



FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY DEBATES (HANSARD)

**FIRST SESSION
TUESDAY 05 JULY 2011**

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Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP

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

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

Deputy Prime Minister, Minister of Energy and Public Utilities

Hon. Charles Gaëtan Xavier-Luc Duval, GCSK

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

Hon. Pravind Kumar Jugnauth

Vice-Prime Minister, Minister of Finance and Economic Development

Hon. Anil Kumar Bachoo, GOSK

Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping

Dr. the Hon. Arvin Boolell, GOSK

Minister of Foreign Affairs, Regional Integration and International Trade

Dr. the Hon. Abu Twalib Kasenally, FRCS

Minister of Housing and Lands

Hon. Mrs Sheilabai Bappoo, GOSK

Minister of Gender Equality, Child Development and Family Welfare

Hon. Nandcoomar Bodha

Minister of Tourism and Leisure

Dr. the Hon. Vasant Kumar Bunwaree

Minister of Education and Human Resources

Hon. Satya Veryash Faugoo

Minister of Agro-Industry and Food Security

Hon. Showkutally Soodhun

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Hon. Devanand Virahsawmy, GOSK

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Minister of Social Security, National Solidarity and Reform Institutions

Hon. Louis Hervé Aimée	<i>Minister of Local Government and Outer Islands</i>
Hon. Mrs Santi Bai Hanoomanjee	<i>Minister of Health and Quality of Life</i>
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Hon. Tassarajen Pillay Chedumbrum	<i>Minister of Information and Communication Technology</i>
Hon. Louis Joseph Von-Mally, GOSK	<i>Minister of Fisheries and Rodrigues</i>
Hon. Ashit Kumar Gungah	<i>Minister of Civil Service Affairs and Administrative Reforms</i>
Hon Shakeel Ahmed Yousuf Abdul Razack	<i>Minister of Labour, Industrial Relations and Employment</i>
Mohamed	<i>Attorney General</i>
Hon Yatindra Nath Varma	
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. 15 of 2011

Sitting of Tuesday 05 July 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 following Bills –

- (i) The Economic and Financial Measures (Miscellaneous Provisions) Bill (No. XVI of 2011); and
- (ii) The Civil Status (Amendment) Bill (No. XVII of 2011)

B. Ministry of Finance and Economic Development –

- (a) The Report of the Director of Audit on the accounts of the Republic of Mauritius for the year ended 31 December 2010. (*In Original*).
- (b) The Report of the Director of Audit on the Financial Statements of the Republic of Mauritius for the year ended 31 December 2010 of the Treasury and the Accounts of the Republic of Mauritius for the year ended 31 December 2010. (*In Original*).
- (c) The Report of the Director of Audit on the accounts of the Rodrigues Regional Assembly for the year ended 31 December 2010. (*In Original*).
- (d) The Report of the Director of Audit on the Financial Statements of the Rodrigues Regional Assembly for the year ended 31 December 2010 and the Accounts of the Rodrigues Regional Assembly for fiscal year ending 31 December 2010. (*In Original*).
- (e) The Activity Report of the National Audit Office for the period 01 January to 31 December 2010. (*In Original*).
- (f) The Report of the Director of Audit – Efficiency and Effectiveness of Managing and Operating the Solid Waste Transfer Stations (Ministry of Local Government and Outer Islands – Performance Audit Report No. 5, June 2011). (*In Original*).
- (g) The Report of the Director of Audit – Disposal of Computer Equipment in the Public Sector (Ministry of Information and Communications Technology – Performance Audit Report No. 4, June 2011). (*In Original*).
- (h) The Annual Report 2010 of the Financial Intelligence Unit.

C. Ministry of Local Government and Outer Islands –

The Annual Report 2006-2007 of the Outer Islands Development Corporation.

ORAL ANSWERS TO QUESTIONS
FISHERIES - MASTER PLAN

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the hon. Minister of Fisheries and Rodrigues whether, in regard to fisheries, he will state -

- (a) if the Consultative Committee of the Ministry and *Syndicat des Pêcheurs* is holding its meetings;
- (b) if the Master Plan has been finalised;
- (c) if Government proposes to forbid net fishing and take additional measures to prevent illegal fishing in Mauritius and in Rodrigues;
- (d) if security equipment is provided to fishermen;
- (e) where matters stand concerning the Fish Auction Market and projects under the Fishermen Investment Trust, and
- (f) the yearly catch, since 2005 to date -
 - (i) in-lagoon;
 - (ii) off-lagoon;
 - (iii) from bank fisheries;
 - (iv) from aquaculture, and
 - (v) of tuna in our Exclusive Economic Zone.

Mr Von-Mally: Mr Speaker, Sir, I will, first of all, like to thank the hon. Leader of the Opposition for raising these issues as these give me the opportunity to inform the House of development in the fisheries sector by my Ministry.

I would, at the outset, wish to indicate that the fishermen community with diverse interests has the unflinching support of my Ministry which ensures the synergies among economic, social and environmental dimensions to seek the sustainable development of the fisheries sector.

As regards part (a) of the question, the House may wish to note that consultative approach is the fundamentals of my Ministry's strategy to integrate the fishermen community in the fisheries development. Since my taking office, I adopted the participatory, responsive, transparent and adaptive approaches by first meeting the fishermen community including the *Syndicat des Pêcheurs*, and here I would like to tell the hon. Leader of the Opposition that the

first association of fishermen that I met was the *Syndicat des Pêcheurs*, especially being given that the President of the *Syndicat des Pêcheurs* was my next door neighbour in Rodrigues.

The key consultations have been the holding of “*Les Assises de la Pêche*” on 10 March 2011, in Mauritius and on 05 April 2011 in Rodrigues which served as a tool to inform, consult and involve all fisheries stakeholders to ensure that their views and aspirations are considered for the development of the Fisheries Master Plan. At the “*Les Assises de la Pêche*” in Mauritius, the *Syndicat des Pêcheurs* submitted an *Aide Mémoire* for consideration besides participating in a brainstorming session to reflect on the theme Fishers in the Process to formulate recommendations for the Fisheries Master Plan.

Furthermore, the fishermen community including representatives of the *Syndicat des Pêcheurs* as key stakeholders also had various meetings with the team of experts for the Fisheries Master Plan, amongst others, during the inception phase in January 2011, the first Consultations workshop in early April 2011, the Presentation workshop for further consultations and the final Validation workshop also in April 2011.

Furthermore, following a petition made by the *Syndicat des Pêcheurs* to Dr. the hon. Prime Minister, two meetings were held on 12 and 19 April 2011 with the representatives of the *Syndicat des Pêcheurs*. Meetings are still on-going to discuss the issues raised in the petition.

Mr Speaker Sir, with regard to section (b) of this question, I would like to inform the House that the Master Plan has not yet been finalised as at date, but is in the process of being finalised very soon.

However, I would like to make an exposé on where matters stand to date.

Government, upon taking office in May 2010, pledged to develop a Fisheries Master Plan for Mauritius and Rodrigues.

The elaboration of a Fisheries Master Plan aimed to reinforce the capacity of Mauritius to ensure the ecological, economic, financial and social sustainability to fisheries in Mauritius.

The Fisheries Master Plan project was submitted to the ACP Fish II Programme for technical assistance. The ACP Fish II Programme is the 9th European Development Fund (EDF) funded Programme aiming at strengthening fisheries management in ACP countries. ACP Fish II is conceived as a ‘demand driven’ Programme designed to respond to the needs identified by

ACP countries in terms of fisheries management and enforcement, including those related to scientific research initiatives, and intra-regional information on fisheries.

The development of the Fisheries Master Plan funded to the tune of EUR174,000 under the ACP Fish II Programme was implemented as from 16 January 2011 over a period of five months by Pescares Italia.

The House may wish to note that consultations approach is the fundamentals of my Ministry's strategy to integrate the fishermen community in the fisheries processors. Upon taking office, I adopted the participatory, responsive, transparent and adaptive approaches by first meeting the fishermen community including the *Syndicat des Pêcheurs*.

My Ministry had arranged meetings and consultations between the team of three experts and with representative of all key stakeholders in the fishing industry including concerned Ministries during the inception mission of the experts from 19 to 27 January 2011. Three other field missions of the experts to Mauritius were held involving all the stakeholders till May 2011 to finalise the Fisheries Master Plan namely on 07 to 08 April 2011, 21 April 2011 and 25 April 2011.

The key consultations have been the holding of “*Les Assises de la Pêche*” on 10 March 2011 in Mauritius and on 5 April 2011 in Rodrigues which served as a tool to inform, consult and involve all fisheries stakeholders to ensuring that their views and aspirations are considered for the development of the Fisheries Master Plan. At “*Les Assises de la Pêche*” in Mauritius the *Syndicat des Pêcheurs* submitted an *aide mémoire* for consideration besides participating in a brainstorming session to reflect on the theme Fishers in the Process to formulate recommendations for the Fisheries Master Plan. The final draft Fisheries Master Plan Report has been submitted on 20 June 2011 and is under consideration for subsequent Government approval.

Regarding part (c) of the question, Mr Speaker Sir, net fishing has been traditionally practiced in the lagoons of Mauritius. There is a closed season for net fishing starting from October to end February every year. However, disturbance of the sea floor by nets causes destruction of sea grasses, seaweeds, coral patches, habitats of juvenile fish and other invertebrates, hence impacting negatively on the productivity of the lagoon and affecting

biodiversity. The Ten-Year Development Plan (1995) recommended a complete ban on the use of nets.

A buy-back of nets scheme was introduced in 1996, encouraging owners of nets and net fishermen to voluntarily surrender their net and cards on the basis of an inducement package which included financial compensation, conversion and training to join other fisheries. The buy-back scheme was to spread over a period of 10 years and estimated at the cost of Rs40 m.

In line with the policy of the Government to protect and preserve the marine ecosystem, the Fisheries and Marine Resources Act 1998 limited the number of large nets to 10 and 5 gill nets; this was maintained in the Fisheries and Marine Resources Act 2007.

As at May 2011, there were 16 large nets (however, the Fisheries and Marine Resources Act provides for only 10 large nets for Mauritius) and 5 gill nets (in line with the provisions on the FMRA) in operation involving 145 fishermen. As regards Rodrigues, there are only seven large nets (1 individual and 6 cooperative) in operation and it involves 61 fishers.

As Government is in the process of amending the Fisheries and Marine Resources Act, the prohibition of use of nets in both Mauritius and Rodrigues will be envisaged. Thus, with the new amended Act, consideration will be given for compulsory surrender of nets over an appropriate time frame with the relocation of the net fishermen to off-lagoon fishing or other fisheries related fields. In addition, the use of other nets, namely bait nets would also be considered for phasing out. However, limited use of same would be considered on a case to case basis, in view to support fisheries development project and protect the marine ecosystems.

The following additional measures to prevent illegal fishing in the coastal waters of Mauritius and Rodrigues are in the pipeline -

- a) strengthening the provisions for enforcement of the Fisheries and Marine Resources Act 2007 through its amendment of the Act;
- b) encourage collaboration of the coastal communities to inform the Authority on any illegal activities through the hotline facility available at the Ministry and the number of this hotline is 800 10 11;
- c) recruitment of additional Fisheries Protection Officers;
- d) purchase of additional patrol boats for surveillance of the coastal areas.

Mr Speaker, Sir, regarding Illegal, Unreported and Unregulated which is known as IUU fishing in the Mauritian EEZ, my Ministry is -

- (a) implementing the measures defined in the National Plan of Action to combat IUU fishing;
- (b) implementing Port State measures based on the FAO Model Scheme and all IOTC Resolutions are strictly adhered to;
- (c) part and party to all regional surveillance programme of the *Commission de l'Océan Indien (COI)*;
- (d) receiving tangible support from the National Coast Guard more particularly under the Indian Technical Assistance to combat Piracy and the recent case of vessel Ruang Lap No. 8 of Thailand is a testimony of what I am advocating;
- (e) prior to issuing of new licence and port access, screening of all vessels by my Ministry is effected in consultations with the office of the Commissioner of Police, the Indian Ocean Tuna Commission and the Commission for the Conservation of Antarctic Marine Living Resources, that is, the CCAMLR Secretariat;
- (f) tracking fishing licensed vessels operating in our EEZ through the Vessel Monitoring System, that is, the VMS, operational on a 24-hour basis.

It is to be noted that there is no regulation for unlicensed vessels to report to the VMS. However, any licensed or unlicensed vessels entering the EEZ of Mauritius has to inform the authorities 24 hours in advance.

With regard to part (d) of the question, safety equipment comprising life jackets, life rings, radar reflectors, tarpaulins and hand flares were last donated to fishermen in Mauritius and Rodrigues in 2002, 2003 and 2004.

An intense campaign of sensitisation on their use and benefits was concurrently held.

Regulations have been prepared in consultation with the fishermen community for the compulsory use of safety equipment at sea during fishing operations and the regulations will be promulgated soon.

Moreover, my Ministry proposes to earmark a sum of rupees 6.5 million in the next budget to assist in the procurement of safety equipment.

Regarding part (e) of the question, Mr Speaker, Sir, with regard to the Fish Auction Market Project, the construction phase of the project has been completed and the Completion Certificate has been issued by the Public Infrastructure Division of the Ministry of Public Infrastructure, NDU, Land Transport and Shipping on 09 June 2011 certifying that all works have been completed...

Mr Speaker: There is no need to read the certificate, just say that the certificate has been issued.

Mr Von-Mally: Yes. The construction component of the project is now under the defects and liability period up to 06 June 2012. The contract for the 'Supply, Installation and Commissioning of Cold Room and associated Equipment' has been awarded to Florecold Industry Ltd on 01 June 2011 for the sum of Rs6,113,421.85, inclusive of VAT. The site has been handed over to the contractor on 30 June 2011 and the duration work is for a period of 90 days. The expected completion date of this component of the project is early October 2011.

The third component of the Project which pertains to the operationalisation of the Fish Auction Market is being worked out concurrently. Two options are presently being considered at the level of my Ministry, namely -

- i. a Public Private Partnership (PPP) approach whereby the private sector, namely the MEXA Seafood Council and the fishers community, would be co-opted to operate the Fish Auction Market;
- ii. a bidding exercise would be undertaken inviting foreign expertise to operate the fish auction market.

It is expected that the Fish Auction Market would be operational by January 2012.

Regarding the Fishermen Investment Trust, FIT...

Mr Speaker: No. The question is where matters stand concerning the Fish Auction Market and projects under the Fishermen Investment Trust.

Mr Von-Mally: Yes, I am coming to it. The FIT prepared its first Corporate Plan during a time of major challenges facing the seafood sector on both the domestic and international

markets following the financial crisis. Through its Corporate Plan, the FIT made known its strategic directions and incorporated the principal actions required by the FIT to attain its objectives as highlighted in the Fishermen Investment Trust Act 2006.

Projects enumerated in the Corporate Plan are -

- (a) Project 1 - Exploitation of sea cucumbers in the waters of St. Brandon (incl. ranching)
- (b) Project 2 - Fish Farm Project in the region of Bambous Virieux
- (c) Project 3 - Fishing boats for outer lagoon and FADs fishery
- (d) Project 4 - Barachois Project

Status of Projects - Exploitation of sea cucumbers in the waters of St. Brandon (incl. ranching)

- The sea cucumber project is a joint venture between the FIT and Brightwater Ltd for the development of a sea cucumber project in the waters of St Brandon under the name of Brightfit Ltd.
- The project provides for the setting up of a marine ranching programme to ensure the sustainability of the project let alone the protection of the marine environment and eco-system at St Brandon.
- The Government has decided to ban the fishing of sea cucumbers in the maritime zone of Mauritius for a period of two years with effect from 01 August 2009. The Ministry intends to extend the ban for a further period of 2 years as part of its conservation strategy. However, promoters for the culture of sea cucumber will exceptionally be provided with a permit to collect a minimum amount of sea cucumber for rearing purposes under the strict supervision and guidance of this Ministry.
- The project is thus put on hold pending further developments.

Project 2 - Fish Farm Project in the region of Bambous Virieux

- The FIT will team up with the Ministry of Fisheries and Rodrigues and *La Ferme Marine de Mahebourg* for the cage farming of Red Drum (*Ombrine*) in the region of Bambous Virieux.
- The project would be financed by the Food Security Fund for which an initial provision of Rs15 m. have been made.
- The *Ferme Marine de Mahebourg (FMM)*, being the pioneer in the fish cage culture in Mauritius, has been approached to support the project by providing necessary expertise, technical assistance and supply of juveniles and feeds amongst others.
- The Human Resource Development Council (HRDC) will be requested to mount appropriate training programs in respect of fishers who will be directly involved in the implementation of the project. Some 30 fishers will be initially trained. Priority of employment will be given to fishermen of the region.
- Moreover, the Empowerment Programme shall be called upon to support the project by providing a stipend to fishers who will undergo training. This will also build up capacity for prospective entrepreneurs who would be investing in similar aquaculture projects. The cost of the project is now estimated at Rs18.5 m.
- A Memorandum of Understanding (MoU) between FIT and *La Ferme Marine de Mahebourg* highlighting the nature of assistance to be provided by *La Ferme Marine de Mahebourg* need to be finalised.
- However, the *Ferme Marine de Mahebourg* has indicated that it has introduced a new species (the BAR species) which may be more economically viable than the Red Drums (that is, the *Ombrine*) and the FIT has been requested to wait for further developments.
- It is to be noted that the Food Security Fund Committee did not approve funding of the project at its 16th meeting due to the risk associated with the project and taking into account the high cost implication and,
- It is to be noted, Mr Speaker, Sir, the new Board of FIT...

(Interruptions)

Mr Speaker: You are answering in my place? The question is so comprehensive that the Minister must be given time to explain his policy, but I will definitely give some more time to the Leader of the Opposition exclusively, because this is a prerogative of the Leader of the Opposition and I must give him some latitude.

Mr Von-Mally: Mr Speaker, Sir, the new Board of FIT is seeking a joint venture partnership with Operators from either China or Malaysia to put to productive use the site earmarked for cage culture. Discussions are presently under way.

Project 3 - Fishing Boats for outer lagoon and FADs fishery

Fishing Vessel MEXA 1

- In line with the Memorandum of Understanding signed between FIT and the Mauritius Export Association (that is, the MEXA) on 11 February 2009, MEXA officially...

Mr Speaker: I will ask the hon. Minister to be very short with his answers, explaining shortly, don't read extensively.

Mr Von-Mally: Yes, Mr Speaker, Sir. Thank you.

The boat of the MEXA, Mr Speaker, Sir, is meant for fishing on a pilot basis and training purposes. Investment from MEXA amounted to Rs1.5 m. VAT exempted.

- In concurrence with the bilateral agreement signed between the Government of Mauritius and the Overseas Fishery Cooperation Foundation of Japan on the Project for rehabilitation of fisheries facilities for fisheries development in the Republic of Mauritius, FIT in collaboration with the Parent Ministry requested the OFCF for technical assistance with respect to a major overhaul of fishing boat MEXA 1. Thus, MEXA 1 was sent to GRNW Yard Ltd. in September 2010 to undergo the improvement works under close supervision of OFCF experts. The overhaul has enabled same to accommodate new fishing equipments. The amount disbursed by OFCF (approximately Rs900,000) for the rehabilitation work, consisted of change of fish hold, self bailing deck...

Mr Speaker: No, there is no need to go on lengthily on that part; just give the project and the amount.

Mr Von-Mally: I would like to tell the hon. Leader of the Opposition that the boat MEXA 1 is now available to embark in fishing campaign. And arrangement is being worked out at the level of the Board on leasing modalities to the fishermen community. Representatives of fishers on FIT Board are spearheading this project in Mauritius.

FIT's New Fishing Boats

- In December 2009, FIT invited bids for the construction, supply, commissioning and testing of 4 fishing boats.
- In view of the Trust's limited finance it was finally decided to procure only 3 boats. After a bidding exercise, the contract was awarded to GRNW Boat Yard Ltd in February 2010 for the total sum of Rs10,350,000.00 (VAT Inclusive) as it was the only responsive bid according to the Bid Evaluation Committee.
- The Trust has already enlisted...

Mr Speaker: I will request the hon. Minister to circulate the rest of his answer under (e), go to (f) now. This is the result of having and asking a question on the whole of the fisheries policy.

Mr Bérenger: I asked the question. It depends of how the Minister replies. He has gone back to histories.

Mr Speaker: I must say that I have no control on the answer of the Minister and the Minister is right to explain his policy. Now I will ask him to shift to (f).

(Interruptions)

Well, this is the way he answers the question. I have no control on the answers of the Minister. This is in the Erskine May. Yes, carry on paragraph (f) and give the figures only.

Mr Von-Mally: Yes.

(Interruptions)

Mr Speaker: Order now!

Mr Von-Mally: The details of first Fishing Boat. I would like to tell the hon. Leader of the Opposition that the Hull of second boat is already on blocks. Let us come to the Barachois Project.

Mr Speaker: No, I have asked the Minister to circulate the rest of his answer on (e), to go to (f) now and give the figures without any comment, please.

Mr Bérenger: I suggest he circulates the catches.

Mr Speaker: On (f) also you can circulate the catches.

(Interruptions)

Order, now!

Mr Von-Mally: I am circulating. (**Appendix**)

Mr Bérenger: If only your boats would circulate! There is a 2006 Memorandum of Understanding. I am sure the Minister is aware, because he told us about several meetings which he has had with the fishermen. That Memorandum of Understanding of 2008 between the Ministry and the *Syndicat des Pêcheurs* provides for regular consultative meetings. Can I know why none has taken place for more than a year?

Mr Von-Mally: Mr Speaker, Sir, there has been regular meetings with my officers concerning *le Syndicat des Pêcheurs*. As I have said, the first meeting actually was held with the *Syndicat des Pêcheurs* and, because of this, we invited the *Syndicat des Pêcheurs* in the *assise de la pêche*. They came with the Memorandum and we are working on that. All their proposals have been taken on board and will be put in the Fisheries Master Plan. The Fisheries Master Plan will be out in a few days.

Mr Speaker: And all you are saying is already in your reply.

Mr Bérenger: Clearly, the hon. Minister does not know the difference between structured, consultative, regular meetings and one-off meeting which he has had because there have been no regular, consultative, structured meetings with minutes of proceedings and follow up. Not one of their requests put forward by the *Syndicat des Pêcheurs* has been satisfied, fishermen above 60 to be helped to retire, changes to bad weather allowance, reorganisation of

cooperatives, fishermen to head the Fishermen Welfare Fund and so on. Not one of their requests has been satisfied. Why?

Mr Von-Mally: Mr Speaker, Sir, to do things rightly, it takes some time and the hon. Leader of the Opposition is saying that there has not been any meeting. Yes, there have been structured meetings.

(Interruptions)

Mr Speaker: No, he is saying that there have been structured meetings.

Mr Von-Mally: There have been structured meetings. Maybe the Leader of the Opposition does not understand, Mr Speaker, Sir. There have been structured meetings.

Mr Speaker: The hon. Minister is saying there have been structured meetings.

Mr Von-Mally: There have been structured meetings and now we are taking on board all their proposals and all these will be put in the Fisheries Master Plan. This Fisheries Master Plan will be like our Bible, our Bhagavad Gita, our Quran. And now, we are going to use this ...

(Interruptions)

Mr Bérenger: The question is later on, on the Master Plan, we can't mix up everything like that.

Mr Von-Mally: To go ahead with all the proposals that the *Syndicat des Pêcheurs* has given. It will be in the Fisheries Master Plan. It has been taken on Board. Give us some time.

(Interruptions)

Mr Speaker: I am sorry. Questions are being put, the hon. Minister is answering to his satisfaction. We must accept the answer that he is giving in good faith and the hon. Member cannot tell the hon. Minister to sit down while he is answering.

Mr Bérenger: I said only I pointed out that the next question is the Master Plan. That is all I pointed out.

Mr Speaker, Sir, can I know whether the Master Plan will rest...

(Interruptions)

Mr Speaker: Order, let me listen to the question.

Mr Bérenger: Can I know whether the Master Plan will rest on a full-fledged study which must have been carried out, I hope, on the impact in the Lagoons of tourism development, wastewater developments, all the different pesticides and so on, the impact on the lagoon. Has such a study been carried out?

Mr Von-Mally: Yes, Mr Speaker, Sir, and I would like to come back to the question the hon. Leader of the Opposition has put earlier. I will circulate the notes of meetings that have been held. Concerning...

(Interruptions)

Mr Speaker: Order!

Mr Von-Mally: Mr Speaker, Sir, concerning what the hon. Leader of the Opposition has said all this will be taken care of in the Fisheries Master Plan. We are even thinking of introducing a sustainable Fisheries Development Fund so as to cater for these and help the fishermen.

Mr Bérenger: Mr Speaker, Sir, in March last the hon. Minister publicly proposed a special fund to be financed by the hotels to help the Fisheries community. Can I ask him if that is included in the Master Plan?

Mr Von-Mally: Yes, this is what I am saying, Mr Speaker, Sir. We are contemplating the possibility – and this will be in the Master Plan – of setting up the sustainability Fisheries Development Fund to help the fishermen. The answer is yes.

Mr Bérenger: Mr Speaker, Sir, can I move on. The hon. Minister was categorical on 03 August, *la pêche à la senne sera interdite*. Can I know why he is now back-pedalling? He is saying that it will be envisaged whereas he was categorical.

Mr Von-Mally: Mr Speaker, Sir, I am not back-pedalling. We are doing it phase-wise. We are not trying to impose on the fishermen. We will have dialogue with them. We will discuss with them and we will do it phase-wise.

Mr Bérenger: Mr Speaker, Sir, as far as illegal fishing around Mauritius and Rodrigues is concerned, I am sure the hon. Minister is aware of the amount of illegal fishing taking place and that corruption among too many officers is the main cause. Can I know what measures are

going to be taken for those officers to deliver and stop illegal fishing both in Mauritius and Rodrigues?

Mr Von-Mally: Mr Speaker, Sir, as I have said in my answer - maybe the hon. Leader of the Opposition has not listened – there is a series of measures that will be undertaken to...

(Interruptions)

Mr Speaker: Will hon. Lormus Bundhoo keep quiet!

Mr Von-Mally: There will be a hotline, there will be consultations and...

(Interruptions)

But, there is ICAC, Mr Speaker, Sir. The hon. Leader of Opposition can go to ICAC if there is any case of corruption.

Mr Bérenger: Mr Speaker, Sir, I heard the hon. Minister say bluntly that there has been no security equipment distributed to fishermen since 2004. Does he find that shocking or not and what is going to be done?

Mr Von-Mally: As I have said in my answer, Mr Speaker, Sir, we are proposing to put in the next budget - if I am not mistaken - some Rs16 m. to help the fishermen to have the equipment.

Mr Bérenger: Can I refer to the FIT, the Fishermen Investment Trust. The hon. Minister tried to give the impression that we have moved forward. Can I refer him to what he said himself to my last PNQ, two years exactly ago and does he find it normal that all the four main projects of the Fishermen Investment Trust are still stuck? Some have not started at all. The fish auction market, we are told now, will be operational in January 2012. I will take a bet on that. Why is it not yet operational? Five fishing vessels, one is being finalised now; two *barachois* projects, zero, and the fish farm at Bambous Virieux, we have been told now this is going to be done. Four years later, can I know why the four main Fisheries Investment Trust projects have stayed where they are?

Mr Von-Mally: Mr Speaker, Sir, we know that the Fishermen Investment Trust has only four years' existence. So, as all new borns, it has got some teething problems.

(Interruptions)

Mr Speaker: Order!

Mr Von-Mally: We can learn from any mistake that has been made before. We have a new Board. There is room for improvement. I would ask the hon. Leader of the Opposition to give this new Board a chance. I am sure, in a few months' time, you will see what will happen at the FIT.

Mr Bérenger: Mr Speaker, Sir, the figures are being circulated for catches. Can I know in lagoon catches whether the situation has kept on deteriorating over the last few years?

Mr Von-Mally: I am circulating the answer, Mr Speaker, Sir. In fact, the amount of catch in the lagoon has remained more or less constant and we are moving forward for more sustainable fishing and with aquaculture and so on, I am sure this will greatly help the fishers community.

Mr Speaker: I understand that the figure of the catch has remained constant.

Mr Von-Mally: All the figures are here, I am tabling them.

Mr Bérenger: Concerning the catches of tuna in our Exclusive Economic Zone, again the figures are being circulated, but can I know from the Minister what percentage of the tuna processed in Mauritius is caught in our Exclusive Economic Zone. Is it a big amount or is it a very small amount?

Mr Von-Mally: As far as tuna is concerned, Mr Speaker, Sir, I have the figure, in fact, it is very little.

(*Interruptions*)

Because this is migratory fish. If little tuna comes in our sea, what can we do?

(*Interruptions*)

Mr Bérenger: You should have known that before the *ti-papier*. The Minister has made reference to a new fish that has been introduced by *La Ferme de Mahebourg*, the bar fish and he presented that in a positive light. Is he aware that the fishermen maintained that this is a dangerous fish to bring to aquaculture? Therefore, has every precaution been taken including Environment Impact Assessment before this new variety of predatory fish, I am told, has been introduced?

Mr Von-Mally: In fact, Mr Speaker, Sir, I am made to understand that all fish are carnivorous. Therefore, the bar fish is not more dangerous than the other fish and all necessary precautions have been taken. I can assure the hon. Leader of the Opposition for that and it has been noticed that there has been no maturity...

(Interruptions)

...of gonads in grown up fish. That is, even if one of the fish escapes it will not reproduce. So, there is no problem.

Mr Speaker: Last question!

Mr Bérenger: Can I ask the hon. Minister to go two years back, down memory lane, and read attentively my last PNQ - as I said, two years nearly to the day? Will he agree with me that, over those two years, hardly any progress has been made? Now, we are promised the sky. But will he agree with me that, over those two years - nearly to the day - hardly any progress has been made? Now we are promised the sky! But, will he agree with me that when we look at what has taken place over the last two years, hardly any progress has been made as far as the fisheries sector is concerned?

Mr Von-Mally: Mr Speaker, Sir, I cannot answer for what happened before I arrived at the Ministry. But, I assure him that I will do all that is possible to make this work. The fisheries sector will work, Mr Speaker, Sir.

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

GAMBLING & GAMING OUTLETS - HOLD-UPS, THEFTS & AGGRESSIONS

(No. B/615) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the gambling and gaming outlets, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of hold-ups, thefts and aggressions perpetrated therat, since 2006 to date, indicating in each case, the number of man-hours of police time directed thereto.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that, since 2006 up to 30 June of this year, the number of cases of hold-ups, thefts and aggressions perpetrated at gaming outlets and gambling is as follows -

TYPE OF OFFENCE	NUMBER OF CASES
Hold-ups (Larceny with aggravating circumstances)	4
Theft	50
Aggression	165

In regard to the issue of gaming houses, the House is aware that, following several reports from the police and representations from the inhabitants of Quatre Bornes and also from the hon. Member, it was decided in August 2010 to cancel the licence of one of the gaming houses operating in the region. Social impact assessments of gaming houses are being regularly conducted to ensure that they do not become a source of social problem and a threat to public order in the region where they are operating. Government will not hesitate to cancel the licence of any gaming house should the circumstances so require. We have done so in the case of 'Ti Vegas', in spite of all the appeals, because we have to take a firm stand on this issue.

Mr Speaker, Sir, whenever a case is reported to the police, different units of the Force attend to it. They ensure that, at all levels, starting from the initial response up to investigation and prosecution, the case is dealt with in a timely manner. The computation of the number of man-hours of police time directed to each case is impractical, mainly because to each case are devoted as much time and as appropriate manpower that it requires, and the police is bent at all times on achieving results as quickly as possible.

Ms Deepalsing: May I ask the hon. Prime Minister, out of the aggression cases he has mentioned, how many are murder cases, if that information available?

The Prime Minister: I have this information. Out of the 165 cases, two are murder cases.

Mr Bérenger: The hon. Prime Minister has given us the numerous cases of hold-ups, aggressions, thefts and so on around those gaming houses. We know that all those gaming houses are situated in residential areas. Can I know from the hon. Prime Minister at what stage the project of moving those gaming houses to non-residential areas has reached?

The Prime Minister: We are looking at this very carefully, Mr Speaker, Sir; that is the intention of Government. We have to admit it is a fact that, since all these gambling outlets and gambling houses have been given licences, they are becoming a real societal nuisance - the hon. Member is right - and we need to relocate all of them. We think that we should relocate all of them to one site. But, then, there are proper regulations, proper policing, proper control on who is gambling and what the situation is. All the hooligans who do all those things will be out of business, we hope.

Ms Deepalsing: In view of the answer that the hon. Prime Minister has given, would he agree with me that the argument that the proliferation of gambling, as has been in this case, is actually more costly because of the time resources to the police than the argument that says that we have a cost to illegal gambling is a total fallacy, because of the resources of the police? I am sure that there are thousands of man-hours of work that the police have had to do, and the cost of this goes unaccounted. Will the hon. Prime Minister agree with me that the cost of the proliferation of gambling is much, much bigger than what we actually account for?

The Prime Minister: In a sense, yes, because we cannot just look at it in terms of rupees and cents; it is also a problem for society, and we have so many cases that we hear of, or people write to us. We cannot just say that the cost is in terms of rupees and cents. So, I agree with the hon. Member.

Mr Li Kwong Wing: May I ask the hon. Prime Minister whether he considers that the correlation between gambling and crime, including white collar crime, has reached very serious proportion, to the extent that it has become a *fléau national*, like drugs? Would he agree to set up a special committee or commission, composed of specialists in legal, social or financial matters, to investigate into the whole responsibilities of people that have caused the situation to deteriorate to this extent, especially after the irregularities brought to light by the Minister of Finance at the GRA level?

The Prime Minister: As the hon. Member knows, there has been a high powered committee which has looked at it and has reported. We are working on that. But the hon. Member is right. I see a clear and even perhaps a direct relation with the number of thefts and aggressions which have increased where there are these gambling houses. I cannot but agree with the hon. Member.

Mr Fakeemeeah: In regard to gambling, can the hon. Prime Minister confirm to the House if it is also among the duties of our Police Force to ensure the good running of the gambling business and the gamblers?

The Prime Minister: Not that I am aware of.

Ms Deepalsing: In view of the cost of all these man-hours of work to the Police Force, may I ask the hon. Prime Minister whether these gambling and gaming outlets contribute financially, more than what they usually do, to the police?

The Prime Minister: As far as I am concerned, I thought that the hon. Member was mentioning about the tax that we collect; there is a new increase in the tax. Some of the police do extra duty, and that's different.

SSR AIRPORT - BUSINESS CLASS HOTEL

(No. B/616) Dr. R. Hawoldar (Third Member for La Caverne & Phoenix) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the project for the construction of a hotel in the vicinity of the Sir Seewoosagur Ramgoolam International Airport by the Airports of Mauritius Ltd., he will, for the benefit of the House, obtain from the Airport of Mauritius Ltd., information as to the reasons why same was frozen after tenders had been launched and one bidder selected.

The Prime Minister: Mr Speaker, Sir, I am informed by Airports of Mauritius Ltd. that, in June 2001, an open tender exercise was launched by Airports of Mauritius Ltd. inviting prospective bidders to submit offers for the construction, ownership and operation of a Business Class Hotel at the airport. Two bids were subsequently received, and an evaluation exercise was carried out by a technical committee set up at Airports of Mauritius Ltd.

A letter of intent was issued to the most responsive bidder, which was the Mauritius Travel Tourists Bureau, on 29 January 2002. However, on 15 February 2002, the successful

bidder declined the offer. Airports of Mauritius Ltd. thus decided to retain the offer of the second bidder, the Consortium Appavoo Group (Mauritius) and *Société de Gestion Hôtelière et Touristique (Réunion)*. A letter of intent was issued to the latter on 01 March 2002, wherein a number of conditions were laid down including, *inter alia* -

- (i) the contribution to the tune of Rs15 m. by the promoter to the construction of a new Airport Police Station;
- (ii) the payment, by the promoter, of a concession fee to Airports of Mauritius Ltd.;
- (iii) direct link to the terminal building to be granted to the promoter, subject to appropriate procedures being developed and agreed by Airports of Mauritius Ltd. and other stakeholders;
- (iv) the promoter to be authorised to get access to the airport sewer lines against payment of a user service charge; the promoter to set up its own car park, and
- (v) the signature of a Memorandum of Understanding between Airports of Mauritius Ltd. and the promoter prior to the issue of a formal letter of award to the latter.

The promoter was requested to inform Airports of Mauritius Ltd. by 18 March 2002 of its acceptance of the conditions in the letter of intent.

On 15 May 2002, after several negotiation meetings held with Airports of Mauritius Ltd., then the promoter submitted its response. Subsequently, further negotiations were carried out.

It appears, Mr Speaker, Sir, that the Board of AML met on 27 August 2002, and then decided to shelve the project.

However, it is on 11 October 2002, that Airports of Mauritius Ltd. informed the promoter that it had decided to keep the project in abeyance.

Following this decision to freeze the airport hotel project, in March 2003 the promoter initiated legal action against Airports of Mauritius Ltd. before the Supreme Court and claimed damages to the tune of Rs15 m. During the past years, the case was postponed on several occasions, and it finally came for trial this year on 23 and 24 March, and 04 May. The Supreme Court judgment is currently awaited.

Dr. Hawoldar: Mr Speaker, Sir, I wish to thank the hon. Prime Minister for his answer. May I ask the hon. Prime Minister whether AML has informed him, if at any one moment, the Board received any correspondence from any Quarter, asking them that they had to suspend this project?

The Prime Minister: It has been difficult to trace all the papers, I must tell the hon. Member, but it appears that this is so.

Dr. Hawoldar: Mr Speaker, Sir, may I thus ask the hon. Prime Minister whether there is a letter, which was sent to one Mr Goolam, who was the Company's Secretary in June 2002, where a high official from Airports of Mauritius said -

“On the evidence before us, there has been no fault on the part of the promoter, which could have justified serving a notice leading to cancellation.”

In that letter, it is also said -

“That no dispute of unresolved disagreement arose during our discussions with the promoter, either before or after the issue of the Letter of Intent.”

The last paragraph also said -

“We have no representation on record here, which could have been used as an alternative reason for terminating the present exercise. The advice given is that we should simply advise the promoters that we have reviewed our development priorities and have decided to shelve the Airports Hotel Project for the time being.”

So, can I ask the hon. Prime Minister whether AML has informed him of this correspondence? Does the hon. Prime Minister have a copy of this letter?

The Prime Minister: I am sorry, Mr Speaker, Sir, but I have to ask the hon. Member what is the date of the letter he is referring to.

Dr. Hawoldar: The date is 20 June 2002, Mr Speaker, Sir.

The Prime Minister: There is such a letter in my file, Mr Speaker, Sir.

Dr. Hawoldar: Mr Speaker, Sir, if you allow me, what puzzles me ...

Mr Speaker: No, put your question!

Dr. Hawoldar: How is it that Airports of Mauritius by itself decides to set up a project to bring development in the Airport and then they said that because there is going to be development in the Airport, we are going to stop the hotel project? How does this make sense, Mr Speaker, Sir?

The Prime Minister: There is a case in front of the Court. I think people have deponed and all the evidence has been taken. I think they are waiting for the judgment. I do not know whether it would be appropriate for me to go into those details.

Dr. Hawoldar: One last question to the hon. Prime Minister. Being given that these are the conditions and the project was stopped, doesn't the hon. Prime Minister think that, irrespective of whatever probably be, AML will have to pay damages for that...

(Interruptions)

Yes, we know, probably. Would the hon. Prime Minister be prepared to set up an inquiry to find out what was the source which caused that the project was frozen, Mr Speaker, Sir?

The Prime Minister: I don't think it would be appropriate for me to set up an inquiry. We have a Court case and we are waiting for the judgment. I am sure that in judgment a lot – whatever ...

Mr Speaker: Even in the evidence before the Court, a lot of things must have been said.

Dr. Hawoldar: One last question, Mr Speaker, Sir, if you would allow me. Could the hon. Prime Minister inform the House who was the Chairman of AML at that period, and who were the representatives of the Ministry of Finance on that Board?

The Prime Minister: The Chairman was Mr Manraj. For the Ministry of Finance, I have a list; but I do not know whether they were from Finance or not. I think there was Mr Desveaux - I suppose. I don't know whether Miss Maulloo was at the Finance, I can't say, Mr Speaker, Sir. I think Mr Ong Seng was from Finance. I think these were the two and Mr Gokhool was from the SIC as far as I know.

Mr Bérenger: Can I know who was the Prime Minister in charge of Airports of Mauritius in that year 2002?

The Prime Minister: As the hon. Leader of the Opposition knows – he was in the alliance – the Prime Minister must have been Sir Anerood Jugnauth in 2002, as far as I remember.

(Interruptions)

Mr Speaker: Order! Order!

Mr Fakkeemeeah: Mr Speaker, Sir, can the hon. Prime Minister state whether he can personally reconsider this whole project, but giving it to private small investors from Roche Bois, Plaine Verte and Vallée Pitot?

Mr Speaker: No, please! This is not the responsibility of the hon. Prime Minister. This is the responsibility of the Board of the AML. The hon. Member writes to the Board and they will do it.

Mr Dayal: Mr Speaker, Sir, can I ask the hon. Prime Minister who was the Minister of Finance then?

(Interruptions)

Mr Speaker: Order! Hon. Hawoldar, you have put your question, what do you want to prove now? Next question, hon. Seetaram!

SSR INTERNATIONAL AIRPORT - POLICE STATION

(No. B/617) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Police Station at the Sir Seewoosagur Ramgoolam International Airport, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of Police Officers posted thereat, indicating -

- (a) the number thereof working at any one shift, and
- (b) if consideration will be given for an increase in the number thereof to address the security issues at the airport.

The Prime Minister: Mr Speaker, Sir, Sir Seewoosagur Ramgoolam International Airport is a restricted and high security area, and the Airport Police has the overall responsibility of controlling access from landside to airside. In view of the highly sensitive nature of duties

performed by the Airport Police, it would not be proper, for operational and security reasons, to give the information requested by the hon. Member in part (a) of the Question.

In regard to part (b) of the question, I am informed by the Commissioner of Police that there is a total of 396 Police officers, including the Special Mobile Force and other Units, to ensure security at the Airport. The strength of the Officers thereat, is considered to be adequate for it to discharge its duties in an efficient and effective manner.

However, in view of the expansion of activities at the Sir Seewoosagur Ramgoolam International Airport, and the ongoing development projects in the airport area, consideration will be given on the need basis, to the posting of additional Police officers at the Airport Police.

Mr Seeruttun: Mr Speaker, Sir, I would like to know, since the last promotion exercise that took place within the Police Force, some Police officers have been upgraded to the rank of Sergeant. Will it be possible to consider increasing the number of Police Constables at the Airport?

The Prime Minister: It is the responsibility of the Commissioner of Police to decide how many Police officers he will send, but I can pass on the message and I am sure he is doing it.

Mr Seeruttun: One more question please, Mr Speaker, Sir. Is it possible to know whether the surveillance cameras that are used by the Airports of Mauritius are accessible to...

Mr Speaker: No, this does not arise from this question. Next question, hon. François!

Mr François: Mr Speaker, Sir, it is Parliamentary Question No. B/618, may I ask the hon. Prime Minister to circulate the answer and we move to Question B/619?

(Interruptions)

Mr Speaker: No, the hon. Member has to call his Question and the hon. Prime Minister will decide whether he will circulate the answer or not.

RODRIGUES - POLICE BAND

(No. B/618) Mr J. F. François (Third Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Police Band, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of Rodriguan Police Officers attached thereto, indicating -

- (a) in each case, the number of effective years spent thereat;
- (b) the number of times they have performed at official events over the past four years;
- (c) if technician allowances are being paid to them, and
- (d) if consideration will be given for -
 - (i) the setting up of a unit thereof in Rodrigues, and
 - (ii) using their musical knowledge for the enhancement of the musical programme in schools in Rodrigues.

The Prime Minister: I am not quite sure why the hon. Member has said it, or whether Question B/619 is more important than Question B/618, but the answer is not that long.

I am informed by the Commissioner of Police that 27 Band Constables were appointed in November 2005, including eight Rodriguans, that is, among the 27. Since their enlistment, the Band Constables have been undergoing practical and on-the-job training with a view to attaining the required level of proficiency and competency. One of the Rodriguan Band Constables has been temporarily posted to the SMF Task Force Rodrigues with effect from 09 May 2011 in view of family problems.

In regard to part (b) of the Question, the House will appreciate that the Mauritius Police Band is constituted of a homogeneous team of musicians who have different musical skills and who play specific instruments. The Mauritius Police Band has to perform at many official events and ceremonies at national level such as Independence Day Celebrations, Banquets and Official Parades. Only musicians who have attained a certain level of proficiency and efficiency are chosen to perform at such functions.

According to the Bandmaster, it takes time to turn the recruits into good musicians who perform proficiently. The Rodriguan Band Constables are undergoing practical and on-the-job training which will allow them to perform in the future. The Bandmaster has been requested to conduct extra training and coaching for them, as well as for the other Mauritian musicians.

In regard to part (c) of the question, the Mauritius Police Band is classified as a specialised unit in accordance with paragraph 14.1.19 of the Pay Research Bureau (PRB) Report

2008. Since all the 27 Band Constables have already completed eight years' service, arrangements have been made for the Technician Allowance of Rs600/- monthly to be paid to them.

In regard to part (d) (i) of the question, the Police is considering the setting up of a Police Band in Rodrigues. To that effect, in addition to the eight Rodriguan Band Constables, more players will be required for other instruments in order to perform as one unit and to constitute a viable band. On completion of their training, all Rodriguan Band Constables will be posted to Rodrigues to form the nucleus of the future Rodrigues Police Band. They will be based at the SMF Task Force under the direct command and control of the Divisional Commander (Rodrigues) and under the supervision of the Bandmaster. A Band Sergeant from mainland Mauritius will be posted to be in charge of the group and personnel from the Mauritius Police Band will reinforce their counterparts in Rodrigues as and when required. Action has already been initiated for identifying a suitable building in Rodrigues and in the long term, funds will be sought for the purchase of musical equipment for the unit in Rodrigues.

In regard to part (b) (ii) of the question, the duties of the Mauritius Police Band are laid down in Police Standing Order No. 86 and it is not proposed to include enhancement programmes in schools as forming part of the duties of the Mauritius Police Band.

Mr François: I thank the hon. Prime Minister for his answer. Mr Speaker, Sir, with due respect, may I ask the hon. Prime Minister whether he is agreeable to request the Commissioner of Police to set up a sort of Commission or Committee to scrutinise completely all the dossiers in relation to Police & Police officers in terms of welfare, logistic, training, etc. in Rodrigues? You will be surprised that there are lots of problems.

The Prime Minister: Well, I will certainly pass this on to the Commissioner of Police.

Mr Leopold: Mr Speaker, Sir, I did not hear that there was a tangible time frame for the setting up of a Police band in Rodrigues because I, myself, since the last six years, I have put several questions for the setting up of this band in Rodrigues. Can I know the time frame, I mean, when is it coming for this to be fully operational in Rodrigues?

The Prime Minister: I explained, Mr Speaker, Sir, that the bandmaster has been saying that it needs to turn the recruits into good musicians, who can perform professionally as one unit

because we are talking about a band, it takes time. There are Rodriguans and Mauritians who are still undergoing, even though they have been there for some time, practical and on-the-job training to hopefully allow them to perform, but he has been requested to conduct extra training, if need be, and coaching for them so that they can form part of the band.

RODRIGUES - CARGO HANDLING & STEVEDORING SERVICES

(No. B/619) Mr J. F. François (Third Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the cargo handling operations at Port Mathurin, Rodrigues, he will, for the benefit of the House, obtain from the Mauritius Ports Authority -

- (a) information as to the name of the company operating thereat, indicating -
 - (i) if it is a public, parastatal or private company;
 - (ii) the tender procedures followed for the selection thereof;
 - (iii) the names of the bidders;
 - (iv) the bid values, and
 - (v) the frequency of the tendering procedure for the selection of the operator, and
- (b) table copy of the -
 - (i) established tariffs claimed by the operator, and
 - (ii) detailed tariffs payable to the stevedores thereof.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, I am advised by the Mauritius Ports Authority that the licensed operator for cargo handling and stevedoring services in Rodrigues is the Port Mathurin Associated Port Operations Lighterage and Cargo Services Ltd.

This is, Mr Speaker, Sir, a private company incorporated in 1980 which has since then been providing loading/unloading services to ex M/V Mauritius, Mauritius Pride, M/S Trochetia and any other cargo vessel calling at Port Mathurin. The company was granted a port licence in 1985 to operate these services and this licence has been renewed on a yearly basis.

I am further informed by the Mauritius Ports Authority that in accordance with the provisions of the then Ports Act 1976 and the Ports Act 1998, the grant of a port licence is not

subject to tendering procedures. In fact, the Ports (Issue of Licences) Regulations 1981 provides at section 3 that, I quote -

“Any person who wishes to obtain a licence shall -

- (i) make a written application to that effect to the Authority;
- (ii) furnish the Authority with such information as it may require.”

In regard to part (b) of the question, I am advised that it is the Mauritius Ports Authority which has established tariffs for the services provided by the Cargo Handling Corporation Ltd. in the port in Mauritius in respect of goods exported to and imported from Rodrigues. The same tariffs are being applied for the services provided in Rodrigues but such tariffs are being claimed by the Mauritius Shipping Corporation Ltd. which in turn pays the Port Mathurin Associated Port Operations Lighterage and Cargo Services Ltd. for stevedoring and shore-handling services in accordance with an agreement signed between them.

Mr Speaker, Sir, with your permission, I am tabling the tariffs - because it is very long - established by the Mauritius Ports Authority for services provided by the Cargo Handling Corporation Ltd. in respect of Rodrigues.

Mr François: I thank the hon. Prime Minister. Mr Speaker, Sir, it looks like the Prime Minister has been misled. My question is not about a port licence as per section 24 (3) of EPA of Ports Act 1998 which, for example, is delivered to CEB, ALDDS or STC to conduct handling cargos and goods within port area; my question is about tender procedure for selection. May I ask the hon. Prime Minister, for the sake of transparency, whether there is any binding contract agreement following tender procedure between Mauritius Ports Authority and this private operator as is the case in Mauritius for Mauritius Cargo Handling Corporation who has a concession contract between MPA and the Mauritius Cargo Handling as per section 36 (2) of the Ports Act 1998?

The Prime Minister: As I have explained, Mr Speaker, Sir, this Mauritius Ports Authority, according to the provisions of the Ports Act of 1976 and 1998, the grant of a licence is not subject to tendering procedures. In fact, as I explained, any person who wishes to obtain a licence has to do two things. He has to make a written application to that effect to the authority concerned and to furnish the authority with such information as it may require.

As for the private company which you are mentioning, they were granted a licence in 1985 to operate these services and this licence is renewed on a yearly basis. I don't know whether the other parties will feel aggrieved that they are not getting a chance. They should make the application and we will look at it.

Mr Bérenger: May I know from the hon. Prime Minister whether there has been recently or, more or less recently, changes in the shareholding of that private company that is doing cargo handling operations at Port Mathurin?

The Prime Minister: I cannot say, Mr Speaker, Sir, because I don't think I have this information with me. No, I don't have the information with me. So, I will have to look into it. I don't know whether they have changed but I know the shareholding of the Company; of the Port Mathurin Associated Port Operations Lighterage and Cargo Services. It is the Mauritius Shipping Corporation Ltd which has 20% of shares and the Rogers and Elysée Family 80% of shares. Maybe you should know that this company is called P.A.P.O.L. shareholding.

Mr François: Mr Speaker, Sir, I still insist on this question of contracts, it is quite clear if you will allow me to read section 36 (2) of the Port Act 1998. The Port Authority may enter into concession contracts with qualified or licensed operators for the provision of Port and Cargo Handling services; otherwise, myself, I may set up a company tomorrow and go and ask for a licence.

Mr Speaker: My reading is yes, you can do that.

Mr François: All right, that's fine.

(Interruptions)

But, Mr Speaker, Sir, it is not quite clear why it is always being renewed every year and it is as if the private company has become the only operator in the port, that is not correct. My second question, Mr Speaker, Sir...

(Interruptions)

...is whether the hon. Prime Minister is aware that there is a lot of frustration among the stevedores working at the port with regard to tariffs paid by this private company for loading and unloading. For example, if you will allow me, loading of any amount of live animal is Rs15, but,

in Mauritius, it is per head. And in Rodrigues for unloading iron bars, it is, for example, for 10 tons it is Rs2.70. Is it not an exploitation of these workers, Mr Speaker, Sir?

The Prime Minister: There are two things. The first question was that this licence was granted in 1985, and why should it be the same person? I must say, without putting doubts and anything else, I tend to think also the same; why should one operate all the time? But that is something different. That's for them to decide, it is not for me to decide. Since always it has been: why it should be one? Maybe they have explained, I don't know! The figures that I have here - what you are saying - is that they are charging, for example, for live stocks - they are saying here in my file that it is per head - sheep, goats and pigs, Rs30 per head. That's what they are saying here. I am speaking for Rodrigues. That is the information that I have here.

Mr Leopold: May I know from the hon. Prime Minister whether there are further measures that are being envisaged for the welfare of the stevedores?

Mr Speaker: This does not arise from this question. Last question!

Mr François: I refer to the cargo tariffs. Live stocks, sheep, goats, pigs per head here, in Mauritius, it is 1.7 US dollar per head. In Rodrigues, it is Rs15 for any amount of live animals and there is a problem, Mr Speaker, Sir...

Mr Speaker: What do you want? To revise the tariffs.

Mr François: May I ask the hon. Prime Minister to see to it that these tariffs be scrutinised and revised for the welfare of those workers in Rodrigues?

The Prime Minister: As I said, Mr Speaker, Sir, the figures that I have here do not match what the hon. Member is telling. I am not putting doubts on what he is saying, but they say it is per head, for example, fowls in crates or baskets, it is per crate per basket; for the sheep, goats and pigs, it is per head, Rs30, and not the figures that the hon. Member is telling me, unless these figures are not correct. But I will certainly have a look at them and let you know.

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

SADC & COMESA FREE TRADE AREAS - EXPORTS

(No. B/630) Mr S. Dayal (Third Member for Quartier Militaire & Moka) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the SADC and COMESA Free Trade Areas, he will state -

- (a) over the past five years, on a yearly basis, the total amount of goods -
 - (i) exported to the member countries, indicating the nature thereof, and
 - (ii) imported from South Africa and exported to South Africa, and
- (b) if his Ministry has carried out a survey to identify the goods for which Mauritius has an advantage on its competitors in these countries.

Dr. A. Boolell: Mr Speaker, Sir, the reply being a lengthy one, I am tabling it.

Mr Dayal: Being given that trade between China and Africa represents 125 billion USD in 2010 and that trade between India and Africa increases from 971 m. USD in 1991 to 51 billion USD in 2010, therefore, can I ask the hon. Minister whether his Ministry has any economic plan of action so as to capture the African market which is forecasted to grow by 5.9% in terms of trade?

Dr. A. Boolell: This is what we are constantly doing. In fact, my good friend will recall that only last week there was the International Investment Forum and more than once I have referred to a report prepared by McKinsey on opportunities knocking in Africa “Lions on the move”. But, coming specifically to Mauritius, my good hon. friend should know that there has been a marked increase of more than 600% in respect of export to South Africa alone since there has been a phasing down of tariffs. Now, since 2008, SADC has become a Free Trade Area and we know that we are moving towards a tripartite Free Trade Area and we are looking at rules of origin which means there would be a market which is going to be more remunerative and it's up to us to grasp the opportunities. In fact, what we have done over and above the Buyers-Sellers Meeting, we have prepared a CD-Rom containing vital trade information which has been distributed to members of the business community and there is good interaction between our two Ministries. Of course, our focus is to ensure that information is disseminated and we enable our people to grasp the opportunities which Africa offers.

Mr Bérenger: Mr Speaker, Sir, the hon. Minister has made reference to the tripartite FTA, that is, SADC, COMESA and East Africa Community ganging up together to have a Free

Trade Area for the three regions. Can we have a time frame? The tripartite FTA has given itself how many years to set up that FTA?

Dr. A. Boolell: In fact, what I will do is that I will circulate the roadmap. We are trying to expedite matters notwithstanding the fact that EAC wants to move on the fast track, but the rules of origin have to be addressed. Once this is done, we can fast-track the operation. I will submit the roadmap to the hon. Leader of the Opposition.

Mr Dayal: Mr Speaker, Sir, can I ask the hon. Minister - he has just mentioned that he has been liaising with the Ministry of Industry - whether, in the same vein, his Ministry has established a working group so as to help businesses, more particularly the SMEs, in securing potential markets in the Free Trade Areas?

Dr. A. Boolell: In fact, there was a workshop which was held some time back and our friends from the small and medium-sized entrepreneurship were invited, but we need to give more light to what we have done. This is why I said that there has been a CD-Rom that has been prepared and all the vital information is contained in that CD-Rom and we are widely disseminating the information. I don't have to remind my good friend that there is close collaboration between the two Ministries concerned and we are looking forward to new Buyers-Sellers Meeting. At the last AGOA conference, the Americans have agreed to release more fund in respect of helping the African trade hubs and there is an African Competitiveness and Trade Expansion Initiative that has been put in place precisely to boost export to Africa and using Africa as a market for export to the US.

Mr Li Kwong Wing: May I ask the hon. Minister, how many trade missions are there in Africa which have been set up by the Government of Mauritius and is it envisaged to have standardised rules of origin under the enlarged FTA, and is it envisaged also to set the percentage of local value added at 30%?

Dr. A. Boolell: Well, as matters stand, it stands at 35%, but the objective is to have a set of rules of origin. Once there is harmonisation, we can fast-track. Then, in respect of Buyers-Sellers Meeting, there was one which is being prepared and there will be a Buyers-Sellers Meeting in Zambia and Zimbabwe during the course of 2011, and another one will be organised in July 2011 in South Africa.

The Ministry of Foreign Affairs and the Ministry of Finance are addressing the issue of identifying the right persons so that we can send them as Trade officers in our Missions. Also, we are looking at areas where there is room for expansion in respect of export and we know there are growing mega cities now in Africa and we have to identify those mega cities and see to it that we send the relevant person with the relevant background precisely to market Mauritius as an export destination.

Mr Dayal: Mr Speaker, Sir, can the hon. Minister enlighten the House with regard to the meeting that took place in Johannesburg on 12 June this year, with regard to the merging of the three trade regions: the COMESA, the SADC and EAC? Can we know where matters stand?

Dr. A. Boolell: No. As I said, the Tripartite Initiative has been launched. There is a roadmap that has been established and we have to look at all the relevant issues pertaining to the three regional groupings: the Eastern African Community, the SADC and the COMESA. But the crux of the matter remains the rules of origin that have to be addressed and then we can fast-track the whole procedure. A roadmap has been established, as I have told the hon. Leader of the Opposition, and I will make it a point to circulate the roadmap.

Mr Li Kwong Wing: Mr Speaker, Sir, my question is about permanent trade houses in Africa because BOI has scrapped all its offices and all the other trade representative houses have been scaled down or closed. Will the Government envisage setting up such houses as a joint venture between private and public sectors?

Dr A. Boolell: This was mentioned in the Budget. In fact, when the Mauritius Enterprise went to Tanzania, not only that the idea was mooted, but we were looking favourably into it. We were working very closely with the Board of Investment, but as I said, we have to identify the right person with the right background so that we can maximise on the presence of the person for the benefit of all operators in Mauritius.

Ms Deepalsing: Mr Speaker, Sir, the hon. Minister has talked about the road map in his answer. May I ask him what would be the implications of the road map of this enlarged FTA on the economic partnership agreements negotiations?

Dr. A. Boolell: My hon. friend knows very well that this is what everybody wants, that is, to have an enlarged market which will enable us to have more political clout so that when we

negotiate we are in a better position. In fact, the objective of having a free trade tripartite is to enable us also to move in one market instead of having our feet in two different markets so that there is convergence, cohesion, the issue becomes practical and pragmatic. There was an informal meeting which was held in Maastricht and, of course, they are addressing all the contentious issues in respect of EPA.

STC - PETROLEUM PRODUCTS - INSURANCE

(No. B/631) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to petroleum products, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the reasons why an insurance cover against all risks was not contracted for the importation thereof, after the cases of contamination thereof which occurred in February, March and July 2009.

Mr Yeung Sik Yuen: Mr Speaker, Sir, I am informed from the State Trading Corporation that after the cases of 'contamination' which occurred in February, March and July 2009, STC has, in fact, taken full comprehensive insurance cover against all risks, including contamination.

For the period 01 September 2009 to 31 July 2010, STC took a comprehensive marine insurance policy from Karl Koliner GMBH, a German insurance broker, to cover all those risks.

Furthermore, for the period 01 August 2010 to 31 July 2013, STC has taken a comprehensive marine insurance policy from the Mauritius Eagle Insurance Company Ltd that covers all risks.

Dr. Sorefan: May I know from the hon. Minister why the STC has resorted into a second insurance in May this year?

Mr Yeung Sik Yuen: There is only one insurance, Mr Speaker, Sir.

CWA - NON-REVENUE WATER

(No. B/632) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to non-revenue water, he will, for the benefit of the House, obtain from the Central Water Authority, information as to how the figure of 49% for 2010 has been arrived at.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Speaker, Sir, with your permission I shall reply to this question.

I refer the hon. Member to the reply to the Private Notice Question on 24 May 2011, wherein the hon. Deputy Prime Minister informed the House that exact figures for water losses are not available as such, and a study carried out by Severn Trent between 2004 and 2006 drew attention to the difficulties in obtaining such data.

Based on the methodology recommended by Severn Trent, the production and sales figures for 2010 were worked out as follows -

Total water production for 2010	- 210.93 million metre cubes
Total sales volume for 2010	- 107.85 million metre cubes
Non-revenue water	- 49% (not accounted for)

Dr. Sorefan: May I know from the hon. Minister what steps have been taken or will be taken so that the population at large can benefit for the proper supply of water which is not the case now?

Mr Bachoo: Mr Speaker, Sir, Government has initiated action plan for replacement, first of all, of old and defective pipelines and a provision of Rs640 m. has already been made available for the Budget of 2010. In fact, a list of the main places where those pipes have to be removed and replaced has already been earmarked and work has already started. This is one of the first steps which has been undertaken by the Government.

ROOTS OF EMPATHY PROGRAMME - CANADIAN EDUCATIONAL INSTITUTIONS

(No. B/633) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Education and Human Resources whether, in regard to the Roots of Empathy programme, he will state if his Ministry has had any contact with the Canadian Educational Institutions.

Dr. Bunwaree: Mr Speaker, Sir, one of the measures announced in the Government Programme 2010-2015 relates to the need to enlist community participation in dealing with cases

of students with behavioural problems. Within the broader context of this measure, mention is made in the Government programme for internationally tested programmes like ‘Roots of Empathy’ to be introduced.

The ‘Roots of Empathy’ is an innovative Canadian Parenting Programme which provides for infants and parents to visit classrooms attended by students aged 4-14 years. It aims at reducing students’ level of violence and aggression and promotes pro-social behaviour by raising the level of their empathy.

My Ministry had asked with the Mauritius Institute of Education to look into the ways and means in which the ‘Roots of Empathy’ Programme could be incorporated in the Education System in Mauritius, taking into account the objectives of the National Curriculum Framework where issues of values and citizenship are given prime importance. MIE has started establishing contacts with appropriate International agencies and organisations, including the Canadian organisation responsible for the ‘Roots of Empathy’ Programme.

The implementation of such a programme will require both adaptations to the local context as well as relevant training of trainers so that MIE could subsequently establish a local network in line with its objective to initiate an early start in building capacity of the next generation for responsible citizenship and responsive parenting.

I must stress, Mr Speaker, Sir, that we are having recourse to a series of other measures so as to improve the behaviour of our children at school. The ‘Roots of Empathy’ is one among many programmes from which we inspire ourselves in our endeavour to deal with behavioural problems of students and thereby inculcate the universal human values like honesty, sharing and compassion.

I am also in favour of promoting inter-culturalism at school level to reflect on respect and acceptance of the beliefs and cultures. In this regard, MIE has launched a programme entitled “*Tous parents tous différents*” to promote intercultural understanding among pupils of primary schools and this included painting, drama, songs and slam. A competition has also been organised to promote intercultural understanding among school children.

Moreover, I am keen on young students involving themselves in social and voluntary work that tends to have a sobering effect on the hyperactivity among the young.

Mr Speaker, Sir, I wish to reassure the hon. Member that my Ministry will inspire itself with internationally tested programmes, based on best practices worldwide and including the ‘Roots of Empathy’ programme to instil an inclusive/sharing/helping behaviour that will promote the holistic development of our children and help them to become responsible citizens with universal educational and human values.

Ms Deepalsing: Mr Speaker, Sir, may I ask the hon. Minister whether he is aware that the Canadian Roots of Empathy Programme is globally acclaimed to give results in very short time - so there is no need to reinvent the wheel - and whether the hon. Minister would take it at the level of his Ministry and not leave it to the MIE to have these contacts?

Dr. Bunwaree: It is at the level of the Ministry, but MIE has been given certain specific activities and work to do. Of course, we know the programme very well. In fact, it has left Canada and it has gone through some other countries, but we have to take also in consideration the background of children which are not necessarily the same in the various countries.

Ms Deepalsing: Mr Speaker, Sir, this ‘Roots of Empathy’ programme, actually, is implemented in Canada in which students from various backgrounds are there. Canada is not a homogeneous society. There are multi-cultural and diversity programmes. Is the hon. Minister aware that the ‘Roots of Empathy’ programme, going beyond teaching empathy, has been proven to have positive impact on the cognitive abilities of children as well?

Dr. Bunwaree: Yes, many assessments have been already carried out on this programme. It started in 1996, but I must say, even in Canada, my information is that all the States have not put it into practice. We have to take into consideration some other aspects. I must inform the hon. Member that the programme is well-known and internationally known. There are other countries with very important programmes giving, may be, better result also which we have to take into consideration, and this is not known worldwide.

Ms Deepalsing: Mr Speaker, Sir, may I ask the hon. Minister whether his Ministry has a time frame onto which this programme could be, at least, tried on a pilot basis in Mauritius?

Dr. Bunwaree: Yes, we are doing so many things in schools going in this line, but we don’t have a specific time frame. We have to allow some of the ground work to give positive results for us to integrate in all the other programmes we want to practice.

At 1.00 p.m. the sitting was suspended.

On resuming at 2.33 p.m. with the Deputy Speaker in the Chair.

PATERNITY LEAVE - GOVT. POLICY

(No. B/634) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes)

asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the paternity leave, he will state if there has been any change in Government policy in relation thereto.

Mr Mohamed: Mr Deputy Speaker, Sir, the granting of paternity leave in all sectors of employment in the private sector did not exist prior to the coming into operation of the Employment Rights Act in February 2009. In spite of the fact that we have a few Remuneration Order Regulations, namely the Sugar Industry Agricultural Workers (Remuneration Order) Regulations 1983, the Block Making, Construction, Stone-Crushing and Related Industries (Remuneration Order) (Amendment) Regulations 2008 as well as the Public Transport (Buses) Workers (Remuneration Order) Regulations 2008 having such provision, the defunct Labour Act did not provide for paternity leave.

The grant of paternity leave was extended in all sectors of employment in the private sector by the Employment Rights Act 2008. Section 31 of the Act provides that in all sectors of employment in the private sector, every male worker is entitled to paternity leave on the production by the worker of -

- (i) a medical certificate that his spouse (the person with whom he has contracted civil or religious marriage) has given birth to his child, and
- (ii) a written statement signed by him that he is living with his spouse under a common roof.

The section also provides that -

- (i) a full time worker shall be entitled to five continuous working days' leave and a part-time worker shall be entitled to the leave on a pro-rata basis according to the number of days worked per week, and

- (ii) the leave shall be on full pay where the worker reckons more than 12 months continuous employment with the same employer.

In view thereof, I do not consider it necessary, at this stage, to propose for any change in policy regarding paternity leave.

As regards the public sector, however, I am informed that paternity leave as such does not exist. However, the Pay Research Bureau, in its 2008 Report, has recommended at paragraph 18.4.79, that “around the time of child birth, fathers may take their normal casual leave (11 days) entitlement, as well as up to eight days from their accumulated vacation leave, which is inclusive of the normal five days accumulated leave normally taken on and off, on the same basis as casual leave, that is, either at a stretch or on and off.”

Furthermore, following the demise of a female worker after the confinement, parental leave is granted to male officers. The father of the child is allowed to take leave equal to the unused portion of the maternity leave (or hypothetical maternity leave) to which the deceased mother would have been eligible in order to look after the baby. I am also informed that there is no change in Government policy with regard to paternity leave in the public sector for the time being. Any change to be brought will be taken up in the context of the next PRB Report.

Ms Deepalsing: Mr Deputy Speaker, Sir, will the hon. Minister agree with the fact that in the public sector employees are not eligible for paternity leave whereas in the private sector they are, that there is an inherent discrimination in the law between public sector employees and private sector employees as regards paternity leave?

Mr Mohamed: I have taken note of what the hon. Member has stated, but as I have already stated, the issue of paternity leave in the public sector will be taken up in the context of the next PRB report and this is what I have been informed by the relevant Ministry.

Ms Deepalsing: So, Mr Deputy Speaker, Sir, may I ask the hon. Minister whether his Ministry will make representations so that this law is harmonised so that all employers and employees are on the same footing with respect to paternity leave?

Mr Mohamed: We have already had talks between officers of my Ministry and that of the Civil Service and I have also spoken with my hon. friend, the Minister, concerning this issue and, as I have said, it will be taken up in the next PRB report.

MAURICE ILE DURABLE INITIATIVE - ECO-FRIENDLY BUILDING

(No. B/635) 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 the construction sector, he will state if consideration will be given for the introduction of the concept of eco-friendly building to maximise energy efficiency and promote the use of renewable energy, in the context of the *Maurice Ile Durable* initiative.

Mr Bachoo: Mr Deputy Speaker, Sir, in fact, my Ministry is presently reviewing the Building Act of 1919, *inter alia*, to incorporate the concept of energy efficiency and eco-friendly building. A Consultancy firm, the Danish Energy Management Consultants, has been appointed with the assistance of the UNDP/GEF and the *Agence Française de Développement* to prepare the new Building Control Bill and also the Energy Efficiency Building Regulations and a Code for Energy Efficiency and Compliance Mechanisms.

Several Workshops have been organised by the Consultants and training programmes are being held in collaboration with AFD and ADEME, that is, *Agence de l'Environnement et de la Maîtrise de l'Energie* of Réunion Island.

In the same context, my Ministry is working on a project for the conversion of the Emmanuel Anquetil Building to make it an eco-friendly building. The construction, on a pilot basis, of the following eco-friendly buildings is in the pipeline -

- the Architects office at Phoenix;
- the new D. Sewraj Government School in Triolet, and
- Six School Gymnasia.

Mr Seetaram: Mr Deputy Speaker, Sir, concerning maximising energy efficiency, would the hon. Minister consider taking on board concepts like rain water harvesting, that is, collecting rainwater for non-domestic uses, cleaning, irrigation or to self-sustain the building itself and secondly, save water, that is, touch free buttons for taps and toilets and also for waste management, that is, to include in the building composting garbage sorting and to make provision for solid waste management?

Mr Bachoo: I believe that a few of these components will be taken up once the new Building Control Bill is being prepared.

Mr Seetaram: Mr Deputy Speaker, Sir, would the Minister consider taking on board also renewable energy sources, that is, to include solar panels and photovoltaic cells in future buildings?

Mr Bachoo: I believe that all these things are being taken into consideration.

Ms Deepalsing: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether as the matter stands now, not waiting for the new Bill, but as of now, does the construction of public buildings by his Ministry have an environmental audit, an accounting of how energy will be used in the building?

Mr Bachoo: As at now, the answer is in the negative.

Mr Uteem: Mr Deputy Speaker, Sir, I heard from the hon. Minister that new legislation is forthcoming in respect to the eco-friendly building. May I know from the hon. Minister whether this will also be applicable to residential houses and whether it will be compulsory for a building permit to comply with certain eco-friendly guidelines or will it be on a purely voluntary basis?

Mr Bachoo: The Building Control Bill that will be applicable to Government buildings, that is, buildings of/and exceeding 500 m² will require energy efficiency certificate to be issued by a registered energy auditor. This means the big buildings and, secondly, the Energy Efficiency Certificate would not be mandatory for buildings of less than 500 m². There we can encourage them and, in fact, the CIDB has also undertaken the work of sensitizing the public and those who are involved in the construction sector in this matter.

TAX ON INTEREST - REFUND

(No. B/636) 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 tax withheld at source on interest which will be refunded in the form of a tax credit on returns for 2012 and 2013 or cash in 2013, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to if accrued interests on the sums withheld will also be paid.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, Government had taken a commitment to abolish tax on interest income as announced in the Government Programme 2010-2015.

Accordingly, interest was reinstated as an exempt income through the Finance (Miscellaneous Provisions) Act 2010.

Mr Deputy Speaker, Sir, we even went further by backdating the coming into operation of the measure to 01 January 2010. As the House is aware, the usual practice is for budget measures relating to income tax to take effect as from the next income year which, in this case, would have been the year 2011.

In view of the impact of this measure on Government revenue, especially with the backdating, we decided that where tax has been deducted at source on interest accruing from deposits exceeding Rs2 m. and remitted to the Mauritius Revenue Authority in 2010, this amount will be refunded in the form of a tax credit in the 2012 and 2013 income tax returns. Any unused tax credits will be refunded in the form cash in 2013.

It follows, Mr Deputy Speaker, Sir, that no interest will be paid on the amount refunded and the law accordingly makes no provision for payment of any interest. Thus, persons having deposits of more than Rs2 m. will definitely benefit from the measure except that refund of tax already deducted by banks at source will be made over 3 years.

However, I am informed by the MRA that, in order not to create hardship to pensioners, the Authority has used its administrative discretion, where representations have been made, to refund after assessing the merit of the case, the full amount of tax deducted on interest income as from this year itself.

Dr. Hawoldar: I wish to thank the hon. vice-Prime Minister for his answer. I would just like to quote from the Budget Speech of December 2010, paragraph 266, when the Minister, himself, said - if I may quote, Mr Deputy Speaker, Sir -

“266. Mr Speaker, Sir, there is an unfair asymmetry in financial dealings with the public that we want to put an end to. When the public owes money to Government, a deadline is set for payment and penalties are applied. However, this is not necessarily the case when Government owes money or makes delayed payments to the public.”

So, my question is: the Minister of Finance has done a very good action by eliminating tax on interest and, if he could put what he said in paragraph 266 into practice and refund also the

interest accrued on the taxes, the population at large would very much appreciate. Thank you very much.

Mr Jugnauth: Mr Deputy Speaker, Sir, I must say we are very consistent with what we have said at paragraph 266, because there I mentioned that when government owes money and does not pay on time, as from then interest will accrue. So, in this case also, if there is going to be any late repayment of course, interests will accrue on that amount that will be repaid. So, the hon. Member can rest assured. MRA has, therefore, the duty to see to it that all repayments are made accordingly.

L'INSTITUT DE BRUX - CYTOSCREENERS - TRAINING

(No. B/637) Dr. R. Hawoldar (Third Member for La Caverne & Phoenix) asked the Minister of Health and Quality of Life whether, in regard to the training of two Cytoscreeners at *l'Institut de Brux, Association d'Enseignement et de Recherche en Histo et de Cyto-Pathologie, Paris*, she will state the procedure adopted for the selection thereof, indicating the names of the candidates nominated by the Ministry.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, a circular was issued by my Ministry on 05 October 2010 inviting Officers of the Medical Laboratory Technician Cadre who were interested to attend a 7-month training course in Cytoscreening at the “*l'École Privée de l'Association d'Enseignement et de Recherche en Histo et Cyto-Pathologie, Institut de Brux*” in France to submit their applications by 19 October 2010 at latest for candidates in Mauritius, and by 26 October 2010 for those who were overseas.

As at the closing date, three Senior Medical Laboratory Technicians and two Medical Laboratory Technicians expressed their interest to follow the training course.

A Selection Committee was set up at the level of my Ministry to assess the applicants. Whilst considering the recommendations of the Committee prior to final approval, it was noted that one of the selected candidates did not conform to all the criteria set by the Selection Committee itself, namely qualifications, experience, knowledge/interest and aptitude.

Accordingly, my Ministry nominated Mr Gokhool Beegodhur, Senior Medical Laboratory Technician and Mr Yogeshwar Pattoo, Medical Laboratory Technician, both holders of a degree, that is, BSc in Biomedical Sciences, to attend the training course in France.

Dr. Hawoldar: Mr Deputy Speaker, Sir, I thank the hon. Minister for her answer, but it would seem that the panel, which carried out the interview, gave Mr Pattoo in the first position with performance at interview ‘Excellent’. The same panel gave Mrs S. Morabee, MLT four years’ experience, performance at interview ‘Excellent’ and Mr Beegodhur’s performance at interview ‘Good & Lack updated knowledge on the topic’.

So could the hon. Minister tell us what criteria were taken to do the final selection, because I have with me a letter which is addressed to the Ministry by Mr Manraj, Consultant in Charge of Pathologist Services, where I quote, he says -

‘Selection has been carried out following procedures based on previous selection exercises and two candidates have been selected. Cytoscreener is not a post graduate career. As such, it does not require prior PSC qualification’.

And on top of that he adds -

“In fact, worldwide Cytoscreener are non-graduate in general and their jobs are at most equivalent to Medical Laboratory Technician level’.

So, can the Minister tell us what happened that, in spite of all this recommendation of the panel of the Consultant of Pathologist Services, the nomination was done not following the ranking of the candidates at the interview?

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, let me throw light on this matter. First thing, the Selection Committee, itself, adopted as criteria qualifications, experience, knowledge, interest and aptitude. Now, the first one, the one who was ranked by the selection panel is Mr Yogeshwar Pattoo. Mr Pattoo has four years’ experience; he holds a BSc in Biomedical Sciences. He was ranked first. The second one was Mrs Bibi Shenaz Morabee. Mrs Morabee holds only two years’ experience; not four years. On top of that, Mrs Morabee has only a diploma in biomedical sciences. The one who was ranked third was Mr Beegodhur Gokhool, who holds five years’ experience and is also holder of a BSc Biomedical Sciences. So, you will understand that Mrs Morabee could not have been ranked second, as the committee of selection did, because the criteria established by the committee of selection itself were qualifications first.

Dr. Hawoldar: Mr Deputy Speaker, Sir, I still can’t understand things rightly. The committee said that cytoscreen course is not a postgraduate career, which means that, to do that

particular job, you don't need to have a basic degree. It said that the Cytoscreeners are at the most at the same level as MLTs. Unless Dr. Manraj made a mistake in that paper which is here, it is written that this lady has four years' experience. I don't have anything against Mr Beegodhur; I am just defending a case of meritocracy. Mr Beegodhur has six years of experience in that field, which he did in the 1990s, and he is today posted at the Blood Transfusion Service, which means that, for the last eight or nine years, he has had no contact with that particular field of medicine, which is cytoscreening, that is, sitting behind a microscope and examining the cells. So, the question I ask is: how is it that, if for all cases, we know there are prerequisites, and here there is no demand for a BSc to do that particular course; we are talking of BSc? This could be required at the level of the PSC or whatever for employment. Here, I believe the Head of a Department knows the candidates he is sending for a six-month course in cytoscreening. I fail to understand this, Mr Speaker, Sir. More than that, I would like to ask the hon. Minister, for the sake of her own staff and the public in general, how she would align the selection, when government has established policies where we say that we go on principles of meritocracy, of gender equality and equal opportunities. This entirely fails, Mr Deputy Speaker, Sir, and this is the wrong signal we are sending to the population of Mauritius.

Mrs Hanoomanjee: I am sorry, Mr Deputy Speaker, Sir...

Mr Bérenger: On a point of order, Mr Deputy Speaker, Sir. It has been the practice that, when a hon. Member is allowed to quote from a document, it is tabled. Do I take it that it will be tabled?

Dr. Hawoldar: Yes, Mr Deputy Speaker, Sir. Actually, this is the letter sent by Dr. Manraj to the Ministry. Everything is transparent in this, and I'll table it immediately. I don't have anything to add. This is a genuine thing; this is not a political issue or a party issue; this is a question of principles.

The Deputy Speaker: There is no need for the hon. Member to justify.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I do not agree with the hon. Member. If we have to adopt a principle of meritocracy, can we accept that somebody who holds a BSc Biomedical Science is not appointed, is not nominated, with four or five years' experience, and we nominate somebody with a diploma and with only two years experience? Do you call that

meritocracy? Can I accept such a principle? I won't be able, because, Mr Deputy Speaker, Sir, let me tell you very clearly that I will never condone favouritism.

Ms Deepalsing: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether she can enlighten the House, because it is not clear? I think, in her reply, she said that the selection panel ranked somebody first, and then second Mrs Morabee, and then third somebody else. This is what I think I understood from the answer of the Minister. Then, the hon. Minister is saying that, somewhere else, there was something else that decided to change the ranking of the selection panel. Can the hon. Minister explain to the House the process through which a selection panel chooses and ranks people and then, somewhere else, there is something else that comes and changes the decision of the selection panel?

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, let me say that this is an agreed practice; this is the practice. The recommendations of a selection committee are not binding, because the final recommendations rest with the Ministry. Before the Ministry gives its approval on anything, it has to ascertain that there has not been any favouritism.

Dr. Hawoldar: A very last question, Mr Deputy Speaker. With regard to the candidate who came out third in the interview and was selected by the Ministry - I don't know by whom, for whatever reason it may be - may I ask the hon. Minister how many scholarships this gentleman has had in the past before he gets this last one, which started in December 2010?

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, the question is with regard to the training of the cytoscreeners and whether I will give the procedure which has been adopted and the names of the candidates. I think I have replied to this question. But, let me tell you once again that I will not condone any injustice, and I will not allow frustration within the Ministry.

Dr. Hawoldar: Mr Deputy Speaker, Sir, one last point! This is why I am asking the Minister why not inform the House how many scholarships he has had in the past?

The Deputy Speaker: No, please! The Minister stated that she does not have the information. Next question, hon. Mrs Ribot!

UNITED FABRICS LTD. & ESQUEL GROUP - FOREIGN WORKERS

(No. B/638) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the foreign workers, he

will state if he has been informed of the conditions of the dormitories provided thereto by the United Fabrics Ltd. and by the Esquel Group and, if so, the measures that will be taken in relation thereto.

Mr Mohamed: Mr Deputy Speaker, Sir, I presume that the hon. Member is referring to the preliminary report of Amnesty International, following visits effected at dormitories at Universal Fabrics Ltd. and those of Esquel (Mauritius) Ltd., which had been the subject of recent press articles.

The House may wish to know that there are about 550 dormitories around the island. Prior to the coming into operation of the Occupational Safety and Health (Employees' Lodging Accommodation) Regulations 2011 in January this year, inspections were carried out by officers of the Occupational Safety and Health Inspectorate of my Ministry to ensure that the required norms and standards, as provided for in the Guidelines of the Ministry of Health and Quality of Life, were being observed. It was noted that the living conditions in some lodging accommodations were really deplorable. I also had the opportunity to personally effect a site visit to a lodging accommodation, and I was really taken aback by the standard of the living conditions of the workers therein. In the absence of a proper regulatory framework, no sanctions have been taken against employers who failed to comply with the improvement requests made by the officers of my Ministry. There was need, therefore, to come up with an appropriate legislation - hence, the promulgation of the Occupational Safety and Health (Employees' Lodging Accommodation) Regulations of 2011.

In line with the provisions of the regulations - regulations and statutory enforcement tools that did not exist prior to those regulations - a Lodging Accommodation Committee has been set up to examine all applications received for lodging accommodation permits and make recommendations for the grant of those permits. Furthermore, a Lodging Accommodation Unit has been set up at the level of my Ministry to cater specifically for the enforcement of those regulations in collaboration with the Ministry of Health and Quality of Life and the Fire Services Department which are also enforcing agencies under the regulations. I would like to underline, Mr Deputy Speaker, Sir, that the Ministry of Health and Quality of Life as well as the Fire Services Department are also enforcing agencies under those regulations.

Mr Deputy Speaker, Sir, I wish to inform the House that with the coming into operation of the regulations, one of the requirements for granting of a work permit is that the employer should hold a Lodging Accommodation Permit.

As regards the living conditions in the lodging accommodation at Universal Fabrics Ltd and those of Esquel (Mauritius) Ltd, inspection visits were carried out by officers of my Ministry and also the officers of the Occupational Safety and Health Inspectorate of my Ministry, officers of the Ministry of Health and Quality of Life and those of the Fire Services Department. There were noted several non-compliance with the standard of living conditions as provided for in the regulations. Enforcement notices have been issued by each of the enforcement authorities and follow up visits will be carried out to ensure compliance.

However, let me, at this stage, underline a second issue. Whatever was reported in the press articles and, here, I am not, in any way, blaming the journalist who reported it or the press that reported it, but it was written by a foreigner who visited, together with a trade unionist, Mr Fezal Ali Beegun, those accommodations for foreigners and it was reported to the journalist. That is why I have no qualms whatsoever with the press that made reference to it. But whatever was referred to in that report, was a gross exaggeration of what exists therein. And what I would like to also underline is that at one point in time, Mr Deputy Speaker, Sir, there were only guidelines. One of the first industries to bring in foreign labour in Mauritius is indeed Esquel (Mauritius) Ltd. that today employs more than 4,000 people, out of whom more than 2,000 Mauritians, they have approximately more than 49 accommodations for foreigners. And out of those 49 accommodations, 3 were visited by those supposed *chercheurs*, a student who is a foreigner at the University of Mauritius, who entered there and exaggerated what was seen.

The Deputy Speaker: Please!

Mr Mohamed: I am giving the answer.

(*Interruptions*)

The Deputy Speaker: I can't ask the hon. Minister to table.

Mr Mohamed: No, I am not tabling anything, I am saying it. And what was shocking even here is that ...

(*Interruptions*)

This is a fact, a fact which the Opposition cannot digest because they want things to go wrong. That's a fact, accept it!

(Interruptions)

The Deputy Speaker: No, please!

Mr Mohamed: But I am sorry, this is the answer I am giving, Mr Deputy Speaker, Sir. The hon. Leader of the Opposition can 'not be happy', but he has to accept the answer I am giving and he has to listen to it.

(Interruptions)

The Deputy Speaker: Please!

(Interruptions)

Mr Mohamed: What is the point of order? Let him state it!

(Interruptions)

The Deputy Speaker: I am on my feet! Hon. Minister, please! I ask you to cool down. The hon. Minister should be brief in his answer and give the clarification and the facts.

Mr Mohamed: I heard there was a point of order. I was thinking that someone would refer to what point of order. But my point is: I am trying to explain what the facts are. There was a gross exaggeration in the press. Officers from my Ministry, the Ministry of Health and the fire services went there and there were some minor problems for which they have sent notices in order to ensure compliance. What I would like also to state is that no prosecution can be envisaged, none, at this stage.

In view of the transitional provisions given to employers in those regulations, employers who were already using a building as lodging accommodation are given one year from the date of the coming into operation of the regulations to comply with the regulations. Employers who use a building as a lodging accommodation in a factory or place of work are given two years in order to comply with those regulations from the time the regulations come into force and to cease the use of the building as lodging accommodation. Those regulations did not exist before, there were only guidelines. That is why from the coming into operation of those regulations, there is a transitional period and this transitional period is what has to be adhered to.

Mrs Ribot: Mr Deputy Speaker, Sir, I was very happy to hear the hon. Minister admit himself that he was shocked by the conditions...

(Interruptions)

The Deputy Speaker: Can the hon. Member put her question, please?

Mrs Ribot: I am coming to my question. I would like to ask the hon. Minister whether after that moratorium period he intends to revoke permits of employers who do not comply with the regulations.

Mr Mohamed: I am sorry, in fact, what the hon. Member said is very important. Before I even deliver a work permit we have to make sure that the accommodation is in order and yes, the Minister of Labour, Industrial Relations and Employment has absolute discretion with regard to giving and revoking. That is law. If an accommodation is not in order, I will also consider revoking. That is true.

Mrs Ribot: Mr Deputy Speaker, Sir, I would like to go beyond purely accommodation. I would like to ask the hon. Minister to look into something very serious. Not later than one month ago, a fire broke out in a dormitory in Beau Bassin and those foreign workers who had just come to Mauritius and could not speak any English, French or Creole did not even have from the recruitment agent the priority numbers of SAMU, Police and fire services. Could he see to it that this condition also be included in the new regulations?

Mr Mohamed: I thank the hon. Member for her excellent suggestion. We will see to it, therefore, that in all those industries there are notice boards whereby those numbers are clearly indicated. But I would like to add some information here in order for the hon. Member and the Members of the House to understand the problem we sometimes face. I will just pick up a year, in 2008, there were 237 inspections carried out by officers of my Ministry in accommodations occupied by foreign workers and there were only 13 complaints. In 2010, there were 214 inspections but only three complaints. In fact, what I would like to do here is to state that it is important for anyone who knows - and I thank the hon. Member for that who has, in the past, even informed me of certain problems - when anyone is aware of a problem, it is the duty of the person to report that problem and not simply to come and make a big show out of a problem instead of being constructive about it.

Mr Bérenger: If I heard the hon. Minister correctly, he said that before existed the only guidelines from the Ministry of Health, and, now, we have regulations. Could we have a copy of those guidelines placed in the Library? And secondly, I think I heard the hon. Minister say that those regulations cannot be enforced because of lack of required legislation. Is the hon. Minister coming forward with the required regulations so that those regulations and guidelines can be enforced?

Mr Mohamed: Maybe I should clarify exactly what was said earlier on. True it is that before there were guidelines and whenever there are guidelines, you cannot take someone to court or prosecute someone for failure to comply with any clause of the guideline. That is why we came up with the regulations. Now, the regulations can be enforced. The only thing is we could not, when we came up with the regulations, ask the employers to immediately change the lodging accommodation within which their employees are residing. We give them a transitional period, *un moratoire*, and that will be of one year. When it ends, which is early next year, it is from that moment onwards that we will be able to enforce any violation of those regulations or clauses therein. I will table and place in the Library the guidelines referred to as well as the regulations that are available. The regulations cover all issues that are in essence very important. I may add, to conclude, that we were, in writing, congratulated by the ILO for those regulations because it is the first time that such regulations have come up in any country of the members of the ILO.

Mr Fakkeemeeah: Is the hon. Minister aware that, time and again, the international press labels us as a slavery country when it comes to the treatment of foreign workers? I would like the hon. Minister to state, once for all, what are the actions that he intends to take to put an end to all these abuses on expatriate workers.

Mr Mohamed: I, once again, thank the hon. Member for this question because it gives me an opportunity, Mr Deputy Speaker, Sir, to clarify certain issues. I do not agree with the hon. Member that the international press qualifies us as being a country where foreign labour is treated as slaves. It is, in fact, that Mauritius is respected by the international community as being a country where not only there are laws that are there to protect the interest of local workers and foreign workers, but also where there is no discrimination between foreign and local workers, where their rights are respected, where there are institutions that exist, where if any

problem does arise, one can go and report it, and there are labour inspectors, health inspectors and fire services inspectors that are present to take action immediately whenever there is a problem. What I would say, however, is that through wrong information that is given unfortunately to the local press, that can be reproduced in the international press. But that does not, in any way, mean that any international press or any international organisation views Mauritius as a bad child when it comes to treating foreign labour. On the contrary, we are looked upon as a country that other countries must try to follow, because we are good when it comes to institutions that work and also laws that work.

Mr Bérenger: I have a second question, Mr Deputy Speaker, Sir. The hon. Minister said that there are - if I heard him correctly - in all 550 dormitories and he gave us figures for the number of inspections that took place in that year or that other year. Can I know from the hon. Minister whether it is his intention, and whether he has the required staff, to have a survey of all the 550 dormitories?

Mr Mohamed: We have received more staff recently and, obviously, it is our intention to survey all of them and increase the number of visits and site visits and inspections but, as Members will understand, I would have wished that I could have placed - I know that this is not what the Leader of the Opposition is asking - one inspector everyday in each of these accommodations but, unfortunately, we cannot do that. But, yes, we have to follow the suggestion of increasing the number of site visits and inspections.

The Deputy Speaker: I will allow hon. Obeegadoo, then hon. Uteem and the last one from hon. Mrs Ribot.

Mr Obeegadoo: Mr Deputy Speaker, Sir, the Minister referred to the regulations which were made earlier this year. Being given that the transitional provisions he referred to mention that a moratorium period be of either one year or two years according to whether the accommodation is on the very premises where the business is run, does he not agree that the two cases referred to in the PQ, photos of which have been published on the Net, hence exaggeration or no exaggeration, the damage to our reputation is done, does that not indicate that these transitional provisions are far too extensive? Giving a moratorium of two years to an employer would allow the employer to sit tight and wait for a year and a half before taking appropriate

measures! Do these two cases of Esquel Group and United Fabrics Ltd. not require the Minister to revisit the transitional provisions?

Mr Mohamed: Mr Deputy Speaker, Sir, when the hon. Member refers to the transitional period of two years, he is right. The two years is with regard to where someone is living in his place of work, meaning the factory itself. For example, where there is a hotel, he sleeps at the hotel itself. If it is a restaurant, he sleeps at the restaurant itself. In those particular cases of Esquel, this does not concern the moratorium period of two years. It concerns the moratorium period of one year and it has basically got less than six months to run. In other words, in less than six months' time, they will have to comply. Why is it that two years were given? It is because that concerns, as I explained, hotels and other institutions which our survey indicates that the existing accommodation as such is not very problematic. But we have tried to comply with the requirements of the ILO that they do not sleep at their place of work, all be it a distance away.

With regard to the industries such as the textile industries or in the construction industry, that is where *le bâti blesse*, that is where there may have problems which have to be looked into. But, financially, we had to be reasonable. We could not impose upon the private sector to immediately change and comply because it would mean that they will have to close factory in many cases, and thereby, cause more loss of employment. We have only a few months left until the law can be fully enforced. I can already inform the House, Mr Deputy Speaker, Sir, that many textile industries, the great majority of them, have already started implementing and a lot of them are already in line with the regulations.

Mr Uteem: The hon. Minister is defending those employers who do not provide dormitory which is fit to the standard of a developing country like Mauritius. Is the hon. Minister aware that today, in the construction industry, people are living in containers? Does he agree that these people have to wait for another one year before any action can be taken against the employer?

Mr Mohamed: It is a fact, but before I get into answering the question of the hon. Member, let me first comment on his comment which is, basically, that I am defending the employers. I am not defending anything. My point is that once upon a time, at a fixed time last year, there was no regulation and nothing was being done ever since 1992 when the first

foreigner came to work here in the textile industries in order to make sure that those accommodations were in order. It could not be because they were guidelines. Ever since last year, there are regulations that my friend started working upon when he was Minister of Labour. Stop trying to put in *désordre* when there is no problem! Stop trying to play dirty and cheap games!

The Deputy Speaker: Please!

Mr Mohamed: In actual fact, those regulations were worked upon by my colleague who was then Minister of Labour and it was finalised last year after tripartite consultations. I am not defending anyone. Finally now, we have come to a situation where, with international organisations like the ILO, asking us for copy of that regulation which they would like other member States to implement and they have found the transitional period is something which is normal. In the meantime, we are increasing visits from our inspectors on those construction sites and I can assure the hon. Member that those issues on construction sites are less and less problematic.

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

Mrs Ribot: Mr Deputy Speaker, Sir, I would like to ask the hon. Minister to pay a special attention to one specific problem. I think one of the main problems in those dormitories is what is referred to as the employee accommodation area. I suppose that when the inspectors come in, everything seems alright, and then they just find themselves sleeping at 14 to 20 in a dormitory. Can I ask him to have a special attention on that employee accommodation area?

Mr Mohamed: I take note of the good suggestion and also one issue that we have taken into account in our regulation is the access to the premises. Once upon a time, we could not get access at any time. We needed the permission of the owner and now this has been taken care of and we can even have a surprise check which is provided for in the regulation.

The Deputy Speaker: The Table has been advised that PQ No. B/658 has been withdrawn. We move on to PQ No. B/639.

NATIONAL LOTTERY - LICENCE

(No. B/639) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the National Lottery, he will, for the benefit of the House, obtain from the Gambling Regulatory

Authority, information as to the number of games that its present licence authorises it to operate, indicating the -

- (a) games which it is presently operating, and
- (b) revenue generated by each game, on a monthly basis, since their coming into operation to date.

Tthe vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, I am informed by the Gambling Regulatory Authority that the Mauritius National Lottery has been granted licence to operate two types of games, namely Lotto 6/40 lottery game and Instant Win Ticket Game.

The Lotto 6/40 lottery game is a game where players select a set of 6 numbers out of a matrix of 40 numbers and draws are currently held weekly.

Under the Instant Win Ticket Game, which is a scratch card game, I am informed that the GRA has approved 21 games, but only 12 are being operated by Lottotech Ltd. I am tabling the list.

As regards part (b), I am informed by the GRA that it only has quarterly and not monthly information. Moreover, it does not receive information on the revenue generated by each game, but only the total revenue due to Government. In my reply to PQ B/295, I informed the House that the total turnover of Mauritius National Lottery was Rs3.6 billion as at December 2010.

MUSEUMS - OPENING DAYS & HOURS

(No. B/640) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Arts and Culture whether, in regard to the national and the specialized museums, he will state if consideration will be given for the extension of the opening days and hours thereof for public visits.

Mr Choonee: Mr Deputy Speaker, Sir, I am informed that, in 2002, the hours of opening of the Natural History Museum of Port Louis, the National History Museum of Mahebourg as well as the Frederik Hendrick Museum at Vieux Grand Port were extended to allow for their openings on Sundays.

However, as far as Port Louis Natural History Museum is concerned the poor response from the visiting public led the Mauritius Museum Council to come back on its decision.

I am referring the hon. Member's request to the Mauritius Museum Council for consideration.

I am also putting a copy of the opening hours of all museums in the Library.

Ms Anquetil: M. le président, est-ce-que le ministre serait favorable à l'idée de demander à la *National Museum Council* de faire des campagnes à travers les journaux, la télévision et les radios afin d'encourager plus d'étudiants et le public en général à développer plus d'intérêt en ce qui concerne les musées ?

Mr Choonee: Mr Deputy Speaker, Sir, I take good note of the proposal made by the hon. Member. But, however, it is good that we sensitise the public to show some interests towards museums. However, at my end, I am reviewing the operation, management and administration of the museums with a view to bringing museums closer to the public.

Mr Leopold: Mr Deputy Speaker, Sir, being given that we have no State museum in Rodrigues except the one at Anse Quitor, which is a private initiative, can I ask the hon. Minister whether he is contemplating the possibility of initiating one in Rodrigues so that people visiting us, and Rodriguans at large, may know about our past?

Mr Choonee: It is good that we have a private initiative at least in Rodrigues, but, however, we will be very appreciative of the fact that we have a museum in Rodrigues because we have so many tourists visiting and it is time now that we have a proper museum in Rodrigues for everybody to know about the history, artefact and everything that Rodrigues possesses and which should be displayed.

MIDDLE EAST - NATO MILITARY FORCES - MAURITIUS STAND

(No. B/641) Mr C. Fakkeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether he will state the stand of Mauritius as member of the African Union, of the Non-Aligned Movement and of the Commonwealth, following the intervention of the NATO military forces in the Middle East region.

Dr. A. Boolell: Mr Deputy Speaker, Sir, I will seek your indulgence and the indulgence of the House because I am going to make quite a few remarks.

Mr Deputy Speaker, Sir, Mauritius supported the United Nation Security Council Resolution 1973, adopted on 17 March 2011 calling for an immediate ceasefire and authorising the international community to establish a no-fly zone and to use all necessary means to protect civilians in Libya.

The UN Security Council adopted the resolution by 10 votes to zero, with five abstentions. The UN Security Council acted under Chapter 7 of the Chart of the UN, when it adopted the Resolution 1973 (2011) and the decision is, therefore, binding on all the 192 United Nations Member States, including Mauritius.

Prior to the adoption of the Resolution, the Human Rights Council in Geneva had urged the suspension of Libya in a resolution of its own on 25 February 2011. Mauritius supported the resolution.

On 01 March 2011, the UN General Assembly suspended Libya from the UN Human Rights Council for gross and systematic human rights violation because of violent repression of peaceful protestors demanding his departure. Mauritius co-sponsored the resolution, which was adopted by consensus. I have already made a public statement condemning the situation of Human Rights in Libya and explaining our position.

According to the UN Secretary-General, in adopting Resolution 1973, the Council has placed great importance on the appeal of the League of Arab States for action. In fact, the League of Arab States, the African Union and the Secretary-General of the Organisation of the Islamic Conference condemned the serious violations of human rights and international humanitarian law that are being committed in Libya.

As far as the Non-Aligned Movement is concerned, the situation in Libya was not on the Agenda of the NAM Conference held last month in Bali. No delegation from Libya attended the meetings and no declaration was tabled on Libya.

The Organisation of Islamic Conference has condemned the excessive use of force against civilians in Libya; considering that the repression and intimidation used in Libya amount to humanitarian tragedy which contravenes Islamic values, human rights and international

humanitarian law. The Organisation of Islamic Conference effort to harmonise its position, as well as, to coordinate with regional and international organisations was recognised.

In February 2011, the Arab League announced the decision to suspend, until further notice, any participation of Libyan delegations in the Arab League-related events. Furthermore, the Council of the League of Arab States took a decision on 12 March 2011, to call for the imposition of a no-fly zone on Libyan military aviation and to take precautionary measures that allow the protection of the Libyan people and foreign nationals residing in Libya. This decision was taken prior to the United Nation Security Council Resolution 1973 being adopted.

Mr Deputy Speaker, Sir, it is important to note that the UN Security Council authorised Member States, whether acting nationally or through regional organisations and acting in cooperation with the Secretary General, to take necessary measures to protect civilians and civilian populated areas under threat of attacks in Libya.

It is pursuant to this Authority that NATO, which is an alliance consisting of 28 independent member countries, including Turkey, decided to intervene militarily and it is up to NATO itself to decide on the duration of the operations, unless NATO's decision is superseded by a review of the matter of the UN Security Council.

The position of the Commonwealth is reflected in the London Conference on Libya which took place on 29 March 2011 and chaired by the Foreign Secretary, William Hague. Foreign Ministers and Leaders from over 40 countries and organisations, including the UN, Arab League, Organisation of the Islamic Conference, EU and NATO discussed the situation in Libya with UK allies and partners.

The Conference welcomed NATO's contribution in agreeing to take on command and control of all military operations to enforce the arms embargo, the no-fly zone and other actions needed, as authorised in the UN Security Council resolution 1973 (2011), to protect civilians.

The Conference also agreed to establish the Libya Contact Group, to provide leadership and overall political direction to the international effort in close collaboration with the UN, the African Union, the Arab League, the OIC and the EU to support Libya. The North Atlantic Council, which is the governing body of NATO, is providing the executive political direction to NATO operations.

The Conference also took note of the implementation of UN Security Council Resolutions 1970 and 1973 of 2011, considered the humanitarian needs of the Libyan people and identified ways to support the people of Libya in their aspirations for a better future.

Mauritius welcomes the initiatives of the African Union to find a peaceful solution to the Libyan crisis. On 10 March 2011, the Peace and Security Council of the African Union decided to establish a High Level *ad hoc* Committee mandated to -

- (i) engage with all parties in Libya and continuously as soon as possible assess the evolution of the situation on the ground;
- (ii) facilitate an inclusive dialogue among the Libyan parties on the appropriate reforms;
- (iii) engage AU's partners, in particular the League of Arab States, the Organisation of the Islamic Conference, the European Union and the United Nations, to facilitate coordination of efforts and seek their support for the early resolution of the crisis.

Mauritius supports the renewed call of the African Union and its road map for a political resolution of the conflict acceptable to all parties concerned that should facilitate the immediate cessation of all hostilities and a diligent delivery of humanitarian assistance to alleviate the sufferings of the civilian population.

It is noteworthy that the roadmap includes Colonel Gaddafi's commitment to an inclusive dialogue process with the participation of the Transitional National Council (TNC) of Libya, as well as acceptance of not being part of the negotiation process, as well as the UN Security Council Resolutions 1970 and 1973 of year 2011.

Mr Fakeemeeah: After hearing the hon. Minister answering to my question, I would like to come more directly to the issue. I think the hon. Minister mentioned it several times and he is aware of the tremendous suffering of mostly the civil population of Libya following the NATO's intervention. Does he feel the moral responsibility of how to avoid all this, as actually we entertain a very good friendly relation with most Arab countries? What is his feeling about it?

Dr. A. Boolell: I have replied to the question and I have stated Mauritius support, the renewed call of the African Union and its roadmap for political resolution of the conflict, acceptable to all parties concerned, that should facilitate the immediate cessation of all these

hostilities. Let me make it quite clear, Mr Deputy Speaker, Sir, we are strong proponents of Human Rights values, the reason as to why we supported a resolution with the objective of protecting civilians and our stand is the stand taken by members of the International Community Group.

Mr Fakkeemeeah: Mr Deputy Speaker, Sir, the hon. Minister has stressed the point that we are strong supporters of Human Rights, but Mauritius has always been prompt to sign resolutions to that effect, especially resolutions in the United Nations to attack Libya. Why has our State not shown such determination to relieve the legitimate people of Palestine who are suffering under the bombing of Israel?

The Deputy Speaker: I think that the hon. Minister will be able to clarify.

Dr. A. Boolell: Mr Deputy Speaker, Sir, I don't intend to condescend to the level of the hon. Member. This is a dignified House and this is an issue that transcends political barriers or parties. I would invite the hon. Member to read the speech delivered by successive Prime Ministers on the issue of Palestine and where our stand is.

Mr Bérenger: Can I ask three questions with your permission? One, a few days ago we integrated the provisions of the ICC (International Criminal Court) into our statutes, our domestic law and the hon. Prime Minister replying to questions from me said that we will stand by whatever the ICC does. Now, the International Criminal Court has just issued three arrest warrants targeting three individuals in Libya, but the African Union - to which the hon. Minister referred to on several occasions - has requested its members not to implement those arrest warrants, to ignore those arrest warrants. Which is which? Where does Mauritius stand?

Dr. A. Boolell: Mauritius stand is unequivocal on this issue. Let me make it quite clear Mr Deputy Speaker, Sir. I raised that issue and what we stated was that there should be deferral as matters stand in respect of Sudan at a time when we are negotiating a peace process and we want a lasting peace solution to the problem of Libya. I referred to Article 16 where matters could be deferred, this is what we said and if AU stand is one of high moral persuasion and this is what we said, I would advise the Leader of the Opposition to peruse the roadmap established by AU on the importance of bringing all parties together and even Colonel Gaddafi has agreed that he would not be party to a negotiation. On this particular issue of ICC, I have stated what the Mauritius stand is, but then, as we said, we vote a Bill in this very House. Let me make it quite

clear that the recent enactment of the Bill is in line with the obligation as a State Party to the ICC that Article (11) of the Bill stipulates that -

“Any request from the ICC for the arrest or provision arrest or surrender of a person for whom a warrant of arrest has been issued by the ICC shall be directed to this Attorney General, should refer the matter to the judge who in turn shall endorse the warrant of arrest for execution in Mauritius”.

I have said that. There are 31 Member States which are part of AU, who have also ratified the ICC, but this is what I have said; our stand is one of deferral at a time when negotiations to have a long, peaceful settlement on the issue of Libya is being discussed.

Mr Bérenger: My question is simple, Mr Deputy Speaker, Sir, and the hon. Minister has referred to Sudan. He is aware that in the case of Sudan, the African Union asked for deferral from the Secretary Council and was not granted deferral. Now, the African Union is not asking deferral from whomever; it has asked its Members to ignore the ICC arrest warrant. My question is simple: are we going to go by what the African Union says, therefore ignore the arrest warrants, or will we stick with the ICC?

Dr. A. Boolell: As I have stated, Mr Deputy Speaker, Sir, we have to stick with the decision taken by the ICC as a signatory to the Rome Statute.

Mr Bérenger: My second question is: the Minister has referred to two resolutions of the Security Council 1970 and 1973. The 1970 resolution was a total ban on arms for Libya whatever site, a total ban. Resolution 1973 later came and said that we can take any measure to protect the civilian population. Now, do we go along with the interpretation of the US, UK and France who says that resolution 1973 supersedes 1970 and, therefore, allows NATO countries to supply arms to the so-called rebels' sides if it is to protect the population?

Dr. A. Boolell: In fact, UK has distanced itself from the decision taken by France to support the rebel with arms. Our stand, as I have said, is unequivocal on this issue, we don't support the stand taken by France on this issue.

Mr Bérenger: It is common knowledge, you read in the international press and the regional press, in Kenya for example the United States is bringing heavy pressure on the Kenyan

Authorities to close the Libyan Embassy, expel the pro-Gaddafi regime diplomats present. Is there such a request coming from our side here in Mauritius from the US?

Dr. A. Boolell: Mauritius is a sovereign State; it will entertain requests in the interest of the Libyan people.

MOTOR VEHICLES (SECOND HAND) & SPARE PARTS

- IMPORTATION FROM JAPAN

(No. B/642) 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 Japan, he will state if consideration will be given for a -

- (a) reduction of the amount of bank guarantee required for the importation of second hand motor vehicles and of spare parts therefrom, and
- (b) lift of the ban on the importation of second hand spare parts and accessories therefrom.

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, the House may wish to note that, in the wake of the nuclear crisis in Japan following the earthquake, and upon the recommendations of a ministerial Committee chaired by the vice-Prime Minister, Minister of Social Integration and Economic Empowerment, Government has taken a series of measures to control importation from that country.

These measures concern, *inter alia* -

- (i) a ban on importation of all food products and agricultural commodities, including feedstuffs;
- (ii) second hand vehicles to be accompanied by a certificate of conformity from a recognised professional body with regard to radioactive contamination and water damage, and
- (iii) a ban on importation of second hand motor vehicles spare parts.

Mr Deputy Speaker, Sir, it is to be noted that some 13 second hand vehicles, which were found to be contaminated upon arrival, are at present awaiting shipment to Japan, and the decision to impose a bank guarantee of Rs100,000 for second hand vehicles was specifically

aimed at covering the cost of return in case of contamination, whereas the verification of individual second hand spare parts was done deemed to be feasible.

Mr Deputy Speaker, Sir, I would like to inform the House that representations have been received from licensed car dealers on both the introduction of a bank guarantee and the ban on second hand motor vehicles spare parts. These have been considered at the level of the ministerial committee, which is closely monitoring the situation, and which will be making its recommendations to government. The decision taken thereon will be announced subsequently.

Mr Uteem: Mr Deputy Speaker, Sir, I understand from the hon. Minister that there is a committee which is going to make recommendations. May I know from the hon. Minister when it is expected that this committee will come up with its recommendations?

Mr Yeung Sik Yuen: It is a question of days, Mr Deputy Speaker, Sir.

Mr Uteem: As the hon. Minister is aware, under the current regulations, any importer of second hand cars now needs to get a certificate of conformity and, according to the regulations, he has to get it from *Bureau Veritas* in Japan or any competent Authority in Japan recognised by the Permanent Secretary of his Ministry. Is the hon. Minister prepared to extend the list of the authorised institutions in Japan, inasmuch as I have taken note from the internet that the Japanese Government has now authorised three institutions to grant this licence and that it will be subsidising some of the costs of inspections? So, would the hon. Minister see to it that those three institutions be added to the list of authorities competent to issue the certificate of conformity?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, in fact, the ministerial committee is considering this matter.

Mr Uteem: Will the committee also give attention to the fact that authorised car dealers who are in the business of importing second hand cars already have a bank guarantee of Rs2 m., which they deposit with the Ministry? Instead of them being asked to give another Rs100,000 guarantee, could the existing Rs2 m. guarantee be used?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, we have also taken this into consideration.

(No. B/643) Mr S. Dayal (Third Member for Quartier Militaire & Moka) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to research and development, he will state the institution in charge thereof, indicating the -

- (a) areas in which research is presently being carried out, and
- (b) budget earmarked therefor, indicating if it is sufficient for the institution to meet the objectives set by Government.

Dr. Jeetah: Mr Deputy Speaker, Sir, the Mauritius Research Council (MRC) has the responsibility for research at national level, and the Tertiary Education Commission (TEC) has the responsibility to promote research in the Tertiary Education Sector.

All Tertiary Education Institutions (TEIs) are required to undertake research and development activities. Funds are earmarked in the recurrent budget on an annual basis. These have been consolidated in a National Research Fund, worth Rs100 m.

With regard to part (a) of the question, I am tabling a list of areas in which research is presently being carried out both at the MRC and in the Tertiary Education Institutions.

As regards part (b) of the question, the information is as follows -

- (i) For the year 2011, budgetary provisions for research activities at TEC and TEIs total Rs32.05 m.
- (ii) In addition to the above, provision has been made for the research programmes, which may go beyond financial year 2011 as follows -

	Rs/m.
Centre for Biomedical and Biomolecular Research project at UoM	5.0
5 Research Chairs (including Mphil/PhD)	52.0

Centres for Applied Research	5.0
Total	62.0

- (iv) For the Mauritius Research Council, a budget of Rs12 m. has been allocated for year 2011.

Mr Dayal: Does the hon. Minister consider it sufficient, as a share of our GDP, to meet our objective of a trillion GDP economy, which imperatively requires the creation of a dynamic manpower base, where research and development plays a pivotal role?

Dr. Jeetah: Currently, in terms of share of GDP, it is about 0.36%, which is one of the lowest, I must say, in this part of the world.

Mr Deputy Speaker, Sir, allow me to say a few things on research. The Tertiary Education Sector has put a lot of effort to build capacity in terms of teaching, so that, today, we have all faculties, where we have local teachers. We are in the process of creating more PhDs. We have created a number of national Chairs, and we have taken a number of decisions, so that now we give a new impetus to research. I must also add that researchers should not only rely on local funding. I have a list of funding agencies such as the European Commission, Ford Foundation, Swedish International Development Corporation Agency, UNESCO for specific projects, funds from SADC, International Atomic Energy Agency and the International Foundation for Science which exist. I think the issue is to get a pool of researchers who would be able enough to seek funds from these institutions as well.

PUBLIC SERVICE VEHICLE LICENCE - APPLICANTS

(No. B/644) Mr S. Dayal (Third Member for Quartier Militaire & Moka) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Public Service Vehicle License, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the present number of holders thereof who have been convicted of criminal offences, indicating the actions taken, if any, against them.

Mr Bachoo: Mr Deputy Speaker, Sir, I am informed by the NTA that Public Service Vehicles include taxis, buses, contract cars and contract buses. As at 30 June 2011, there were 6,300 taxis, 3,800 contract buses, 3,100 contract cars and 1,928 buses.

I am further informed that, before processing any application for a Public Service Vehicle Licence, the Authority ensures that the applicant has not been convicted of any criminal offence during the three years preceding his application.

Once an application is granted and the licence is implemented, the NTA does not seek any police report on the successful applicant until and unless information regarding any alleged criminal offence is received against him.

The list of licensees who committed criminal offences is being compiled, and will be laid in the National Assembly in due course.

Mr Bérenger: The hon. Member wanted information on those who get a licence to operate public service vehicles or on the drivers; those who drive those public vehicles.

Mr Bachoo: It's normally on the applicants who apply for those licences. It is basically on them. But once they get the licence, may be tomorrow or the day after, they can hire drivers to do the work; but that is a different issue.

Mr Obeegadoo: Could I seek some clarification from the hon. Minister? What I heard the hon. Minister say is that if, subsequent to being granted a licence, a driver does incur a conviction, the NTA will not necessarily be informed, unless such information is volunteered to the NTA? Did I understand right?

Mr Bachoo: Normally, when any act is committed by any of the licensees, and if he/she has been condemned, then, definitely, the NTA comes to know about it and takes action. For example, I have in my possession a list of cases where offences were committed and they were convicted - they were sentenced. Thereafter, the NTA takes the decision either to revoke the licence or to have the licence suspended, depending on the gravity of the offence committed. But, it's only once we come to know about it; otherwise, it is difficult for NTA to know what is going on. There are hundreds of such cases.

Mr Obeegadoo: Is it an established practice just as for certain employers that the Police will necessarily inform NTA when there are convictions?

Mr Bachoo: This is, in fact, what happens.

Mr Ganoo: I heard the hon. Minister in his answer saying that there is a time lag of three years after somebody has been convicted. Is the hon. Minister aware that the Road Traffic Act says, in fact, that the licence shall not be issued unless the applicant satisfies the Authority that he is of good character, or a licence may be suspended or revoked by the Authority on the ground of his conduct or of his record of convictions and the holder not a fit person to hold the licence. So, where does the 3-year period come in?

Mr Bachoo: Mr Deputy Speaker, Sir, this has become a practice for the past decade or so. Because what do we do, if in case about 10 or 15 years earlier anybody has committed a mistake or anything illegal, we cannot because of that particular case debar somebody from getting a licence. With regard to the words that the hon. Member mentioned, normally the person must be a fit and proper person to hold such a licence. We normally take into consideration the three previous years.

LE POUCE, PETIT VERGER - HEALTH TRACK

(No. B/645) Mr S. Dayal (Third Member for Quartier Militaire & Moka) asked the Minister of Local Government and Outer Islands whether, in regard to the project for the construction of a health track at Le Pouce, Petit Verger, in St Pierre, he will, for the benefit of the House, obtain from the Moka/Flacq District Council, information as to where matters stand, indicating the -

- (a) expected date of completion, and
- (b) cost thereof.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed by the Moka-Flacq District Council that funds are now available for the implementation of the project which is estimated to the cost Rs2 m. and the project is expected to start this month itself. It is expected to be completed by end of July 2011.

STATE INVESTMENT CORPORATION - INVESTMENTS

(No. B/646) 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 investments made by the State Investment Corporation, he will -

- (a) for the benefit of the House, obtain from the Corporation, information as to the investee companies which -
 - (i) have incurred losses in 2009 and 2010, indicating the amount in each case, and
 - (ii) are in the medical and healthcare sectors, indicating the date of investments, and
- (b) state Government policy with regard to -
 - (i) its investment arm's core strategic investments, and
 - (ii) the disposal of loss-making and peripheral investments.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, I am tabling the reply to part (a) of the question.

As regards part (b) of the question, Government policy is that SIC, as the investment arm of Government, should focus on strategic investments to support Government efforts in the restructuring of the economy.

Accordingly, SIC is adopting a policy of disinvestment from purely commercial activities towards the promotion of value creation and initiatives to trigger new economic activity in Mauritius. The intention is to create multiplier and spill-over effects to achieve wealth creation. The SIC will also foster Public Private Partnership initiatives to enhance the furthering of national infrastructure development objectives.

Regarding loss-making strategic investments, SIC is privileging two routes, namely -

First, complete restructuring and business re-engineering where there is possibility for turnaround from within the enterprise.

Second, entering into Strategic Partnership with investors who have the resources and business knowledge through Request for Proposals.

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, may I ask the hon. vice-Prime Minister whether these loss-making companies had their accounts finalised and audited since last year? Or how many of these do not have any accounts audited since 2007 or 2008?

Mr Jugnauth: I don't have this information with me. I have the information with regard to the loss that has been made by a number of companies. I can check whether these companies that the hon. Member is referring to, what is the situation with regard to their accounts and circulate same.

Mr Li Kwong Wing: Are these losses for the last year or are they dating since 2008?

Mr Jugnauth: Well, I have figures for net loss in 2009 and net loss in 2010. I am circulating it.

Mr Li Kwong Wing: In the case of loss-making companies, is the hon. vice-Prime Minister aware that, for example, the Casino companies are all loss-making and the main reason is mismanagement and has an inquiry been carried out into the reasons for loss-making, and whether he is aware that slot machines worth Rs100 m. are rotting in a godown of a political agent in Fond du Sac?

(Interruptions)

Mr Jugnauth: First of all, not all of the Casino companies are loss-making - but I must admit that that most of them were loss-making. With regard to the second part of the question, whether there are gaming machines which parked somewhere, I'll have to check. I don't have this information.

Mr Fakkeemeeah: Mr Deputy Speaker, Sir, can we know from the hon. vice-Prime Minister who decides of the investment strategy of the SIC?

Mr Jugnauth: The SIC has a Board and, of course, the Board will look into different proposals and opportunities for investment and thereby decisions are taken at the level of the Board.

Mr Bérenger: Can the hon. Minister of Finance look at bad debts written off by SIC since 2005? Because we have very disturbing information on bad debts written off by SIC since 2005. Is he prepared to circulate that information?

Mr Jugnauth: I will ask the SIC to give me the information. I don't see any problem in circulating this.

Mr Li Kwong Wing: In the case of subsidiaries of SIC which are not lame ducks but sick ducks, is the hon. vice-Minister aware that Directors are drawing fees as high as Rs2 m. and would he look into it so that any loss-making subsidiaries do not pay any more Director's fees in the meantime?

Mr Jugnauth: If the hon. Member is referring to those companies that are loss-making in 2009 and 2010, I will check whether there are any Directors drawing any fees from those companies.

MAURITIUS BUSINESS GROWTH SCHEME - BENEFICIARIES

(No. B/647) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Mauritius Business Growth Scheme, he will state -

- (a) the amount earmarked and disbursed thereunder, as at to date;
- (b) the names of the Small and Medium Enterprise beneficiaries thereunder, indicating the amount and terms and conditions thereof;
- (c) if grants are made available only for consultancy purposes, indicating the criteria for the allocation thereof, and
- (d) if an evaluation thereof has been made to make it more effective for Small and Medium Enterprises.

The Minister of Business, Enterprise, Commerce and Consumer Protection (Mr M. Yeung Sik Yuen): Mr Deputy Speaker, Sir, with your permission, I shall answer this question.

Regarding part (a) of the question, the Mauritius Business Growth Scheme (MBGS) through its two schemes, namely the 50:50 Matching Grant Scheme, solely targeted to SMEs and the 90:10 Pay Back Scheme to all enterprises supports enterprises productivity and competitiveness, especially in areas of skills and training, technology upgrading, standards and marketing constraints.

The MBGS also helps SMEs through Hand-Holding and 'mentoring'.

An amount of Rs12 m. has been budgeted in the 2011 Budget of my Ministry for the 50:50 Matching Grant Scheme, while an amount of Rs30 m. for the 90:10 Pay Back Scheme.

Regarding part (b) of the question, I am informed that (23) twenty-three 50:50 Matching Grant Scheme for SMEs have been approved and disbursements have started for (5) five of them for an amount of Rs1,295,335.

As regards the 90:10 Pay Back Scheme, which is targeted towards SMEs and larger enterprises, out of the Rs30 m. provided in the Budget, an amount of Rs2,255,264 have been disbursed for six (6) projects out of nineteen (19) projects which have been approved.

I am tabling a copy of the list of enterprises under the 50:50 Matching Grant Scheme and the 90:10 Payback Scheme.

Mr Deputy Speaker, Sir, in respect of part (c), I have already highlighted the specific assistance provided by the MBGS Unit. The MBGS Unit does not work with Consultants, but experts are hired by the participating partner enterprises and reimbursement is made under the schemes on the basis of successful and surveyed measurable and quantifying targets. Prior to granting assistance, MBGS does a complete and detailed evaluation of the enterprise, thereby creating the specific time-line with quantifiable and measurable steps.

The eligibility criteria are as follows -

- All enterprises in all sectors, except for the financial services and traders;
- Enterprises should be vested with a legal entity and should operate in Mauritius;
- Enterprises should submit official financial statements for the last 3 years together supported with appropriate documents, and
- Every project must include elements of innovation leading to business growth. The Business Growth Plan and time-line should be a simple, yet a comprehensive document highlighting quantifiable and measurable business growth targets.

Mr Deputy Speaker, Sir, as regards part (d) of the question, the MBGS is still at its embryonic stage, as it became fully operational during the last six months. It is planned to have monitoring and evaluation of all the schemes shortly with the recruitment of a monitoring and evaluation specialist which is in the pipeline. The closing date for the post was 30 June 2011.

Mr Li Kwong Wing: If I heard the hon. Minister correctly, six large firms have received facilities worth Rs2.2 m. while only five SMEs have received facilities for Rs1.2 m. So, why

should there be a scheme which has earmarked Rs360 m. under the last Budget when only Rs3 m. have been disbursed and what is the cost of administration of this scheme given the fact that a lot of advisers and foreign consultants have been employed in that unit?

Mr Yeung Sik Yuen: In fact, the Rs360 m. is earmarked for five years. The first year for 2011, the 50:50 matching grant which is earmarked is only Rs12 m. and for the 9010 payback scheme is only Rs30 m. for the first year and there is a list of 23 SMEs, as I said, and 19 for the larger firms.

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, it means that out of the Rs42 m. earmarked for this year, only Rs3.2 m. have been used. So, can I ask the hon. Minister why is this Fund set up which is totally funded by the World Bank on which heavy interests are paid in foreign currency when only a very little amount has been disbursed and used and which is of no use to the small scale industries because it concerns only some feasibility studies and consulting facilities?

Mr Yeung Sik Yuen: Well, in fact, I am sure that the money will be fully used by the end of this year and secondly, concerning the grant that we pay, they have to pay the experts first, then we reimburse the enterprises.

Mr Li Kwong Wing: Just one final question. So, it is very clear that the cost of administering the scheme with a foreign manager and four advisers is much higher than the disbursement made to SMEs under this scheme. So, may I ask the hon. Minister whether he will consider scrapping the scheme and reinvent something which will be of use to the SMEs like providing risk guarantees and working capital and financing?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, I don't think that we have to scrap the scheme because it is a scheme that is helping a lot of enterprises in Mauritius. We are financing expertises whether in Mauritius or from abroad.

The Deputy Speaker: The Table has been advised that PQ Nos. B/654, B/658, B/659, B/660, B/661 and B/662 have been withdrawn. Next question!

FIRE STATIONS - LOCATION

(No. B/648) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to each of the fire stations, he will, for the benefit of the House, obtain from the Government Fire Services -

- (a) giving a list thereof, indicating the -
 - (i) location;
 - (ii) regions covered;
 - (iii) number of Fire Officers posted thereat, grade-wise, and
 - (iv) number of fire lorries available which are appropriate for skyscrapers, and
- (b) information as to if consideration will be given for the setting up of additional fire stations in large regions.

Mr Aimée: Mr Deputy Speaker, Sir, the information requested at parts (a)(i), (ii), and (iii) of the question are being placed in the Library immediately.

(Interruptions)

With regard to part (a)(iv), I am informed that presently only one lorry with a turn table is available to cater for skyscrapers.

As far as part (b) of the question is concerned, I am informed that tenders have already been launched for the construction of a new fire station at Tamarin and possibilities for the setting up of a new fire station in the regions of Rose Belle, Goodlands and Montagne Blanche are seriously being looked into.

Mr Nagalingum: Mr Deputy Speaker, Sir, regarding fire lorries, in reply to PQ No. B/786 on 14 December last, the hon. Minister stated that he would table a list of the lorries which are aged more than 10 years. Is he aware that such list has not yet been laid in the Library?

(Interruptions)

Mr Aimée: I don't remember, Mr Deputy Speaker, Sir.

(Interruptions)

But what I still remember is that it was about a lorry ladder, where I mentioned that there is only one which goes up to 15 storeys and we need one to go more than 15 storeys that is to 25 or 30 storeys.

Mr Nagalingum: Can I ask the hon. Minister whether all fire stations are adequately staffed?

Mr Aimée: Yes, Mr Deputy Speaker, Sir.

Mr Bérenger: The hon. Minister has himself confirmed that there is only one fire lorry appropriate for skyscrapers. Will he agree that this is very dangerous, this is not acceptable? And secondly, can he tell us whether that one lorry reaches what are now the highest skyscrapers or are there buildings that cannot be reached by that engine?

Mr Aimée: The lorry I just mentioned goes up to 15 storeys, that is, 30 metres and, in fact, the hon. Member is right, there is a need to have a lorry ladder that goes more than 50 storeys. We are now preparing the tender document to buy one, but, in the meantime, since two years ago all buildings, when giving the BLP permit, found that there is a need to have staircase from the first floor to the last, that is, a sort of emergency exit.

STC - UNLOADERS

(No. B/649) Mr J. F. François (Third Member for Rodrigues) asked the Minister of Business, Enterprise, Commerce and Consumer Protection whether, in regard to the unloaders working at the State Trading Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to -

- (a) the number thereof indicating the -
 - (i) date the first unloader was recruited thereat;
 - (ii) terms and conditions of employment;
- (b) if any change of their status is envisaged, and
- (c) any representation for Check Off Agreement and Recognition as per the Employment Relations Act has been made and, if so, where matters stand.

Mr Yeung Sik Yuen: Mr Speaker, Sir, I am informed from the State Trading Corporation that the first unloader was recruited in February 1990 for the unloading of bags of rice, flour and sugar upon arrival of shipments from Mauritius.

The terms and conditions of employment of these casual unloaders are a purely accessory nature; that is, they are required to work on an average of 3 to 4 days per month on a rotational

basis upon arrival of consignment from Mauritius. They are paid wages for each operation undertaken and paid within 5th day of being completed.

Mr Deputy Speaker, Sir, I am informed that the casual unloaders have made representations to be considered as employees of the STC. Legal advice pointed out as early as February 1994 that the very fact that the labour of “casual unloaders” is resorted to only occasionally or casually implies that their work is of an “accessory” nature in relation to STC’s business, and that, they cannot be given the status of an employee of the STC.

Mr Deputy Speaker, Sir, there have been requests for the deduction for check off from casual unloaders in January 2011, in favour of the Port Mathurin Harbour Workers Union. As casual unloaders do not have the status of employee of the STC and also that the STC has not signed any “Collective Agreement” with the said Union, the issue of check off does not arise.

Mr François: Mr Deputy Speaker, Sir, the unloaders are working for more than 21 years. Does the hon. Minister find it acceptable that they are still being paid to handle bags of flour, rice or whatever only 24 cents per bag since 1990? Will he consider reviewing these tariffs and conditions of work?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, I am informed that they are paid a basic pay of Rs246.43 daily plus Rs24.12 per 100 bags and usually they earn an average of Rs725 per day.

Mr François: Mr Deputy Speaker, Sir, is the hon. Minister aware that the accrued pensions of loaders is only Rs480 over 21 years as their contributions are being paid only on the basic salary, not inclusive of any allowances or any extra work being paid to them? Will he look into that discriminatory matter?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, I don’t mind to look into the matter and, of course, I will contact the SLO to work on it.

LOCAL GOVERNMENT BILL - INTRODUCTION

(No. B/650) Mr J. F. François (Third Member for Rodrigues) asked the Minister of Local Government and Outer Islands whether, in regard to the proposed new Local Government Bill, he will state if consultations have been carried out with all the stakeholders in Rodrigues and, if so, with whom and when, indicating the outcome thereof, in each case.

Mr Aimée: Mr Deputy Speaker, Sir, as soon as I was appointed Minister of Local Government, I paid a visit to the Island of Rodrigues in early 2010. During my visit, I have had consultations with the representatives of the Rodrigues Regional Assembly, the Members of Parliament for the Rodrigues constituency and members of the Rodrigues Council of Social Services. All the persons I have met there were favourable to the idea of having a local government system in Rodrigues.

However, all proposals are at discussion stage and no financial decision has been taken up to now.

Mr François: There has been consultation, Mr Deputy Speaker, Sir. Is the hon. Minister aware of the unwanted feelings that prevail in Rodrigues after his public announcement on private radios and newspapers of demeaning Port Mathurin of our historical town into a village? A move qualified by many on all fronts as a *recul, une attitude coloniale, une insulte à l'autonomie et à la démocratie*. Honestly, Mr Deputy Speaker, Sir, will the hon. Minister and Government reconsider their position on this sensitive issue?

Mr Aimée: Mr Deputy Speaker, Sir, all the information that are in the newspapers or from the media are informal information. The Bill is actually at the State Law Office. Nevertheless, as I have said, I have got consultations with the following Members: Christian Leopold, MR; Nicolas Von-Mally; Robert Spéville, OPR; Alex Nancy, OPR; Serge Clair; Alain Tolbize; the RRA: Johnson Roussety, Gaëtan Jabeemissur; Franco Grandcourt, RCSS; Wilmot Edouard.

Mr François: Mr Deputy Speaker, Sir, consultations date further back. Is the hon. Minister aware of the provisions of the RRA Act, specially section 26 subsection 3, which gives all the powers and privileges under the Local Government Act or any other enactment vested in a Municipal Council to Regional Assembly to allow RRA to decide on the status of Port Mathurin? I am not making a debate, but the Minister, himself, talked about it. I don't know whether the information in the newspapers is informal or whether he, himself, is informal...

The Deputy Speaker: No, no!

Mr François: ... to decide on the status of Port Mathurin as was proposed.

(Interruptions)

Mr Aimée: Mr Deputy Speaker, Sir, I want the hon. Member to withdraw the word ‘informal’ when he said I am informal. I am here and the Constituency No. 14 - the biggest one - elected me to be here.

The Deputy Speaker: I think that the hon. Member should withdraw this word.

Mr François: I did, Mr Deputy Speaker, Sir.

The Deputy Speaker: Next question!

Mr François: Mr Deputy Speaker, Sir, one supplementary question before I move on to the next question. Is the hon. Minister aware that since 1905, Port Mathurin has the status of a village and that Port Mathurin deserves the status of a town?

Mr Aimée: Yes, I am fully aware. In fact, the RRA Act is there, and the subsection that the Member has just mentioned is there. We could have gone with the Local Government Bill for Mauritius only, but the fact that Rodrigues is part and parcel of the Republic of Mauritius, people would say that such an important law is being brought for the Republic of Mauritius only and they would say Rodrigues is left behind; that is why we have taken care of it. The consultation is ongoing. If they accept, it is alright; if they don’t, *tant mieux!*

The Deputy Speaker: Time is over! I have to advise the House that Parliamentary Question Nos. B/656, B/657 and B/663 have been withdrawn.

SUSPENSION OF S.O. 10(2)

The vice-Prime Minister, Minister of Social Integration and Economic Empowerment (Mr X. L. Duval): 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.

At 4.18 p.m. the sitting was suspended.

On resuming at 4.52 p.m. with Mr Speaker in the Chair.

STATEMENTS BY MINISTER

MAURITIUS-INDIA DOUBLE TAXATION TREATY

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P.

Jugnauth): Mr Speaker, Sir, I have got two statements to make.

The House may be aware that there have been recently a number of press articles in India and Mauritius pertaining to the Mauritius-India Double Taxation Treaty. The various press reports have made certain comments in relation to our jurisdiction.

I would like to reassure the House that Mauritius has taken all steps to prevent abuse of the treaty with India, prevent round tripping, money laundering and have put in strict procedures to detect any routing of black money through the Mauritius jurisdiction –

- (1) Mauritius is fully committed to continue complying with the OECD norms and cooperate with other Governments and authorities to ensure effective exchange of information with a view to prevent any abuse of the treaties, protect investors and depositors and promote the integrity of financial services markets in the respective jurisdictions.
- (2) Mauritius has signed a number of Memorandums of Understanding (MoU) with leading financial centres and regulators around the world with respect to exchange of information.
- (3) As at date, the Financial Services Commission (FSC) has already signed MoUs with 18 regulators in this respect, including one with the Securities and Exchange Board of India (SEBI).
- (4) Mauritius has as at date received around 64 requests for bank and tax information and the information has been duly submitted by the Mauritian authorities.
- (5) Effective exchange of information exists between the Revenue Department of India and the Mauritius Revenue Authority and also between SEBI and FSC.
- (6) In addition, India has set up a tax information office in Mauritius to strengthen and speed up the exchange of information. Mauritius received favourable reviews from the OECD Peer Review group on its framework for exchange of information and its effectiveness. To date, there has not been a single request to investigate any alleged round tripping in Mauritius.

- (7) Mauritius has one of the most stringent anti-money laundering guidelines and strict adherence to AML norms in a constant focus of the Bank of Mauritius.
- (8) We have introduced a number of legislative frameworks to prevent money laundering, namely The Financial Intelligence and Anti-Money Laundering Act 2002 (FIAMLA 2002), the Prevention of Corruption Act 2002 (POCA 2002) and the Prevention of Terrorism Act 2002 (POTA 2002).
- (9) Over the years, amendments have been brought to the AML/CFT regulatory framework to meet new standards as set out by the international organisations, namely the Financial Action Task Force (FATF), the International Organisation of Securities Commission (IOSCO) and the International Association of Insurance Supervisors (IAIS). Both the Bank of Mauritius and the Financial Services Commission issued industry specific Codes on the Prevention of Money Laundering and Terrorist Financing way back in 2003. The Codes are continuously revised in collaboration with the industry representatives to meet new national and international initiatives. The authorities carry regular inspections and offences are subject to heavy penalties.

Mauritius has, therefore, one of the strictest Anti-Money Laundering legislative framework and is recognised by the World Bank, IMF and the Financial Action Task Force (FATF) as a clean and transparent jurisdiction. Mauritius was equally among the first few countries to be classified by the OECD as a ‘White Listed’ jurisdiction in its initial rankings in early 2009.

Mauritius has been fully collaborating with the Indian Authorities to ensure that there is no abuse of the treaty and ensure the integrity and credibility of its financial centre.

Government wishes to reaffirm its support to India in the fight against round tripping and money laundering and the tracking of black money and we shall pursue fully our collaboration with the Indian Authorities.

Mr Speaker, Sir, India has always been with us in our journey towards socio-economic progress. I have no doubt that our unique bonds of friendship and historic ties will help us further

enhance our collaboration, cast away any misunderstanding and steer ahead on our respective national agendas in the best interest of our two countries.

I am confident that the future of our economic relationship would take into account our umbilical relationship and our commonality of interests. Indeed, we should not lose sight of the fact that the India-Mauritius Double Taxation Treaty has been beneficial to both countries and has contributed significantly to further cement our longstanding economic relationship. I am confident that both India and Mauritius fully understand that we need each other and we cherish each other's dream and ambition.

I wish to reassure operators in the financial services sector that Government will ensure that Mauritius reaffirms itself forcefully as a clean, reputed and credible jurisdiction of substance and, at the same time, enhance its attractiveness and competitiveness.

DIRECTOR OF AUDIT'S REPORTS

Mr Speaker, Sir, the Director of Audit has, in accordance with section 110 subsection (3) of the Constitution and section 20 subsection (1) of the Finance and Audit Act, submitted the following Reports –

- (i) Report on the accounts of the Republic of Mauritius for the fiscal year ended 31 December 2010;
- (ii) Report on the accounts of the Rodrigues Regional Assembly for the fiscal year ended 31 December 2010;
- (iii) Annual Report on the activities of the National Audit Office for the year 2010;
- (iv) Performance Audit Report No. 4 (June 2011) about:
The Disposal of Computer Equipment in the Public Sector, and
- (v) Performance Audit Report No. 5 of June 2011:
The Efficiency and Effectiveness of Managing and Operating the Solid Waste Transfer Stations

He has also submitted the Audit Certificates on the Financial Statements of the Republic of Mauritius for the fiscal year 2010 and on the Financial Statements of the Rodrigues Regional Assembly for the fiscal year 2010.

Mr Speaker, Sir, I am accordingly tabling two copies of the above 7 Reports and documents. These reports will be also placed on the home-page of the National Audit Office.

Thank you.

PUBLIC BILLS

First reading

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

- (i) *The Economic and Financial Measures (Miscellaneous Provisions) Bill (No. XVI of 2011), and*
- (ii) *The Civil Status (Amendment) Bill (No. XVII of 2011).*

Second Reading

The Cadastral Survey Bill

(No. XV of 2011)

Order for Second Reading read.

The Minister of Housing and Lands (Dr. A. Kasenally): Mr Speaker, Sir, I move that the Cadastral Survey Bill (No. XV of 2011) be read a second time.

Mr Speaker, Sir, we all know that without land no life would be possible. Indeed this precious resource is limited worldwide. Mauritius being a small insular State and land being one of our few natural resources, it is therefore of fundamental importance. Thus, it is both crucial and imperative that the management of this resource be optimised to sustain economic development and above all to maintain social stability.

Current land administration and management procedures can no longer meet the challenges brought by the impetus of our rapid economic development over the last decades. Those procedures are no longer able to respond to the needs of the day and are no more able to cope with the increasing demands being placed upon them, especially as regards the recording of changes in land ownership.

It is in this context that Government decided, in 2006, to launch the Land Administration, Valuation, Information and Management System Project, commonly known as the LAVIMS project and I had the privilege of introducing the LAVIMS Implementation Bill in November 2008 to provide, *inter alia*, for its implementation.

Mr Speaker, Sir, modernising and streamlining the existing procedures is no longer an option, but an imperative. In line with the vision of our Prime Minister for a modern Mauritius, a modern land administration and management system project was therefore designed to support the land reform initiatives. Finally, the LAVIMS project was scoped and included the valuation of properties which would enable us to have fair and equitable values of land and properties.

Mr Speaker, Sir, the LAVIMS project is the first major part of an ongoing land reform programme that will deliver the essential building blocks for a modern Land Administration and Management System. The four components of this mega project for the Island of Mauritius are -

- (i) a Digital Cadastre;
- (ii) a complete Property Valuation Roll;
- (iii) a Parcel Based Deed Registration System, and
- (iv) an integrated Information Management System supporting all the three above components.

The whole project is expected to be over by end of August this year.

Mr Speaker, Sir, one of the deliverables of the LAVIMS project is a cadastral index map created by the integration of available graphical information relating to land parcels superimposed on accurately positioned and detailed colour aerial photography. I am laying on the Table of the Assembly a copy of this so that Members can appreciate what we are up to. We have the old map which is very bare, but this one will give details which very few countries have so far managed to do.

Currently, there is no complete cadastre for Mauritius; only surveying of individual land parcels exists. The surveying of individual land parcels is carried out under the Land Surveyor's Act which regulates the profession of Land Surveyors.

In fact, there is presently a mismatch between land related issues and problems in Mauritius and the resources to address them. Institutions dealing with lands are not appropriately resourced to tackle the land issues of Mauritius in an operationally expedient manner. However, with the full implementation of the LAVIMS project, institutions concerned would be able to exercise control in a most cost-effective manner through the Digital Cadastre. The Cadastral Survey Bill addresses these issues.

Mr Speaker, Sir, the database generated by the LAVIMS project is the stepping stone for the eventual evolution of a more detailed and precise land information system through the ultimate introduction of a more accurate cadastral framework based on accurate land surveys and connected to the national Cartesian grid system of coordinates.

Once the cadastre is established and delivered by the contractor, it will be crucial to maintain it so that the information in the cadastre is up to date at all times.

Mr Speaker, Sir, laws governing land surveying, ownership, transfer, mortgaging, valuation and land planning provide the legislative framework for a functioning land administration system. The Cadastral Survey Bill is thus being introduced mainly to ensure the establishment and maintenance of a digital cadastre for Mauritius.

Mr Speaker, Sir, the objects of this Bill are to provide for -

- (i) the general administration, maintenance and updating of a Digital Cadastral Database for the island of Mauritius and eventually for all other islands forming part of Mauritius, including Rodrigues;
- (ii) the allocation of a unique Parcel Identification Number to every parcel or unit of building;

- (iii) the setting-up of a geodetic datum in order to accurately identify the location of every land parcel, and
- (iv) new professional standards and rules for the conduct of land surveying as may be prescribed.

I wish to point out that this legislation will initially apply only to the Island of Mauritius and will eventually extend to Rodrigues where a cadastre has already been set up and to other outlying islands of the Republic of Mauritius.

I will now highlight some of the main proposals which are embodied in the proposed legislation -

(i) Establishment of a Digital Cadastral Database

Provision is made under Clause 4 of Part II of the Bill for the establishment of a Digital Cadastral Database (DCDB) which includes all land parcels and a description, ownership, land use and value thereof. The DCDB will be referenced to the World Geodetic System 1984 and includes districts, local authorities and electoral boundaries. The land parcels have been compiled from existing land survey plans by scanning and digitising processes, as well as by photogrammetric techniques.

All the land survey plans archived at my Ministry have been scanned and uploaded in the LAVIMS System. Moreover, title deeds archived at the Registrar General's Department dating back to 1978 have also been scanned, uploaded and data mined. Henceforth, for all future land transactions, new survey plans and title deeds will be scanned and put in the system and will easily be searched and viewed either at the Registrar General's Department or at my Ministry. The Valuation Department will also be able to access the Digital Cadastre and update the values of each property.

Mr Speaker, Sir, I wish to point out that the DCDB is not a legal cadastre and any information in respect to a land parcel recorded in the DCDB will not create or affect any interest

in the land. In all circumstances, the information recorded at the land registry of the Registrar General Department will prevail in terms of ownership and the assignment of rights.

(ii) Establishment of a LAVIMS Committee

Clause 5 provides for the establishment of a LAVIMS Committee which shall be responsible mainly -

- (a) for the general administration and maintenance of the DCDB;
- (b) setting standards and procedures for structure, storage and provision of cadastral data, and
- (c) the establishment of data sharing mechanism with the potential geographical data custodians.

(iii) Assignment of a Parcel Identification Number (PIN)

Clause 7 provides for the allocation of a Parcel Identification Number (PIN) to any plot of land or unit being the subject of sale or lease prior to the transaction.

All land parcels compiled by the LAVIMS Project have been assigned a ten digit unique PIN. This PIN is an intelligent number automatically generated by the system, and is based on the municipal council areas and village council areas which have been further subdivided into enumeration areas. New land developments requiring a subdivision and thus, creation of new parcels, will each be assigned a PIN.

As this PIN is central to the LAVIMS System, the Notaries Act is being amended to provide for the mandatory requirement for allocation of a PIN in the case of any land transaction such as sale, lease or charge, including lease of State land.

Moreover, land surveys ranging from simple boundary surveys to any type of *morcellement*, including surveys for prescription would require a PIN.

Procedures will be prescribed for the application and issue of PIN. Such applications can be made by any interested person, land surveyor or notary acting on behalf of the interested person.

As the House may appreciate, this system will ensure security of tenure of land ownership by individuals and heirs, eliminating to the maximum risks of any fraudulent transaction.

(iv) Cadastral Surveys

Provision is made under clause 8 for the land surveys to be carried out in accordance with set standards and procedures, as may be prescribed.

The quality of land surveys presently being performed in Mauritius varies considerably. Substandard techniques are often utilised by small operators performing low-cost service to provide survey reports. The public has been overly optimistic as to the quality of such surveys, and cannot distinguish between reputable and the not so reputable ones. The use and benefit of these substandard survey reports to the cadastre is limited, and such poor practices should stop forthwith. Standards will be prescribed for surveys to be carried out in a uniform manner by qualified surveyors. Only survey reports drawn up in accordance with prescribed standards will henceforth be accepted for registration.

Moreover, I wish to inform the House that a Board of Surveyor's Bill is being worked out, with a view to setting up a Board of Surveyors that will regulate the survey profession and ensure that ethical practices are observed.

To enable the building of a reliable cadastre, it is imperative to introduce a survey audit or examination function to test the reliability or accuracy of the surveys, as provided for in clause 12 of the Bill. Audit of survey plans will be carried out by officers of my Ministry prior to registration, to ensure that surveys have been carried out and the memoranda of survey or survey reports and plans have been drawn up and made in the prescribed form and manner.

Mr Speaker Sir, the establishment of the Digital Cadastre will mainly contribute to the achievement of a secure registration system for land market and private land transactions, thereby reducing the large number of unethical "middlemen" operating in the land sector, commonly called *courtiers*.

To enable surveys used in land title deeds system to be based on reliable plans examined for quality and accuracy at government level, thus providing confidence and security in the

system, provide for all surveys to be carried out in the spatial framework of a complete cadastre, reduce errors and confusion in notarial deeds.

(v) Repeal

Clause 20 of the Bill provides for the repeal of the LAVIMS (Project Implementation) Act 2008, which I mentioned initially.

(vi) Consequential Amendments

The provisions in various legislation relating to land administration and surveying are also being amended, to ensure harmonisation with the new legislation. Consequential amendments are thus provided for in clause 22 of the Bill.

(vii) Provision for Regulations

To operationalise the provisions of this Bill, several Regulations will need to be worked out. Rules and guidelines for the conduct of cadastral surveys and preparation of plans and reports and allocation of PIN will be prepared in consultation with all surveying and allied professions, to get general consensus on all aspects of the new land survey practice being put in place. In this connection, we are in the process of procuring foreign expertise, with a view to preparing these Regulations in line with international norms. During the preparation of the Bill, all stakeholders have been consulted and their proposals have, as far as possible, been incorporated in this Bill.

Mr Speaker, Sir, in line with the philosophy of this government to promote economic efficiency and social justice, the land reform initiatives undertaken since 2005 have culminated in the implementation of the LAVIMS project, which will become a reality in the months to come. This major project will be supported by the relevant legal framework, that is, the Cadastral Survey Bill and other legislation that will be introduced shortly, and which will become the cornerstone of a modern land administration and management system.

With the implementation of the LAVIMS project, we shall have -

- an integrated system that permits the joining up of all information in land ownership/leasing transactions;

- a PIN that will remove any ambiguity as to the extent and location of the subject land or interest;
- a cadastral index map upgraded and updated with precise plans;
- a flexible deed system, which will enable interoperability between deeds and land parcels, and
- a live record of all land transactions and their values in the database.

With the enactment of the Cadastral Survey Bill, in the initial phase, two parallel systems will operate until the prescription of relevant regulations and proclamation of the relevant sections of the legislation. The shift from the current to the new system is a gradual process, and I will personally ensure that action is initiated for the whole system to be operational within the least delay, while at the same time ensuring that the necessary safeguards are in place for a smooth transition.

Mr Speaker Sir, the continued sustainable efforts and commitment of this Government to reforms is a tangible proof that we are delivering on our promises made to the people of this country, as mentioned in our governmental programme. Citizens of this country can see for themselves the major projects *en chantier* in the public and private sectors.

Mr Speaker Sir, in line with the vision of the Prime Minister to make this country a model of development in the region, we are committed to modernise our country, and support the ‘paradigm shift’ which will propel Mauritius and its citizens to a higher level of sustainable development. The LAVIMS project goes in that direction, and will modernise land administration in Mauritius.

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

Dr. A. Boolell rose and seconded.

(5.19 p.m.)

Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East): Mr Speaker, Sir, this Bill is long due and we, from this side of the House, are for it. This Bill will professionalise the job of land surveyors, and will bring more precision in a domain where precision is of utmost importance. It will also reduce, like we say, *le braconnage dans le métier*.

Very often, we hear that boundary stones are not to be found, which make it difficult for a person to ascertain the limits of his boundary, which, in many cases, have caused prejudice to property owners, and often ending up in court, taking several years to resolve - if it is resolved – and which turn out to be costly. But, with the Bill, and with the use of GPRS, all the aforesaid issues will be addressed and hopefully be resolved.

The Bill will also provide a greater protection to a buyer of an immovable property to the extent that he will have certainty as to the area boundaries of the property being acquired. Furthermore, this Bill will allow consolidation of all information, relating to completeness, ownership, valuation, existence, disclosure and accuracy. In accounting jargon, we call this COVEDA, that is, Completeness, Ownership, Valuation, Existence, Disclosure and Accuracy of data on immovable property under the LAVIMS. The introduction of this system will, in my opinion, reduce the number of actions being brought in court and thus reduce the cost of judicial administration.

Mr Speaker, Sir, having given the merits of this Bill, there are, however, certain improvements and suggestions that I would like to bring to the attention of the House. But, firstly, I have some general clarification to ask the hon. Minister before proceeding to the sections of the Bill. I would like to have some clarifications as to whether all the documents, as at now, have already been scanned because we all know that the documents date back to, maybe, 200 years and, if not, what is the percentage of completion reached as at now, as the coming into operation of the LAVIMS depends greatly on the data being input.

Secondly, when will the professional and the public in general have access to information pertaining to land registry, that is, the LAVIMS itself, instead of going to the actual and normal, that is, the opening of the books, and when the users will be able to view the deeds on screen. Also, whether it is provided that, subject to the payment of a licence that professional will have access online to documents relating to the title deeds, *casier hypothécaire*, that is, the land registry itself. And also, what is the time frame we are looking at? Additionally, for a person living abroad, will he have access to the system? For example, a person living, say, in London, will he have the necessary information pertaining to his property, say, in Roches Noires? I would like the hon. Minister to give us some information on this.

Before I proceed to Section 5 of the LAVIMS Committee - the Bill, in fact, makes provision for a Committee, which will consist of various representatives of Authorities and Ministries. Here, I would like to make a proposal to add that a Land Surveyor from the Mauritius Institute of Surveyors be included in the Committee. The Mauritius Institute of Land Surveyors consists of Surveyors from the Government and Licence Surveyors from the private sector. As it is now, the private sector is not represented in the LAVIMS Committee. This is a proposal that could be taken into consideration: to insert someone from the private sector on the Mauritius Institute of Land Surveyors.

Moving to Section 6 - Chief Surveyor, we note that the Bill makes provision for functions and powers conferred to the Chief Surveyor. We note also that all is being centralised at the level of the Chief Surveyor's office, thus increasing the bureaucracy. We should ensure that the Chief Surveyor's office is properly manned and equipped in order to deliver efficiently and not causing any further bottleneck.

Moving to Section 7 - Assignment of Parcel Identification Number, here also we need some clarifications from the hon. Minister. Firstly, whether the PIN code has already been assigned? Secondly, will the PIN code be the same as we have actually for the TV, that is, the Transcription Volume or something different? And also, where there is a portion that has been divided into several plots, what will be the PIN code for each individual plot taking into consideration the PIN number assigned to the original plot or portion of land, and same thing for a building subject to a *règlement de propriété*?

Also, in the Cadastral Bill, Section 7 (1) provides that the PIN code shall be mandatory; whereas on the same issue in the Economic and Financial Measures (Miscellaneous Provisions) Bill, Section 48, subsection (3) (c), it is said: "in respect of immovable property, (...) the Parcel Identification Number (PIN) where available (...)"". Could the hon. Minister please clarify this issue as in the LAVIMS it is mandatory and in the Economic and Financial Measures (Miscellaneous Provisions) Bill it is said "PIN where available".

Mr Speaker, Sir, I would like to draw the attention of the House of an issue, which has caused a lot of harm and loss to buyers and even to Notaries. This risk has always existed and, I think, now, we have a chance to tackle this issue. Actually, if a person of bad faith wants to sell a property simultaneously to three persons, that is, he goes to three Notaries, he can do that.

There is no deterrent for that; there are no measures that can prevent someone to sell a property. He can do it at 10 o'clock, 11 o'clock and even at noon to three different Notaries. Actually it has happened and so many people have lost money and even Notaries have had this problem. The reason is because the Notaries have seven days to register the deed, and now, as I said, we can tackle this issue by issuing – by whatever name we may give it - a sale certificate from the Registrar General, which will be used by the Notary to effect the transaction, that is, an original certificate which can only be used once. If the Notary does not have this certificate, he can't perform the transaction. Like is the case for a land which you are subdividing, you go to the Local Authority and you get an approval – that's what we call *excision et surplus*.

This approval is mandatory for a notary to make the deed, actually like it is now. So, he must have it. He can't do away without it. That is why I am proposing that a sale certificate be issued by the Registrar General for every notary to be able to perform the transaction. I have thought thoroughly about it. Even the PIN code does not address that issue of selling a property three times. As I said, this should be issued to the owner and, of course, the conditions will have to be fine-tuned, that is, in terms of validity period of that certificate to be used at a notary's place. As I said, this is a chance for us to address that issue.

I will now move on to the Cadastral Survey Bill, section 9 - Summons or notice to adjoining owners, subsection (3)(c)(ii) where it is said "in 2 daily newspapers approved by the Permanent Secretary". This also, as it is now, each time there is a transaction, the surveyor writes to the Chief Surveyor and the Chief Surveyor writes back and says which in newspaper this has to be published. What I am proposing is that this is done on a yearly basis, that is, at the start of the year, the Chief Surveyor states on which newspapers this notice should be published. Each time you don't have to ask in which newspapers to write and wait for the answer to come back, and this also, as I said, will eliminate a burden and the cost associated to that.

I will now move to section 12 - Survey to be approved by Chief Surveyor, subsections (1) and (2) where it is said that for a survey to be approved by the Chief Surveyor, it would be better to insert a time frame as any transaction would depend on the approval of the survey report. Everything would be suspended pending the approval which we don't know how long will take. This also is not provided in the Bill, as to how long the Chief Surveyor needs to approve any

survey done by a Surveyor. I think that's all for the Bill and I hope that the hon. Minister will give us clarification on all these issues.

Thank you, Mr Speaker, Sir.

(5.33 p.m.)

Mr J. F. François (Third Member for Rodrigues): M. le président, permettez-moi de commencer ainsi. Maurice a commencé une réforme audacieuse mais combien utile, le grand projet LAVIMS ainsi que la modernisation d'un cadastre.

Ce projet est un projet de base dans un élan de modernisation dont l'essentiel est de radicalement protéger les droits fonciers et le succès dépendra impérativement de cette nouvelle loi, le *Cadastral Survey Bill 2011*, introduite, ici, dans cette auguste Assemblée.

Ce projet de loi, qui est un outil dont les principaux utilisateurs, le gouvernement, le secteur privé et les business dépendront énormément en marche vers une vision d'une république durable, écologique et moderne.

J'avais souligné, à travers une question supplémentaire sur le projet *LAVIMS*, que les lois concernant la terre, le cadastre et les arpenteurs-géomètres sont dépassées.

Le rapport du gouvernement de 'Western Australia Scrutiny Mission 2005' recommandait la mise en chantier du projet *LAVIMS* et forcément une réforme dans la gestion des terres et l'utilisation de l'espace.

Dans mon intervention sur *the Architectural Act 2011*, j'avais mentionné que *the Architectural Act* doit encourager la révision des autres lois professionnelles.

M. le président, je félicite le docteur, l'honorable ministre Kasenally, pour l'introduction du *Cadastral Survey Bill*, afin qu'ensemble, on relève un défi de l'avenir, d'informatiser à 100% le cadastre de l'île Maurice, Rodrigues et les autres îles de notre République. Oui, la République, parce que techniquement il y a des implications que je commenterai un peu plus tard.

M. le président, honnêtement je suis très ravi de voir que ce *Cadastral Survey Bill* est débattu aujourd'hui. Sur cette note, j'exprime mon approbation pour que ce *Cadastral Survey Bill*, auquel j'apporterai ma contribution, en ce qu'il s'agit de la réforme dans le domaine du cadastre et la gestion de l'espace. Mais il faut aussi savoir l'histoire du cadastre à Maurice. M. le

président, les lois foncières et des propriétés à Maurice, qui ont une très longue histoire qui datent depuis la période coloniale, la période française et anglaise, légiférées par le Code Napoléon et le *English Common Law*.

On parlait aussi des terres, dites des terres de la couronne, aujourd’hui terres de l’État et des concessions. De plus, depuis 1807, le génie de Napoléon Bonaparte ordonnait la création des plans et données cadastrales en Europe qui fut arrivé jusqu’à nous à l’île Maurice. Concernant le Code Napoléon, le Professeur Garron a rappelé en partie, la semaine dernière à l’Université de Maurice, la beauté des prévisions de ces codes dont nous avons les priviléges.

Mais, malgré l’évolution dans le secteur de la gestion des terres, Maurice opère encore dans une situation de peu d’efficience, ce qui a emmené beaucoup de désordre, qui, aujourd’hui, coûte énormément à l’État. Par exemple, les prescriptions et transcriptions frauduleuses dont les chiffres sont alarmants. Certains propriétaires ont recours à la Commission Justice et Vérité, et parmi une centaine de cas de Rodrigues, principalement sur la concession des Bégué à Grand’Baie et d’autres transactions mafieuses et illégales.

La portée d’un cadastre à Maurice, M. le président, on constate l’absence d’un cadastre complet et qui influence négativement l’organisation et l’exécution du plan de développement du gouvernement. L’exemple concret que j’ai suivi tout récemment avec beaucoup d’attention, soulevé par l’honorable Uteem, et les problèmes évoqués pour un village périphérique de Port Louis, concernant les tracés du ‘*ring road*’ et le développement d’un morcellement. Cela n’aurait pas dû être soulevé si Maurice avait préparé des différentes couches thématiques pour un système informatique géographique complet dont la base reste un cadastre.

M. le président, à lui seul, le cadastre ne peut suffire à délimiter les propriétés sur le terrain. Les titres de propriété ainsi que l’occupation des lieux doivent également être pris en considération par l’arpenteur-géomètre.

Mis à part l’arpenteur-géomètre, les urbanistes et le notaire demeurent les professionnels les plus interpellés en ce qui a trait aux données cadastrales. C’est pour cela que je demanderai à l’honorable ministre qu’un travail de base et d’interopération soit établi entre son ministère et les arpenteurs privés, les urbanistes privés ou gouvernementaux et le notaire pour faciliter ce projet.

Now, Mr Speaker, Sir, I will scrutinise the various sections of the Bill. The provision, as provided by the Bill, is correct. The benefits of an efficient cadastral system are recognised worldwide. Mauritius will certainly, through its democratisation of the economy, benefit from the setting up of a modern and administration system which support, guarantee ownership, taxation, monitor land markets, protection of State lands, land use planning and environmental management.

At section 2 – Interpretation of the Bill, I note that there are a few technical words that need to be interpreted through the Bill. First of all, the word ‘cadastre’ has been used broadly, without a clear interpretation. What is a cadastre? The Federation of Surveyors in 1995 defines a cadastre as a parcel based and up to date land information system containing a record of interests in land (ownership, value), restrictions (control) and responsibilities.

It may also be established for fiscal purposes to assist in the management of land-use control (administration) and enables sustainable development, environmental improvement and social justice.

Mr Speaker, Sir, section 4 - Digital cadastral database, subsection 3 stipulates that -

“The Digital Cadastral Database shall be upgraded to a coordinated *cadastre* by the recording of accurate surveys and coordinated cadastral surveys.”

What is a ‘coordinated cadastre’? It should be interpreted, the word ‘coordinates’ is interpreted in section 2, but not the word ‘*cadastre*’.

Professor Ian Williamson in 2009 defines a coordinated cadastre as “the parcel layer which will act as a conduit by delivering social, economic and environmental information to decision makers particularly in relation to sustainable development, climate change and emergency management.”

My friend, hon. Ameer Meea, mentioned scanned map, but I will propose that the words ‘coordinated cadastre’ be defined and interpreted, not only scanned maps.

I also noted that word ‘plan’ is not interpreted. It is a technical word. A plan, in this particular context means “a graphical representation of one or more cadastral surveys.” It should be interpreted by referring to section 14 of the amendments as circulated.

‘Deposited’ is a technical word which means the formal incorporation of a survey plan or other land instrument into the office of the Permanent Secretary or recorded in the Digital cadastral database.

Mr Speaker, Sir, I would propose that these words be amended at Committee Stage.

Mr Speaker, Sir, as regards related matters of the Bill, taxation purposes is one of them. I predict that once the cadastre is completed, there will be good substantive reasons for creating a fiscal cadastre for an improved taxation system and opportunities for an increase of revenue for Government.

Surely, from a political point of view, some might not like the idea of creating a fiscal cadastre, but I believe we must act as responsible Parliamentarian, with regard to the issue of tax.

Digital Cadastral Database, Mr Speaker, Sir, can only function if accurate and precise surveys are recorded by land surveyors for input into the database.

Let me quote what the American vice-President Al Gore said in one of his speeches in 1998, I quote -

“A new wave of technological innovation is allowing us to capture, store, process and display an unprecedented amount of information about our planet.”

This is where we are today in Mauritius, Mr Speaker, Sir. It simply means also that the future of our society is heading into a digital age where information can be accessed by the simple click of a button.

Mauritius, certainly, is also on this digital age path through the creation of this Accurate Survey Digital Cadastre, Mr Speaker, Sir.

The basic data, as said, will be collected by GPS, which have many beneficial purposes in speeding of recording information, cadastral reference network, registration and the LAVIMS itself.

Section 4(2) (c) provides for the relationship of every land parcel, with any other adjoining land parcel and any abutting road.

It is worth noting that some land may contain an area of water, for example, in the *Pas Géométriques*, the sea, the rivers, creeks, etc., which are water features, and forms a cadastral boundary.

Mr Speaker, Sir, in that case, I will propose that the words ‘water features’ be added in the provision of section 4(2) (c) after the word ‘road’.

Section 4(2) (j) provides for -

“The district or town boundaries set out in the First Schedule to the Local Government Act, the Electoral boundaries of constituencies approved by the Assembly under section 39 of the constitution and any other administrative boundaries of the land parcel.”

But, section 39(1) of the Constitution states that “there shall be 21 constituencies accordingly - (a) island of Mauritius, and (b) Rodrigues shall form one constituency.”

Mr Speaker, Sir, in that case, if my interpretation is correct, section 4(2) (j) of the Cadastral Survey Bill is in contradiction to section 3(1) of the Bill - Application of the Act, which says -

“Subject to this section, this Act shall apply to the island of Mauritius.”

I will propose that an amendment be brought to that section 4(2) (j) to exclude Rodrigues, at present, if the Act is applicable to the island of Mauritius only as per section 3(1) of the Act.

Section 4(5) - Inconsistency of information of the Digital Cadastral Database, Mr Speaker, Sir, any cadastral system has problems. What will be the step ahead if, for example, an error is found in a survey affecting a title or tenure to under the Act? How will the error be corrected? Will the Permanent Secretary or the Chief Surveyor in writing require the surveyor responsible for the error to undertake the work necessary to correct the error at the surveyor’s costs? This is not quite clear.

Section 4(7) states that “boundaries that are not fixed, the land parcel map shall be taken to be the general boundaries of that land parcel.”

My question is: what is the legality of this section 5 subsection 7? This is not clear as well as the definition for general boundaries. Will the hon. Minister enlighten us about how a boundary which is not fixed, but the land parcel map can be taken as the general boundaries of that land parcel and integrate into a legal Digital Cadastral Database?

It is important to note that section 4(9) refers to WGS 84 which is currently adopted worldwide for practical reasons; it is very good.

Mr Speaker, Sir, the geodetic datum of Mauritius, which is defined by an ellipsoid to represent the figure of the earth, and figures assigned to a point of origin situated here in Mauritius, at Le Pouce, under the ellipsoid is Clarke 1880. This is a bit technical, but it's good to point out.

In Mauritius, we work an accurate and precise geodetic reference network in addition to more geodetic control points.

Concerning Section 5 – LAVIMS, Mr Speaker, Sir, the vision for spatial enabling modern Government in Mauritius is being articulated slowly and I hope surely through the LAVIMS project.

The Cadastral Survey Bill makes provision for a LAVIMS Committee. It is noted that the committee will be responsible for the setting up of standards of cadastral surveys, valuation surveys and survey data. However, Mr Speaker, Sir, there is some amendments proposed. There are a few shortcomings regarding the members of this Committee, with various representatives not included, such as private surveyors - as hon. Ameer Meea pointed out - from private sector, representatives from the Ministry of Agriculture, Environment and Fisheries. We all know here that private surveyors carry mostly all surveys on private land in Mauritius.

Why no representative of the Ministry of Environment? As, we are all aware, Mauritius has embarked in sustainable development through its *Maurice Ile Durable* project. Why no representative from the Ministry of Agro-Industry for agricultural land related issues? For example, land conservation, land title securities and with promotion of long-term farm or crops planning. There is need for an inter-operation mechanism between these Ministries.

No representatives of Ministry of Fisheries, who shall contribute, in regard to the legal framework of setting aquatic business activities in or around the sea, particularly aquaculture, - the famous *conocono* of our friend - setting up of marinas and desalination projects and any developments issues related to the sea. The granting of lease over a portion of land of the coastal waters or any adjacent land for the purpose of exercising aquatic projects which might become a serious issue in the future.

Mr Speaker, Sir, in that line, I will propose that the section (5) to be amended to include these representatives, namely Ministry of Environment and Sustainable Development, and Ministry of Fisheries and Rodrigues and I suggest – there is mention I think through the amendments just circulated – three other persons to be appointed by the hon. Minister. I suggest that two registered surveyors of whom one to be nominated by the Mauritius Institute of Surveyors. The Mauritius Institute of Surveyors shall be able to nominate a private surveyor to be a member of LAVIMS Committee. The second one, as amended, to be appointed by the hon. Minister in addition to the Chief Surveyor who is also a Surveyor of the Ministry of Housing and Lands.

Chief Surveyor, section (6) - The Chief Surveyor is duty-bound to make provision for quick regulations, standard and guidelines for the conduct of a cadastral survey. Mr Speaker, Sir, I noted that there is no mention of a Deputy Chief Surveyor, which I believe, shall be mentioned in the Bill. Why? If you allow me, my proposal will be like that. The Deputy Chief Surveyor must have and, may exercise, subject to the control of a Chief Surveyor, all the functions, duties and powers of a Chief Surveyor. The Deputy Chief Surveyor must have, and may exercise, all the functions, duties and powers while there is a vacancy, which is normal in the post of Chief Surveyor or the Chief Surveyor is absent from duty. This should be, I think, incorporated into the law. This is the way worldwide for all laws regarding cadastral or surveyors' legislation.

Mr Speaker, Sir, before going any further allow me to place on record, the contribution of a Chief Surveyor, Mr Roojee, who also worked as Principal Surveyor in Rodrigues, with whom I discussed a lot about the vision of implementing a modern cadastral in Mauritius in 1996, when I was doing my University final year project, which was entitled 'Establishing a Modern Land Administration and Management System for Rodrigues (Mauritius)' and, secondly, 'The

Establishment of a Coordinated Global Positioning System Survey Control Network on Rodrigues'.

Mr Speaker, Sir, how wonderful it was to materialising the vision of a cadastre for Rodrigues in 2005, under the leadership of the leader Serge Clair, the then Chief Commissioner for Rodrigues, when we instigated the Housing and Cadastral Survey for Rodrigues and the Establishment of a Geodetic Control Network on Rodrigues Island and a Database Management Programme for Geodetic Control points.

Global Positioning System was used for the control network, where the joint venture of private surveyors who won the contracts were also assisted by experts from Singapore. Let me read the objectives of a project for the information of the House. It was to carry out a Housing and Cadastral Survey of all existing units and buildings, providing them with a PIN Code - as mentioned by the hon. Minister - proposed new subdivisions with specific regions or defined areas around the island of Rodrigues and set up a fully digitalised cadastral system and housing database for land use, management, control, administration, planning and development in Rodrigues towards economic, social and environmental sustainability.

The objective was also to transform the cadastre into a versatile tool that can be used in conjunction with other theme-based map - administrative, electoral boundaries, and public utilities network. The completion of the cadastre was to ensure that the cadastral information system provides a complete flexible computer-based and constantly updated cadastral map for Rodrigues.

Mr Speaker, Sir, today, I am very sad to announce that this very visionary project has unfortunately become '*skelette dans l'armoire*' in Rodrigues by the present Regional Government since 2006.

M. le président, la terre de l'État à Rodrigues est devenue un outil politique entre les mains des politiciens. La terre est hypothéquée ; elle est donnée, à tort et à travers, sans tenir compte du plan du cadastre et le plan de l'aménagement du territoire. Et aujourd'hui, un politicien au pouvoir, essaie de mettre de l'ordre en disant '*mo pou rasse bail*', un acte motivé par des vengeances politiques. Les exemples sont nombreux à Rodrigues, M. le président. On utilise la terre de l'Etat pour faire de l'argent, comme le premier ministre a si bien dit dans une

déclaration que j'aime bien – «si oulé faire larzan, alle faire business, si ou en politique, c'est pou servir le peuple ».

Hon. Minister Kasenally, himself, was correct in his reply to one of my Parliamentary Questions on LAVIMS when he said, “there is a lot of complaints about *une braderie du patrimoine à Rodrigues*”. Since 2006, I added.

The Central Government provided Rodrigues with plenty of money, Rs24 m. from public funds to finance this visionary project. I hope that the Director of Finance and the Members of the Public Accounts Committee, who recently went to Rodrigues, took cognizance of the wastage regarding this dossier.

Mr Speaker, Sir, this visionary cadastral project has put Rodrigues ahead of Mauritius, in terms of an accurate cadastre with its new geodetic control network will certainly need some adjustment overtime. The manner, in which, it was done is a good reference for Mauritius in establishing its present cadastre.

Mr Speaker, Sir, over the past years, the cadastral concept has met with sustainable development, combating poverty and environmental decline, promoting multidisciplinary land administration and, more recently, sustainability and sea level rise in relation to coastal erosion and climate change. I emphasise on that, Mr Speaker, Sir. Sustainability and sea level rise in relation to coastal erosion and climate change responses which are very current topics and I was just watching on the TV, the other day, somewhere around in Mauritius about the problem of coastal erosion and this cadastral project will be a very valuable tool to help.

Definitely, Mauritius, following the SIDS declaration and through the concept of *Maurice Ile Durable*, will have to remain focused on the use and implementation of its cadastre.

The PIN - that's a fact - in Information Technology Management, Garbage In is equal to Garbage Out. We all know about the volumes of documents in the record room of the Ministry of Housing and Lands, the Registration Office, the Valuation Office, etc, which is a complete burden for search operations. These limit the ability to efficiently store, retrieve, monitor and cross-reference development and management activities on a specific parcel of land.

Mr Speaker, Sir, the introduction of a PIN for each unit parcel through the cadastre will facilitate the identification system towards the implementation of a modern information system

in Mauritius, inclusive of a GIS which shall be imperative. Section 15, Access to Digital cadastral database does provide for it, *M. le président, contre paiement selon la tarification qui va être prescrite. Quand même, je note des manquements - comme a mentionné l'honorable Ameer Meea - par rapport à cette section, qui ne fait mention aucunement, si le Digital Cadastral Database va être en ligne, sur le web, pour qu'un client l'utilise à partir de son poste de travail ; des clients privés ; que ce soit au niveau international, et même en Europe.*

Les arpenteurs, les notaires qui régulièrement consulteront le registre cadastral doivent pouvoir le faire avec un code client, selon une tarification propre à chacun de ces services ou gratuitement pour des services distincts, juste pour vérifier ce qui se passe. Cela pourrait se faire gratuitement.

Clause 21 - Regulations, sub-clause (2) (f) of the Bill provides that the Minister may make regulations -

“(f) for the manner in which a survey of a plot of land in Rodrigues or any part of Mauritius other than the Island of Mauritius shall be carried out.”

Mr Speaker, Sir, I believe that the standards of surveys or manner in which a survey shall be carried out will be the same for every part of the Republic of Mauritius.

However, in as far as Rodrigues and the other islands are concerned, the geodetic datum, as I mentioned earlier, and the coordinate system are different from that of the mainland. Today, Mr Speaker, Sir, Rodrigues has the status of an autonomous island, and any regulations and legislation in relation thereto shall be under the prerogative of the Regional Assembly, as per sections 30 and 31 of the RRA Act. I won't read the sub-sections, but you may...

Mr Speaker: I think that the hon. Minister said that the Bill, as it is now, applies to Mauritius and, by extension later, it will later on apply to Rodrigues. I think that when the Bill will be extended to Rodrigues, it will be an opportunity for the hon. Member to raise issues about Rodrigues. It is a bit too early.

Mr François: Thank you, Mr Speaker, Sir. I got a bit passionate and carried out. But, despite that, I want to mention that there is a good benchmark in one of the laws in Mauritius, which is the Environmental Protection Act. It has been well drafted, with due respect and consideration to the autonomous status of Rodrigues. It is important to note that sections 92 and

96 (2) (d) of the EPA are well written, and this should be used as a benchmark for any laws or regulations in relation to Rodrigues, to which one may refer in the future.

Mr Speaker, Sir, as a general observation, the Cadastral Survey Bill is not an end in itself, but makes provision for a lot of additional regulations, standards and rules to be prescribed, and consequential amendments to other laws, to what is called silent legislation, as I mentioned earlier.

To conclude, Mr Speaker, Sir, Mauritius is moving in this new era of technological innovation of the 21st century for land administration, spatial information and the cadastre.

The cadastre will be the vital information layer of an integrated land management system in the future, and will underpin the information system of a modern Mauritian government, through a vision of spatially enabling governments and the public in releasing the power of land information to the service of emerging policy needs in the interest of the population.

The proposed digital cadastral database must act as a catalyst for the entire shift to a digital environment for the process of land information towards the completion of the LAVIMS project, through the valuable contribution of the profession of surveyors.

The digital cadastral database, despite being expensive - it is very expensive to create and maintain - shall reflect the manipulation of data through survey technologies, as will be set through standards by the LAVIMS committee.

This can only be achieved, Mr Speaker, Sir, through vision, leadership, communication and organising ability of various stakeholders, and if proper funding is made available. I will give a helping hand to my colleagues to have funds, because it needs funds.

Mr Speaker, Sir, I will end here in expressing my full support to this Cadastral Survey Bill, in the light of the general administration, maintenance and updating of a digital cadastral database to improving land management, administration, decision making, social justice, risk assessment in this changing environment, with the influence of climate change and sustainable development.

Mr Speaker, Sir, I thank you for your attention.

(6.05 p.m.)

Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes): M. le président, la gestion des propriétés foncières à Maurice est une priorité. La superficie du territoire mauricien, étant ce qu'elle est, il convient, donc, de gérer d'une façon judicieuse cette ressource rare.

The Land Administration Valuation and Information Management System (LAVIMS) project s'est fixé, comme objectif, la mise en place d'un cadastre, d'un *proper property valuation* et d'un *parcel-based deeds registration system, integrated and supported by an appropriate information and management system*. Dans mon intervention, je me baserai sur ces trois points.

M. le président, il ne convient pas seulement d'identifier les lots, voire les parcelles de terre, mais aussi d'en déterminer les valeurs, car il faut bien le souligner, les transactions foncières constituent une part importante des recettes de l'Etat en matière fiscale, que ce soit la taxation des transferts immobiliers, les baux privés ou publics, ou les *municipal rates*. Une bonne politique d'urbanisme, avec une démarcation nette des zones résidentielles, commerciales, industrielles et agricoles, passe nécessairement par une identification et une informatisation de notre ressource foncière.

M. le président, nous connaissons tous l'aspect émotif de cet attachement des mauriciens pour la terre. Il existe des cas flagrants de privation aux droits à la propriété que la Commission Justice et Vérité s'est fixé comme objectif de rétablir. Il existe tout aussi bien des cas de transactions frauduleuses par des personnes de mauvaise foi, à travers des ventes de terrains mal identifiés, ou encore des cas de privation à la propriété privée à travers des prescriptions douteuses. Il faut bien le souligner, M. le président, que le *Cadastral Survey Bill* ne se limite pas qu'aux propriétés privées, mais aussi aux terrains de l'Etat.

Une informatisation de la gestion foncière, à travers le *digital cadastral database*, permet un accès à des informations, comme stipulé dans la section 4 du *Bill*. Mais cette liste est limitative et non pas exhaustive. Une gestion judicieuse des terrains de l'Etat passe par un accès à des informations. Je doute fort que cela soit prévu par la loi. Est-ce qu'un *Parcel Identification Number* des terrains est prévu pour les terrains de l'Etat ? L'Etat mauricien demeure le plus grand propriétaire foncier du territoire mauricien. Comment imaginer un système de cadastre sans des informations précises sur les *State lands* ? Les seules informations prévues sont *the*

value of leasehold rights et cela n'a absolument rien à faire avec le loyer payé. On a bien prévu *the name of the owners and the name of the lessees*. Pourquoi pas les termes du bail ? Pourquoi ne pas donner des informations quant à l'existence des *State lands* ; des informations quant à leur étendu, leur vocation agricole, résidentielle, campement *sites*, etc. ? Pourquoi ne pas donner des informations quant à la disponibilité des *State lands* ? Pourquoi autant d'opacité ? Ces informations sont aujourd'hui seulement à la disposition de quelques *happy few*. Autre opacité concernant les *State lands*, M. le président, c'est l'absence des bénéficiaires des jackpots de *State lands* dans les cases hypothécaires au bureau de l'enregistrement. Les cases hypothécaires concernent aujourd'hui seulement les *freehold land owners* et non pas les heureux bénéficiaires des *leasehold lands*.

Dans un souci de transparence de ce côté de la Chambre, nous préconisons, comme mesure pour mettre un frein à la saga des *State Lands*, des appels publics pour les *State lands* disponibles...

Mr Speaker: Why is the hon. Member going outside the scope of the Bill? This Bill is about the LAVIMS, and the hon. Member has to connect his speech with this, but not criticise the policy of government concerning State land.

Mr Ramano: Je viens avec l'idée que...

Mr Speaker: Yes, but the hon. Member is criticising government policy. This is not the purpose of the Bill. The Bill is something else. If the hon. Member has to criticise the government policy, he has to choose some other time, perhaps when the hon. Minister of Finance is going to present his Budget.

Mr Ramano: M. le président, je me concentre sur la section 4 en ce qui concerne les informations qui seront disponibles au niveau du *Digital Cadastral Database*. Donc, en ce qui concerne le présent *Digital Cadastral Database* préconisé, il présente tous les atouts d'une plateforme d'information pour le public, mais à condition qu'on ne soit pas sélectif quant aux qualités des informations. M. le président, nous pouvons avoir des positions différentes quant aux politiques, mais je dois saluer le souci de transparence du ministre, notamment dans les termes du bail, en ce qui concerne le projet Neotown. Les informations quant au patrimoine national – les *State lands* – ne doivent pas dépendre du bon vouloir du gouvernement, mais d'un droit à l'information d'un simple clic informatique d'un membre du public. Cela évitera à des

pauvres activistes politiques d'avoir à transporter R 300 millions dans les valises dans les capitales européennes, M. le président.

M. le président, autre manquement que j'ai constaté....

Mr Speaker: Tout cela n'a rien à faire avec le projet de loi. J'ai donné mon *ruling* et je demande à l'honorable membre d'obtempérer.

Mr Ramano : M. le président, autre manquement que j'ai constaté dans la loi qui nous est présentée concerne la définition restrictive de *value of land and building*. Bien que le projet de loi reconnaisse expressément l'existence des *lease lands and buildings*, aucune mention n'est faite quant au *net annual value*. Il faut bien le souligner que la loi prévoit *the value of leasehold rights* qui n'a rien à faire avec le *net annual value*. Les *leasehold rights* concernent le montant taxable lors des transferts des *State lands* sous le *Registration Duty Act* et sous le *Land (Duties and Taxes) Act* concernant la taxe à être payée par les vendeurs et aussi par les acheteurs, alors que le *net annual value* détermine les bases de calcul qu'un propriétaire puisse s'attendre à recevoir comme loyer si sa propriété est louée pour une période donnée.

Dans le monde foncier à Maurice, M. le président, la location demeure une pratique courante dans les zones résidentielles, bien sûr, mais surtout dans les zones commerciales et industrielles. Il suffit de voir le nombre de cas qui sont référés au *Fair Rent Tribunal* pour les litiges entre propriétaires et locataires à Port Louis et ailleurs. La loi qui nous est présentée est, malheureusement, silencieuse à ce niveau. Le *Cadastral Survey Act* doit servir d'outil de référence pour le public comme pour les opérateurs privés en matière de location. Bien que nous sommes gouvernés par la loi du marché, l'État doit pouvoir donner cette plateforme d'information nécessaire aux opérateurs.

L'accès au *Digital Cadastral Database* est tout aussi important pour les collectivités locales, notamment les villes pour l'imposition des *Municipal Rates* et le *Tenant Tax*. Un système de cadastre approprié est primordial pour les villes. Le *net annual value* qui détermine les *Municipal Rates* mérite d'être mis à jour régulièrement et ce avec l'apport du *Valuation Office*.

M. le président, j'ai posé une question dans ce sens trois semaines de cela pour connaître la situation et le manque à gagner en ce qui concerne les *Municipal Rates* et les informations sont toujours en train d'être compilées comme d'habitude. Je vous donne quand même, à titre d'exemple, les informations pour la ville de Quatre Bornes. Rien que pour la ville de Quatre

Bornes, il y a 2,236 cas où un *net annual value* n'a pas été attribué, donc, pas de paiement de *Municipal Rates* et cela sans compter les maisons et autres bâtiments qui ont fait l'objet des extensions. La raison évoquée est que: *requests are sent gradually to the Valuation Office on a weekly basis but, up to now, no reply has been received*. Il faut bien le souligner, M. le président, que les *Municipal Rates* constituent environ 20% des revenus propres aux municipalités, sans compter le *Tenant Tax*.

M. le président, l'autorité habilitée à faire du *valuation* est nulle autre que le *valuation office* qui semble, ces derniers temps, avoir d'autres chats à fouetter. Pour que les travaux de LAVIMS soient un succès et les objectifs fixés par le *Cadastral Survey Bill* soient atteints, il faut que l'apport du *Valuation Office* soit fait d'une façon permanente et continue. A ce jour, au niveau de LAVIMS, le nombre de *valuation reports* reçus est très limité, pour ne pas dire insignifiant, en comparaison avec le nombre de propriétés privées ou publiques qui existent. Les données qui sont fournies par l'*Assessment Review Committee* sont insuffisantes pour *update the valuation* des différentes propriétés.

Le processus de *valuation report* est fait d'une façon scientifique avec des paramètres établis. Les chiffres qui sont mentionnés dans les titres de propriétés sont souvent contestés au niveau de l'*Assessment Review Committee*. Ces mêmes chiffres nécessitent une mise à jour continue dans un environnement dynamique de notre secteur immobilier. Dans une même région, M. le président, le *valuation report* diffère d'une maison à une autre pour des raisons telles que l'existence d'un *sitting tenant*; l'existence d'un drain dans une cour, l'existence d'un terrain en pente; d'un *place of worship*; des points de commerce ou même d'un *potential of development* - les jargons qui sont souvent utilisés dans les *evaluation reports*.

Il faut bien se rendre à l'évidence que le *valuation* doit être fait sur un *case-to-case basis*. Il ne faut pas qu'il y ait de *first and second valuation reports* de triste mémoire, M. le président. Les objectifs fixés par *LAVIMS* sont ambitieux et salutaires, mais il ne faut pas qu'un certain empressement vienne fausser la donne. Il convient d'augmenter les effectifs pour l'exercice d'évaluation et de donner le temps nécessaire pour cet exercice. Je me permets de le rappeler ici, M. le président, que l'exercice d'évaluation doit pouvoir donner le *market value*, comme préconisé par le *Bill*, et tout aussi bien le *net annual value* des *freehold* et *leasehold properties*.

M. le président, permettez-moi d'aborder, ici, un autre aspect de la loi proposée concernant le *Parcel Identification Number (PIN)*. L'attribution d'un *PIN* est préconisée pour

l'achat, la vente, la location et la création des *charges* sur le terrain. Il faut bien le souligner, M. le président, qu'il existe plusieurs catégories de *charges*, allant des hypothèques, des *fixed and floating charges* par des institutions agréées. Je pense que la loi doit être plus explicite quant aux différentes lois qui seront amendées subséquemment. Ainsi, les hypothèques sont gouvernés par le Code Civil, bien sûr, mais aussi par le *Inscription of Privileges and Mortgages Act* qui ne figure pas dans la liste des lois qui ont été mentionnées dans cette présente loi. Notamment la section 3 de *Inscription of Privileges and Mortgages Act* mérite d'être considérée. Autres *charges* concernent les *fixed and floating charges* comme prévus par le Code Civil, notamment les articles 2202/9 et suivants, qui méritent d'être amendés. L'obligation doit être faite aux sociétés coopératives qui peuvent aussi prendre des suretés fixes et flottantes selon les articles 2203 et suivants du Code Civil. L'attribution d'un *PIN* est tout aussi important lors de la cristallisation d'un *floating charge* en un *fixed charge* et là, la loi est silencieuse toujours à ce niveau, M. le président.

La détermination du bien mis en garantie est importante comme préconisé à juste titre par le *Sale of Immovable Property Act*. En parlant du *Sale of Immovable Property Act*, M. le président, je suis assez surpris que c'est seulement la section 5 relative au *sale by levy* qui doit être amendée. Je considère qu'il y a un manquement au niveau de la loi. Il est à considérer que sous le *Sale of Immovable Property Act*, les sections relatives au '*sale of property to minors*', section 77 et suivants; '*sale by licitation - division in kind*' sections 97 et 116 ; les sections relatives aux '*outbidding* et folle-enchère'; section 116 relative au '*partition à l'amiable*'; sections 139 et suivants méritent d'être considérées dans l'optique du *Cadastral Survey Bill*. Pour tous ces cas mentionnés, il convient d'avoir une désignation précise des portions de terrain avec une attribution d'un *PIN code*. Il est dommage de constater que c'est seulement le *sale by levy* qui a été considéré ici. M. le président, il convient, donc, d'amender les sections 31, 37, 52, 85, 101, 104 et 142 et les quatre *Schedules* qui sont prévues par le *Sale of Immovable Property Act* pour que ce soit en conformité avec le *Cadastral Survey Bill*.

M. le président, il en est de même pour le *Dangerous Drugs Act*. Il faut que le *freezing order* des biens immobiliers soit en conformité avec le *Cadastral Survey Bill* parce qu'il est à souligner, M. le président, que les *freezing orders* ne sont même pas répertoriés au niveau du bureau de l'enregistrement, malgré le fait que cela concerne les biens immobiliers. Donc, autant

que cela puisse être rendu public pour que le public soit informé sur les propriétés qui font l'objet d'un *freezing order*.

M. le président, la détermination d'un titre de propriété se fait le plus souvent par des actes notariats, mais vous conviendrez que bon nombres de titres de propriété sont déterminés par des jugements en cour, suite aux litiges relatifs aux successions, aux contestations des prescriptions des droits de passage, des problèmes de voisinage ou d'empietement. Avant que les jugements - qui auront un impact sur l'administration du cadastre - ne soient transcrits au bureau de l'enregistrement, il faut bien qu'ils soient en conformité avec le *Cadastral Survey Bill* ou même qu'il y ait une correspondance avec le *LAVIMS Committee*. Rien n'est prévu à cet effet par la loi, M. le président.

M. le président, il faut bien éclaircir le statut du DCDB qui n'est pas une autorité légale visant à déterminer les titres de propriété ou de régler les litiges. L'authenticité des contrats demeurent des actes notariaux, transcrits au bureau de l'enregistrement. C'est à la cour de justice éventuellement de trancher les titres de propriété et le DCDB devra tenir compte de toute décision de justice. Donc, la correspondance entre les décisions judiciaires et le *LAVIMS Committee* est importante, M. le président. Dans cette même ligne de pensée, il convient tout aussi bien de faire provision pour les hypothèques judiciaires qui sont prononcées par les cours de justice pour les dettes impayées. Là aussi, il convient de préciser quel bien fait l'objet d'une telle décision et quel *PIN Code* attribuer pour ces terrains-là. Et là, la loi est toujours silencieuse à ce niveau, M. le président.

M. le président, je souhaite, ici, aborder le côté pratique de la loi. Le *Cadastral Survey Bill* implique un bon nombre de professionnels dans le secteur foncier à Maurice, les membres de la profession légale, les *Land Surveyors*, les banquiers, les *estate agents*, pour ne citer que cela. Donc, je rejoins la position adoptée par mon collègue, l'honorable Ameer Meea, pour dire que la loi, dans son ensemble, fait la part belle au fonctionnement de la profession de *Land Surveyors*. Il est recommandable, à mon avis, pour une meilleure coordination, une meilleure communication qu'un *Land Surveyor* du privé fasse partie de *LAVIMS Committee*, car il faut bien le souligner le *Chief Surveyor* est un fonctionnaire du ministère et ne représente pas l'ensemble de la profession.

La section 9 (3) fait mention de la publication d'un *notice of survey in two daily newspapers* - ce qui a été mentionné par mes confrères. Afin de réduire toute bureaucratie, je propose que les noms des *daily newspapers* soient publiés au plus tard le 15 janvier de chaque année dans le *Government Gazette*, afin d'éviter que chaque arpenteur ait à faire une application au *Permanent Secretary* pour connaître le nom des journaux.

La section 11 du *Cadastral Survey Bill* concernant le *approximate extent*, pour moi, est complètement incompréhensible, M. le président. Qu'est-ce que c'est qu'un *approximate extent* ? M. le président, dans un souci de rigueur, la loi impose les conditions de précision et de conformité avec la loi. Comment peut-on se permettre d'avoir deux régimes de *Land Surveyor's Report* provenant des mêmes professionnels ? Un *approximate extent* n'a pas sa raison d'être dans un milieu professionnel qui se respecte. Un arpenteur juré, de par ses qualifications et son sens d'éthique, doit pouvoir donner l'étendue exacte de la propriété. Cela peut constituer éventuellement une échappatoire pour quelques brebis galeuses de la profession. Comment peut-on imaginer que le *Chief Surveyor* puisse donner son accord dans la section 12 pour un tel rapport d'arpentage, *an approximate extent* !

M. le président, un souci majeur des professionnels dans le secteur immobilier c'est la lourdeur bureaucratique qu'un tel système, dans sa phase embryonnaire, puisse engendrer. Il est prévu un délai de 14 jours pour que les *Land Surveyors* puissent enregistrer leur *Land Surveyor's Report* après l'obtention de l'aval du *Chief Surveyor*. Il est tout aussi important qu'un délai soit imposé pour que le *Chief Surveyor* puisse donner son accord au *Land Surveyor's Report* ou même pour l'attribution d'un *PIN Code*. Il faut que ce soit *mandatory*, M. le président, pour éviter toute bureaucratie. Il faut bien le souligner, M. le président, qu'une bonne vingtaine de *Land Surveyors' Reports* sont enregistrés chaque jour et environ une centaine de contrats, de transferts ou des *charges* sont enregistrés chaque jour au bureau de l'enregistrement, ce qui nous fait un total de plus de 4,000 ou même 5,000 mensuellement selon les cas. La question qui se pose : est-ce que nous avons les ressources humaines nécessaires et disponibles au bureau de *LAVIMS* pour que cela soit en conformité avec la réalité du secteur immobilier à Maurice, M. le président ?

Le *Cadastral Survey Bill* vise à assurer une certaine rigueur et une certaine transparence dans les transactions immobilières. Les politiques en matière d'urbanisme dépendent de la

fiabilité de ces données. Il convient de donner des ressources et le temps nécessaire à la mise en application de cette loi qui, à coup sûr, révolutionnera le secteur immobilier.

Sur ce, je vous remercie, M. le président.

(6.26 p.m.)

Mr C. Sayed-Hossen (Third Member for Montagne Blanche and GRSE): Mr Speaker, Sir, I wish to start by congratulating the hon. Minister of Housing and Lands for introducing this Bill to the House.

As the hon. Minister himself has said, cadastral surveys deal with one of the oldest and most fundamental facets of human society, ownership and tenure of land. By definition, the other surveys that mark, create, define, retrace or reestablish the boundaries and subdivisions of property. They are not like scientific surveys which are of an informative character, but which may be amended due to the availability of additional information or because of changes in conditions or standards of accuracy.

Mr Speaker, Sir, although cadastral surveys employ scientific methods and precise measurements, they are based upon law and not upon science. But still, Mr Speaker, Sir, cadastral surveys are the foundation upon which will rest title to all land in the country. A cadastre using a cadastral survey or cadastral map is understood as a comprehensive register of the metes and bounds real property of a country and it generally includes the ownership, the tenure, the precise locations, some including GPS coordinates, the dimensions and area, the cultivations if rural, the buildings if improved and the value of individual parcels of land.

It is important to note, Mr Speaker, Sir, that cadastres are used by many nations around the world and quite a few of them in conjunction with other records, as we will see later, which is quite important, such as a title register. Cadastral survey information is often a based element in geographic or land information systems used to assess and manage land and build infrastructure. Such systems are also employed on a variety of other tasks, for example, to track long-term changes over time for geological or ecological studies where land tenure is a significant part of the scenario. Throughout history quite a number of countries have a very long usage of establishing and using cadastre. The Domesday Book in Medieval England was probably one of the first known cadastres. The United States of America, in 1791, two years after

the recognition of its independence, introduced a cadastre for all lands and, as hon. François has mentioned, Emperor Napoleon, in the early 1900 Century, introduced a cadastre in France and the Ottoman Empire also had such a system.

Mr Speaker, Sir, this Bill aims at the modernisation of our land management system as shown by the very comprehensive nature of the digital cadastre database. As we read in the Bill, this database includes, among others, graphic representation of the property in colour, as the hon. Minister has shown us, the situation of each property within the geodetic parameters of Mauritius, the relationship of the property with adjacent plots, the description of buildings, if any, as well as the use of the building, the name of the owner, the relationship to zoning outlines for planning purposes and, very importantly, two new factors, the Parcel Identification Number and geographical particulars of the property and the market values. All this is inserted in the digital cadastre database.

I would like to canvass these two points, Mr Speaker, Sir, the PIN and the market value. The Parcel Identification Number, the way I understand it, is the unique ID card of the parcel of land or building. As the hon. Minister has mentioned, it is a 10 digit intelligent number that will identify every single plot of land in the country.

As section 7 of the Bill mentions, no sale of land, no offer for sale of land, no advertisement for sale of land will be allowed without a PIN. No lease or charge without a PIN and the PIN will be assigned on application and what gives the PIN its importance and value is the fact that it is digitalised and I suppose is the unique gateway online - again I suppose - to a particular parcel of land or building. Being given that it is not mentioned in the Bill, I also suppose, Mr Speaker, Sir, that there has been made or there will be or there may be made provisions for notaries to access the DCDB, that is the Digital Cadastral Database online and that any change in the data set will be integrated in the DCDB in real time.

Now, this is going to change things. This is, Mr Speaker, Sir, real change. As hon. Ameer Meea has said in his intervention, in the present system, hypothetically and technically, anybody has the possibility of selling the same piece of property three or four times in one morning, pocket a number of millions and then leave Mauritius in the early afternoon, leaving his victims to their plight because of the delays and the lead time that are allowed by law for registration of property transfer. Now, arrangements can be made for the transfer of ownership to

be done by notaries online and in real time. Well, I haven't understood that in the Bill, but I suppose, Mr Speaker, Sir, that this could be one possibility.

The second important element which is introduced in that system is market value. We read in section 4 that the database will include the market value of the particular piece of property. Again, the integration of the market value of the property in the data set within the DCDB is a very important, innovative feature. This, however, can be a double-edged sword, Mr Speaker, Sir. Integrating the market value, as the name suggests means indicating the market value of the piece of property at a given moment in time, that is, at the moment that that value is being assessed and inserted in the database. But we all know that market values change or, at least, are subject to change. From the moment a given value is inserted in the DCDB, given circumstances, given the evolution of the economy, given demand, given supply that value will change. And, again, as the name suggests, market value will fluctuate in relation with these two fundamental factors of the market, demand and supply.

It is a sad situation that the Valuation Office has taken the habit of systematically and regularly reviewing upwards, in an arbitrary way, the property market values. We have numerous cases of queries and penalties inflicted by the office of the Registrar General, very often to small buyers, because there is a discrepancy between the value that the small buyer has declared for registration and the figure that the Valuation Office calculates whether it be one month, six months or one year after that. And we all know that we have numerous cases in front of the Registrar General's Office or at the Assessment Review Committee level.

Recourse to the market value mentioned in the Bill, inserted in the DCDB, might prevent the advent of that sort of arbitrary situation because this is arbitrary, especially so for small buyers. But still, Mr Speaker, Sir, this leaves two issues undetermined. The first issue is that for any number of reasons the selling price of a piece of property could be below the market price indicated in the DCDB. If the DCDB mentions 100 for a piece of property, the seller might decide because he is selling that to a friend, to a relative, to his brother, to whoever else or being given that he needs cash money, he could decide to sell it below the value. Is it unfair, is it equitable, Mr Speaker, Sir, that registration fees be paid with the indicated market value as basis?

The second issue is the issue of fluctuation, the fluctuation over time of market values. Now, will market values be automatically and systematically reviewed upwards on a regular basis as it is done presently? We have the feeling – I am sure all my hon. friends on both sides of the House have come across cases like this – that every six months there is a 10% upping in the value of property by the valuation office. The question is what elements, what factors, what basis of calculation are going to be used to review market values because, of course, they cannot be static? Will the LAVIMS Committee have the necessary expertise? Will it have the necessary market knowledge to carry out a fair review of values? I see that the hon. Minister has introduced a proposed amendment to be moved at Committee Stage where he is proposing that be included within the LAVIMS Committee three other persons to be appointed by the Minister which, of course, I personally welcome, hoping that these three other persons will be professionals of the land and property business, who will be in a capacity to contribute to enhancing market knowledge so that review of values can be done properly.

Furthermore, Mr Speaker, Sir, this afternoon, the hon. vice-Prime Minister, Minister of Finance and Economic Development has introduced to the House the Economic and Financial Measures (Miscellaneous Provisions) Bill which has gone through the First Reading this afternoon. My reading is that there is a certain discrepancy in the relation between this matter of market values and one of the dispositions of the Economic and Financial Measures (Miscellaneous Provisions) Bill. I do not plan to canvass this, Mr Speaker, Sir, because we have not yet reached the Second Reading level, but it should be noticed that in section 16 ...

(Interruptions)

Mr Speaker: If is linked with the Bill that we are debating, the hon. Member can make his point.

Mr Sayed-Hossen: Mr Speaker, Sir, Section 16 of the Economic and Financial Measures (Miscellaneous Provisions) Bill deals with the amendment to be brought to the Land (Duties and Taxes) Act, that is, on page 17 of the Bill.

I have mentioned a few minutes ago the stress that particularly small buyers have to go through on that issue of registration fees, especially when these fees are queried by the Registrar

General. They have to go to the Assessment Review Committee or they have to pay 100 percent penalty on the difference.

The Cadastral Survey Bill that we are canvassing provides for the inclusion of the market value in the data set of a particular property. I suppose, Mr Speaker, Sir, that this market value will serve as the basis for registration fees, at least, for the computation of these fees. The Economic and Financial Measures (Miscellaneous Provisions) Bill has just gone through the First Reading by the hon. vice-Prime Minister, Minister of Finance and Economic Development and makes provision for graduated penalties in case of registration fees paid and calculated below the assessment of the Registrar General or the Valuation Office, that is, if a property is transferred and the buyer pays registration fees below what is called the market value level, there is a penalty to be paid. At present it is 100 percent. The Bill that is being introduced by the vice-Prime Minister softens the penalty. The measure contained in that Bill brings to a certain extent a degree of fairness, a degree of equity, at least, in this matter. It is amending a law that was harsh and exaggeratedly punitive and leaving the door especially open to arbitrary assessments. Now that Economic and Financial Measures (Miscellaneous Provisions) Bill makes it softer and less punitive, it is still open to arbitrary assessments.

My question, Mr Speaker, Sir, is: if registration fees are to be computed on the basis of market values indicated in the DCDB, there should theoretically be no wrong declaration of value, therefore, no underpayment of registration fees? Why do we still keep in that new Bill introduced by the hon. vice-Prime Minister, Minister of Finance and Economic Development, the penalties, even if they are softer? If the indicated market values which will be inserted in the DCDB will not serve as a basis for registration fee computation, what is then the purpose of their being indicated in the DCDB? Whilst considering that the first scenario is the best, that is, the market values inserted in the DCDB serve as the basis for computation of registration fees, how are we going to deal with market values fluctuation in a fair and equitable way? This is a major issue because, Mr Speaker, Sir, we have come across a substantial number of cases where, systematically, purchases, especially by small people who do not have the means to defend themselves, who cannot afford to go and pay a barrister, who cannot afford to contract a land consultant to defend their case in front of the Assessment Review Committee, ending up in penalties. We agree that at one moment in time there will be a market value inserted in the database but then, one, two or three years later, these values are going to fluctuate. I have a

problem with how the re-evaluation of this property will be done on what basis and especially by what sort of experts, Mr Speaker, Sir?

One of the points, Mr Speaker, Sir, for which I wish to congratulate particularly the hon. Minister of Housing and Lands is the inclusion of section 12 - Survey to be approved by Chief Surveyor. This point again has been canvassed by hon. Ameer Meea before. Very often, we see a number of cases where less fortunate individuals and families having recourse to *apprenti* land surveyors; people who know at least the basic technicalities of carrying out a land survey, not a professional as defined by the Land Surveyors Act. These workings are signed by a qualified land surveyor, but who does not go on site, who does not carry out the checking, and does not verify what he is signing for. Then, we end up with a litigation. In litigation, of course, the qualified Land Surveyor or sworn Land Surveyor who has signed the memorandum of survey will be in court and does not care if he loses the case, because he has got nothing to lose. Again, Mr Speaker, Sir, it is the smaller people who become the victims of more powerful and richer people in such practices. With section 12 – Survey to be approved by the Chief Surveyor, this loophole is now closed, I hope. As any survey plan, any memorandum of survey and survey report will need to be vetted by the Chief Surveyor and corrected *in situ*, if needed.

At this point in time, I would like to appeal to the hon. Minister of Housing and Lands to consider including in cadastral maps, natural drains because, again, we have a number of cases. I am sure all of us have these cases in our specific and respective constituencies. I have a few in my own constituency where an individual or a company purchases a sizeable plot of land - 2 or 3 *arpents*. Then, he applies for a *morcellement* permit. He goes through the preliminary works and he obstructs the natural drains and the *Morcellement* Board, because it does not have the necessary information, is unaware of that. The Municipal Inspector or the District Council Inspector who goes to inspect the works does not know again because he does not have the information. Maybe he does not live in the area, but kilometers away. That *morcellement* project is approved. A few months later comes the rain and we have a catastrophe. Therefore, it is very important, I think, Mr Speaker, Sir, that locations of natural drains be included in the cadastral maps.

After this, Mr Speaker, Sir, I wish to canvass a few related issues to this Bill. The first one which I would like to mention is the issue of land spoliation. We know that among the many injustices that have been perpetrated in this country during colonial days has been land

spoliation. It seems as if land spoliation is still being carried out and the workings of the Truth and Justice Commission have unearthed quite an impressive number of title deeds produced by individuals and families with title deeds, but with no corresponding property, which means, probably that, at one moment in time, they were landowners and then they were dispossessed by some means - generally unmentionable means - of their land. Conversely, we may also now, with the DCDB, see at least land ownership without corresponding title deeds. As I mentioned in my introduction, Mr Speaker, Sir, in some countries, cadastres are used in conjunction with other records such as title registers. Such a practice here, in Mauritius, may contribute towards bringing a measure of justice to those who have been victims of land spoliation.

The second related issue, and the last one, is the case of individuals and families living on a plot of land, on which their forebears have lived for maybe 50, 60 and 80 years or 100 years, but without a title deed. This is often the case in rural areas and among less privileged social groups. Actually some time ago, I had the opportunity to discuss that issue with my friend, the hon. vice-Prime Minister and Minister of Social Integration, hon. Xavier Luc Duval, about the sad plight of such social groups, who cannot apply for a building and development permit because they don't have a title deed, who cannot apply for a bank loan because they don't have a title deed to be used as a collateral to contract alone. They can't even benefit from the government social grants under such scheme as building materials, grant from the Trust Fund for Social Integration of Vulnerable Groups or the slabs grant scheme of the National Housing Development Company.

I don't know how, Mr Speaker, Sir, and I do not know either to what extent, the workings of the DCDB or related exercises can bring a solution to this acute social problem. Because the problem of absence of housing or the precarity of housing, among vulnerable groups in this country, is a very acute problem and I am sure that the hon. Minister of Housing and Lands knows better than I do. I would be grateful to him, if he could take this into consideration that this issue of land occupation, land tenure, genuinely without a title deed be taken into consideration and sold.

Mr Speaker, Sir, as I have said in my introduction, this Bill through the introduction of the Digital Cadastral Database, represents a major breakthrough. It introduces a modern tool to assist in land management in Mauritius. It might not succeed in redressing all ills done in the

past in terms of land pollution, in terms of land encroachment and such related embezzlements, where the victim is always the small man and the victor is always the rich and the more powerful. But, I am sure that it will go a long way towards bringing a solution to such problems.

With these words, I wish again to congratulate the hon. Minister of Housing and Lands and I thank you, Mr Speaker, Sir.

At this stage the Deputy Speaker took the Chair.

(6.53 p.m)

Mr A. Ganoo (First Member for Savanne & Black River): Mr Deputy Speaker, Sir, so much has already been said about this Bill. In fact, we have been gratified with many interesting speeches so far on both sides of the House.

On this side of the House, we have heard hon. Ameer Meea, who is an Accountant, a professional and who knows what he was talking about. I said that, Mr Deputy Speaker, Sir, because I am going to make a suggestion to the hon. Minister in a few minutes.

We have heard hon. François, who is an *urbaniste*, another professional and he has reminded us *de sa thèse universitaire*. In fact, he seems to have inspired himself from what he wrote a few years ago at university and it was a really good speech. And also, hon. Ramano, who is a public Notary, knows what he is talking about. I have heard suggestions coming from hon. Sayed-Hossen, a few minutes ago. I am wondering, Mr Deputy Speaker, Sir, whether this is not a fit and proper piece of legislation to be referred to a Select Committee.

I am just wondering how the hon. Minister, whom I admired so much, is going to react to all these suggestions and good proposals that have been made with regard to the possible amendment of different clauses in this Bill. It is not a question of *marquer des points* because even the last orator made a suggestion and proposed an amendment as regards market value and so on. *C'est une question de procédure.* I am just raising this question and suggesting to the hon. Minister whether this is not a proper piece of legislation that should be looked into, probed further in view of the remarks, valuable suggestions and amendments that have been made from the different hon. Members of the House on both sides, who have spoken so far.

Mr Deputy Speaker, Sir, we wish this piece of legislation good luck. We subscribe to the proposals that have been made, as my friend before me has said on this side of this House but, of

course, we have discovered in the course of the debate today that there are lots of rooms for improvement, and hence the different proposals that have been before me.

So, of course, we leave it to the hon. Minister although we know that this is a Government which is a bit allergic to proposals, suggestions and amendments. We have seen it many times in this House. I haven't seen any of the proposals made by the Opposition taken on board, so far, in terms of amendments, at Committee Stage and so on. This is just too bad, but let us hope – knowing the hon. Minister who is piloting this Bill before this House, I am sure this will be a sign of political maturity and also for the betterment of the country and for the sake of improving this Bill.

Mr Deputy Speaker, Sir, having said that, I will not repeat what have been said before me. I have a few points to make. I will be very brief, but just before by way of introduction, I wish also to say that we are today dealing with a Bill to propose a modern land administration and management system, which is an essential ingredient and tool in modern land administration.

Inasmuch as the function of this Cadastral Survey Bill, the purpose of this Bill, Mr Deputy Speaker, Sir, is to give support to a multiplicity of functions linked to ownership of land. The question of taxation, construction, mortgaging, all these are linked to what we are discussing today, Mr Deputy Speaker, Sir, especially in a small country like ours, where land management assumes so much weight and so much importance.

Therefore, Mr Deputy Speaker, Sir, we all agreed that the aim of this project is to put at an end to the anachronisms that existed in our land sector. The implementation of this project is to create a new digitalisation of land related records in the country so that, henceforth, there should be a proper reference to accurately identify the location of every land parcel and this should put an end to many injustices; one of them being the double and even multiple dealings in land transaction. So, this is a project, which will promote more transparency in land transactions, Mr Deputy Speaker, Sir. This project to set up a Cadastral, the LAVIMS project, is all tools and instruments to the situation for users and dealers in land transaction. In fact, the project will be of immense help to all the stakeholders and will make our land sector more reliable as has been said before me, Mr Deputy Speaker, Sir.

This Bill as well as the existing digital database kept at the Ministry are the logical consequences of a project that saw its origin, Mr Deputy Speaker, Sir, a few years ago, in 2004,

when the team from the Land Registry of western Australia was invited by the then Ministry, in order to carry out the feasibility study for the digitalisation of land records. The initiative has been pursued, rightly so, Mr Deputy Speaker, Sir, by the next Government.

Mr Deputy Speaker, Sir, this project is clearly a project which is of great assistance to decision makers in both the public and private interests. Mr Deputy Speaker, Sir, moving on now to the different sections of the Bill, the first point I wish to make is that this Bill shall apply to the island of Mauritius. We are all wishing that, in due course, the digitalisation process that has been carried out on the island of Mauritius should be extended to other parts of the territory, including Rodrigues, and such a process would greatly assist in rationalising the land sector, including planning and land allocation on an equitable basis. In fact, in the Explanatory Memorandum, it is said in the first paragraph that the main object of this Bill is to make provision for the general administration, maintenance and updating of a digital cadastral database for the island of Mauritius and other islands forming part of Mauritius and, the President, according to this Bill, may by proclamation, according to clause 3, declare that this Act shall extend to any part of Mauritius other than the island of Mauritius. Mr Deputy Speaker, Sir, let us hope therefore that in due time the process be extended to Rodrigues also.

Now, regarding part 2 of the Bill, this part of the Bill has already been subject to a lot of comments, the Digital Cadastral Database to the range of entries that may be made in respect of every land parcel. So, section 4 (2), Mr Deputy Speaker, Sir, I come back to this question of the market value, this has been lengthily commented upon by hon. Sayed-Hossen.

Section 4 (2) (h) talks about –

“The entries referred to in subsection (1)(b) shall include -

(h) the market value of the land parcel in terms of the value of the land, the buildings, if any, and the value of the leasehold rights in State lands”.

Mr Deputy Speaker, Sir, I agree with hon. Sayed-Hossen, I think we would have appreciated more clarification about the words ‘Market Value’ and I am wondering whether, in fact, the words ‘Market Value’ should not have been changed to the words ‘Registered Land Sales’ because it is difficult to appreciate how the Digital Cadastral Database would make entries

on Market Value, whereas 'Market Value' has a special legal definition and is "The value that a willing buyer is prepared to pay on the open market for a given plot of land".

Mr Deputy Speaker, Sir, when the former Bill, the LAVIMS Project Implementation Bill which became an Act and which was the Act No. 38 of 2008, which is being repealed by the present Bill, in this Act, the LAVIMS Project Implementation Act, in fact, in the interpretation section 'Market Value' is defined. I have a copy of the Act of 2008 with me. I repeat, the 'LAVIMS Project Implementation Act' of 2008, which is voted by this House and which is being repealed today by the Cadastral Survey Bill, 'Market Value' is defined as meaning –

" (...) the estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an Arm's Length Transaction after proper marketing wherein the parties have acted knowledgably, prudently and without any compulsion".

The point I am making, Mr Deputy Speaker, Sir, is firstly, why is there no definition of 'Market Value' in our present Bill; secondly, whether the words 'Market Value' should not have been, in fact, replaced by the words 'Registered Land Sales' and, thirdly, Mr Deputy Speaker, Sir, in view of all the remarks that have been made on the words 'Market Value'. Mr Deputy, whether it will not create more problems than it will solve.

Similarly, Mr Deputy Speaker, Sir, regarding the Market Value, there is another entry - I am talking of the section (i), 'zoning of the Land Parcel for Planning Purposes'. Here again, Mr Deputy Speaker, Sir, under section (i), zoning of land is one entry which should be included in the DCDB, 'zoning of the land parcel for planning purposes'. Here again, Mr Deputy Speaker, Sir, under the heading, the zoning of the land can only be entered when such zoning is not out of date. Here again, I think there is a problem, Mr Deputy Speaker, Sir, because the zoning of the land should not be a zoning which is out of date and we should be careful about the entry made as regards the zoning in the data entry.

Mr Deputy Speaker, Sir, I come now to sub-clauses 4 and 5, the question of inconsistencies. Mr Deputy Speaker, Sir, with regard to sub-section 4 of the same section we see the following –

“The recording in the DCDB of information in respect of a land parcel shall not create or affect any interest in the land”.

That is, the law is saying that the recording in the DCDB of an information in respect of a land parcel shall not create or affect any interest in the land, and further down, sub-section 5 -

“Where the information in the DCDB is inconsistent with information recorded or noted in the land registry, the information recorded or noted in the land registry shall prevail to the extent of the inconsistency”.

Mr Deputy Speaker, Sir, I would tend to think, as far as these two sub-clauses are concerned, I think the Ministry or the technicians of the Ministry should have made provision on the advisability of having a period of representations when any inconsistencies could have been the subject of representations from the owners, that is, allowing the owners the possibility to make representations when any inconsistencies have arisen or have been discovered.

Mr Deputy Speaker, Sir, I'll now come to the LAVIMS Committee. Much has been said also about the composition of this Committee. True it is, an amendment has been circulated, where now the Minister is proposing to have an additional three other members to be nominated by the Minister, three other persons to be appointed by the Minister. This is the amendment which is being circulated, Mr Deputy Speaker, Sir. Different proposals have been made by hon. François about whether other representatives of other Ministries should have been in this LAVIMS Committee. I think there is a need for the hon. Minister to ponder on all the suggestions that have been made. I would have thought that there should have been a representative of the Planning Division of the Ministry on this Committee. There should perhaps have been a representative of the Valuers operating in the private sector and who operate in the market. The private Valuers are, in fact, the people who know the operations of land market much more, in fact, than the Government Valuers. I would have thought also, Mr Deputy Speaker, Sir, that even a State Law Officer should have been somebody from the Accountant-General's Office or a representative of the Solicitor General should have been a member of this LAVIMS Committee and with such a technical Committee a lot of legal advice has to be tendered in the course of a deliberation of this Committee and why not, perhaps, an officer of the Accountant-General's Office or a representative of the Solicitor-General.

Mr Deputy Speaker, Sir, I'll now come to Part III of the Bill - Cadastral Survey. At clause 6 -

“(2) The Chief Surveyor -

(g) shall set survey standards and rules for the conduct of cadastral surveys;”

According to me, this proposal - the law as it is worded here - is not rigorous enough and is too loose. So much is being left to the Chief Surveyor who, as we all know, Mr Deputy Speaker, Sir, will be called upon to manage so much, and I will come to that in a few minutes. What I am saying is that the survey standards should be in the Act itself, as it is the case with the present Land Surveyors Act. In fact, in section 14 of the present Land Surveyors Act, Mr Deputy Speaker, Sir, all the prescribed standards are there. But, unfortunately, we see that this Bill that we are proposing is repealing sections 9 to 18 of the present Land Surveyors Act. I would have thought that the standards, the rules should have been in the Bill itself.

Mr Deputy Speaker, Sir, for example, in the present Land Surveyors Act, section 11, we see Contents of memorandum of survey -

“(1) Every memorandum of survey shall -

- (a) be drawn up -
 - (i) in 2 originals;
 - (ii) so as to constitute a single document;
- (b) contain no abbreviation, blank, gap or interval;
- (c) be legibly written or typewritten, and
- (d) record in words any linear dimension.”

What I am saying is that this should have been in the Bill - the prescribed standards - as it is the case now in the Land Surveyors Act. I know that provisions are being made for the regulations to prescribe all the contents of the memorandum of survey and so on. But, Mr Deputy Speaker, Sir, I think all this should have been specified in the present Bill. For example -

“(a) the length, in metres, of every boundary line or operation line, as measured with a steel band tape;

- (b) the angles, either observed or calculated;
- (c) the extent of the property surveyed;
- (d) the location of every boundary stone -
 - (i) existing at the time of the survey; or
 - (ii) placed by the land surveyor, and
- (e) the precise location of the property."

All this, according to me, should have been in the Bill itself, as it is the case in the Land Surveyors Act which, unfortunately, the present Bill is repealing.

Mr Deputy Speaker, Sir, I come to the question of the Office of the Chief Surveyor. When we look at clauses 6 and 12 of this Bill concerning the functions and responsibilities of the Chief Surveyor, he will have - according to section 12 now - to verify whether the survey has been carried out; each and every survey will have to be verified now by the Chief Surveyor. He will have to verify the survey, the memorandum of survey, the survey report, the plan, whether all this have been drawn up and made up in the prescribed form and manner. We can just imagine, Mr Deputy Speaker, Sir, the amount of work of the Chief Surveyor when this Bill will be adopted by the House. I am sure the hon. Minister would be able to give us the number of surveys completed every month. Hon. Ramano, in his speech, gave us an indication of the number of surveys completed every month. So, the Chief Surveyor will now have the duty of auditing all these surveys, all these plans.

There are two points which should be made here, Mr Deputy Speaker, Sir. Firstly, since the office of the Chief Surveyor is being called upon to assume so many responsibilities that it did not have before, it is very important to ensure that not only the work is carried out with seriousness, dedication and expediency, but it is a question of being properly staffed and properly supported by the necessary staff and perhaps, advisers with experience in this field.

Mr Deputy Speaker, Sir, the Chief Surveyor's office should not become a clog, if we have to wait for the Chief Surveyor himself to approve all the surveys that have been made, because we know how so much depend on a survey plan in land transaction. Mr Deputy Speaker, Sir, I think, the hon. Minister should reflect seriously on the question of capacity

building and providing to the Chief Surveyor's Office proper staff, in order that the Chief Surveyor's Office does not become a clog, as I said, in the administration.

Mr Deputy Speaker, Sir, as I said earlier on, we wish well to this Bill. I think it is a new page in the history of land administration in this country. But, in view of the numerous proposals that have been made from different hon. Members who have spoken before me, I would appeal to the hon. Minister to give serious thought to the possibility of probing, of analysing all these proposals that have been made. The proper procedure would have been to have a Select Committee to look into all these proposals and come quickly with suggestions, in order to see if this Bill should be amended. Anyway, Mr Deputy Speaker, Sir, on the Opposition side, we support this Bill and, as I said, we wish it well. Thank you.

(7.18 p.m.)

Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue): Mr Deputy Speaker, Sir, I am the last orator on this side of the House to intervene on this piece of legislation, and I go along with the suggestion made earlier by my colleague, hon. Ganoo, in view of the setting up of a Select Committee to look into the far-reaching implications of this piece of legislation. Although we go along with this Bill, we have noted some weaknesses, and I am going to highlight these weaknesses while I go through my speech.

Mr Deputy Speaker, Sir, the main object of this piece of legislation, that is, the Cadastral Survey Bill, is to make provision for the general administration, the maintenance and the updating of a Digital Cadastral Database, that is, the DCDB, for the island of Mauritius but also, at a later stage, as confirmed by the hon. Minister, other islands forming part of the Republic of Mauritius. But, this Bill also makes provision for the allocation of the PIN, that is, a Personal Identification Number to every land parcel or unit of building, the setting up of a geodetic datum in order to accurately identify the location of every land parcel and new standards and rules to be prescribed for the conduct of land surveying in the country.

Mr Deputy Speaker, Sir, allow me at the very outset of my speech to set the record straight in saying that it was the vision of the MMM/MSM Government, back in 2000 and 2005, to make Mauritius a cyber island, that the decision was taken to set up a National Land Information System and the project saw its origin back in December 2004. It was then that a team from the Land Registry Division of Western Australia visited Mauritius. Later on, an MoU

was signed between the Government of Mauritius and the DOLA International, that is, the Department of Land Information of Western Australia and that mission that came later to Mauritius found significant need for reform in the Land Administration and Management Sector, but also other agencies involved in land administration.

Mr Deputy Speaker, Sir, they submitted the report and one of the main recommendations of that report was that the present Land Administration System be converted into a National Land Information System, and a series of pertinent issues were identified and raised in that document. Now, let us have a look, Mr Deputy Speaker, Sir, at the framework of legislation dealing with land issues in our country. The basis of all land law in our country is the Napoleonic Code, but we have other pieces of legislation as far back as 1804, that is, the Registration Duty Act, the Sale of Immoveable Property Act, State Land Act, the Land and Duty Taxes Act, the Transcription and Mortgage Act, the Non-Citizens Property Restriction Act, the Law Practitioners Act, the Land Surveyors Act, the Environmental Protection Act, the *Morcellement* Act, the Sugar Industry Efficiency Act and the Planning and Development Act of 2004. Like I have said, some of these pieces of legislation are very old and mostly oriented towards revenue collection, rather than supporting a Land Administration and Management System. Eventually, Mr Deputy Speaker, Sir, we should come to a point where we have to integrate and consolidate most of these legislations.

In the terms of reference for the request for proposal for the LAVIMS project, the overview requirements for the LAVIMS project were as follows, Mr Deputy Speaker, Sir, that is, the project scope was to have as major components, a market value based valuation and the preparation of a valuation list of, firstly, all residential properties and then all other properties, excluding those use for agricultural and public purposes, the generation of a complete cadastre to be current and comprehensive in identifying all cadastral land parcels, their areas and abuttals; then to have a modified Deeds Registration System and, lastly, an IMS that provides for managing and sharing data and land information.

It was also, Mr Deputy Speaker, Sir, stated in that terms of reference document that the LAVIMS priorities were influenced by the valuation component imperatives, namely that values for all residential properties or registration bare land that could be subject to the National Residential Property Tax are required to be supplied by the project to the Valuation Department

by 01 April 2009 and enforced by 01 July 2009. Thank God, the project was delayed, but also *il y eu l'arrivée du MSM au gouvernement* and that unfair system of property taxation was abolished, Mr Deputy Speaker, Sir. The LAVIMS is the first and major part of an ongoing reform programme that will deliver the essential building blocks for a modern Land Administration and Management System.

It is worth noting, Mr Deputy Speaker, Sir, that pertinent issues were raised in the Land Scrutiny Mission Report which was submitted to Government. It is stated in the present Bill, as per the Explanatory Memorandum, and this has been clarified by the hon. Minister because I believe a question was raised by hon. François some time back, whether the LAVIMS will apply to the island of Rodrigues. I thank the hon. Minister for clarifying the situation earlier.

A contractor was appointed, Mr Deputy Speaker, Sir, for the implementation of the LAVIMS project and the responsibilities of that contractor was clearly defined, that is, the formulation of a project design and scheduling, a project management and reporting to the Steering Committee, the preparation of submissions to attain Steering Committee approval, the supply of necessary software and hardware, the collection of data, the storage and security of data, the loading of special data into a shared GIS, the development of a public communication strategy and the development of quality assurance procedures. The contract value for the implementation of the LAVIMS was for an amount of US \$18,285,000, that is, almost Rs550,000,000 and the completion date was supposed to be on 31 December 2010.

We understand now from the hon. Minister that the completion date will be in August this year. To allow for the implementation of the project, we voted a piece of legislation called the LAVIMS Project Implementation Bill, on 09 December 2008, and we are repealing today this piece of legislation. The main objective of that Bill, like I said, was for the implementation of the LAVIMS, but also to allow authorised persons to carry out surveys and valuation, Mr Deputy Speaker, Sir.

In that same piece of legislation, we had clearly defined the cadastral database at section 4 of that piece of legislation, that is, the Digital Cadastral Database should be with respect to every land parcel, a digital graphic representation of the land parcel. It should also show the relationship of all points and polygons in the cadastral framework to the geodetic datum of the island of Mauritius. It should also show the relationship of each land parcel with any other

abutting or adjoining land parcel and road, a cadastral lot area, a PIN code, a plan or diagram of survey, a deed, owner and street address, the zoning of each land parcel for planning purposes, a description of any building on the land parcel. The area of the building square metres, its utilisation, the individual descriptor's attributes and other related materials, the market value of the property in terms of the value of the land parcel, buildings, if any, and the value of leasehold rights in State lands and its administrative boundaries for districts, local authorities and even electoral boundaries.

During the Second Reading of the LAVIMS Implementation Bill, the hon. Minister stated that if, with regard to authorised persons, these authorised persons will be empowered to enter premises for the evaluation for the purposes of any tax, rate or due and survey purposes.

It is stated that, I quote –

“Legislation is also necessary to provide for the setting up of a digital database by empowering authorised persons to enter premises precisely for that purpose as well as for survey and land use planning.”

The piece of legislation that we have in front of us today, Mr Deputy Speaker, Sir, called the Cadastral Survey Bill, to me, is a half way Bill. Why? Because the recommendation of the land scrutiny mission was very clear under the heading of ‘Surveying and Mapping’! The recommendation was that the Land Surveyors Act had to be reviewed completely. What we have in front of us today, Mr Deputy Speaker, Sir, is a Bill with only a few amendments which are related to the Land Surveyors Act. Mr Deputy Speaker, Sir, as I said, the objectives were as follows: to have the unique identification of every cadastral lot or parcel in the island of Mauritius and the requirement to achieve this was the design of the cadastral generation project methodology, capture of survey plans, a multipurpose cadastre and an AIS or GIS. Two options were put to the contractor. One was the compiling of existing survey information together with imagery-based techniques and resurvey, and the other one was survey of all the plots in the island. But what was attached to these options - and I understand that the contractor had opted for the first option which when implemented required to bring a certain accuracy, that is, an accuracy as defined in the terms of reference of that contract within three metres, Mr Deputy Speaker, Sir.

The question that we should all be asking today, after I have made these comments, is: how was the data for each and every parcel on the island collected? Was it by compiling the existing survey information? Was it by imagery techniques, was it by both methods or was it done by undertaking the cadastral survey of all land parcels? How many plots, Mr Deputy Speaker, Sir, have been compiled today? I think everybody in this House would wish to know from the hon. Minister how much of that work has been completed.

Mr Deputy Speaker, Sir, it was also required that the cadastral framework established under the LAVIMS should be multipurpose. Do we have now a guarantee from the hon. Minister that this cadastral framework is multipurpose? We also understand, Mr Deputy Speaker, Sir, that part of the work to be carried out by the main contractor was subcontracted locally, but even subcontracted abroad. In a reply to a question put to the hon. Minister with regard to the total cost of the project, the hon. Minister had replied that there has been an increase in the cost of the project due to an increase in the number of properties that had to be surveyed. We had understood that there was supposed to be some 350,000 plots to be surveyed in the country. Can we now have an indication of how many plots have been surveyed all throughout the island either, like I said, by complying data, by imagery techniques or by going in the field and surveying? Because we understand that one of the subcontractors had tried to hire some four private land surveyors in the country to carry out the survey, then they decided to hire two instead of four, but the two private land surveyors, Mr Deputy Speaker, Sir, from our information, have not carried out any field work until today. What we are also told, Mr Deputy Speaker, Sir, is that, like I said earlier, part of the contract for mapping was carried out outside Mauritius and we were told that the technique used was in the form of a jigsaw puzzle. Can we talk of accuracy if we are talking of such mapping, Mr Deputy Speaker, Sir? I heard earlier hon. Ramano stating that, even in this piece of legislation which is in front of us, we are still talking of approximate extent. We cannot, on one hand, say that we want standards of accuracy and, on the other hand, in the legislation we are still talking of approximation, Mr Deputy Speaker, Sir.

With regard to standards, Mr Deputy Speaker, Sir, these are related to accuracy. Previously, in the Land Surveyors Act, it was clearly stated with regard to section 14, which is being repealed as a lot of other sections in the Land Surveyors Act, that -

“14. Plans

- (1) Every plan made in support of a memorandum or report of a survey shall specify –
 - (a) the length, in metres, of every boundary line or operation line, as measured with a steel band tape;
 - (b) the angles, either observed or calculated;
 - (c) the extent of the property surveyed;
 - (d) the location of every boundary stone –
 - (i) existing at the time of the survey; ”

It is very descriptive and it is in the legislation. Now, what is being said in this piece of legislation, especially under the responsibility of the Chief Surveyor - it is not even in the main legislation - is that -

“6. Chief Surveyor

- (2) The Chief Surveyor –
 - (g) shall set survey standards and rules for the conduct of cadastral surveys;”

Why is it not in the legislation, as it is in the Land Surveyors Act, Mr Deputy Speaker, Sir?

I said earlier that we should have had in front of us today a full-fledged Bill dealing with land surveying in this country and surveyors. I have heard the Minister saying that his Ministry is working on another piece of legislation, that is, the Board Surveyors Bill. Mr Deputy Speaker, Sir, I think that there are problems today with regard to that profession. Other professions, for example, doctors, engineers, pharmacists and architects, have a Council or Board, which looks after their qualifications, recognition, the practice itself. With the actual piece of legislation, that is, the Land Surveyors Act, the process of commissioning a land surveyor is done through the Chief Surveyors office which makes arrangement for the examination of the candidate and, if the candidate is successful, the Chief Surveyor sends the recommendation to the President of the Republic and commission is granted. I think we need a Council or Board to do that job, Mr Deputy Speaker, Sir. What is there also in this piece of legislation is that there is no procedure for decommissioning or deregistration of a land surveyor as it exists in other professions. It is also high time that we have disciplinary procedures for this profession put in the legislation.

The Survey Division - and this has been highlighted earlier - of the Ministry of Housing and Lands has the responsibility of the cadastre which relates to State land. In fact, Mr Deputy

Speaker, Sir, the focus of the Ministry is on the administration and management of State land. Now, we are entrusting to that Survey Division of that Ministry the administration and management of the whole island, that is, both State land and private land. Let us ask ourselves a series of questions, because these were also part of the recommendations submitted by the Land Management Scrutiny Mission, that is, as it is today: is the Division well staffed to bear those responsibilities? One of the responsibilities of the contractor to whom the contract for the implementation of LAVIMS was entrusted was to train the relevant LAVIMS agency staff to take over operational responsibility of the system. Has that been done? Has adequate training been provided? What actions have been taken at the level of the Survey Division to shoulder these responsibilities in terms of duties, structure, and resources? Mr Deputy Speaker, Sir, we are moving forward in this country with such a system.

Il serait inconcevable qu'à un certain moment, l'autorité ou cette division responsable de l'implémentation de ce projet se trouve dans une situation où cette division ne peut pas fonctionner correctement par manque de personnel ou par manque de moyens. C'est pourquoi, M. le président, je pense que c'est important à ce stade, après tous ces commentaires qui ont été faits de part et d'autre, des suggestions, qu'on s'arrête et aborde une réflexion pour savoir si on va dans la bonne direction. C'est pourquoi cette suggestion de l'honorable Alan Ganoo, qui est intervenu juste avant moi, a tout son poids, c'est-à-dire, allons donner l'occasion à ce système qui va opérer dans une grande transparence, qui va mettre de l'ordre là où, à un certain moment, il y avait du désordre, c'est-à-dire tout ce qui concerne les terres de notre pays qui nous sont chères, M. le président.

Allons nous asseoir, like he had stated, all of us together, and have an in-depth look, Mr Deputy Speaker, Sir, in this piece of legislation so that we do not make mistakes while we move ahead into the implementation of this important piece of legislation.

Thank you, Mr Deputy Speaker, Sir.

Dr. Kasenally: Mr Deputy Speaker, Sir, I have listened carefully to all the remarks made by professionals in the field like hon. François, hon. Ramano, hon. Lesjongard and my former student, hon. Ganoo, who has made a passionate plea. But, first of all, at the very start, I must indicate that the LAVIMS has three components: valuation, registration and a cadastre. Today, we are discussing the Cadastral Survey Bill. Comments and observations have gone beyond the

provisions of the Bill which concern cadastral surveys and the way these surveys should be conducted.

Now, I will take the points as I go around. We have mentioned that there is going to be a Board of Surveyors Bill, that's why we are repealing it, but we are not repealing it until we have set up the other Bills, for example, the Board of Surveyors Bill. This Bill is going to be an independent Board comprising of Land Surveyors from public and private for overseeing registration of surveyors, setting educational requirements and professional standard, monitoring the conduct of surveyors, conducting investigation into alleged breaches of professional standard and ethics and malpractices and taking disciplinary action against surveyors. We are not just abolishing the Land Surveyors Act just like that and leave everybody high and dry, especially the people who are sometimes conned by incompetent surveyors.

The cadastre has been compiled - hon. Lesjongard was asking - from existing maps and aerial imaginary. There was no question of any jigsaw fixing. As far as the parcels are concerned, 450,000 parcels have been mapped instead of 350,000. As you can see, I cannot go over all the points, but, I must say, as some of them are beyond the Bill, I have taken note of some of the points and we will remedy it, like what hon. Sayed-Hossen has said as far as the drains are concerned and this is being taken care, although we have not mentioned it.

Concerning the access right to digital cadastre, only the following three government bodies will have access to input and edit data in the digital cadastre. The Survey Division will update the ownership and boundaries of the land parcels. The Registrar General will scan and save all title deeds and land survey reports in the system. The Valuation Department will value the properties. However, members of the public can search and view all these data at the Search Room of the Registrar General Department and such facilities will also be provided at the Survey Division. These searches will be carried in a secure information and technology environment that will prevent anyone from tampering data on the system. Later, as the system will mature, the possibility of decentralising view access will be looked into.

Now, as regards the setting up of a Cadastral Implementation Unit, such a unit has been created within the Survey Division with the dedicated role to update and maintain the digital cadastre. Actions have already been initiated to fully resource the unit so that a reasonable service level can be offered to the public. The CIU is headed by a Principal Surveyor and is

comprised of two surveyors, one Principal Cartographer, three Cartographers, three Surveyor Technicians and two Trainee Surveyors. It is proposed to reinforce the unit as the project becomes operational. I think it is a matter of regret to suggest that things will just like clog up in my Ministry or whoever takes the Ministry afterwards. Things tend to clog up everywhere, but I have got the technique of declogging things, as a surgeon I mean.

Hon. Ameer Meea came up with some interesting remarks. I can see that there has been a general consensus about this Bill. This project has been vetted by specialists; we have worked all over it, all over the year and the State Law Office has been chaperoning this Bill. I am afraid, Mr Deputy Speaker, Sir, we cannot rule this country by Select Committees. We do not want a selective committee mania to pervade through this system of Government.

(Interruptions)

There is a reason for a Select Committee. In fact, the Prime Minister has already set up a committee, but we cannot at all time just resort to it, it will be not assuming our responsibility. We have a responsibility to govern and we shall govern.

(Interruptions)

I agree! The previous Government had a vision. You may have a vision, but unfortunately, you were not elected but we were elected and we have to carry on with these projects. It is a continuum of Government in this democracy.

Hon. Ameer Meea raised the prospect of fraudulent dealings in land. Each land transaction has to be carried out by a PIN Certificate which is unique and which will be issued on application. Therefore, a second transaction will need a second PIN Code and when you go on the computer it will be rejected, because it will already be seen. So, these fraudulent practices will be controlled we hope, that is, at least, what the experts tell us.

(Interruptions)

No, what he was saying is that over a period of three hours, three transactions can be done, but it cannot be done, because the PIN Code is going to be issued only to one person.

(Interruptions)

No, but there is a system of preventing. Once it is issued, it cannot be issued to another Notary.

Representatives of Ministry in LAVIMS can be co-opted as and when the need arise. We operate in a pyramidal system. The Chief Surveyor will delegate responsibilities to his juniors, the Deputy Surveyor. This is no problem, he has got two Deputies.

As regards this geodetic datum, it is the reference framework for all coordinates system and is usually defined by an ellipsoid chosen to represent the figure of the earth and parameters assigned to an origin point. The parameters for a new geodetic datum has been worked out by Landgate from GPS Data observed during ten continuous days on a 24-hour basis. This datum is based on the world geodetic system 1984 and it gives you all the names. Therefore, about 60 controlled points have been cast throughout the island for a second GPS network in Mauritius, the northern part of the island and a third order detailed network will be used by the Land Surveyors during their normal surveys. This will consist of 3,000 points that need to be fixed and observed. Technical assistance is being sought on the design and planning of this third order. The idea behind it is to ensure that we get correct, accurate data as far as the land parcelling is concerned.

As I said, all the other points will be taken and I am afraid those points that go outside the ambit of the Cadastral Survey Bill will not be taken on board. However, Government is determined to go ahead. Of course, we are moving into a new field, there will be a certain *temps de rodage*, but we will have to correct it. Mr Deputy Speaker, Sir, there may be mistakes and we have to correct these mistakes whatever they be. We are all not perfect, except God, but we must not make the same mistakes and call it experience.

I thank all the Members who have taken part passionately and, in fact, hon. François did it. He has got so excited with it that he went on the wings of imagination and landed in a state of ecstasy about his own profession.

I thank you hon. gentlemen and thank you very much indeed, Mr Deputy Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

THE CADASTRAL SURVEY BILL
(NO. XV OF 2011)

Clauses 1 to 4 ordered to stand part of the Bill.

Clause 5 LAVIMS Committee

Motion made and question proposed: “that the clause stand part of the Bill”.

Dr. Kasenally: Mr Chairman, I move for the following amendments in clause 5 -

- (a) “In subclause (2), by adding the following a paragraph, the full stop at the end of paragraph (g) being deleted and replaced by a semicolon -
 - (h) 3 other persons, to be appointed by the Minister.
- (b) in subclause (6), by deleting the figure “3” and replacing it by the figure “5”.”

Amendment agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clauses 6 to 23 ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed to.

On the Assembly resuming with the Deputy Speaker in the Chair, the Deputy Speaker reported accordingly.

Third Reading

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

(8.03 p.m.)

The Attorney General (Mr Y. Varma): Mr Deputy Speaker, Sir, I do not propose to move for the Second Reading of the following Bills today –

- (i) The Institute for Judicial and Legal Studies Bill (No. IX of 2011), and
- (ii) The Law Practitioners (Amendment) Bill (No. X of 2011).

ADJOURNMENT

The vice-Prime Minister, Minister of Social Integration and Economic Empowerment (Mr X. L. Duval): Sir, I beg to move that this Assembly do now adjourn to Tuesday 12 July 2011, at 11.30 a.m.

Mr Bachoo rose and seconded.

The Deputy Speaker: The House stands adjourned.

MATTERS RAISED

FLOREAL – CHEVERY FAMILY – HARDSHIP CASE

Ms S. Anquetil (Fourth Member for Vacoas & Floreal) M. le président, ma requête s'adresse au ministre du logement et des terres. Le 08 janvier dernier, la maison où vivait la famille Chevery à Floréal a été entièrement incendiée. La ministre de l'égalité du genre, du développement de l'enfant et du bien-être de la famille, l'honorable madame Bappoo, et moi-même, avions visité la famille le même jour pour leur apporter notre soutien. Les meubles, les habits, les titres académiques et de l'argent sont partis en fumée laissant ainsi cette famille dans un désarroi total.

M. le président, Jasmine Chevery qui est âgée de 23 ans a subi une amputation de la jambe droite à l'âge de huit ans. La prothèse de sa jambe droite a été également détruite dans l'incendie. Jasmine a connu des épreuves difficiles et douloureuses dès son jeune âge et depuis l'incendie du 08 janvier, sa mère, sa sœur et elle vivent un autre véritable cauchemar. Jasmine avait entrepris des démarches auprès de la NHDC pour l'obtention d'une maison. J'apprécie l'effort de la NHDC qui lui aurait proposé un appartement à cité Atlee, situé au troisième étage. Mais étant unijambiste, elle n'a pas eu d'autre choix que de décliner l'offre. La NHDC lui a demandé alors de patienter.

Elle a toutefois reçu une aide sociale de la sécurité sociale pour l'achat de nourritures et de vêtements. Depuis janvier 2011, soit bientôt sept mois, Jasmine et sa famille sont hébergées par des amis à tour de rôle. A ce jour, elles ont déjà changé trois résidences. Actuellement, elles

habitent dans une maison en construction avec tous les dangers et l'insécurité que cela peut représenter, surtout pour une unijambiste. Cependant, le propriétaire de cette maison leur a demandé de partir à la fin de juillet car il doit achever les travaux de construction de sa maison. La famille Chevery ne sait plus où aller. Elles n'ont pas le moyen de verser les deux mois de caution qu'exigent les conditions de location en vigueur.

Ce cas a été rapporté par différentes presses, dont 'Cool FM' qui lui a fait don d'une prothèse pour sa jambe droite. La MBC a également fait un reportage sur ce cas qui a été diffusé lors d'un journal télévisé il y a quelques mois de cela.

Je fais un vibrant appel au ministre du logement et des terres de venir en aide à cette famille pauvre, cette mère et ses deux filles, afin qu'elles ne se retrouvent pas à la rue, et de voir, sur une base humanitaire et exceptionnelle, la possibilité de leur trouver un appartement de la NHDC dans les meilleurs délais.

Je vous remercie, M. le président.

The Minister of Housing and Lands (Dr. A. Kasenally): Mr Deputy Speaker, Sir, I appreciate the effort made by the hon. Member. I am very pleased to announce that the NHDC has allocated an apartment, ground floor at Glen Park for this unfortunate family.

RAILWAY ROAD, BEL AIR RIVIERE SÈCHE – CLEANING

Mr J. Seetaram (Second Member for Montagne Blanche & GRSE): Mr Deputy Speaker, Sir, this question would be addressed to the hon. Minister of Local Government and if he could kindly consider the cleaning up and tiding up of the railway road found at Bel Air Rivière Sèche where, on both sides of the road, there are wild shrubs and grass bushes which have grown up. Those bushes are preventing pedestrians from walking along. Being given that it is a very tight road and mostly when we have traffic those pedestrians cannot even use that road properly, and it has become a danger. Thus, to prevent any accident or any hazard, if the needful could be done in relation to railway road, Bel Air Rivière Sèche.

PONT LARDIER - SHIVALA

The second issue concerns the Shivala at Pont Lardier. On the right side of the Shivala, there is a rivulet which needs cleaning up and tiding up again inasmuch as one of the devotees, while trying to help in the construction of the Shivala, fell down and broke one leg. Thus, to prevent further hazard again, I will really appreciate if tiding up and cleaning up of the rivulet which is found next to the Shivala could be done. Thank you.

The Minister of Local Government and Outer Islands (Mr H. Aimée): I will look into the matter, Mr Deputy Speaker, Sir.

VOLCY POUGNET STREET, PORT LOUIS – PEDESTRIAN CROSSING

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Deputy Speaker, Sir, I would like to draw the attention of the hon. Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping to a question relating to Volcy Pougnet Street in Port Louis where we have the construction of the new wing of the Dr. Jeetoo Hospital which is near completion. However, there is a parking problem for people who go and see patients. They seem to park everywhere. But more importantly, there is no longer a pedestrian crossing. People are having difficulties to cross the road whenever they have to visit patients. Perhaps the hon. Minister could look into the matter.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): I will take the necessary actions, Mr Deputy Speaker, Sir.

SIVANANDA/ROYAL ROAD, CUREPIPE – TRAFFIC LIGHT

Mr S. Obeegadoo (Third Member for Curepipe & Midlands): Mr Deputy Speaker, Sir, very briefly, this House has had the opportunity of debating road accidents on several occasions these last few weeks and, this morning, I was shocked once again to see that the traffic lights at the junction of Sivananda and the Royal Road, Curepipe was again not working. This is possibly one of the most complicated crossroads of the country. It has five or six different outlets, if that is the term, and, yet again, it was not functioning this morning, and there was not even a single Police officer on the spot. I have made this plea on several occasions that we should look, as a priority, at maintenance of our traffic lights and for urgent emergency measures to be taken when they do break down.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, early in the morning, I have already given instructions to the authorities concerned to look into it.

At 08.10 p.m., the Assembly was, on its rising, adjourned to Tuesday 12 July 2011, at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

RODRIGUES – ROAD INFRASTRUCTURE

(No. B/651) Mr J. C. Leopold (First Member for Rodrigues) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to major roads infrastructure improvement in Rodrigues, he will, for the benefit of the House, obtain from the National Development Unit, information as to -

- (a) the number of kilometres thereof -
 - (i) that need to be tarred/repaired;
 - (ii) earmarked to be tarred/repaired, indicating their locations, and
- (b) if funds from the NDU will be used therefor and, if not, why not.

Reply: All road infrastructure in Rodrigues fall under the Rodrigues Regional Assembly which is responsible for the road network, just as Local Authorities in the Mauritius mainland for non classified/other roads. There are no roads classified as Motorways or Main A or B roads in Rodrigues.

Consequently, the responsibility rests with the Infrastructure/Works Division of Rodrigues and budget allocation for maintenance or development usually comes through the Ministry responsible for Rodrigues.

RODRIGUES - CAMP DU ROI STADIUM – SYNTHETIC STRIP

(No. B/652) Mr J. C. Leopold (First Member for Rodrigues) asked the Minister of Youth and Sports whether, in regard to the project for the reconstruction of the synthetic strip at Camp du Roi Stadium, Rodrigues, he will state where matters stand.

Reply: In August last year, my Ministry requested the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping to carry out a survey of the works required for the rehabilitation of the synthetic track at the Camp du Roi Stadium. The measurements taken revealed that the length of the track does not meet the required standards and

therefore cannot be homologated to international norms. To make the track comply to international norms the grand stand and the perimeter wall will have to be pulled down. The cost of such demolition and reconstruction will be almost the same as the construction of a new stadium.

In the light of such financial implications, consultations were held between the Commission of Youth and Sports in Rodrigues and the officials of my Ministry to decide on the course of action. It was finally agreed that the Commission would go for the construction of a new stadium at Marechal. The financing thereof would depend on the availability of funds to the tune of around Rs50 m. and approval of the Project Plan Committee.

As the construction of such a new stadium will take time, the Commission in consultation with the Mauritius Athletics Association has requested that patching works be done on the synthetic track at Camp du Roi Stadium. In this respect, a further survey has been carried out by a private consultant and my Ministry is liaising with the Ministry of Finance and Economic Development for funding of the project which may be implemented within the forthcoming months.

DR. IDRIS GOOMANY MUNICIPAL CENTRE - RENOVATION WORKS

(No. B/653) 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 last renovation works carried out at the Dr. Idriss Goomany Municipal Centre, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to the –

- (a) details of the works, indicating in each case if same were carried out in-house or contracted out;
- (b) detailed cost thereof, and
- (c) name of the suppliers for each item.

Reply: The information requested by the hon. Member is being placed in the Library.

VIEUX GRAND PORT - HISTORICAL SITES

(No. B/654) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Arts and Culture whether, in regard to the historical sites, situated in the region of Vieux Grand Port and the surrounding regions, he will state if a list thereof has been drawn and, if so, will he –

- (a) give the list thereof, and
- (b) state the measures that are being taken for the preservation thereof.

(Withdrawn)

MOTOR VEHICLES - PLATES

(No. B/655) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the motor vehicles, he will, for the benefit of the House, obtain from the National Transport Authority, information as to if -

- (a) there has been any change in the purpose thereof;
- (b) the new specifications corresponding to the British Standard BS AU 145d have been communicated to the local suppliers of the new plates therefor, indicating if -
 - (i) a list of the authorised suppliers therefor has been established, and
 - (ii) the price thereof will be prescribed, and
- (c) the initial implementation date of 01 July 2011 has now been postponed or cancelled in relation to the ones which are already registered.

Reply: I have to inform the House that in regard to motor vehicles, there has not been any fundamental change in the purpose and philosophy thereof. However, if the hon. Member is referring specifically to registration plates, I have to inform the House that Section 57 of the Road Traffic (Construction and Use of Vehicles) Regulations 2010 provides for motor vehicles to be fitted with registration plates made with retro-reflective material and which complies with British Standards BS AU 145d or any relevant standard recognized in an EEA State.

As regards part (b), the specifications were clearly spelt out in the Regulations published in the Government Gazette in February 2010. Moreover, Press Communiqués were issued on 01 March 2011, 08 April 2011 and recently on 30 June 2011, reproducing the specifications for the information of suppliers and the public at large.

No list of suppliers has been established, nor has the price of registration plates been prescribed. The intention is to ensure that market forces operate, and that there is maximum competition in the interest of consumers. In fact, I have been made aware that, initially plates were sold at an exorbitant price of Rs1,500 and above, while now they can be procured for less than Rs400.

As regards part (c), I have to inform the House that regulations have been made to postpone the date limit for replacement of number plates of motor vehicles which are already registered.

I wish to emphasise that all car owners will have to replace the registration plates of their vehicles, in the future. I am, therefore, appealing to Members of both sides of the House to set the example by changing the registration plates of their cars at the earliest.

MGI – HISTORICAL ARCHIVES

(No. B/656) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Education and Human Resources whether, in regard to the Mahatma Gandhi Institute, he will, for the benefit of the House, obtain from the Institute, information as to if the historical archives lying thereat, are classified secret and confidential and, if so, when the decision therefor was taken, indicating by whom.

(Withdrawn)

MITD – TRAINING CENTRES/SCHOOLS

(No. B/657) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Education and Human Resources whether, in regard to the new Training Centres/Schools of the Mauritius Institute of Training and Development (MITD) which came into operation in 2010, he will, for the benefit of the House, obtain from the MITD, information as to -

- (a) the location thereof;
- (b) the date of their coming into operation;
- (c) if additional staff were recruited therefor and, if so, indicate the -
 - (i) number, and
 - (ii) grades of persons recruited, and
- (d) procedures followed for the recruitment thereof in each case.

(Withdrawn)

ROUTE HUGNIN, ROSE HILL – WASTE WATER PIPES AND MANHOLES

(No. B/658) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the project for the installation of waste water pipes and manholes along the Route Hugnin, Rose Hill, he will, for the benefit of the House, obtain from the Wastewater Management Authority, detailed

information in relation thereto, including the date of commencement and date of completion thereof.

(*Withdrawn*)

HOSPITALS – PHARMACEUTICAL PRODUCTS

(No. B/659) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil) asked the Minister of Health and Quality of Life whether, in regard to pharmaceutical products in her Ministry, she will state the measures being taken to avoid -

- (a) wastage thereof, and
- (b) dispensing sub-standard medicine in the Government hospitals, clinics and health centres.

(*Withdrawn*)

BELLE MARE - TOURIST VILLAGE

(No. B/660) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil) asked the Minister of Tourism and Leisure whether, in regard to the tourist village at Belle Mare, he will state if the construction thereof has been completed, indicating -

- (a) the purpose therefor;
- (b) if the procedures for renting the outlets thereat have started, and
- (c) the total cost thereof.

(*Withdrawn*)

LA CAVERNE PONT BON DIEU - REHABILITATION

(No. B/661) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil) asked the Minister of Environment and Sustainable Development whether, in regard to La Caverne Pont Bon Dieu at Belvedère/Brisée Verdière, he will state if consideration will be given for the -

- (a) rehabilitation thereof;
- (b) provision of facilities for climbing up and down same, and
- (c) carrying out of regular checks thereat by the *Police de l'Environnement*, with a view to averting dumping of wastes thereat.

(*Withdrawn*)

MAURITIUS TELECOM - FIBER OPTICS CABLE

(No. B/662) Mr D. Khamajeet (Second Member for Flacq & Bon Accueil) asked the Minister of Information and Communication Technology whether, in regard to the fiber optics cable, he will, for the benefit of the House, obtain from the Mauritius Telecom, information as to the percentage representation thereof over the total use of cable for connection purposes, indicating the main areas where the use thereof is made.

(Withdrawn)

CHILD DEVELOPMENT UNIT – MINOR P. Y. A - COMPLAINT

(No. B/663) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to late minor P. Y. A., she will, for the benefit of the House, obtain from the Child Development Unit, information as to if any complaint of alleged violence against her was reported thereat, prior to her death and, if so, the measures that were taken, in relation thereto.

(Withdrawn)

SEPT CROISEES ROAD, TROU D'EAU DOUCE - MANHOLES

(No. A/231) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE) asked the Minister of Information and Communication Technology whether, in regard to the manholes built by the Mauritius Telecom found at Sept Croisées Road, Trou d'Eau Douce, he will, for the benefit of the House, obtain from the Mauritius Telecom, information as to if consideration will be given for the repair and covering thereof.

Reply: I am informed by the Mauritius Telecom Ltd (MT) that, on 30 June 2011, it has identified one manhole in Sept Croisées region, whereby the tar coating on top of the manhole has been damaged. MT suspects that the cause of that damage could be an act of vandalism.

I am also informed by MT that it has taken immediate action to have this manhole covered with fresh tar and to level it with the surface of the road to avoid any inconvenience to vehicular traffic.

SOLEIMAN PEERBYE STREET, BEAU BASSIN - DRAINS

(No. A/232) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Soleiman Peerbye Street, at Vuillemin, Beau Bassin, which is flood prone, he will state if the drains system thereat is adequate and, if not, the remedial measures that will be taken, if any.

Reply: Soleiman Peerbye Street at Vuillemin, Beau Bassin, lies in a low spot which makes it prone to floods. There is already a drain which is 35 metres long and is regularly maintained by the Municipal Council of Beau Bassin/Rose Hill to ensure no overflowing of rain water.

However, there is an absence of a drain network which often leads to rain water overflowing at Soleiman Peerbye Street, especially during heavy rainfall.

The Municipal Council of Beau Bassin/Rose Hill has informed that the provision of a new drain of 750 metres long to connect Soleiman Peerbye Street to the main road *via* Mangulall Desai Street will solve the problem.

This will cost Rs7.5 m. As the Municipal Council of Beau Bassin/Rose Hill is short of funds, the NDU is looking into it.

UNIVERSITY OF TECHNOLOGY OF MAURITIUS – SPORTS INFRASTRUCTURE

(No. A/235) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the University of Technology of Mauritius (UTM), he will, for the benefit of the House, obtain from the UTM, information as to -

(a) if consideration will be given for the -

(i) recruitment of a sports officer thereat to organise sports activities for the students, and

(ii) renovation of the existing sports infrastructures and, if so, when, and

(b) if some sports and leisure equipment were destroyed in October 2010 and if so, if consideration will be given for the replacement thereof.

Reply: I am informed by the University of Technology, Mauritius that presently, this post does not exist on its establishment and that a recommendation will be made to the PRB for the inclusion of the post in its next Report.

It is to be noted that currently, the Students Union and the student community do organise sports activities, in collaboration with the University.

As regards renovation of existing sports infrastructure, repairs and maintenance are carried out as and when required and subject to availability of funds.

I am also informed by the UTM that sports and leisure equipment were destroyed in 2010 for reasons of act of vandalism.

Replacement will be effected in accordance with a priority list and subject to availability of funds.

BEEDASSY ROAD, MONTAGNE BLANCHE - DRAIN WORKS

(No. A/238) 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 the Beedassy road, in Cité EDC, at Montagne Blanche, he will state if consideration will be given for the carrying out of drain works thereat and the tarring thereof.

Reply: The Citizens Advice Bureau of Montagne Blanche received a petition requesting for drain works at and tarring of Beedassy Road in Cité EDC on 04 November 2010. The site has been visited by officers of the NDU and construction of an absorption drain of 25 metres and the tarring of Beedassy Road is being considered.

POINTE AUX SABLES - BUS SERVICE

(No. A/239) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to Pointe aux Sables, he will state if consideration will be given for the creation of a link between Avenue des Peupliers and the new industrial zone thereat, with a view to facilitating the bus service along that route and, if so, when and, if not, why not.

Reply: I understand that, for security reasons, the State Land Development Co Ltd did not entertain the request to create a link between Avenue des Peupliers and the new Industrial zone thereat.

I have been informed that a site visit was effected on 01 June 2011 by the hon. Parliamentary Private Secretary and officials of the Municipal Council of Port Louis.

The Municipal Council of Port Louis has been requested on 22 June 2011 to liaise with the State Land Development Co Ltd to reconsider the proposal.

JARDIN DESPEAUX STREET, PORT LOUIS - REPAIRS AND CLEANING

(No. A/240) 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

Jardin Despeaux Street, Port Louis, from its junction between the Sir Abdool Razack Mohamed Street and the Canal Bathurst Street, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if it is in a bad state, there is a lack of street lighting and water accumulation after every rainfall thereat and, if so, if consideration will be given for -

- (a) repairs and cleaning of the drains;
- (b) re-instatement and tarring of the road;
- (c) installation of additional street lanterns thereat, and
- (d) cleaning of the two plots of waste land found thereat.

Reply: I am informed by the Municipal Council of Port Louis that Jardin Despeaux Street is provided with drains whose surface run off have proper gradient on both sides. The water from these drains flows into the drains found along Sir A. Razack Mohamed Street. Drains at Sir A. Razack Mohamed Street are actually being reinstated by the Road Development Authority and this will solve any water stagnation occurring at Jardin Despeaux Street. There is regular cleaning, sweeping and removal of weeds and earth along these drains.

The stretch of road between Sir Abdool Rasack Mohamed and Canal Bathurst Streets has been reinstated by undertaking patching works and resurfacing of the road has been programmed during the next financial year.

At the junction of Canal Bathurst and Jardin Despeaux Streets there is a rectangular CEB pole, on which the Council has recently fixed a street lantern and there already exists one at the junction with Sir Abdool Razack Mohamed Street. Thus, the road is properly lit.

There is a bareland opposite Belall supermarket near corner Sir A. R. Mohamed and J. Despeaux Streets. Same is in a good state of cleanliness and is being used as a private parking.

FÊTE DE L'AMITIÉ - EXPENSES

(No. A/241) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the *Fête de l'Amitié*, she will state the number thereof organised by the Social Welfare Division and Community Development Division, since 2005 to June 2011, indicating in each case, the -

- (a) date thereof;
- (b) number of buses hired, and
- (c) expenses incurred.

Reply (Minister of Gender Equality, Child Development and Family Welfare): No “*Fête de l’Amitié*” has been organised by the Social Welfare Division and the Community Development Division.

NATIONAL WOMEN ENTREPRENEUR COUNCIL - ACTIVITIES

(No. A/242) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the National Women Entrepreneur Council, she will, for the benefit of the House, obtain from the Council and give a list of the activities carried out thereby, since June 2010 to June 2011, in relation to -

- (a) training programmes;
- (b) programmes aimed at motivating women entrepreneurs;
- (c) the organisation of events, fairs and exhibitions;
- (d) Women Entrepreneurship Development Programmes;
- (e) collaboration with private and public entities, including projects under the CSR, and
- (f) participation of the members thereof in international events, indicating in each case, the number of entrepreneurs who participated therein.

Reply: Regarding parts (a) and (b) of the question, the list of training programmes aimed at motivating and empowering existing and potential women entrepreneurs organised by the National Women Entrepreneur Council from June 2010 to June 2011 is being laid in the Library.

It is noteworthy that the reconstitution of the Executive Committee of the National Women Entrepreneur Council since August 2010 has given a boost to its services, training programmes and activities.

Moreover, I am informed that as at December 2010, mentoring services were provided to 25 emerging women entrepreneurs, on a cost sharing basis, whereby each mentor was paid a monthly allowance of Rs8,000 out of which the mentee contributed an amount of Rs800.

The objectives were to -

- (a) provide practical business related knowledge and skills to women entrepreneurs;
- (b) increase the success of existing women entrepreneurs;
- (c) improve the strategic capability of women entrepreneurs, and
- (d) support them to enhance the competitiveness of their enterprises.

During the year 2010, this project was funded by the Support to Small & Medium Enterprises Committee (SSMEC) operating under the then Ministry of Business, Enterprises, Cooperatives and Consumer Protection. Since January 2011, another scheme, namely the Mauritius Business Growth Scheme (MBGS) has been set up under the aegis of the same Ministry. Women entrepreneurs can now apply directly to the MBGS for mentoring services.

As regards part (c), the list of events, fairs and exhibitions organised by the National Women Entrepreneur Council from June 2010 to June 2011 is being laid in the Library.

In addition, in the context of the International Women's Day 2011, the National Women Entrepreneur Council organised a "Women Entrepreneurs Week" at the National Women Development Centre, Royal Road, Phoenix, from 14 to 18 March 2011.

The key objectives were, amongst others, to -

- (a) share information on schemes and facilities for both potential and existing women entrepreneurs;
- (b) sensitise potential women entrepreneurs to set up the enterprises;
- (c) involve successful women entrepreneurs as role models with a view to creating an awareness on women entrepreneurship;
- (d) facilitate and boost the growth of women owned enterprises;
- (e) provide an opportunity for women entrepreneurs to sell their products;
- (f) improve networking between suppliers and women entrepreneurs, and
- (g) promote women entrepreneurs *via* open discussions.

Regarding part (d) of the question, Women Entrepreneurship Development Programmes (WEDP) are organised on a regional basis with a view to developing managerial skills and providing support to potential women entrepreneurs to launch new enterprises, accelerating start-ups as well as enhancing competitiveness of existing enterprises. Funds for the mounting of these programmes were tapped from the SSMEC. Since June 2010, WEDP have been organised as follows -

SN	Date	Region	No.of Beneficiaries

1	21 – 23 July 2010	Vacoas	80
2	18 – 20 August 2010	Bambous	65
3	15 – 17 September 2010	Surinam	65
4	28 – 30 September 2010	Plaine Magnien	58
5	24 – 26 November 2010	Triolet	82
TOTAL			350

As regards part (e) relating to the “collaboration with private and public entities, including projects under CSR”, the details are as follows -

- (i) Partnership with British American Insurance Co. (Mauritius) Ltd., and
- (ii) Partnership with Barclays Bank PLC.

On 17 February 2011, the National Women Entrepreneur Council signed a Memorandum of Understanding with the British American Insurance (BAI) Ltd for a period of one year, till the end of March 2012. Under this MoU, BAI has provided funds to the tune of Rs705,000 to meet the cost of capacity building programmes for some 1,000 women entrepreneurs. The topics of training include, amongst others, Export Marketing, Customer Care, Design and Labelling, Finance and Costing, Market Surveys and Quality Management.

On 27 June 2011, a Memorandum of Understanding (MoU) was signed with Barclays Bank PLC with a view to enhancing the competitiveness of women owned enterprises. Under this MoU, Barclays Bank will provide funds to the tune of Rs1,700,000 over a period of one year, to meet the cost of training and support to women entrepreneurs through four projects, namely -

- A Buyer-Seller Meeting to showcase products and increase sales of Small and Medium Enterprises.
- A Trade Fair to boost sales of products manufactured by women entrepreneurs.
- Production of a Guide for Women Entrepreneurs to disseminate information on schemes and facilities available to women entrepreneurs, provide useful tips and guidelines to women entrepreneurs and assist in growth of women owned enterprises.
- Basic Course in Financial Management for 100 women entrepreneurs.

As regards part (f), the details are as follows –

SN	Event	Date	Place	Number of Participants (Women Entrepreneurs)
1	SADC Fair	09 – 18 Aug 2010	Windhoek, Namibia	3
2	Windhoek Show	24 Sept – 02 Oct 2010	Windhoek, Namibia	3

Moreover, in the context of the *Femmes Chefs D'Entreprises Mondiales* (FCEM) World Committee held in Mauritius from 25 to 28 May 2011, the NWEC organised a Business to Business Meeting on Saturday 28 May 2011 with the main objective to encouraging interaction between local and international women entrepreneurs. Forty well established local women entrepreneurs, including four from Rodrigues, and 25 delegates from FCEM participated in the meeting.

FIT's NEW FISHING BOATS

- In December 2009, FIT invited bids for the construction, supply, commissioning and testing of four fishing boats.
- In view of the Trust's limited finance it was finally decided to procure only three boats. After a bidding exercise, the contract was awarded to GRNW Boat Yard Ltd in February 2010 for the total sum of Rs10,350,000 (VAT inclusive) as it was the only responsive bid according to the Bid Evaluation Committee.
- The Trust has already enlisted the services of a marine surveyor to carry out inspections at every stage of construction, to ensure that the boats are built according to pre-defined specifications, norms and standards.
- At the outset, it was expected that the boats would be delivered latest by April 2011. However, due some technical divergences in the drawings submitted by the constructor, the first boat has been subject to a delay in being delivered. It is now contemplated that the first boat will be available for extensive testing latest by mid-July 2011. Preliminary sea trials have already been effected by the constructor, in the presence of the Marine Surveyor.

Cost implications of Contract offered to Bureau Veritas:

Plan approval fee/one-off payment (incl. of VAT) - subject to approval from Bureau Veritas	138,000
Laboratory test fees incl. of freight (i.c.w. sample of panel sent to France)	107,119
Inspection fees for three boats (incl. of VAT)	<u>414,000</u>
	<u>659,119</u>

Details of first Fishing Boat

1. Came off boat yard in April 2011.
 2. First sea trial conducted by GRNW Boat Yard on 13 June 2011.
 3. Second sea trial effected on 17 June 2011.
 4. Third sea trial will be done on 07 July 2011.
5. Commissioning tests will be effected during July-2011 (panel consisting of Marine Surveyor, MPA Marine Engineers, Representatives of Ministry of Shipping amongst others)
- The Board is expected to come up with proposal and modalities (stakeholders/private companies participation with regard to acquisition of fishing gears prior to leasing to Association of Fishers as the catch would be sold to those companies). In the first instance, FITEC will provide gear and training to fishers for their first fishing campaign. The semi-industrial scheme presently being worked out by my Ministry jointly with MPCB will cater for the mounting of appropriate packages.

Details of other two Fishing Boats

1. Hull of second boat already on blocks.
 2. Hull of third boat already casted.
3. Expected date(s) of delivery for second and third boats will be re-scheduled with approval of Technical Committee & new Board of FIT.

Causes of delay in delivery schedule

1. The appointment of the Marine Surveyor took longer time than expected since no quotations were received on closing date of tender (15 June 2010) and the tender exercise had to be extended till 30 June 2010.
2. Bureau Veritas France has requested some adjustments to the plans submitted by GRNW Boat Yard Ltd, to be in conformity with the boat which they have found to be in accordance with the required specifications.
3. Once the plans are approved by Bureau Veritas France (outcome of which is expected shortly),

GRNW will proceed further with the completion of second and third boat.

Project 4 - Barachois Project

- On 22 August 2008, Government agreed to the allocation of (2) barachois to the FIT, namely -
 - (i) Petit Barachois at Poudre d'Or for the implementation of an integrated project, and
 - (ii) Bassin Humbert.
- The Ministry of Land and Housing has proposed the FIT to take Petit Barachois on an industrial lease against deposit fee amounting Rs1.1 m. and rental fees for sea & land amounting to Rs2.5 m.
- The FIT has requested to waive the payment of the above fees or alternatively to consider a nominal fee in lieu thereof. The request is at the level of the Ministry of Housing and Lands.
- The FIT is entering into a joint venture partnership with the private sector/BOI to develop sea cucumber farming in Petit Barachois and technical expertise from Australia is being looped into the project. The project is likely to start by mid-October pending finalisation of all modalities.

With regard to part (f) of the question, the information is being tabled.

Yearly Catch 2005 to date (Tonnes)

Sector	2005	2006	2007	2008	2009	2010
Artisanal (Mauritius)						
In Lagoon	545	579	354	367	496	515
Off lagoon	402	585	450	482	614	646
Bank Fisheries						
Shallow water (Industrial)	2178	3112	2848	2428	2685	1774
Saint Brandon inshore	414	235	54	173	437	415
Semi-industrial	223	311	171	173	459	250

Deep-water (slope) fishery	Nil	Nil	Nil	285	627	451
Aquaculture						
Freshwater production	23	20	17	62	103	65
Marine aquaculture (cage)	372	450	552	185	332	500
Tuna catch						
Local production	1 402	1 380	803	475	246	306
Semi-industrial pelagic fish	177	247	184	41	8	32
Foreign licensed vessels	4963	4176	4360	3006	5254	4187