

## DEBATE NO. 01 OF 08.02.2005

## WRITTEN ANSWERS TO QUESTIONS

EQUAL OPPORTUNITIES BILL – INTRODUCTION IN  
PARLIAMENT

(No. B/10) Mr X.L. Duval (Fourth Member for Curepipe and Midlands) asked the Prime Minister, Minister of Defence and Home Affairs whether he will state if an Equal Opportunities Bill will be introduced in Parliament in order to secure, *inter alia*, the rights of the descendants of slaves and the coolies in Mauritius, and if so, when.

**Reply:** I am informed that the Equal Opportunities Bill is being finalised at the State Law Office as a matter of priority.

For that purpose, a draft Bill has been circulated to Ministries for comments and instructions.

## PRIVATE CLUBS – MEMBERSHIP - LEGISLATION

(No. B/11) Mr X.L. Duval (Fourth Member for Curepipe and Midlands) asked the Prime Minister, Minister of Defence and Home Affairs whether he will state if Government intends to introduce legislation to outlaw private clubs which exclude persons of other races or religions from their membership.

**Reply:** I am informed that there are legal provisions under the Constitution which prohibit discrimination based on race and religion by any person acting in the exercise of a public function or the performance of the functions of a public office or public authority.

However, this prohibition does not extend to private clubs as they do not perform public functions. Therefore, in the light of the provisions of the

Constitution and the existing laws, a private club cannot be prevented from excluding persons of another race or religion from membership. However, any person who commits an outrage against a religion legally established commits an offence under Section 206 of the Criminal Code. The law also provides for the outrage on religious worship (section 185). It is also a criminal offence to stir up racial hatred (section 284).

I am seeking legal advice as to whether legislation to prevent private clubs from excluding Mauritians on the basis of race or religion would require amendments to the Constitution.

I am also seeking advice as to whether the local authorities which grant licences to operate a private club can cancel such licences on grounds of racial or religious discrimination.

### **DESCENDANTS OF SLAVES – CHANGE OF NAME**

**(No. B/12) Mr X.L. Duval (Fourth Member for Curepipe and Midlands)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the descendants of slaves who have been given degrading surnames, he will state if facilities in terms of services of legal practitioners and publication of notices in newspapers at Government expense will be made available to those who want to apply for a change of name.

**Reply:** Sections 55 to 59 of the Civil Status Act sets out the procedures to be followed in respect of change of name.

Government has not received any requests from slave descendants or any organisation for facilities in terms of services of legal practitioners and publication of notices in newspapers at Government expense. Nevertheless, the issue will now be examined in collaboration with the Nelson Mandela Centre for African Culture.

I am informed that there is no legal requirement for the services of legal practitioners to be resorted to in order to make applications for change of name.

I am also informed that applicants have to pay a fee of Rs500 for the application to be published in the Government Gazette.

I am further informed by the Registrar of Civil Status that there have been 121 cases of change of name in 2004 compared to 100 cases in 2003 and 2002 respectively.

### **PEOPLE'S REPUBLIC OF CHINA – VISIT - DELEGATION**

**(No. B/13) Dr. B. Hookoom (Second Member for Piton and Rivière du Rempart)** asked the Prime Minister, Minister of Defence and Home Affairs whether he will state if the hon. Attorney-General and Minister of Justice formed part of the delegation which accompanied him on his recent official visit to the People's Republic of China and, if not, why not.

**Reply:** The following persons formed part of the delegation who accompanied me on my recent official visit to the People's Republic of China:

Hon Showkutally Soodhun	Minister of Labour, Industrial Relations and Employment
Hon Mrs Marie Arianne Navarre-Marie	Minister of Women's Rights, Child Development and Family Welfare
HE Mr L. K. C. Lam Po Tang O.B.E.	Ambassador of Mauritius in China
Mr Foong Cheong Chung Siong Fah	Adviser to the Prime Minister
Mrs Vijay Lutchmee Ramsamy	Permanent Secretary, Private Office, Prime Minister's Office
Mr Dooladren Pillay Tirvengadam	Minister Counsellor, Ministry of Foreign Affairs, International Trade and Regional Cooperation

Two Agreements were signed during the official visit to China, namely:

- (i) by hon. S. Soodhun, Minister of Labour, Industrial Relations and Employment, on bilateral Labour Service Cooperation, and
- (ii) by hon. M.A. Navarre-Marie, Minister of Women's Rights, Child Development and Family Welfare replacing the Minister of Foreign Affairs, International Trade and Regional Cooperation, on Economic and Technical Cooperation between Mauritius and China which provides for an interest free line of credit of Rs150 m.

It is the usual practice for the Prime Minister to decide on the composition of the delegation accompanying him on any official visit abroad.

#### **GOVERNMENT ADVISERS - EXPENDITURE INCURRED DECEMBER 2004**

**(No. B/14) Dr. R. Jeetah (First Member for Piton and Rivière du Rempart)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the Advisers recruited by the Government, he will give the total expenditure incurred thereon for the month of December 2004.

**Reply:** The information requested is being compiled.

#### **DANGEROUS CHEMICALS ADVISORY COUNCIL - MAURITIUS VEGETABLE PLANTERS ASSOCIATION - REPRESENTATIVE**

**(No. B/20) Mr D. Hurnam (Third Member for Pamplemousses and Triolet)** asked the Minister of Health and Quality of Life whether he would consider appointing a member of the Mauritius Vegetable Planters Association to the Pesticides Control Board.

**Reply:** The Pesticides Control Act has been repealed with the coming into force of the Dangerous Chemicals Control Act, 2004 on 05 November, 2004 and as a result, the Pesticides Control Board no longer exists.

The Dangerous Chemicals Control Act 2004, provides for the setting up of a Dangerous Chemicals Advisory Council and a Dangerous Chemicals Control Board.

Subsection 2 (r) of Section 4 of the Act makes provision for the Ministry of Commerce & Cooperatives to appoint a representative of the Vegetable Growers Association on the Dangerous Chemicals Advisory Council.

Arrangement is being made with the Ministry of Commerce & Cooperatives to appoint an appropriate representative of vegetable growers on the Council.

### **TROIS BOUTIQUES ARYA SAMAJ, TRIOLET - MOBILE BLOOD CARAVAN**

**(No. B/21) Mr D. Hurnam (Third Member for Pamplemousses and Triolet)** asked the Minister of Health and Quality of Life whether he will state if there is any collaboration between his Ministry and the Association of Blood Donation Organisers and say whether there was any request for a mobile van to be placed at the disposal of the Association for blood donation on 28 November 2004 at the Trois Boutiques Arya Samaj, Triolet.

**Reply:** My Ministry, through the Blood Transfusion Service, works in close collaboration with 352 blood donation organisations in Mauritius, including the Association of Blood Donation Organisers (ABDO).

In fact, in 2004, ABDO, in collaboration with the Blood Transfusion Service, organised 33 blood collection sessions and collected 1477 units of blood, that is an average of 45 units at each session. For the sessions, mobile caravans were made available on 16 occasions and as the caravans were already booked on the other 17 occasions, couch services were provided.

On 04 November, 2004, ABDO submitted a request to the Blood Transfusion Service for a mobile blood caravan to be made available at Trois Boutiques Arya Samaj, Triolet, on 28 November, 2004 for a blood collection. For that same day, the Blood Transfusion Service had received requests for mobile caravans for blood collection at Swastika Curepipe, Rivière des Créoles, Palma and Surinam.

The blood collection at Swastika was organised by the Sai Baba Group and it was the first time that the Group was organising a collection on a large scale, expecting some five hundred (500) potential blood donors. In its request made to the Blood Transfusion Service on 18 October, 2004, the Group asked for maximum equipment and manpower to be made available for the blood collection so that the donors would not have to wait for a long time.

As the units of blood collected at each session organised by any Sai Baba Organisation in Mauritius is well above the average, that is about 71 units at each session, the Blood Transfusion Service mobilised its two caravans for the blood collection at Swastika.

Couch services were subsequently provided for the blood collection at Rivière des Créoles and Triolet. Meanwhile, the sessions scheduled at Palma and Surinam were cancelled by the organisers. The services of one doctor, one blood bank nurse and three blood bank auxiliaries were made available for the session at Triolet, as is the practice for each blood collection session, either through mobile caravan or couch service.

### **FISH (FROZEN) - IMPORTATION**

**(No. B/45) Mr S. Michel (Third Member for Vacoas & Floreal)** asked the Minister of Housing & Lands and Minister of Fisheries whether he will state –

- (a) the quantity of imported frozen fish in stock from November 2004 to date;
- (b) the quota allocated to each bank operator from December 2004 to date;
- (c) the amount imported by each bank operator so far, and

- (d) whether the bank operators had made a request to his Ministry in the past to restrict the importation of their species of fish on the local market.

**Reply:** The quantities of frozen fish imported during the last three months were as follows –

Month	Quantity (tons)
November 2004	281
December 2004	242
January 2005	364
Total	887

As regards the stock available, it is estimated that 141 tons of frozen fish was available as at end of January 2005.

A quota of 100 tons was allocated to each of the six bank fishing operators for the import of controlled fish species.

No imports have been effected so far by the bank fishing operators.

Yes. The hon. Member may recall that on 18 July 2001, the Bank Fishing Operator Association made a request to ban completely the import of controlled fish species, namely *capitaine*, *sacréchien* and butterfish. Government did not accede to their request, but instead decided to introduce a quota of 800 tons annually of controlled fish species to be imported by potential importers to overcome any shortage of fish on the local market. This policy is still prevailing and the quota allocation is being closely monitored by my Ministry.

### **TROU D'EAU DOUCE, GRANG GAUBE & BLUE BAY –HOTEL PROJECTS**

**(No. B/46) Mr S. Michel (Third Member for Vacoas & Floreal)** asked the Minister of Housing & Lands and Minister of Fisheries whether he will table a list of all new hotel projects in the region of Trou d'Eau Douce Grand Gaube and Blue Bay.

**Reply:** I understand that the hon. Member is referring to new hotel projects involving State lands and where a letter of reservation or a letter of intent has been issued. A list of such hotel projects has been compiled and is being placed in the Library of the National Assembly.

### **SOUTH EASTERN HIGHWAY PROJECT**

**(No. B/47) Mr S. Michel (Third Member for Vacoas & Floreal)** asked the Minister of Environment and National Development Unit whether he will state the progress achieved so far in regard to the Ferney Highway project.

**Reply:** I suppose that by the Ferney Highway project, the hon. Member refers to the South Eastern Highway project.

The project comprises of the following –

- (i) construction of about 14 km of new road;
- (ii) upgrading of about 10 km of existing road;
- (iii) construction of four bridges and one underpass, and
- (iv) construction of about 600 m of tunnel in the Grand Port Mountain Range.

The project is funded by the African Development Bank (70%) and the RDA (30%).

The contract was awarded to Beijing Chang Cheng Corporation on 15 January 2004 for the sum of Rs655 m. The order to commence works was issued on 12 May 2004 and the project is expected to be completed in December 2006.

So far, works have started in the first stretch of about 9 km starting from Plaine Magnien up to Ferney. Site clearance, earthworks, construction of culverts and shifting of utilities are in progress. Furthermore, site installation is completed and import of plant and equipment, materials, sub-soil investigations for bridges and tunnel, survey works and preparation of working drawings are in progress.



In view of representations regarding the environmental impact of the project, an Environmental Monitoring Committee placed under the chairmanship of the Permanent Secretary, Ministry of Environment and NDU, was set up. The report of the Environment Monitoring Committee submitted in December 2004, recommended that it would be more appropriate to consider a realignment of the road.

The consultant was requested to review the alignment accordingly.

At a meeting of 18 January 2005, chaired by the hon. Prime Minister, it was decided that in view of the additional cost involved for the realignment, to appoint an independent team of experts, to give advice on possible mitigation measures on the original alignment and any other alignment. Invitation for proposals was issued on 21 January 2005 and the closing date for submission of proposals was 07 February 2005. So far, ten proposals have been received and the evaluation will start as from today itself.

A site visit scheduled for Sunday 06 February 2005 was postponed due to rainy weather. A site visit involving all other stakeholders has been scheduled for Sunday 13 February 2005 for concerted consultation on the way forward for the project.

### **"LE COUREUR" SLAVES SHIP - MAHEBOURG - WRECK**

**(No. B/48) Mr S. Michel (Third Member for Vacoas and Floréal)** asked the Minister of Arts and Culture whether she will state what action has so far been initiated in respect of the slaves ship "Le Coureur" which was wrecked in the region of the Marine Fish Farm near Mahebourg and which was discovered in 2004.

**Reply:** On 10 October 2004, a shipwreck was discovered by a driver of the "Ferme Marine de Mahebourg" at Pointe aux Feuilles.

A preliminary survey of the wreck was immediately carried out by the Mauritius Museums Council with the assistance of Mr I.M. Metwalli, Inspector of Archaeology of Egypt and Mr Yann Von Arnim, President of the Mauritius Marine Conservation Society.

A meeting was subsequently convened under the chairmanship of the hon. Prime Minister.

The following measures were taken -

- (i) The National Coast Guard is keeping a 24-hour permanent watch of the site,
- (ii) Historical research work is presently being undertaken by the Mauritian Cultural Centre in collaboration with the National Archives, the National Heritage Fund, the Nelson Mandela Centre for African Culture and the Le Morne Heritage Trust Fund,
- (iii) As recommended in the report of the preliminary survey, the exploration works on the shipwreck will start around mid March 2005 for a period of eight weeks with the assistance of Mr I.M. Metwalli, Inspector of Archaeology of Egypt and Mr Yann Von Arnim, President of the Mauritius Marine Conservation Society who had participated in the preliminary survey of the wreck;
- (iv) The South African authorities will make available the services of Mr John Gribble of the South African Heritage Resources Agency during that same period to form part of the exploration works. He will also advise on the management procedures of shipwrecks and on the conservation of artefacts recovered from shipwrecks;
- (v) A Conservation Laboratory is being set up at the National History Museum, Mahebourg for the treatment and preservation of the artefacts to be recovered from the wrecks.

## **LE MORNE - WORLD HERITAGE LIST - *NOMINATION DOSSIER***

**(No. B/49) Mr J.C. Armance (Third Member GRNW and Port Louis West)** asked the Minister of Arts and Culture whether she will give

the reasons for the delay in the preparation of the *Nomination Dossier* for the inscription of Le Morne on the list of the World Heritage for submission to the UNESCO.

*(Vide Reply to PQ B/27)*

**RIVIERE DU REMPART, PLAISANCE, ROSE HILL  
MARKET FAIRS**

**(No. B/50) Mr J.C. Armance (Third Member GRNW and Port West)** asked the Minister of Environment and National Development Unit whether, in regard to the market fairs now under construction at Rivière du Rempart and at Plaisance, Rose Hill, he will state -

- (a) the name of the contractors in each case,
- (b) the cost of each project,
- (c) the reasons for the delay in the construction of both buildings,  
and
- (d) the remedial measures taken.

**Reply:** I wish to inform the House that my Ministry is not involved in the implementation of the Market Fair project at Rivière du Rempart. This project is being implemented by the Pamplemousses/Rivière du Rempart District Council. However, I am tabling the required information received from the Pamplemousses/ Rivière du Rempart District Council in respect of the project.

Should the hon. Member wish to have further information, a specific question may be addressed to my colleague, the Minister of Local Government and Solid Waste Management.

With regard to the Market Fair project at Plaisance, Rose Hill, the contract was awarded to Messrs Veerasamy Construction Ltd for a value of Rs40,003,201 on 18 October 2002, following the usual tender procedures and approval of Central Tender Board.

According to the contract, the project was scheduled to be completed by 30 September 2003, but was unduly delayed on account of default by the Contractor.

In accordance with the terms and conditions of the contract, the NDU had given several warnings to the contractor and urged him on various occasions to expedite matters. Since the latter persistently failed to catch up with the accumulated delays, the contract was finally terminated on 15 November 2004.

The contract was then awarded to -

- (i) DWC for building works component to, and
- (ii) Gamma Civil Ltd

Building works are scheduled to be completed by 30 June 2005.

### **CEMETERIES - OCCUPATION OF TOMBS - TARIFFS**

**(No. B/51) Mr J.C. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Local Government & Solid Waste Management whether he will impress upon the local authorities the need to uniformise the tariffs for the occupation of tombs in cemeteries.

**Reply:** I have taken note of the proposal made by the hon. Member and I shall look into the matter.

However, I am advised that the tariffs for the occupation of tombs in cemeteries vary from one Local Authority to another, being given that all cemeteries are not provided with the same infrastructural facilities and have different specificities.

### **AFRICAN AND INDIAN DIASPORA CONFERENCES - DELEGATION**

**(No. B/52) Mr J.C. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Arts & Culture whether, in regard to the first conference on the African Diaspora held in Dakar, Senegal last year and the two conferences on the Indian Diaspora held in India and Mauritius this year, she will -

- (a) give the composition of each delegation, and
- (b) table the report of each conference.

**Reply:** As regards the first conference of "Intellectuals of Africa and the Diaspora" held in Dakar in October 2004, the House was made aware through reply to PQ No. B/817, that the Mauritian delegation was led by hon. Mrs Françoise Labelle, Parliamentary Private Secretary, and comprised -

- (i) Mr Edouard Maunick                      Writer;
- (ii) Prof. Vinesh Hookoomsing            Pro-Vice Chancellor, University of Mauritius;
  
- (iii) Mr Jocelyn Chan Low                Associate Professor of the University of Mauritius and former Director of the Mauritian Cultural Centre, and
  
- (iv) Mr Jean Yves Violette                Chairperson of the Nelson Mandela Centre for African Culture

I am tabling a copy of the report of this Conference.

Regarding the Indian Diaspora (Pravasi Diwas) Conference held in India in January 2005, Mauritius was represented by H.E. Mr Raouf Bundhun, Vice President of the Republic and hon. Anil Gayan, Minister of Tourism & Leisure.

The conference held in Mauritius on 29 and 30 January 2005 was hosted by the Hindi Speaking Union. Some 300 Mauritians as well as foreign delegates participated.

The reports relating to the two conferences on Indian Diaspora will be tabled as soon as received.

### **SUGAR ESTATES/ASSOCIATED ENTITIES - TAX REMISSIONS, CONCESSIONS & FISCAL BENEFITS**

**(No. B/53) Dr. R. Jeetah (First Member for Piton & Rivière du Rempart)** asked the Deputy Prime Minister and Minister of Finance and Economic Development whether he will, for the period September 2000 to date, table a list of all the sugar estates and associated entities which have benefited from tax remissions, concessions and fiscal benefits, indicating the quantum in each case.

**Reply:** I am tabling the information on tax remission granted to sugar estates and their associated entities since December 1997.

It may be noted that under the Illovo Deal Government obtained in return for the concession granted 600 arpents of land for Re 1 and 3000 arpents of land at Rs125,000 per arpent. This has enabled Government to set up the cybercity and to implement other major projects, such as extension of the Airport of Mauritius, creation of the Bagatelle Dam and extension of the University.

Furthermore, I wish to point out that out of the amount of remission granted since September 2000, about 70% is accounted for by the remission of registration duty granted to Compagnie Thermique du Sud in respect of registration of agreements, contracts and documents relating to a power generation project. Such documents are usually not registered. In this case however the company wished to have the documents registered as a precautionary measure in case of litigation.

On the other hand, Government did not obtain any benefit for the duty concession granted to MTMD in 1997, in respect of purchase of assets from the Lonhro Group.

### **CPE EXAMINATIONS 2004 - FAILURES**

**(No. B/54) Dr. R. Jeetah (First Member for Piton and Rivière du Rempart)** asked the Minister of Education and Scientific Research whether he will state the number of students who failed the CPE examinations for the year 2004.

**Reply:** The CPE results for Mauritius and Rodrigues were 62.60% in 2003 and 63% in 2004. It is observed that the pass rate amongst students sitting the CPE for the first time was 71% in 2004 as compared to 69.9% in 2003. However, the percentage of passes amongst those at their second sitting remains more or less the same, that is 37%.

In 2004, out of the 27,332 candidates examined 17,217 passed the CPE examinations, representing 63%. It follows, therefore, that 10,115 repeaters failed the CPE examinations. According to statistics, 37% of those

who failed at the first attempt passed at the second attempt indicating that approximately 21% of a school cohort do not manage to obtain the CPE after 6 or 7 years of primary schooling.

### **ZEP SCHOOLS - FOOD SUPPLEMENT PROGRAMME**

**(No. B/55) Dr. R. Jeetah (First Member for Piton and Rivière du Rempart)** asked the Minister of Education and Scientific Research whether he will state if the objectives of the Food Supplement Programme for the ZEP schools have been achieved and, if not, the reasons therefor.

**Reply:** The *Zones d'Education Prioritaire* (ZEP) Project launched in July 2003 has taken school aims to reduce school inequalities and in a broader perspective to combat social inequalities by providing equal opportunities to all primary school children of the Republic of Mauritius.

The Food Supplement Programme meant for the ZEP schools is one of the most important components of the ZEP Project as it intends to supply a balanced meal to the ZEP school pupils who generally hail from the poorer sections of the country.

It must be emphasised that the Food Supplement Programme is also part and parcel of the ZEP School Health Programme which is monitored by a working committee at school level.

Even though all necessary precautions were taken by my Ministry, 3 regretful events occurred in the years 2003 and 2004 where there were alleged cases of food allergy at Marcel Cabon Government School, Pointe aux Sables Government School and Richelieu respectively. These events were much beyond the control of my Ministry and the causes were imputed to the supplier. Interim arrangements concerning food were made by the head teachers. The latter were given an imprint from the Ministry to ensure procurement of food items and they ensured the distribution and control of food distributed to the pupils.

The major achievement of the ZEP Food Supplement Programme has been the decrease in the rate of school absenteeism. From an average of 23-25% daily absentees, most of the ZEP schools today record an absenteeism of below 11%.

The best formula would have been to entrust the ZEP Food Programme to the school concerned. This action would lead to a concern of the parents to feed their children at school level and henceforth community empowerment and development would follow. However, the major constraint is that the ZEP schools do not have the necessary logistics and the financial implications will be difficult to manage with regard to the audit procedures.

A single supplier was awarded the contract to supply the food items to over 11,000 pupils daily. Hence, due to daily bulk processing, there was little element of control and quality assurance. The supplier could have gained in terms of economies of scale but the quality of food did suffer.

The Ministry of Education and Scientific Research is now well equipped with past experiences which reflects knowledge and a will to change the structure of the Food Supplement Programme for the better. Indeed the tender specifications have been reviewed to include a greater degree of freedom to enlist the participation of the Ministry of Health and Quality of Life in the quality monitoring of the programme.

The most desired change has been the consideration to split the ZEP schools in terms of cluster based on geographical proximity. This is done in order to maximise resources and ensure better control over the process of distribution and quality of food supplied to the pupils.