colleague the Minister of Environment. I am happy that the Opposition is also agreeable to the amendments which we are proposing and I would also thank them for their concerns and apprehensions that have been raised. To start with, all of us know that, on many occasions, in this very House, the Prime Minister has also given his words that the term 'hospital' has to be redefined and we have to give it a new meaning. The second issue which has always been dear to him, was the case of stolen cars and what were the steps that need to be taken in order to avoid the recurrence of such things in our country. The third issue, we all of us know, and the Prime Minister, himself, in this very House, while answering PNQs and questions, has been repeatedly speaking about the privatisation of motor vehicle examinations and, at the same time, modernisation aspects. All these are being taken into account in this amendment. First of all, the term 'health care', the definition provides that hospital will henceforth include health centres so that any institution, which dispenses medical treatment, would fall within the ambit. We have also heard the hon. Member of the Opposition stating what happens if in a private hospital, the doctor refuses to conduct the test. But it all depends on the

conscience of the doctor. For that matter, if anyone, who commits a robbery, a theft or a rape or anything, goes in a private hospital then, of course, we have to leave it on the conscience of the doctor to decide what he is going to do. I don't think that the doctors in our country in the private sector have fallen so low that they don't have a conscience. So, we are going to leave it to their conscience.

The second issue on which the hon. Member agrees was the question of stand regulator and the conditions of the stand regulators will be definitely spelt out in the regulations which we are going to make. It is a fact that private companies, actually, are grouped under the cooperatives and we know the behaviour of some of the stand regulators. I have had the privilege or the misfortune at times of having been to some of the Traffic Centres and even if we request them, at least, to abide by the timetable also, in front of me they can openly refuse, because they are not within the ambit of the NTA. At times, my inspectors and officers are helpless. With this amendment, I hope that certain discipline will be brought and I personally believe that one of the ways to control the exact timing of all the buses definitely passes through the stand regulators. Once we catch hold of them and we try to put them within the ambit of the law, I hope that they are not going to commit any mischief. There was one issue which hon. Obeegadoo raised. It was the question of ticket examiners. Drivers, conductors and stand regulators are involved in the day-to-day operation of buses and they are accountable towards the travelling public but, as far as the ticket examiner is concerned, his duty is only to ensure that bus conductors are doing their job honestly and I don't think that they have got too much of contact with the public.

Another issue which was raised has been the question of appeals to the Minister. This has always been here and, if in case of any abuse, the petitioner can also appeal for judicial review. One thing that I can say is that I can assure the House that this appeal issue was kept even by the previous Governments because - they have been Ministers - they know that Ministers have got a human touch also at times. The law can be very tough, actions might have been taken very rudely, but when it comes up to the level of the Minister, we know how things take place. I am not talking of any abuse of power but, on the contrary, I know that this has been properly utilised and nobody goes beyond the limits of the law. That is the reason.

As far as the privatisation issue is concerned, definitely the House will get an opportunity as this matter has to be debated. But the regulations will provide firstly, expression of interest has already been advertised. It is on the website and we have already invited interested parties to

come forward. If I am not mistaken, the Land Transport Division of my Ministry has already set up the selection committee. Out of the number, let's say X numbers have already expressed their interest. There will be a short list and those who are shortlisted will be asked to tender. Of course, it is a long procedure, but I can assure that this is the only way to do away with all types of corrupt practices. I can assure the hon. Member. There will be accountability and then, definitely, the system has to be modernised. The whole world is going at such an accelerated speed, we cannot afford to stay back with two examination centres and everyone knows in the country what is the situation in those centres. Again I can assure the hon. Member that everything is being taken care of. He has to be patient. We have just started the procedure, but I can assure the House that we will be going very, very fast and I hope that, with all the amendments which we are proposing, definitely we are moving ahead to modernise our country; at the same time, to eliminate cases of corruption and to make our system more efficient.

Last but not least is the question of the racket of stolen cars. All of us know how innocent buyers bear the brunt. They lose their earned savings. I am sure that you are aware of the rackets recently which had taken place where a number of innocent victims were involved, but with the amendment which we are trying to bring forward, I hope this can be taken care of. We know how cars of one particular make are stolen and then they get hold of cars which have gone for total loss. They try to change the chassis number and they come forward to the NTA, stating that they have lost their horsepower. A new horsepower is issued to them and, in this way, many cases of stolen vehicles are already on the market, but we are not able to trace them. With this system, I hope we will be able to trace them.

With these words, I would like to thank all Members who have contributed to it and I hope that this piece of amendment will bring much hope to our people. Thank you.

Question put and agreed to.

Bill read a second time and committee.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE ROAD TRAFFIC (AMENDMENT) BILL

(NO. XIV OF 2011)

The Road Traffic Bill (No. XIV of 2011) was considered and agreed to.

On resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

On motion made and seconded, the Road Traffic Bill (No. XIV of 2011) was read the third time and passed.

(6.01 p.m.)

THE INSTITUTE FOR JUDICIAL AND LEGAL STUDIES BILL (NO. IX of 2011)

THE LAW PRACTITIONERS (AMENDMENT) Bill (No. X of 2011)

The Attorney General (Mr Y. Varma) gave notice of his intention not to move the Second Reading and the other stages of 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 05 July 2011 at 11.30 a.m.

Mr Bachoo rose and seconded.

Mr Speaker: The House stands adjourned.

MATTERS RAISED

COMMUNITY CENTRES - ACTIVITIES

Mrs F. Labelle (Third Member for Vacoas & Floreal): Thank you, Mr Speaker, Sir, for offering me the opportunity to share my concern regarding the activities that are carried on in community centres and to humbly make some suggestions.

Mr Speaker, Sir, it is worthwhile recalling that the community centres were set up in the mid-seventies and at a time where the population was facing difficulties that they don't have right now. These centres were set up at a time where having a TV set was sign of being well off. Also, Mr Speaker, Sir, *pour la petite histoire*, these centres were set up following a conflict between two Ministers; one was having the responsibility of social centres. In the mid-seventies, Mr Speaker, Sir, when these centres were set up, the following activities were proposed: TV

shows, indoor games, domino, *carom*, dressmaking, embroidery courses, talks, social gatherings and so on.

Mr Speaker, Sir, after 40 years, nearly half a century, we still have the same activities with, of course, one or two additional ones. Among the additional that we have, there is the installation of computers, for example. We know that most computers in the community centres are not working, but I am aware that Government is presently installing three computers per centre with internet access. I know that this is ongoing. I am also aware that some centres are not on this list and I hope that these centres will be included in a near future.

Mr Speaker, Sir, I would like to make a first suggestion, because from what I have been led to believe, these computers are being installed in the main hall of the community centres and, at the same time, it is a place where we have the indoor games. Mr Speaker, Sir, we can imagine how someone making some research on the internet together with persons playing *carom*, dominoes, ping pong and so on. So, my suggestion, Mr Speaker, Sir, is that we put the PCs separately from the place where these indoor games are being carried on. At the same time, Mr Speaker, Sir, I would like to suggest that when we are installing these PCs that we set up a technical roaming team to avoid the sad experience of the past, that is, to see the PCs out of order lying in a corner of the hall. So, it is very important that right now, we set up this technical roaming team which will take care of the PCs.

Coming back to the activities, Mr Speaker, Sir, we have the TV shows. Mr Speaker, Sir, right now, we have attendance who work up to 22.00 hrs to switch on and switch off the TVs. Is this a cost-effective activity? TV shows were put at a time where most families did not have a TV set, but nowadays, Mr Speaker, Sir, I do believe that this activity is completely obsolete. I would like, Mr Speaker, Sir, to humbly suggest that we replace this activity by, for example, projection of documentaries on various subjects like: health, environment, illicit drugs, road safety – we are talking about road safety. If we can have documentaries on these subjects followed by discussions, I believe that this is a most cost-effective activity than switching on and off a TV.

We have also, among the activities which are here since forty years, training courses on dressmaking, embroidery, and so on. These activities, Mr Speaker, Sir, can be enhanced by having competition, holding, for example, *des salons culinaires* and so on. However, the centres

are unable to do so, because the budget for community centres does not include any budgetary allocation for the welfare of women, as it is the case for senior citizens and the youth. Consequently, these centres cannot organise such activities. There is no budgetary allocation for women and it is the same thing for children and disabled persons. We don't have a budgetary allocation for these groups of persons. Thus, for example, children from low-income groups, living in the vicinity of community centres, do not benefit from a Christmas gift, as is the case for social centres. I think that the budget has not changed a lot during the past 10 years for community centres. So, my fourth suggestion is that we enhance these activities by organising such activities and for that we need the budgetary allocation.

True it is, Mr Speaker, Sir, that some firms were sponsoring some activities before the CSR, but now it is not the case. I'll come back in a few seconds on that. Actually, Mr Speaker, Sir, the main activities of the community centres seem to be *organiser des fêtes - fête de l'amitié, fête pour l'indépendance, des fêtes et des fêtes* and also act as a meeting place for other agencies, be it Government or NGOs. *Il semblerait, M. le président, qu'au fil des années, les centres communautaires se sont éloignés de leur mission première, qui était d'aller vers les personnes les plus vulnérables de la communauté. C'est ainsi, M. le président, qu'au début de leur existence, nous avions les officiers qui allaient vers les personnes handicapées, vers les malades, vers les grabataires, etc. Ils effectuaient même certaines démarches administratives pour ces personnes, mais cela n'existe pas maintenant.*

M. le président, je fais une autre suggestion. C'est que le ministère de l'intégration sociale travaille en collaboration avec les centres communautaires pour que ces centres retournent à leur vocation première, c'est-à-dire aller vers les personnes les plus démunies de notre société. Donc, développer cette collaboration, M. le président, est une suggestion. We have presently, for example, collaboration with the Ministry of Arts and Culture which gives a budget for Independence Day. Here too, this collaboration with the Ministry of Arts and Culture can go further to promote art and culture through the community centres.

Mr Speaker, Sir, I have mentioned the need for collaboration with the Ministry of Social Integration, Ministry of Arts and Culture. This does not exclude collaboration with other Ministries. This is why I would like to suggest that a high-powered committee be set up to

enhance coordination, pooling of resources and to avoid duplication among Government agencies so that we can have a better coordination in these Ministries.

Mr Speaker, Sir, regarding the talks that are being given, presently, they are mainly delivered during working hours which means that people who work do not attend. So, the audience is only nonworking women or senior citizens. This too has to be revisited so that more persons can benefit from such talks.

I am aware, Mr Speaker, Sir, that during the past months there is an activity in which community centres are involved, it is the child watch. Here too, we have a problem because community centres do not have a budget for that. It happens that people who come for training do not even have the means of transport and so on because we don't have a budget. If we want the community centres to be more involved in this activity, I do believe that for this item too we need a budgetary allocation.

Mr Speaker, Sir, very briefly, a couple of other suggestions is that other recreational activities have to be looked into. We need grant for the lifting of community centres which are generally too small. And I think the hon. Minister herself knows the state of this infrastructure and she is not that much satisfied with that. We also need more leisure for children, particularly during school holidays and for street children where applicable. We also need a budget for the welfare of disabled and maybe we can also look whether these centres can be opened on Sundays and public holidays for more leisure.

Mr Speaker, Sir, these are some suggestions and I hope that, at least, some of them can be implemented for the benefit of the community.

I thank you, Mr Speaker, Sir.

The Minister of Gender Equality, Child Development and Family Welfare (Mrs S. Bappoo): Mr Speaker, Sir, first of all, I have been listening carefully to the points raised by the hon. Member. But, I should, at the very start, say that today the community centres *sont éloignés de leur mission première. C'est un fait, M. le président, parce que les premiers centres communautaires à l'époque du feu Sir Seewoosagur Ramgoolam, dans les années 1965 à 1970 ont été mis sur pied que pour les travailleurs-laboureurs de l'industrie sucrière.* That was the

mission, to come up with welfare activities programmes for sugar workers in the sugar sector. *Aujourd’hui tout a changé.* The Community Development Division of the Sugar Industry Labour Welfare Fund which is engaged in the implementation of Community Development Programme no longer has any cess money from sugar and it is the Government who is totally funding all the community centres around the island. We have at date 130 such community centres. The last budget voted in this National Assembly was to the tune of Rs190 m. to cover 130 community centres across the island.

Mr Speaker, Sir, the Sugar Industry Labour Welfare Fund has, as mission, first of all, – and I agree to that point is to promote and enhance the welfare of people and to empower the population through a range of activities. For example, as to the dressmaking classes which were being done in the centres in 1965 to 1970, it is not the same syllabus which is being carried on today. No, this is mostly untrue. *Je l’ai déjà dit à plusieurs reprises, M. le président, qu’à l’époque des premiers centres communautaires et même les centres sociaux, la classe de couture était destinée à enseigner les filles qui n’allaient pas à l’école et au collège, à faire des petits points de broderie et en commençant à apprendre à faire les layettes parce qu’il fallait préparer ces filles au mariage.* That was the first syllabus. Today, it’s the modern programme of tailoring and dressmaking, curtain sewing and everything has changed. We have a series of educational programme, cultural activities, social activities, economic activities and recreational activities. I must say, Mr Speaker, Sir, that each centre is managed by a group of volunteers whom we call the Community Development Association and they are all members of the Local Community in that particular area where you have that particular centre. The support of NGOs and volunteers in the areas are needed and, in fact, there is a whole network of people at the level of the community. I am happy to see this partnership which helps the centres. I don’t depend only on community development officers. There are more and more volunteers and NGOs who help us in devising the programmes of activities and we have also, Mr Speaker, Sir, created the concept of working together. We have tried to bring this concept within the local community and this is very important for the good running of a community centre. So, with the experience gained, we are trying our best to maintain this spirit of voluntarism at national level.

Mr Deputy Speaker, Sir, concerning the review of activities, I do agree that we have to go according to the time, the needs and according to the new adjustment with priorities of the

mission of Government and what the people need. The review of activities is an ongoing process. Many of the examples that have been mentioned by the hon. Member are things and programmes of activities are being implemented at the level of community centres. It is an ongoing process. From time to time, activities at community level are being revisited, strengthened according to the new challenges of today's modern society. We are readjusting according to priorities. It is a continuous feature. In various sectors, be it in the health sector, in the food security sector, in the empowerment of the community, in the training skills for entrepreneurship, in the campaign for our fight against HIV/AIDS, child development, family values, *écoles des parents*, youth activities or poverty alleviation. It is a fact, Mr Speaker, Sir, that the centres are at the same time being used by mostly all the Ministries. This is the main objective of a community centre in an area. It is a focus point, a meeting place for the community. The Ministry of Health is sending us requests on regular basis to carry the breast cancer caravan and many of their programmes in the centres. We don't say no. It is a timetable of programme of activities. The Ministry for Agro Industry comes along with a Food Security Programme. The Ministry for Social Integration comes along to meet the needy and the poor families in these areas. There are many Ministries working together and at the same time the Sugar Industry Labour Welfare Fund is responsible to define its programme of activities.

The hon. Member, Mr Speaker, Sir, mentions something about computer programmes. My colleague, hon. Pillay Chedumbrum, the Minister for Information and Communication Technology and the National Computer Board are investing in the putting up of computer clubs in the community centres. The budget for implementing these programmes is theirs. The budget is theirs. The budget for implementing these programmes is for the Ministry of Information Technology and the National Computer Board. We have inaugurated the first computer club - I am just giving an example; we are coming for another one on Friday. The first one was at l'Escalier Social Welfare Centre. It was not in a hall; it is not in the main hall. It is a special room for the computer, with special furniture, and special arrangement has been done. For each centre where the computer clubs will be set up, the centre takes the privilege of putting a special room. We are coming at La Marie, and maybe I would invite Mrs Labelle because we are from the same constituency; she can come and see. At La Marie, it will be the same thing. The computer club will not be in the main hall; it will be in a special room, where the activity will take place.

With regard to the Child Watch Committee, Mr Speaker, Sir, the community centres are being under the responsibility of the Ministry for Gender Equality. The community centres and the social welfare centres go in line with the mandate of that Ministry. The Child Watch Committee is not being implemented by the community development officers. They are the officers from the Child Development Unit, having access to the community centre. It is not something which is being done by the staff of the Sugar Industry Labour Welfare Fund, not knowing what is a Child Watch Committee. It goes like this, and there is no problem. The only thing which is outdated is TV Programme - I am against someone being paid just to go and put the TV on and to switch it off. Each family today does not have only one TV; in each family, I think there is a TV in each room today. So, what is the use of that TV? It is not for the programme for which it was put in 1960. But the TV stays there, because during the day there are activities which are being carried out with the use of other information technology tools like DVDs, CDs etc., and we need the TV screen. We are working for evening activities, but not in all the 130 centres - we are embarking on evening programmes, to meet the demand of the youth who are busy during the day, working mothers and the workers who are all busy during the day but who want to join the activities and take part in campaigns that are being done. We are trying to put up evening classes in quite a few of these centres. But, to open on Sundays is still a problem, because this is a new budget, and we would need to pay overtime etc. If there is a specific function on a Sunday, yes, but to have it regularly on Sundays, it is a problem for the time being, because we need more overtime to be paid. But still, when there are specific programmes, we do use the centres on Sundays.

Mr Speaker, Sir, what I want to say is that community centres activities are continuously being reviewed according to the needs of the day. The SILWF itself, with its 130 community centres, is a strong network of volunteers. It has a major role to play in popularising the patriotic values and creating a sense of belonging, to create a strong Mauritian nation. We need the community and the volunteers, and we will continue to strengthen our action on that line.

Thank you, Mr Speaker, Sir.

At 6.24 p.m., the Assembly was, on its rising, adjourned to Tuesday 05 July 2011 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

POLICE DES JEUX – CASES - INQUIRY

(No. B/569) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the *Police des Jeux*, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to -

- (a) the number of cases dealt with, since its coming into operation to-date, indicating in each case, the amount of money seized and outcome thereof, including the inquiry carried out in the case where fire crackers were substituted to a large amount of money seized in a case of illegal bookmaking when produced as exhibit in court, in 2008, and
- (b) if the dismantling thereof is being considered and, if so, the reasons therefor.

Reply: In regard to part (a) of the question, I am informed by the Commissioner of Police that since the coming into operation of the *Police des Jeux*, now known as *Police des Jeux* and Anti-Piracy Unit in May 2002, 450 cases have been established by the Unit.

Out of 450 reported cases, 259 cases have been dealt with by court, 25 cases are pending trial before the court, two cases have been submitted to the Director of Public Prosecutions for advice, 83 cases have been classified and for the remaining 81 cases Police inquiry is ongoing.

Since May 2002, a total amount of Rs12,180,379 has been seized in connection with cases of illegal betting and bookmaking.

In regard to the case of illegal betting in April 2008 where an amount of Rs366,000 was substituted for six packets of fire crackers when produced as exhibit in court, I am informed by the Commissioner of Police that following enquiry into the matter, a Police Constable was arrested on 30 May 2008. He was released on bail on 02 June 2008 after furnishing a surety of Rs3,000 and entering into a recognizance of Rs20,000. He has been interdicted from duty as from 31 May 2008.

The Police Constable concerned has been charged for the offences of “Forgery by a Public Officer” and “Larceny by Person in Receipt of Wages.” The case is coming for trial before the Intermediate Court on 16 September 2011.

In regard to part (b) of the question, it is not envisaged to dismantle the *Police des Jeux* and Anti-Piracy Unit.

PQ NO. B/269 – MR H. B. - LETTER

(No.B/570) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if he has received a letter dated 20 May 2011 from one Mr H. B., in connection with the reply to Parliamentary Question B/269 in the House and, if so, indicate the actions taken in relation thereto.

Reply: The Commissioner of Police has informed that he has no record of having received any letter from one Mr H. B. in connection strictly with the reply I made specifically to Parliamentary Question No. B/269 on 10 May 2011 pinpointed by the hon. Member.

PETROLEUM PRODUCTS - HEDGING

(No. B/571) Mr C. Fakemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to hedging on petroleum products, he will state if consideration will be given for the setting up of a Commission of Inquiry to probe thereinto in view of the fact that the consumers are being made to pay for the sum of Rs4.5 billion with an interest of Rs250 m.

Reply: The setting up of a Commission of Inquiry on the hedging on petroleum products does not arise inasmuch as the issue has been the subject of several Parliamentary Questions.

VICTORIA HOSPITAL - RADIOTHERAPY/CANCER UNIT - DECENTRALISATION

(No. B/600) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to the inpatient and outpatient services of the Radiotherapy/Cancer Unit at the Victoria Hospital, she will state if Government is proposing the -

- (a) upgrading thereof and, if so, give details thereof and, if not, why not, and
- (b) decentralisation thereof and, if not, why not.

Reply: Following site visits I have effected at Victoria Hospital soon after my assumption of duty as Minister of Health and Quality of Life, I observed that there was a need for the upgrading of the building presently housing the Radiotherapy/Cancer Unit which caters for both inpatients and outpatients. However, after subsequent meetings with all those concerned, including the technical staff of the Ministry of Public Infrastructure (MPI), it has been found that

it would not be cost effective to invest in any upgrading/extension works to the existing building in view of the substantial modifications that will have to be carried out.

Consequently, it has been decided as a long term measure, to construct a multi-storey building on a plot of land adjacent to the existing Radiotherapy/Cancer Unit, Victoria Hospital which is presently used as a parking area. The new complex will comprise, amongst others, a large Outpatient Department, Inpatients Ward, Day Hospital for Chemotherapy, Palliative Care Wards, Radiotherapy Department and Leukemia Ward.

The requirements for the building have been finalised and the MPI is working on the preliminary designs.

However, pending the construction of the new building, short term measures have been taken to provide a minimum of comfort to the patients at the existing Radiotherapy/Cancer Unit. These include -

- (i) extension of waiting room of the Outpatient Department carried out in December 2010;
- (ii) renovation of Male/Female/Disabled persons' toilets in the Radiotherapy Outpatient Department completed in December 2010;
- (iii) provision of water dispensers at the Radiotherapy Outpatient Department and in the wards, and
- (iv) provision of bucket chairs in the Outpatient Department and in the Chemotherapy Department for the comfort of the patients.

In addition, part of the first floor of the new OPD Block at Victoria Hospital will also be converted into a Day Care Chemotherapy Unit with some 15 beds and 7 special reclined chairs for the comfort and benefit of patients undergoing chemotherapy treatment. The MPI is finalising the drawings and it is expected that this Unit will be operational in some three month time.

With regard to part (b) of the question, I wish to inform the House that the equipment used for radiotherapy emits high radiation which requires special set up as per the International Atomic Energy Agency. These equipment which are sensitive are kept in special bunkers and are under surveillance in accordance with the US-Global Threat Reduction Initiative. In view of the environmental impact and the high cost involved in putting in place such facilities, it is not envisaged to create such Units at other locations for the time being.

As regards the possibility of carrying out chemotherapy at other regional hospitals, a decision will be taken in the light of a study on the financial implications with regard to human resource and relevant training required for the running of the Unit.

BROWN SEQUARD HOSPITAL – INMATES - DEATH

(No. B/601) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Health and Quality of Life whether, in regard to the Brown Sequard Hospital, she will state the number of inmates thereof who have passed away thereat, over the past five years, indicating the compensation, if any, paid to the relatives thereof and if so, the amount in each case.

Reply: Over the past five years, from 2006 to 2010, 72 inmates of Brown Sequard Hospital have passed away.

The question of compensation to be paid to relatives in case of death, as stated by the hon. Member, does not arise.

However, according to the National Pensions Act No. 44 of 1976, all chronic and long stay patients admitted in a Government or Charitable institution are entitled to an Inmate Allowance which is equivalent to -

$\frac{1}{4}$ of the Basic Retirement Pension, that is Rs 786 monthly for inmates above 60 years of age; or

$\frac{1}{4}$ of the Basic Invalidity Pension, that is Rs 708 monthly for inmates below 60 years of age.

The Inmate Allowances to chronic and long stay patients of the Brown Sequard Hospital are credited by the Ministry of Social Security, National Solidarity, N.S. and R.I. to the Mental Health Care Bank Account which is managed by the Mental Health Accounts Committee as provided in the Mental Health Care (Accounts Committee) Regulations 1999. As such, all inmates receive, from their individual accounts, a weekly pocket money of Rs. 60 or its equivalent in kind. The account is also meant for the purchase of toothpaste, soaps, diapers, clothing (winter & summer) and other personal consumables for the inmates.

The remaining balance in the account of the inmates is paid to the heirs of the deceased inmates upon submission of an affidavit.

Out of the 72 inmates of the BSH who passed away, only 22 were eligible for the Inmate Allowance. The remaining was drawing the normal BRP or BIP in their private account.

I am advised by the State Law Office that it would not be appropriate to reveal the personal identity and account details of inmates. However, I would like to inform the House that during the period 2006 to 2010, a total amount of Rs225,281.18 has been paid to the relatives of 18 deceased inmates upon claim supported with affidavit. As for the remaining four cases, no claim was received.

CITÉ MANGALKHAN - LIQUOR AND ALCOHOLIC PRODUCTS - SALE

(No. B/602) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the selling of liquor and alcoholic products on & off premises, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the -

- (a) number of retailers thereof, in Cité Mangalkhan, indicating the number of inhabitants thereat, and
- (b) policy as to the issuing of licences therefor.

Reply: I am informed by the MRA that there is currently no holder of a “On & Off” license for retailed sale of liquor and alcoholic products within premises located in Cité Mangalkhan. However, there are 11 holders of “Off” license and one holder of restaurant license selling liquor and alcoholic products. I am informed by the Ministry of Local Government that there are approximately 4000 inhabitants in Cité Mangalkhan.

As regards part (b) of the question, in my 2011 Budget Speech, I announced Government intention to curtail consumption and abuse of alcoholic drinks and not to issue any further “On & Off” and retailer of beer licenses. In this context, I issued an Order using my powers under Section 10(4) and (5) of the Excise Act requiring the Director General of the MRA to limit by district, the number of licences of Retailer of Alcoholic products – On & Off and Retailer of Beer & Alcoholic Beverages. Since the Order has been made, I have been informed that no application for the issue of new licences in respect of the licences mentioned in the Order has been entertained by the MRA.

PONT DE PARIS - STALLS

(No. B/603) 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 *Pont de Paris*, at the Sir Seewoosagur Ramgoolam Street, Port Louis, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to the -

- (a) number of stalls;
 - (i) occupied,
 - (ii) unoccupied, indicating in each case the category, and
- (b) total amount of revenue collected therefrom, since its coming into operation to-date, indicating the number of debtors as at to date.

Reply: I am informed by the Municipal Council of Port Louis that there are 100 stalls at Pont de Paris at Sir Seewoosagur Ramgoolam Street, Port Louis. 74 stalls are meant for food sellers and the remaining 26 stalls are for non-food sellers.

With regard to part (a) of the question, I am informed that the 26 stalls for non-food sellers will soon be allocated after drawing of lots. As regards the 74 stalls meant for food sellers, 63 stalls were allocated through drawing of lots. Out of these 63 stalls, 30 stalls are being occupied and 33 stalls are not being occupied either because stallholders have not paid any fee or are absent. The remaining 11 stalls for food sellers are vacant.

Regarding part (b) of the question, I am informed that the total amount of revenue collected as at date is Rs218,000 and there is an outstanding amount of Rs217,000 to be collected.

WORKERS (DOMESTIC) – LEGISLATION -AMENDMENT

(No. B/604) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the domestic workers, he will state if the law will be amended so as to be in line with the new Convention in relation thereto adopted recently at the annual conference of the UN International Labour Organisation.

(Withdrawn)

SSR AIRPORT - PUBLIC SERVICE VEHICLE LICENCE

(No. B/605) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Public Service Vehicle Licence, he will, for the benefit of the

House, obtain from the National Transport Authority, information as to where matters stand as to the latest invitation for application thereof to operate at the Sir Seewoosagur Ramgoolam International Airport.

(Withdrawn)

SHANDRANI HOTEL - PUBLIC SERVICE VEHICLE LICENCE

(No. B/606) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Public Service Vehicle Licence, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the number thereof last issued to operate at the Shandrani Hotel, indicating the –

- (a) criteria applied to determine who were qualified to apply therefor, and
- (b) number of villages that were concerned therewith.

(Withdrawn)

MAURITIUS SOCIETY OF AUTHORS – ARTISTS – FEES PAID

(No. B/607) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Minister of Arts and Culture whether, in regard to the artists, the authors and the composers, he will, for the benefit of the House, obtain from the Mauritius Society of Authors (MASA), information as to the amount of fees and/or other allowances paid thereto by the MASA, over the past five financial years, indicating if the amount paid for 2010 has been decreased and, if so, the reasons therefor.

Reply: I am informed that the total amount of fees paid by MASA to artists, authors and composers over the past five financial years are as follows -

S/N	Year	Amount
1.	2006	Rs11.7
2.	2007	Rs8.3
3.	2008	Rs7.1
4.	2009	Rs9.3
5.	2010	Rs5.1

For financial year 2010, an amount of Rs5.1 M has already been paid and further payments will be made soon. As all the dues have not yet been paid to MASA, it will not be possible, at this stage to confirm that the amount payable to artists, authors, and composers for financial year 2010 will decrease.

MAURITIUS SOCIETY OF AUTHORS - EXPENDITURE

(No. B/608) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Minister of Arts and Culture whether, in regard to the Mauritius Society of Authors (MASA), he will, for the benefit of the House, obtain from the MASA, over the past five financial years, information as to the total –

- (a) income for each year;
- (b) amount paid as salary for each year, and
- (c) expenditure incurred for overseas missions, including air tickets, *per diem* allowances, composition of the delegation and purpose therefor.

Reply: I am informed of the following by MASA with regard to its revenue and expenditure over the past five financial years -

- a) Income for each year.

S/N	Financial Year	Amount
1.	July 2005 - June 2006	Rs19.3
2.	July 2006 - June 2007	Rs21.7
3.	July 2007 - June 2008	Rs23.7
4.	July 2008 - June 2009	Rs28.8
5.	July 2009 - December 2009	Rs14
6.	January to December 2010	Rs24.8

- b) Amount paid as salary for each year.

S/N	Financial Year	Amount
1.	July 2005 - June 2006	Rs3,521,310
2.	July 2006 - June 2007	Rs4,292,174
3.	July 2007 - June 2008	Rs5,658,457
4.	July 2008 - June 2009	Rs7,203,253
5.	July 2009 - December 2009	Rs3,818,579

6.	January to December 2010	Rs8,024,929
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c) Expenditure incurred by MASA for overseas Missions (including air tickets and *per diem*).

S/N	Financial Year	Amount
1.	July 2005 - June 2006	Rs222,889
2.	July 2006 - June 2007	Rs398,306
3.	July 2007 - June 2008	Rs614,922
4.	July 2008 - June 2009	Rs494,005
5.	July 2009 - December 2009	Rs269,290
6.	January to December 2010	Rs625,282

Information on missions regarding composition and purpose are being placed in the Library of the House.

GRNW – K. FAMILY – RESIDENCE – FIRE OUTBREAK

(No. B/609) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)

asked the vice-Prime Minister, Minister of Social Integration and Economic Empowerment whether, in regard to a fire which broke out on 27 September 2010 at the residence of the K. family, at Grand River North West, he will state –

- (a) if a social facilitator effected a site visit thereto, after the fire outbreak, and
- (b) the assistance provided to the family, if any.

Reply: Following the fire which broke out on 27 September 2010 at the residence of one K family at Grand River North West, a claim for fire victim allowance was made at the Western Social Security Office (Cassis) on 30 September 2010.

Regarding part (a) of the question, on the same day, that is, on 30 September 2010, 3 officers of my Ministry, a Principal Social Security Officer, a Senior Social Security Officer and a Higher Social Security Officer visited the place where the fire broke out.

Regarding part (b) of the question, financial assistance amounting to Rs59,448 in respect of foodstuffs, clothing, cooking utensils, furniture and resettlement was paid in favour of the fire victims in accordance with Social Aid Act. A blanket was also issued to each member of the household.

Over and above the Social Aid, a sum of Rs15,000 will be paid to the victims by the National Solidarity Fund which operates under the aegis of my Ministry.

Moreover, I am informed by the Ministry of Social Integration and Economic Empowerment that a Social Facilitator effected a site visit on 06 December 2010, following which the family members were requested to submit an application for assistance to the National Empowerment Foundation.

SCHOOL CANTEENS – HEALTH INSPECTORS - VISITS

(No. B/610) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Health and Quality of Life whether, in regard to the school canteens, she will state the number thereof visited by Health Inspectors, since January 2010 to date, indicating if any items were seized and, if so, the reasons therefor.

Reply: The Health Inspectorate Division of my Ministry has effected 3,110 inspections of foodstuffs in the 286 school canteens throughout the island from January 2010 to 23 June 2011.

161 units of yoghurt were seized as they were not properly labelled and therefore, not in compliance with the Food Act and Regulations. 119 sticks of jelly were also seized as it is an unauthorised food item in school canteens.

SECONDARY SCHOOLS – STUDENTS – LATE ARRIVAL

(No. B/611) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Education and Human Resources whether he has been informed of recent cases of secondary school students having been sent off, on turning up late at school and, if so, will he state if an inquiry has been carried out thereinto, indicating the stand of the Ministry in relation thereto.

Reply: I am informed that there have been two recent cases whereby secondary school students have been sent off for turning up late at school.

The first one relates to a private secondary school in Rose-Hill and the second in respect of a State Secondary School in Port Louis.

As for the first one, Eden College, Belle Rose, it has been reported that 15 students were refused access on the school premises as they were late on 20 June 2011. These students had called at the PSSA on the same day at around 9.30 a.m to lodge a complaint to the effect that

they had been denied access to the school. According to them their lateness was due to transport problems which they encountered. The PSSA initiated an inquiry into the matter.

The school was contacted by the PSSA and the Manager confirmed that the students were not allowed access as according to her they were late for more than half an hour. She stated that some allowances were made for latecomers, but those arriving late by more than half an hour were not allowed. The Rector gave instructions to keep the school gate closed and requested the students to go back home.

The PSSA had previously drawn the attention of the Manager of the school to the negative consequences of such practice on her part. The PSSA is requesting her to bring necessary amendments to the rules of the school by providing reasonable sanction, if required, in cases where students arrive late at school without justification whilst allowing them access to the school premises. In fact, schools should make it a point to inform parents of such cases.

As regards the second case, it relates to the sending off, on 02 June 2011, of five Upper VI students of a State Secondary School in Bell-Village who were repeatedly late for unjustified and unjustifiable reasons despite living in the vicinity of the school. I would like to stress that in this case, the Rector contacted and informed the parents of the students' continued late arrivals and proposed sending off.

The practice of schools to send off students coming late is a matter of concern to my Ministry at a time when the Ministry is deploying much effort to deal with the problem of indiscipline, juvenile delinquency and security of students. The problem of schools refusing to admit students who come late and students who are brought back to schools in certain cases by the *Brigade pour la Protection des Mineurs*, has been raised at meetings held at my Ministry. It is only with the collaboration of one and all that we will be able to deal with the problem and ensure that students are on the school premises during school hours.

I wish to highlight that my Ministry had during the course of discussion with stakeholders impressed upon the need for students to be punctual and that the element of security of students should be given priority. In addition, instructions were given for appropriate measures to be taken by schools to prevent students from loitering in public places and exposing themselves to risks.

Moreover, as already announced, we are implementing an e-register (SMS) system to reduce truancy and lateness of students of Secondary Schools. 21 pilot schools are being

provided with an SMS-based system, to be used to inform parents of their wards' absences at schools on a daily basis. After the pilot basis, the system will be rolled out to all of the schools.

STRAY DOGS

No. B/612) Mr C. Fakemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Agro-Industry and Food Security whether, in regard to dogs, he will state the -

- (a) number of stray ones surveyed island-wide indicating -
 - (i) the health hazards they represent;
 - (ii) if the catching and elimination thereof is being carried out and, if not, why not;
 - (iii) if incineration facilities are available after the elimination thereof and, if not
 - (i) why not;
 - (ii) when same has ceased;
 - (iii) how same are now eliminated, and
- (b) budget allocated to the MSPCA and PAWS for the vaccination and sterilisation thereof, indicating if sufficient vaccines are available therefor.

Reply: I am informed that as per latest survey conducted in 2008 that the number of stray dogs in the island was estimated at 200,000 and today this figure is definitely higher.

This high number of stray dogs poses health hazards to human beings and other domestic animals. Some of the diseases that can be transmitted to human beings include worms, skin infections like mange and fungal infections like microsporum canis and certain allergic reactions through direct contact of dogs suffering from eczematous conditions. Furthermore, stray dogs constitute perpetual nuisances relating to dog bites and is a potential hazard causing road accidents especially for motorcyclist and cyclists. These animals search for food in garbage bins and may spread detritus polluting the environment and causing foul odour. Presently Mauritius is free of rabies. However in the unlikely event that rabies is introduced in the country, stray dogs will accelerate propagation of this deadly virus.

Catching of dogs is an ongoing exercise throughout the year and is carried out by the MSPCA. This year my Ministry in collaboration with the latter has decided to intensify this activity through a National campaign for reducing the number of stray dogs. This campaign consists of three components namely -

- dog catching by the MSPCA;
- mass sterilisation of dogs by the Division of Veterinary Services of my Ministry, and
- Sensitisation through the MBC TV & radios, posters, billboards, distribution of pamphlets and talks in educational institutions.

Dogs that are caught are kept at the Dog pound of the MSPCA at Port Louis. My Ministry had an incinerator facility found in the compound of Richelieu Quarantine station for incineration of dogs. However due to protests from the surrounding inhabitants, a decision was taken to stop its use and the last batch of dogs incinerated was on 11 June 2009. Thus presently all dogs caught are buried.

We intend to continue with the stray dog catching campaign and with the expected number of dogs that will be caught, the Bois Marchand burial site may become saturated in the near future. Accordingly my Ministry has already initiated action for the setting up of a new incinerator at Bassin Requin for incineration of animals with a capacity of 200Kg per hour. The contract for supply and installation of the incinerator has already been awarded and commissioning is expected by October 2011.

The budget allocated to the MSPCA is Rs3.5 m. for the financial year 2011. PAWS do not receive any funding from my Ministry. Free sterilisation of dogs is done by the Veterinary Services in its four sub regional centres as well as the mobile caravan which moved around the island.

My Ministry does not cater for vaccination programme for dogs. However these services are provided against payment by the MSPCA, PAWS and the private vet clinics.

SAHRAWI ARAB DEMOCRATIC REPUBLIC (SADR) – MAURITIUS STAND

(No. B/613) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the struggle of the POLISARIO for the establishment of a free and independent Sahrawi Arab Democratic Republic (SADR) in that part of Western Sahara presently controlled by Morocco, he will state if Mauritius supports same and, if so, indicate -

- (a) the diplomatic initiatives that have been taken or supported by Mauritius in the recent past, and
- (b) if the SADR has recently requested accreditation for a new ambassador to Mauritius.

(Withdrawn)

E-COLI EPIDEMIC - PREVENTION

(No. B/614) Mr C. Fakkeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to the E-coli epidemic in Europe and America, he will state the measures Government has taken to prevent risks of food contamination in Mauritius.

Reply: Following the outbreak of E-Coli epidemic in Germany and its spread to other European countries and America, the following measures have been taken by the Government to prevent the entry in Mauritius of contaminated food from these countries and also the transmission of the disease through travellers coming from these countries -

- a) Information on the disease has been circulated to all Regional Health Directors, the Ministry of Agro Industry and Food Security, the Private Medical Practitioners Association and the Private Clinics Association and Principal Health Inspector Port and Airport Health Office.
- b) Samples of vegetables imported from France have been sent to laboratory for microbiological analysis. Results obtained so far have not revealed any presence of E coli therein.
- c) Passengers arriving from Germany are under surveillance by the Health Inspectorate at the points of entry. 3,325 incoming passengers from Germany have been under surveillance from 06 to 26 June 2011.
- d) All relevant Ministries, such as the Ministry of Agro Industry and Food Security, the Ministry of Business, Enterprise, Cooperatives and Consumer Protection and my Ministry are working in close collaboration to prevent the entry of the disease in Mauritius.

LINE BARRACKS – POLICE HEADQUARTERS - BUILDING

(No. A/211) 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 building housing the Police Headquarters, at the Line Barracks, he will state if he has been informed of the bad state thereof and of a lack of space thereat and, if so, will he, for the benefit of the House, obtain from the Commissioner of Police, information as to if remedial measures will be taken, including the construction of a new modern building.

Reply: It is understood that the hon. Second Member for Stanley Rose Hill is referring to the one-storeyed building presently housing the Police Headquarters at the Line Barracks.

The Commissioner of Police has informed that the Police Headquarters building, though an old one, is not in a bad state. Over the years, the building has been regularly renovated so as to ensure a conducive working environment. The external structure of the building, which is made of stone, has been maintained at high cost in order to preserve its original state as a national heritage.

The interior of the building has been renovated and the work environment at the Police Headquarters comprises the facilities and amenities of any modern office.

As regards office space, the existing average space occupancy per staff exceeds the required minimum standard and there is no lack of space.

However, for administrative, functional and operational purposes, it is envisaged to construct a new high rise building which will house the Police Headquarters as well as the different important branches/units which are housed in a rented building. A suitable plot of land is being identified for the project.

VALLEE PITOT POLICE STATION

(No. A/212) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Vallée Pitot Police Station, presently housed in a rented building, he will state if he has been informed of a lack of space thereat for the Police Officers to discharge their duties, including for conducting inquiries in the Charge Room and, if so, will he, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration has been given for the construction of a new modern Police Station and, if so, indicate if land has already been identified, indicating the location and extent thereof.

Reply: The Commissioner of Police has informed that there is no lack of space at Vallée Pitot Police Station for discharging Police duties including conduct of enquiries. The actual Police Station which is housed in a rented building of an area of 2,600 sq feet comprises the following -

- (a) a Charge Room,

- (b) a Station Clerk's Office,
- (c) a main Enquiry Room (Interview Room),
- (d) a Sub-Enquiry Room,
- (e) Inspector's Office,
- (f) two Police Cells,
- (g) a kitchen,
- (h) a changing room for Women Police Constables (WPCs),
- (i) a changing room for Police constables (PCs),
- (j) a corridor for keeping bulky exhibits,
- (k) a store, and
- (l) a dining hall with ablution facilities for all staff.

In addition, there are parking facilities for three vehicles. The size of the current Vallée Pitot Police Station does not therefore, constitute a limiting factor to prevent Police officers from discharging their duties in the right manner.

Nevertheless, the Commissioner of Police has informed that the current policy is to do away with rented buildings. As such, according to its infrastructural action plan, the Police are proceeding with the construction of new Police Stations in phases. Priority is being given to the construction of Police Stations in regions where there are no Police Stations and where existing ones are in a bad state.

The next phase will be the construction of new Police Stations to replace rented buildings including the one accommodating Vallée Pitot Police Station. According to the planning of infrastructural project for the Police, the construction of a new Police Station in the region of Vallée Pitot is scheduled to start in 2014.

The Ministry of Housing and Lands has already identified a plot of land located at Inkerman Street, Vallée Pitot and procedures have been initiated for its acquisition.

AGALEGA/DIEGO GARCIA – ROCKS - SHIPMENT

(No. A/213) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in

regard to Agalega and/or Diego Garcia, he will state if shipments of rocks from Mauritius have been effected thereto, in or about April 2011 and, if so, indicate the -

- (a) amount of rocks shipped, and
- (b) purpose therefor.

Reply: In regard to parts (a) and (b) of the question, the Outer Islands Development Corporation (OIDC) has informed that aggregates and rocksand for construction purposes are regularly shipped to Agalega. The materials are used for the manufacture of cement blocks and construction of quarters for the employees of the OIDC.

The Mauritius Ports Authority has informed that between February and May 2011, four consignments of some 26,561 tons of bulk boulders have been exported by a private company to Diego Garcia for the purpose of mitigating coastal erosion on the island.

BAMBOUS – POLICE STATION - CONSTRUCTION

(No. A/214) 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 proposed construction of a new Police Station in Bambous, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand.

Reply: The Commissioner of Police has informed that the letter of award for the construction of a new Police Station in Bambous was issued to the successful tenderer on 22 June 2011. The latter has 21 days to submit a Performance Security. Thereafter, a contract for the construction of the Police Station will be signed between the Police department and the contractor. The expected construction period is eight months.

BLACK RIVER - POLICE STATION - CONSTRUCTION

(No. A/215) 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 Black River Police Station, presently under construction, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to -

- (a) when it will be operational;
- (b) the offices that will be housed thereat;
- (c) if provision has been made for a detention centre and, if so, the number of cells that will be available, and
- (d) the total cost thereof.

Reply: In regard to part (a) of the question, the Commissioner of Police has informed that the new Black River Police Station is scheduled to be completed by the end of September 2011. The Station will be operational after its commissioning.

In regard to part (b) of the question, the offices that will be housed thereat are as follows -

- (i) On the ground floor
 - Reception area;
 - Enquiry Room;
 - Charge Room;
 - four offices for Station Supervising Officers;
 - Exhibit Room; and
 - two detention cells.
- (ii) On the first floor
 - one office;
 - Mess Room;
 - male and female barracks, and
 - Conference/Meeting Room.

In regard to part (c) of the question, the project does not provide for a Detention Centre. The policy of the Police is to construct regional detention centres. However, the building will have two detention cells with ablution facilities.

In regard to part (d) of the question, the contract value for the construction of the building is Rs15,154,355.65.

BAGATELLE DAM PROJECT - CONSTRUCTION

(No. A/216) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Bagatelle Dam Project, he will state if the contract for the construction thereof has been finalised and, if so, indicate the -

- (a) terms and conditions,
- (b) contract value, and
- (c) start and completion date thereof.

Reply: In my reply to the PNQ on 12 April 2011, I informed the House that the construction of Bagatelle Dam will be funded by Exim Bank, China and that the Ministry of Commerce of the People's Republic of China had designated China International Water and Electric to proceed with bid negotiations.

On 22 October 2010, Government approved that China International Water and Electric be invited to submit a bid.

On 08 December 2010, the company was invited to submit a bid which was received on 07 March 2011.

The technical evaluation was carried out by an Evaluation Committee, which included the representative of the Consultant, Coyne et Bellier. The Committee found the bid to be technically substantially responsive to the requirements of the bid documents.

From 10 to 13 May 2011, a Negotiating Committee chaired by a representative of the Attorney General's Office carried out the negotiations. The letter of award was issued on 03 June 2011.

As regards part (a), the terms and conditions of the contract prepared by a Consultant of international repute, are as per international standards and practice for similar types of dam and in line with the Public Procurement Act.

As regards part (b), the value of the contract is Rs3,332,343,087.67 (including VAT), representing a global discount of 2.5% on the original bid price. The revised estimates of the Consultant in February 2011 was Rs3,223,104,885 inclusive of VAT.

As regards part (c), the commencement date of the construction works is 01 December 2011 and the completion date is November 2014. In the meantime, the contractor will be mobilising its resources to establish the site infrastructure.

LAND - COMPULSORY ACQUISITION

(No. A/217) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Housing and Lands whether, in regard to compulsory land acquisition, he will give, since January 2010 to-date, a list of the properties compulsorily acquired, stating the names of the owners and the extent of land for which compensation has been paid -

- (a) within the prescribed delay from the date of the notice of acquisition, indicating in each case, the -
 - (i) value thereof;
 - (ii) reasons therefore, and
- (b) after the expiry of the delay, indicating in each case, the -
 - (i) value thereof, and
 - (ii) reasons therefor.

Reply: Compulsory acquisition of land by the State is effected in accordance with the provisions of the Land Acquisition Act. Compensation in respect of such acquisition is payable as from the date Government obtains title to the land. In case of delayed payment, interest at legal rate is payable. There is no provision in the legislation for the prescription of a time limit to effect payment.

Details regarding the list of properties compulsorily acquired since January 2010 to-date inclusive of the names of owners, extent of land, purpose, date/s of Notice/s, value and date of payment, if payment has already been effected are being compiled.

QUATRE BORNES MARKET - FOOD COURT

(No. A/218) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Local Government and Outer Islands whether, in regard to the construction of a food court in the premises of the Quatre Bornes market, he will, for the benefit of the House, obtain from the Municipal Council of Quatre Bornes, information as to -

- (a) the cost thereof;

- (b) the date of its coming into operation;
- (c) if on-site cooking will be allowed, and
- (d) if the allocation of the stalls will be effected through a tendering exercise and, if so, the specifications thereof and if not, if a public notice for expression of interest is proposed therefor.

Reply: I am informed by the Municipal Council of Quatre Bornes that the cost for the construction of the foodcourt, including toilet, enclosure wall, etc. is Rs6,221,300.

As regards part (b) of the question, I am informed that the date of the coming into operation of the foodcourt has not yet been fixed.

With regard to part (c) of the question, I am informed that on-site cooking will not be allowed.

As far as the last part of the question is concerned, I am informed that no tendering exercise will be conducted and a press notice inviting applications will be released as soon as all formalities will be finalised.

QUATRE BORNES - NEW MARKET - CONSTRUCTION

(No. A/219) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Local Government and Outer Islands whether, in regard to the construction of a new market in Quatre Bornes, he will, for the benefit of the House, obtain from the Municipal Council of Quatre Bornes, information as to the estimated cost thereof, indicating how same will be funded.

Reply: I wish to refer the hon. Member to the reply I made on 05 April 2011 to Parliamentary Question No. A/58 on this issue.

I am informed by the Municipal Council of Quatre Bornes that the estimated cost for the construction of a new market in Quatre Bornes is not yet known as it was still working on specifications for the launching of a feasibility study for the construction of a civic centre inclusive of a market at the existing Guy Rozemont Stadium, Candos.

As already indicated in my previous reply, an amount of Rs21 m. has been earmarked by the Council for the construction of a new market.

LABOURDONNAIS GOVERNMENT SCHOOL - FLOODING

(No. A/220) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Education and Human Resources whether, in regard to the

Labourdonnais Government School, he will state if he has been informed of the flooding problems thereat during heavy rainfalls and, if so, indicate the remedial measures that will be taken.

Reply: I am informed that during heavy rainfall, rain water coming from slopes of Signal Mountain used to cause flooding in the school yard of Labourdonnais Government School. This problem was dealt with by the construction of external drains in 2009.

I am also informed that the existing internal drain within the school compound tends to get clogged during heavy rainfall, resulting in overflow and water accumulation in the school yard.

The matter has been referred to the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping for remedial action.

**MAHANAGAR TELEPHONE (MAURITIUS) LIMITED – STEEL TOWER -
PERMIT**

(No. A/221) 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 installation of a Steel Tower for telecommunications purposes by the Mahanagar Telephone (Mauritius) Limited at 10, Hyderabad Street, Port Louis, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if it is in presence of any petition from the inhabitants of the region protesting against same and, if so, indicate –

- (a) the actions that have been or will be taken, and
- (b) if permits have already been issued by the Council and, if so, the date thereof.

Reply: I am informed by the Municipal Council of Port Louis that an application was received on 16 November 2010 from Mahanagar Telephone (Mauritius) Ltd for a Building and Land Use Permit for the installation of a 10 metre high steel Tower at 10, Hyderabad Street, Port Louis.

The application was considered at a meeting of the Permits and Business Monitoring Committee held on 26 November 2010 whereat it was decided to request the applicant to clear the following discrepancies –

- (i) exact location must be specified both on plans and publications in newspapers, and

- (ii) plate notification must be duly displayed on site with all relevant information as this was not seen by the officer of the Council at time of visit on November 2010.

Following the display of plate notification, a petition was received at the Council from inhabitants of the region. Subsequently, complainants as well as the applicant were called for a hearing before the Permits and Business Monitoring Committee of the Council. The Permits and Business Monitoring Committee at its meeting of 09 February 2011 decided to approve the grant of the Building and Land Use Permit and the permit was issued on 23 February 2011.

GOVERNMENT FIRE SERVICES – FIRE VEHICLES

(No. A/222) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the fire vehicles which are deployed in emergency cases, he will, for the benefit of the House, obtain from the Government Fire Services, information as to if they are all equipped with revolving and/or beacon lamps, sirens, indicating the –

- (a) frequency at which they are checked, and
- (b) measures taken to have faulty ones repaired on time.

Reply: I am informed by the Government Fire Services that all its fire services appliances, 31 Double Cabs and 29 trucks are equipped with revolving and/or beacon lamps, sirens except Double Cabs bearing registration numbers GM 7366 and GM 8491 which are equipped with siren only.

As regards part (a) of the question, I am informed that all these vehicles and accessories are checked thrice on a 24-hour basis and twice during night shift.

With regard to part (b) of the question, I am informed that immediate measures are taken by the workshop section of the Government Fire Services to effect necessary repairs to faulty ones.

LA BOUTIQUE MANGUE, BEL AIR/RIVIERE SECHE – PARKING FACILITIES

(No. A/223) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE) asked the Minister of Local Government and Outer Islands whether, in regard to the region of La Boutique Mangue, Bel Air/Rivière Sèche, he will, for the benefit of the House, obtain from the Moka/Flacq District Council, information as to if provision for parking has been made for the

Pancars building, BAI building and the Supertote building before the issue of licences and permits thereto.

Reply: I am informed by the Moka-Flacq District Council that there are three buildings in the vicinity of La Boutique Mangue at Bel Air/Rivière Sèche namely Pancars Building, BAI Building and Super Tote Building.

I am informed that Pancars Building which was constructed in year 1979-1980 has the appropriate setback but due to the raised pavement, vehicles cannot use same for parking purposes. As regards BAI and Super Tote Buildings appropriate parking spaces are found at the back of these buildings. However, it is noted that customers have the tendency to park on the main road instead of using the parking facilities provided at these buildings thus resulting in traffic congestion in the area.

I am informed that with a view to mitigating the problem of traffic congestion, the Council has requested the owners BAI and Super Tote buildings to provide proper signage of parking to encourage their customers to use the parking facilities available behind their buildings. The matter is also being referred to the Traffic Management and Road Safety Unit to come up with appropriate traffic measures and to the Police Authorities for enforcement.

RESERVE CANAL BATHURST & SAINT PIERRE STREETS, PORT LOUIS - MANHOLES

(No. A/224) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the project for the installation of manholes at corner Reserve Canal Bathurst and Saint Pierre Streets, Port Louis, he will, for the benefit of the House, obtain from the Waste Water Management Authority, the details thereof, including the -

- (a) cost thereof, and
- (b) date the works were carried out.

Reply: I am informed by the Wastewater Management Authority that in 2007, three manholes were constructed along St Pierre Street, including one at corner Reserve Canal Bathurst and St Pierre Street, to facilitate cleaning and maintenance of the sewer network.

The cost of the works is Rs145,314.

The works started on 26 April 2007 and were completed in July 2007.