



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

THURSDAY 13 JULY 2023

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Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
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Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
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Hon. Soomilduth Bholah	Minister of Industrial Development, SMEs

	and Cooperatives
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Welfare

Hon. Avinash Teeluck

Minister of Arts and Cultural Heritage

Hon. Teeruthraj Hurdoyal

Minister of Public Service, Administrative
and Institutional Reforms

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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 22 of 2023

Sitting of Thursday 13 July 2023

The Assembly met in the Assembly House, Port Louis, at 3.00 p.m.

The National Anthem was played

(Mr Speaker in the Chair)

ANNOUNCEMENT

HON. MS J. BÉRENGER – ADMISSIBILITY OF PQs – STANDING ORDERS

Mr Speaker: Hon. Members, I have an announcement to make regarding the admissibility of questions which are being widely reported in the media.

Such Press articles are tantamount to casting doubts on the manner in which Parliamentary Questions are processed by the Office of the Clerk and disallowed, if any, by the Speaker pursuant to the relevant provisions of the Standing Orders with which hon. Members are expected to be fully conversant.

I wish to once again draw the attention of hon. Members that admissibility of a Parliamentary Question rests with the Speaker and any question which has been disallowed pursuant to the provisions of Standing Order 27, representations to that effect by a hon. Member have to be made to the Speaker in accordance with the provisions of Standing Order 21(4).

However, hon. Members have chosen to adopt a new *modus operandi* of bringing into public domain issues between the Office of the Clerk without making any representation to the Speaker well before Parliamentary Questions for a Sitting are rendered public, that is, on Friday afternoon.

I am of the view that such behaviour from hon. Members is most regrettable and brings Parliament into disrepute by giving the wrong impression through their unbecoming attitude.

Hon. Members, my attention has also been drawn to a Press article which appeared in *l'Express* of today whereby it has been reported that hon. Ms Joanna Bérenger, who is presently suspended from the service of the Assembly since 04 July for the next ensuing two Sittings, has complained that her PQs sent to the Office of the Clerk have been refused.

Hon. Members, I wish to remind hon. Members that Members under suspension are debarred from tabling any Parliamentary Question and motion in line with the practice and procedure which obtains in the UK House of Commons and the only exception under Standing Order 49(5) is that they are allowed to serve on any committee to which they have been appointed before their suspension.

The hon. Ms Joanna Bérenger is also reported to have stated in the said article that her Parliamentary Questions for the Sitting of Tuesday 13 June 2023 were in fact received by the Office of the Clerk on Wednesday 07 June 2023 whilst she was under suspension.

Hon. Members, with regard to the Sitting of Tuesday 13 June 2023, the issue of entertaining her Parliamentary Questions does not arise as the House was sitting in the Committee of Supply for the consideration of the Estimates of Expenditure of the Appropriation Bill and pursuant to the provisions of Standing Order 24(3)(c), Notice of Questions, including Private Notice Questions, are not entertained on such a day.

In the light of the above, hon. Members are requested to stand guided accordingly.

I rely on the cooperation of hon. Members and the Press to elucidate the matter.

Thank you.

PAPERS LAID

The Prime Minister: Mr Speaker, Sir, the Papers have been laid on the Table.

Ministry of Arts and Cultural Heritage

- (a) The Annual Reports and Reports of the Director of Audit on the Financial Statements of the Nelson Mandela Centre for African Culture Trust Fund for the years ended:
 - (i) 30 June 2018; and
 - (ii) 30 June 2019.
- (b) The Annual Report and Audited Financial Statements of the English-Speaking Union for the period 01 July 2021 to 30 June 2022.
- (c) The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Film Development Corporation for the year ended 30 June 2018.

ORAL ANSWER TO QUESTION

FILM REBATE SCHEME – APPROVED SUBSIDY – BENEFICIARIES

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Film Rebate Scheme, he will –

- (a) for the benefit of the House, obtain from the Economic Development Board, for the period 01 January 2016 to date, information as to the total amount of subsidy approved therefor and table –
 - (i) the list of beneficiaries thereof, indicating in each case the film title, name(s) of producer(s) and amount of subsidy granted, both in absolute terms and as a percentage of qualifying production expenditure;
 - (ii) a list of films having benefitted from a subsidy thereunder and which have never been released, and
- (b) state the names of the individuals currently serving as members on the Film Rebate Committee.

The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah): Mr Speaker, Sir, let me at the very outset point out that Dr. the hon. Renganaden Padayachy, Minister of Finance, Economic Planning and Development, is on mission overseas from 06 to 16 July 2023 to attend the 2023 African Caucus Meeting in Cabo Verde and the ALM Africa Summit in London where he has been awarded the title of African Finance Minister of the year.

The National Assembly had been informed on 03 and 12 July 2023 of the Minister's departure. We have been informed that the hon. Leader of Opposition has also been made aware by the National Assembly that hon. Dr. Padayachy would not be in Mauritius.

Given that the hon. Leader of Opposition has chosen to ask a PNQ whilst the substantive Minister is not in the country, I will provide answers based on the strength of information that I have.

Mr Speaker, Sir, the film sector is getting more global in terms of where films can be produced. This 'runaway film phenomenon' is increasing rapidly in both Hollywood and

Bollywood. 37% of US-developed films and 60% of Indian films are produced outside the United States and India respectively.

Production incentives such as tax credit and cash back rebate have become an important source of finance for film production companies and is a key determinant when Producers decide on shooting locations.

As a response to the runaway phenomenon, there are currently more than 100 incentive packages from competing countries at a global level to attract international film producers. Some of the key jurisdictions are China, Malta, Dubai, Abu Dhabi, Australia, Greece, South Africa, Malaysia, Poland and New Zealand.

China provides at least 50% cash rebate of qualified expenditure. Malta provides for 40% cash rebate. Poland provides 50% to 70% cash rebate of qualified expenditure.

Under the New Zealand Film Production Grant, a cash rebate of 40% is provided on qualifying production expenditure for international shooting. South Africa has also introduced a Rebate and Grant Scheme of 35% with additional 5% for use of local content and employment opportunities for South African crew, totalling 40% rebate. Greece has introduced a 40% Cash Rebate Scheme. Saudi Arabia has launched a 40% cash rebate.

Let me cite some examples of high budget film projects which have been opted for other shooting jurisdictions because of more attractive and favourable package of incentives given by those countries.

In 2021, the Hollywood celebrity, Gerard Butler's film, 'the Plane', with a budget of USD50 m. opted for UAE and Porto Rico after scouting Mauritius. Shah Rukh Khan Production House, Red Chillies, opted for Bulgaria as opposed to Mauritius.

Mr Speaker, Sir, facing this growing competition, Mauritius has no other alternative than to respond to this global phenomenon. To further increase the competitiveness of the Film Rebate Scheme in Mauritius and upon recommendation of the Economic Development Board, the Film Rebate Regulations are being reviewed to be at par with other competing jurisdictions by providing rebate of 40%. The new quantum of 40% will henceforth apply as from July 2023 to new films where more than 90% of shooting takes place in Mauritius.

Mr Speaker, Sir, let me be clear that none of the films as recommended by the Film Rebate Committee and approved by the Economic Development Board and which are now being tabled, will benefit from the additional incentives or rebates under the forthcoming regulations.

Let me remind the House that in 2013, when the then former Minister of Finance, now the hon. Leader of Opposition, introduced the Film Rebate Scheme, films were approved without any assessment, but barely on a minimum ...

Mr X. L. Duval: *Ase do!*

Mr Bholah: ... qualifying production expenditure threshold.

Mr X. L. Duval: *Ase!*

Mr Toussaint: *Ecouter!*

Mr Speaker: Order! Order!

Mr X. L. Duval: *C'est pas vrai!*

Mr Bholah: Mr Speaker, Sir, allow me to share that the consequences of not having a proper process to assess film projects. In fact, the very first film that was approved under the Film Rebate Scheme in 2013, namely 'Souten 2', was never released and for which rebate was paid.

Mr Speaker, Sir, allow me to remind the hon. Leader of the Opposition that he personally attended the clapping ceremony on 29 August 2013 at Touessrok Hotel. Let me quote extracts of his speech on that day –

Mr X. L. Duval: *Ton anvie fer kum sa? Ale ! Okay!*

Mr Speaker: Order! Order!

Mr X. L. Duval: ... the message.

Mr Speaker: What is happening hon. Leader of the Opposition?

An hon. Member: *Li p gagn dimal.*

Mr Speaker: Listen to the reply!

An hon. Member: *Li p gagn dimal!*

Mr Bholah:

“This project offers good visibility in Mauritius on the world map. It also offers professional opening to many young Mauritians who wish to engage in this way.”

Mr Speaker, Sir, the film could not attract distributors in India as it was of limited commercial potential, and as a consequence, was never released while public funds have been wasted. It is this Government as from 2016 that introduced a rigorous and transparent process based on clearly defined criteria for assessment of film projects.

Mr Speaker Sir, the Film Rebate Scheme not only contributes to the growth of the local film industry, but also has positive impacts on the economy by generating employment opportunities and promoting tourism.

The Economic Development Board conducted an analysis of the impact of the Film Rebate Scheme on the economy. According to the macro econometric model, for every one rupee disbursed as rebate, the Mauritian economy has yielded an average of Rs3.57 in terms of value addition to GDP over the last 7 years.

Expenditure from film and television production has also positively impacted on other sectors. Two-third of total production costs are spent in other business sectors, including real estate, hospitality and catering, transport and logistics, finance and legal services, thus contributing in value addition in various sectors of the economy.

The Film Rebate Scheme, since the beginning, that is, 2013, has attracted foreign and local producers for the production of 141 film projects with a qualifying production expenditure of Rs4.85 billion spent in Mauritius. During the period, the scheme has created some 2,000 direct jobs.

At the onset, I would like to stress that rebate is only payable once a film has been approved by the Film Rebate Committee and completed in Mauritius. As such, I wish to reiterate that no rebate is paid to a producer if the film has not been completed in Mauritius.

Mr Speaker, Sir, for the period 01 January 2016 to date, the number of films approved and completed is 107 and total amount of rebate disbursed is Rs1.08 billion.

Mr X. L. Duval: *Billion hein?*

Mr Bholah: Concerning parts (a) (i) and (a) (ii) of the question, both lists, as requested by the hon. Leader of the Opposition, are being tabled.

I wish to highlight that regarding (a) (ii) of the question, the list refers to films that have benefitted from rebate but which so far have not yet been released, contrary to what is being asked, which implies that the films shall never be released.

As regards part (b) of the question, I am informed by the Economic Development Board that the Film Rebate Committee, in line with the Economic Development Board (Film Rebate Scheme Regulations) 2018, the composition is, with your permission, Mr Speaker Sir, as follows

—

1. Mr Nanda Narrainen, representative of the Economic Development Board and Chairperson of the Committee;
2. Mrs Sangeeta Bissoondeal, representative of the Prime Minister's Office;
3. Ms Hema Choolhye, representative of the Ministry of Finance, Economic Planning and Development;
4. Ms Annabelle Arekion, representative of the Ministry of Arts and Culture;
5. Mr Sachin Jootun, representative of the Mauritius Film Development Corporation, and
6. Mr Savin Teeha, representative of the Mauritius Tourism Promotion Authority.

Mr X. L. Duval: Mr Speaker, Sir, let me just perhaps remind the hon. Minister that, unfortunately, Parliament is closing next week and I cannot wait for the return of the wandering Minister of Finance. Secondly, you were, I believe, informed yesterday, out of courtesy from me, that you were going to be asked a PNQ. So, you did not mention that in your opening statement. It is a shame. Now, let us deal with this issue.

This is a very risky business: film production. That is why the question is being asked. There is no doubt that mistakes have been made in the past; nothing to be ashamed of. Now, I am going to ask you what lessons were learnt from the 'Serenity' fiasco where Rs214 m. of taxpayers' money have been invested, and a total flop which did not even last two weeks, So, what lessons were learnt? What changes were made? That is what I mean.

Mr Bholah: Well, I understand; I have had a look at a PNQ which was answered by the present hon. Prime Minister, and he gave lengthy answers that ‘Serenity’ was not a fiasco. If I may cite some extracts of that reply: “There have been reviews for and there have been reviews against. For example, the *Chicago Independent* has considered it as a flop whereas the *Daily Independent* judged it as a good movie for mature cinephiles.” Now, it is a question of appreciation. The appreciation of the hon. Leader of the Opposition is ‘fiasco’, to which we are not party. We are not agreeable to your appreciation.

Mr X. L. Duval: This is my question now. Are we going to work from reviews like that or is the EDB sufficiently intelligent to take actual figures from box office reviews, from TV rights and from other reviews like that when judging on the popularity and success of any amount that it has given to persons? So,...

Mr Speaker: Let us listen to the reply.

Mr X. L. Duval: ...given now... This is the question.

Mr Speaker: Let us listen to the reply.

Mr X. L. Duval: No, this is the question!

Mr Speaker: I am helping you!

Mr X. L. Duval: I am giving you the question.

Mr Speaker: What? You will have...

Mr X. L. Duval: I do not need your help.

Mr Speaker: You will have the time to put so many questions. This first question; I am regulating the business. Minister, reply!

Mr Bholah: Mr Speaker, Sir, this is why the EDB has come with new criteria and these criteria are the amount of qualifying production expenditure. For example, cast and crews, rental of equipment, food and accommodation...

Mr X. L. Duval: He did not understand the question!

Mr Bholah: ...air tickets, transport and logistics.

Mr Speaker: Wait! Now, you are giving the reply yourself?

Mr Bholah: Secondly, promotion...

Mr X. L. Duval: He did not understand the question!

Mr Speaker: Let him reply!

Mr Bholah: Secondly...

(Interruptions)

Allow me to reply!

... promotion of cultural and natural heritage of Mauritius, export earnings, employment of local talents and crew...

(Interruptions)

Mr Speaker: Wait!

Mr Bholah: ...and utilising local goods and services. We do not only rely on how much it will bring but also the amount of actual expenditure made by the producers here.

Mr X. L. Duval: I do not blame him, this is not my question. My question is: does the EDB keep a record of the revenue that has been generated after it has actually financed a film? So, instead of telling me what review the Prime Minister has seen or I have seen, can you tell me in actual terms – you are an Accountant – how much money each of these films has generated so that we will know whether or not they have been profitable? So, the question is: ‘Serenity’ ...

Mr Speaker: You are repeating the same question three times.

Mr X. L. Duval: ... how much money did it generate?

Mr Speaker: The Minister is already aware of the question, let him reply!

Mr X. L. Duval: Don't shout!

Mr Bholah: Mr Speaker, Sir, each and every time the Leader of the Opposition mentions my profession. It is not about my profession, whether I am competent to answer or not. I only answer on the basis and on the availability of information.

Mr X. L. Duval: I am an Accountant as well.

Mr Speaker: Wait! Wait!

Mr X. L. Duval: There is nothing to be...

Mr Speaker: Wait!

Mr Bholah: Secondly, box office revenue is generated after release of the film. We cannot assess how much income a film will bring beforehand.

Mr X. L. Duval: Thank you very much. That is my question.

My question is now this: given that we never check revenue generated from the films – you have said so yourself –, we never know whether any of the money, the R 1.1 *milliards* that we have invested, the EDB does not know whether or not it is successful. And that is the first question: how are we going to better monitor the Rs1.1 billion that have been spent?

Mr Speaker: You already put the question.

Mr X. L. Duval: Yes.

Mr Bholah: The Rs1.1 billion that the hon. Leader of the Opposition is mentioning is only a percentage of the whole amount that has been spent in Mauritius...

Mr X. L. Duval: Yes. Why don't you...

Mr Bholah: ... according to the rate applicable at that time; either it is 30% or 40%. Now, assessment is carried out before money is paid. This is the case since 2013; this is what I am informed about.

Mr X. L. Duval: Forget 2013! Now I am going to ask you this. So, we spend money and we never review whether the money has been well spent because we do not know, in practice, whether the money is successfully spent or not. The other point is this: you have yourself submitted a list of eight films for which I presume we have spent hundreds of millions of rupees...

Mr Speaker: Question!

Mr X. L. Duval: ...and these... Wait a minute!

Mr Speaker: Yes, question!

Mr X. L. Duval: No, I am going to ask in a minute!

Mr Speaker: I do not have to wait!

Mr X. L. Duval: Stop this!

Mr Speaker: You have to put your question!

Mr X. L. Duval: Stop this thing! Stop! Stop bullying me!

Mr Speaker: You stop! You stop!

Mr Assirvaden: *Pa rentre ladan!*

Mr Speaker: Put your question!

Mr X. L. Duval: Stop bullying me! Let me ask my question!

Mr Speaker: Put your question now!

Mr X. L. Duval: I am going to ask my question!

Mr Speaker: Put your question!

Dr. Boolell: *Pena manier.*

Mr X. L. Duval: Stop bullying me!

Mr Speaker: Put your question!

Mr X. L. Duval: Stop bullying me!

Mr Speaker: Put your question!

Mr X. L. Duval: Have some respect!

Mr Speaker: Put your question!

Mr X. L. Duval: I am going to put my question!

Mr Speaker: Thank you.

Mr X. L. Duval: Now, my question is this: given that we do not monitor what happens after the money is spent - I am calm -, therefore, we spend hundreds of millions of rupees - you want me to give the films? - on films which are never released. So, how are you going to change the monitoring situation? It is a serious question!

Mr Speaker: Good! Okay. You put the question. Minister, reply!

Mr Bholah: If the hon. Leader of the Opposition is referring to the list that I have forwarded to him, in fact, there are eight films. It is not said that they will never be released. It has not been released yet because the first film was shot in 2019; in 2022, one film, and the remaining six films are being shot in 2023. It does not mean that they will never be released as opposed to the one when the hon. Leader of the Opposition was Minister of Finance, that is, 'Souten 2'. This has never been released.

Mr X. L. Duval: I think you are talking about one or two millions. But you are talking about I think...

Mr Bholah: This was money!

Mr X. L. Duval: ... Rs150 m. for 'Prisoners of Paradise'. Now, I do not want to go into that. Unless you want to go into that type of debate today, I can go into that type of debate today.

Mr Speaker: What is your question?

Mr X. L. Duval: But if you take 'Prisoners of Paradise', it was shot here four years ago. Now, you wanted this type of debate, not me. It was shot here four years ago. I do not know if the actors are still alive. But do you think that it is normal for a film where the Government, taxpayers have spent Rs150 m. not to have been released four years after?

Mr Bholah: Let me correct the hon. Leader of the Opposition. The amount spent is not more than Rs100 m. In fact, it is Rs87 m. Okay? This is the first thing. Secondly, the promoter, Mr A. G., has passed away, and he was the only shareholder of that company. Now, there is a Court case in the Supreme Court and I cannot say more right now.

Mr X. L. Duval: The point is: what is the sort of measures you take, any insurance you take, any measure you take to ensure that this does not recur? Are you going to keep on spending Rs80 m. on other projects? This is the problem.

Mr Speaker: Let the Minister reply on this question of insurance.

Mr Bholah: There are regulations at the level of the Economic Development Board, Mr Speaker, Sir.

Mr X. L. Duval: Which ones are they? Tell us.

Mr Speaker: No conversation! Put your question!

Mr Bholah: Well, it is...

Mr X. L. Duval: The question...

Mr Speaker: Put your question through the Chair!

Mr Bholah: It is...

Mr X. L. Duval: What do you think this is? This is a question!

Mr Speaker: No! You do not put questions to the Minister; through the Chair!

Mr Bholah: There is an Assessment Committee. Money should be spent first of all, then released, and then refund is made to them.

Mr Speaker: Next question!

Mr X. L. Duval: Okay. Now, we did not get anywhere with this. He is not the substantive Minister; so, we will excuse him. The other issue is whether, in fact, the monies that are claimed are or not inflated. Because we are paying a percentage, the Government, the taxpayers are refunding a percentage and the more you inflate the claim, the greater the taxpayers' percentage and lesser the person who is actually the film producer...

Mr Speaker: Let the Minister reply to this part of the question!

Mr X. L. Duval: Therefore, I am going to ask you...

Mr Bholah: I have no question.

Mr X. L. Duval: ...whether there is any...

Mr Speaker: Wait! Please! You already...

Mr X. L. Duval: I have not asked the question! Listen, Mr Speaker, Sir...

Mr Speaker: Let the Minister answer the question!

Mr X. L. Duval: ...I have not asked the question!

Mr Speaker: Please! Let the Minister reply!

Mr X. L. Duval: What is...

Mr Speaker: No, no, no, you already stated...

Mr X. L. Duval: I am asking the Minister...

Mr Speaker: You are rephrasing?

Mr X. L. Duval: I am asking the Minister what measures are taken by EDB after the claim has been made to ensure that there is no inflation of figures artificially.

Mr Speaker: Okay.

Mr X. L. Duval: Thank you.

Mr Bholah: Well, invoices are subject to audit exercise at the level of the EDB.

Mr X. L. Duval: Tell us how?

Mr Bholah: But audit exercise! How can I tell you how?

Mr X. L. Duval: Let us assume that there have been 130 films so far that have been financed. On how many films – get the piece of paper – has the EDB found that the money was inflated? What action did they take? Did they sue the person; did they go to the Police for fraud? What did they do? Please, get the information.

Mr Bholah: Okay, if they have it.

Mr X. L. Duval: So, at least we know whether they have done their work. What is the result of their work?

Mr Speaker, Sir, now I am going to ask about the committee itself. I made the point that this is a very risky business for which we have little knowledge in Mauritius. Now, given that you have given me the list of the individuals that sit on that committee, is it your opinion that these persons, with no outside help, have sufficient expertise...

Mr Speaker: No, Leader of the Opposition...

Mr X. L. Duval: ...to decide...

Mr Speaker: Leader of the Opposition!

Mr X. L. Duval: ...on whether or not...

Mr Speaker: Leader of the Opposition!

Mr X. L. Duval: ... Rs1.1 billion...

Mr Speaker: I am on my feet!

Mr X. L. Duval: ... Rs1.1 billion...

Mr Speaker: I am on my feet!

Mr X. L. Duval: ... Rs1.1 billion...

Mr Speaker: You have no mic, and there is no need to reply to this question. I am giving you my instructions.

Mr Bholah: It is a question of opinion, Mr Speaker, Sir.

Mr X. L. Duval: That is the issue. If he has the information that they have sufficient expertise to do so.

Mr Speaker: Leader of the Opposition, I am still on my feet. You do not have the right to ask the opinion of a Minister. You can put questions!

Mr X. L. Duval: I will rephrase it.

Mr Speaker: Rephrase your question! Put question! The population wants question!

Mr X. L. Duval: And the population wants less interruption from you!

Mr Speaker: The question!

Mr X. L. Duval: Now, do these people have sufficient experience?

Mr Bholah: Mr Speaker, Sir, why not? They are there; they are doing a good job. They recommend that EDB checks the bank statement, evidence of payment. If there is any overpayment, EDB will naturally disallow the claim.

Mr X. L. Duval: You have not understood my question once again.

Mr Bholah: He is asking about the competence of these people.

Mr X. L. Duval: Don't interrupt me.

Mr Bholah: I have no doubt about their competence.

Mr X. L. Duval: You have not understood my question again.

Mr Speaker: The Minister wants to reply on this question of competence.

Mr X. L. Duval: Okay.

Mr Speaker: You have an answer for that?

Mr Bholah: Yes, these are competent people.

Mr X. L. Duval: That's your answer?

Mr Bholah: High-calibre officers at the respective organisations and institutions.

Mr X. L. Duval: You have not understood my question. It is not a question of...

Mr Speaker: Next question!

Mr X. L. Duval: I have a lot of patience, thank God.

Mr Bholah: Please rephrase your question.

Mr X. L. Duval: My question is not whether or not they have the experience to check whether the qualifying expenditure is a qualifying expenditure but whether they have the experience to assess the project itself. When 'Serenity' comes, when 'Prisoners of Paradise' comes, when all the others come – some are hundreds of millions of rupees –, do these four or five people that you have listed have sufficient experience to dish out Rs1.1 billion of taxpayers' funds?

Mr Bholah: The little that I know about film industry, Mr Speaker, Sir, there are films that do well, but there are certain flops. Do you believe that those who promoted those films - the Producer and the Director - knew about how these films would perform? Now you are asking about the competence of these people? How will they know?

Mr X. L. Duval: Mr Speaker, Sir, I have also got the list of films we have subsidised with taxpayers' money to the tune of Rs1.1 billion since this Government took over. Are you aware that 90% of these films are total flops?

Mr Bholah: I do not have such information as to whether 90% of these films are flops. Do you mean to say that of all those films that are shot in Mauritius, 90% of them are flops?

Mr X. L. Duval: Yes.

Mr Bholah: But what about the expenditure that they make here?

Mr X. L. Duval: Exactly. So, that is why I am asking you. Had these people had the competence to be able to help you to answer, they would have given you the box office results. But they cannot because they do not know!

Mr Speaker: No, don't make comments about the people. Put questions!

Mr X. L. Duval: So, I am reporting to you again that there is a huge wastage...

Mr Speaker: No!

Mr X. L. Duval: ... not to take about...

Mr Speaker: No! No! This is opinion. Don't express opinion and remarks!

Mr X. L. Duval: Okay.

Mr Speaker: Put questions! The Minister is here to reply to questions.

Mr X. L. Duval: Are you aware that there is a huge wastage of public funds in the Film Rebate Scheme as it is being run now? Because you are yourself incapable of telling me which...

Mr Speaker: No! No! No! This is...

Mr X. L. Duval: ...films...

Mr Speaker: No! No! I...

Mr X. L. Duval: ...are or not...

Mr Speaker: Please, Leader of the Opposition! Withdraw that word!

(Interruptions)

Leader of the Opposition! No more reply! You remove that word!

Mr X. L. Duval: Which word?

Mr Speaker: 'Incapable' or whatever you said.

Mr X. L. Duval: You are unable, alright? Are you happy with 'unable'? 'Incapable' no! 'Unable' yes! Okay, this is now the new English dictionary. Tell me now!

Mr Speaker: Whatever, but these are words which are ...

Mr X. L. Duval: Whatever! 'Unable or incapable'!

Mr Speaker: You should stop being arrogant!

Mrs Navarre-Marie: You are being arrogant!

Mr Speaker: You are talking... This is Parliament!

Mr X. L. Duval: You don't try to bully me!

Mr Speaker: And there are many professionals here.

Mr X. L. Duval: You go and bully somebody else; don't bully me!

Mr Speaker: Don't insult intelligence of people!

Mr X. L. Duval: Don't bully me! Don't bully me!

Mr Speaker: Not because you have the right as a...

Mr X. L. Duval: You don't have the right to bully me. Don't bully me! I don't know what you have under your seats. Don't bully me!

Mr Speaker: Don't insult people!

Mr X. L. Duval: Yes, these people are unable – they are not incapable –to tell you which films, and that is the whole issue; the problem is a problem of assessment at the beginning...

Mr Speaker: Okay, you finished with your question. Let the Minister reply!

Mr X. L. Duval: ...and monitoring at the end. And that is the issue!

Mr Bholah: Mr Speaker, Sir, I explained in my main reply that there is competition around the world where rebate schemes are being given by the different countries, and we have to align with these countries so as to attract those people to come and shoot their films over here. Now, if I understand the hon. Leader of the Opposition, these films do not succeed because they are shot in Mauritius? What about the expenses? What about the visibility?

Mr X. L. Duval: *Ki kalite kontab sa!*

Mr Bholah: About the promotion?

Mr X. L. Duval: Now you are...

Mr Speaker: No remarks please!

Mr X. L. Duval: He is bringing the accounting profession into this room!

Mr Speaker: Continue! You finished?

Mr Bholah: No. I did strong objection to my competence about my profession. Be careful about that.

Mr X. L. Duval: I am careful. I am not afraid of you.

Mr Bholah: Me too!

Mr X. L. Duval: Now, I tell you this. As an accountant, you should be able to answer a proper question when you are asked a question.

Mr Bholah: Don't refer to me as an accountant. I am sitting here as a Minister.

Mr Speaker: No, Leader of the Opposition! Parliament is not a place...

Mr X. L. Duval: I remove.

Mr Speaker: You don't do that! Please, don't do that with me! You are a Leader of the Opposition. You come here to say you are an accountant; the others say they are lawyers and this and that!

Mr X. L. Duval: These are professions.

Mr Speaker: Don't express your profession here.

Mr X. L. Duval: Look at your face, you are so upset!

Mr Speaker: Say it again.

Mr X. L. Duval: Look at your face, you are upset!

Mr Speaker: Look at?

Mr X. L. Duval: Your face! You are upset!

Dr. Boolell: You are upset; look at your own face.

Mr X. L. Duval: You are upset; look at your face!

Mr Speaker: I am asking you to stop being arrogant in Parliament. These are elected Members. They are elected Members; they have their right.

Mr X. L. Duval: And look at your face when you talk!

Mr Speaker: Whatever! Not only my face, there are so many faces. We can look at the faces of everybody.

An hon. Member: *Ler pe ale la dan vid.*

Mr Speaker: Wait hon. Bhagwan! Wait for your turn. Put your question!

Mr Bhagwan: You have seen my face. You don't want to see me?

Mr X. L. Duval: I don't remember the question. I think...

Mr Speaker: Next question!

Mr X. L. Duval: Mr Speaker, Sir, what I am going to ask the hon. Minister is this. He is a good friend of mine. He mentioned that some mistakes were made at the beginning, which is probably true, in 2013. A small amount of money; probably true. I accept. I have no problem with accepting that whoever, BOI, myself, we might have made some mistakes. But the problem is not that. We need to learn from our mistakes. And from spending a few million rupees in 2013 to hundreds of millions of rupees...

Mr Speaker: What is the question?

Mr X. L. Duval: ...on particular projects, it is a completely different thing.

Mr Speaker: Question please!

Mr X. L. Duval: And you owe it to the people of Mauritius. And this is the question I am going to ask you: you owe it to the people of Mauritius to have the scheme reviewed...

Mr Speaker: Question please!

Mr X. L. Duval: ...and any pros taken out...

Mr Speaker: Question!

Mr X. L. Duval: ... and I am going to ask you – you are not the substantive Minister – when the substantive Minister comes, to ask him to have an independent audit review of the Film Rebate Scheme; see where hard earned taxpayers' money have been wasted; see where we have made mistakes; see where the monitoring is not proper; see where we need experts to help us to judge.

Mr Speaker: So, you already made your point!

Mr X. L. Duval: Will you, therefore...

Mr Speaker: You already put the question!

Mr X. L. Duval: ...agree to speak to the...

Mr Speaker: Time is running!

Mr X. L. Duval: ...hon. Minister of Finance...

Mr Speaker: Time is running!

Mr X. L. Duval: ...so that we have...

Mr Speaker: Let the...

Mr X. L. Duval: ...an independent review of this...

An hon. Member: Demagogue!

Mr Speaker: Where is the mic? I do not think you have to reply to this sort of question. This is a request. You make your request to the Minister of Finance. Make your official request!

Time is over!

MOTION

SUSPENSION OF S.O. 10(2)

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

The Deputy Prime Minister seconded.

Question put and agreed to.

PUBLIC BILLS

Second Reading

THE STATUS OF THE ARTIST BILL

(NO. VII OF 2023)

Order read for resuming adjourned debate on the Status of the Artist Bill (No. VII of 2023).

Mr Speaker: Hon. Toussaint!

(5.36 p.m.)

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint):

Thank you, Mr Speaker, Sir.

We are debating today on the Status of the Artist Bill brought in Parliament by my hon. colleague, the hon. Minister Avinash Teeluck. Congratulations to you and your whole team for this piece of legislation.

Dès le départ, M. le président, permettez-moi, puisque nous débattons, nous parlons d'artistes actuellement depuis mardi, de faire un petit commentaire de ce cinéma de mauvais goût auquel nous venons d'assister. Je ne sais pas ce qui a poussé le leader de l'opposition à être un acteur comme ça aujourd'hui. *Pa kone !*

M. le président, une vingtaine d'années de cela, moi-même, personnellement, je faisais une petite entrée dans le monde du théâtre. Donc, je foulais les planches pour la première fois, plus particulièrement le Théâtre Serge Constantin. Et avec le collège où je travaillais, nous participions au *Drama Festival* en langue française. Et à cette époque, donc, toute l'équipe, le collège, nous avons joué une pièce qui s'appelait 'Les limites de l'aube' d'un frère, d'un ami de la Réunion qui l'avait écrit. C'était une pièce sur l'esclavage, donc, une pièce d'Axel Gauvin.

C'est là aussi que je fus appelé à rencontrer et à côtoyer un peu le monde du théâtre et le monde de l'artiste, et aussi, les officiers du ministère qui était alors *Arts and Culture*. Je me permets aussi aujourd'hui de rendre hommage à feu M. Bhugan qui était jusqu'à tout récemment le *Director of Culture*. Je dois dire que nous avons passé de bons moments au théâtre et que ses conseils étaient très, très précieux dans le domaine précis, c'est-à-dire le théâtre. Je suis sûr que de là où il est, il continue à nous guider dans ce monde. Donc, M. le président, cela m'a permis de comprendre le monde de l'artiste.

Aujourd'hui, notre gouvernement vient de l'avant avec le *Status of Artist Bill*. Le projet de loi a été examiné, décortiqué, cassé, menu haché par tous les autres membres qui ont parlé avant moi. Je vais juste me référer à la première page, *Explanatory Memorandum*, qui est très

clair, et je comprends mal les incompréhensions, les doutes, les flous, les brouillards, surtout des honorables membres de l'opposition. L'*Explanatory Memorandum is very clear*, je cite –

“The main object of this Bill is to provide for the establishment of the Professional in the Arts Council.” qui aura après un travail précis à faire.

Donc, c'est de mettre sur pied ce conseil.

Et la responsabilité de ce conseil, (a) à (f), donc –

“(a) categorise as professional artists,

(b) promote the status of professionals in the Arts,” etc.

C'est très clair pour tout le monde. Donc, c'est de pouvoir, à travers ce projet de loi, mettre sur pied ce *Professional in the Arts Council*. Je comprends mal les incompréhensions des honorables membres de l'opposition. Ce n'est pas la loi qui viendra dire comment on va donner la pension, comment on va faire le *State recognition*. Ce sera le travail de ce conseil. Ce n'est pas ici que nous faisons cela. Alors, le chef de l'opposition a disparu ! Peut-être l'honorable ministre Teeluck pourra voir avec la *MFDC* et éventuellement avec l'équipe du *EDB*, peut-être, qu'on pourra faire une série qui s'appellerait *The Invisible Man* à la mauricienne ! Il a parlé à plusieurs reprises de ses incompréhensions, de ses doutes, et que lui et les autres membres, je pense, ne vont pas voter pour ce projet de loi. Qu'ils prennent leur responsabilité ! Je lance un appel à tous les artistes de ce pays, à tous les professionnels du monde de l'art de ce pays, pour voir, voilà, les honorables membres de l'opposition ne vont pas voter ce projet de loi ! Nous allons le faire, parce que nous avons à cœur nos amis les artistes, M. le président.

M. le président, quand j'ai commencé un peu dans le monde de l'art, j'ai aussi eu l'occasion à plusieurs reprises d'avoir des formations dans le théâtre, dans le chant, et aussi un certain moment, j'ai eu une petite formation dans les métiers du cirque, ce qui est très rare à Maurice. Actuellement, nous avons quelques personnes qui font certaines formations dans les métiers du cirque. La jonglerie, par exemple, nous avons...

Dr. Boolell : Ici même, c'est un cirque !

Mr Toussaint: Non, non, non ! Moi, je respecte le Parlement et je n'irais pas jusqu'à dire que le Parlement est un cirque, honorable Dr. Boolell, qui nous fait des vers et des proses. En

passant, il existe aussi des alexandrins, des vers. Donc, allez lire un peu Molière aussi, s'il vous plaît !

Donc, la jonglerie, la magie, les cracheurs de feu et l'acrobatie. Je me souviens qu'à l'époque, à la cité Barkly, il y avait une école d'acrobatie, de cirque, et ils évoluaient dans le centre de jeunesse de la cité Barkly, et aussi, tout ce qui touchait, bien sûr, au métier du clown. Comment apprendre à faire rire les gens, c'est difficile de faire rire les gens !

Et là, je souhaiterais faire une petite remarque. Donc, à deux reprises, –malheureusement, il n'est pas là – l'honorable Osman Mahomed m'avait traité de 'clown.' Oui, je suis fier d'avoir appris le métier de clown ! J'en suis très, très fier ! Et tout comme moi, il y a de nombreux amis qui aujourd'hui, sont passés par une formation – j'ai aidé aussi dans la formation – qui gagnent leur vie aujourd'hui – ils vont se reconnaître – dans le métier du clown, dans les animations, des spectacles, d'anniversaires d'enfants, des fêtes de fin d'année pour les compagnies. Donc, je dis à l'honorable Osman Mahomed, j'en suis fier d'avoir appris le métier du clown. Alors, en tout cas, le 'clown' que j'ai été, je n'ai jamais donné des maisons à des mineurs moi ! En tout cas !

M. le président, les métiers de l'art sont très variés et sont très vastes. L'honorable Dr. Boolell, dans son discours, a dit qu'il a eu l'occasion de rencontrer des artistes pendant le week-end, je crois - je ne suis pas en train de mal dire - et que les artistes lui ont fait part de leurs appréhensions. Tout à fait logique. Tout à fait normal ! Il n'y a pas de souci dessus. Mais je souhaiterais dire à l'honorable Dr. Boolell que nous, de ce côté de la Chambre, mon collègue, le ministre des Arts et du Patrimoine culturel, d'autres membres aussi, ce n'est pas juste pendant les week-ends que nous rencontrons les artistes. Nous le faisons le plus souvent possible, parce que nous n'attendons pas qu'un projet de loi arrive au Parlement, à ce moment-là *nou dir ayo, artis existe dan sa pays la ! Allons koz koze ene kou* avec eux et voir ce qu'ils en pensent. Non, M. le président ! Nous, nous rencontrons les personnes de tous les secteurs de la population et nous sommes en contact avec eux le plus souvent possible. Moi, personnellement, d'autres membres aussi, à travers mon ministère, où nous sommes en train de promouvoir les métiers de l'art au niveau des jeunes, donc, nous sommes en contact très souvent avec les artistes. Nous avons reçu un accueil extraordinaire en ce qu'il s'agit de ce projet de loi qui vise à donner un cadre et à aider nos amis les artistes à être reconnus socialement et qu'ils puissent aussi plus tard avancer économiquement dans leur vie de tous les jours.

M. le président, le ministre a expliqué toutes les étapes avant d'arriver à ce projet de loi ici, avant que ce projet de loi ne soit débattu ici. Il a très, très bien expliqué toutes les étapes. Je ne compte pas de revenir dessus; c'était clair. Et, puis, beaucoup de membres de l'opposition disent 'on a tardé ! Quatre ans, dix ans !' Excusez-moi, M. de président, la préparation d'un projet de loi *pa ti baja zet dan dife kwi sa !* Cela prend le temps qu'il faut et parce qu'il faut le faire bien aussi et il y a des procédures qu'il faut respecter. Évidemment, cela va prendre le temps qu'il faut ! Mais ceci dit, nous ne sommes pas en train de faire un amendement à une loi déjà existante. C'est tout nouveau.

Donc, ce n'est pas un amendement, ce n'est pas une loi qui a déjà existé, qu'un autre parti au pouvoir avait déjà dans le passé travaillé dessus. C'est la première fois, c'est un projet de loi historique, M. le président ! Je dois dire merci à notre Premier ministre et à tous les membres, tous les collègues, ministres et députés de ce côté de la Chambre de soutenir ce projet de loi et de venir de l'avant et de donner tout le coup de main qu'il faut à notre collègue le ministre des Arts et du Patrimoine culturel.

En passant, j'ai noté rapidement la dernière fois. Je ne vois pas l'honorable Nagalingum, il est bien plus, allons dire, '*expérimenté*' dans le monde de la politique que moi. Un petit conseil – la prochaine fois qu'on lui donne peut-être quelque chose à lire, il ferait mieux de repasser dessus d'abord, et le ministère *is not the Ministry of Culture and Cultural Heritage*. Ce n'est pas le ministre de la Culture et du Patrimoine culturel, ce n'est pas ça. Il a dit cela dans son discours, c'était écrit par-là, je ne sais pas qui l'a aidé à écrire son discours. Il a dit ça plusieurs fois. C'est le ministre des Arts et du Patrimoine culturel et non le ministre de la Culture et du Patrimoine culturel. Donc, il faut faire attention dans ce qu'on dit et ne pas venir ici, au Parlement, juste opposer pour opposer et lire n'importe quoi.

M. le président, le leader de l'opposition paraissait, pendant son discours, très enthousiaste, rempli d'énergie et triste pour les artistes parce que d'après lui, rien n'a été fait. Certes, ce n'est pas un monde idéal. Il y a beaucoup de progrès à faire, mais seulement, je rappelle au leader de l'opposition, j'espère que l'honorable Lobine qui est là lui passera le message. Ben, écoutez, il a été *Vice-Prime Minister and Minister of Finance*, il a été *Deputy Prime Minister*, il a été à plusieurs reprises *Acting Prime Minister*, il a été ministre du Tourisme. Donc, depuis un bon bout

de temps, il a été présent dans un Cabinet ministériel. Il a laissé la situation perdurer ? C'est ça le *rezilta lor rezilta* du PMSD ? Je pense que c'est le zéro et zéro du PMSD.

Donc, M. le président, il a été ministre du Tourisme et il avait dit qu'à l'époque, il aurait aimé avoir *a national dance troupe* qui aurait pu l'accompagner dans ses missions – et Dieu sait combien de missions qu'il avait faites à l'époque, – l'accompagner dans ses missions pour montrer partout la valeur de nos danseurs très typiques mauriciens. Mais qu'est-ce qui l'a empêché de faire ce *national dance troupe* alors qu'il était ministre du Tourisme, ministre des Finances et ainsi de suite ?

C'est trop facile, M. le président, c'est trop facile de venir ici, de généraliser, de dire, opposer, il fallait faire ça, il faut faire ci, il faut faire ça quand nous-mêmes nous avons été dans une certaine position. Non, c'est trop facile et il faut arrêter cela. Il faut que la population puisse comprendre cela, M. le président, que ceux qui sont en train de travailler dans leur intérêt et ceux qui ont à cœur les artistes dont nous parlons aujourd'hui, c'est nous, c'est notre gouvernement, notre Premier ministre, notre ministre des Arts et du Patrimoine culturel.

J'ai aussi pris la peine - et coïncidence aujourd'hui le ministre Bholah a parlé du fameux *Film Rebate Scheme* en 2013 il me semble - d'aller *download* – vous savez ce unit qui s'appelle Hansard, c'est formidable ça hein. C'est extraordinaire ; il y a tout dedans. C'est pour cela qu'il nous faut toujours faire attention à ce qu'on dit, parce qu'on a tendance à oublier ce qu'on est en train de dire. Alors j'ai été télécharger le *Budget Speech of hon. Xavier Luc Duval, Vice-Prime Minister, Minister of Finance and Economic Development, November 2011*, et il a donné beaucoup d'idées, qu'il fallait construire des amphithéâtres dans chaque *local authority* etc., beaucoup de suggestions. Alors j'ai imprimé la page 8 jusqu'à la page 46 jusqu'à qu'il dit, je cite, M. le président –

« *Mr Speaker, Sir, I beg to move that [etc] now be adjourned.* »

Donc, 46, comme la fameuse chanson de notre ami Alain Ramanisum – *mo tourne, mo tourne*, mais rien qui vaille. Qu'est-ce qu'il y avait dans le budget de 2011 pour les artistes et pour l'art de ce pays ? Alors, j'ai passé un petit *highlighter*, point 166, je cite –

“166. *Mr Speaker, Sir, Government is also introducing the legal framework to encourage the setting up of a film industry to attract international film producers of repute.*”

Et puis il parle des 25 % et puis il parle que –

« J’espère que ce *film Industry* va apporter...etc... »

Sa mem tou ? Sa mem tou dans un budget ? *Sa mem tou* pour l’art ! *Sa mem tou* pour les artistes d’un budget, et aujourd’hui, cette même personne ose venir nous donner des leçons comme si nous n’avons rien fait et que comme si ce *Bill* que nous apportons n’a pas son importance et idem, M. le président - bon le temps file. Je n’aurai pas assez de temps pour *tourne li tourne* encore.

Donc, j’inviterai les personnes à aller lire le discours du budget de l’honorable leader de l’opposition 2012-2013. Rien pour l’art et pour les artistes et aujourd’hui quand nous, quand le ministre des Finances a annoncé plusieurs mesures pour les artistes, pour l’art, c’est quoi ? Confetti. Confetti, M. le président. Là-bas, ce n’était même pas confetti, c’était confetti invisible d’où le titre de l’épisode, des épisodes que nous allons faire bientôt – c’est ‘l’homme invisible’.

M. le président, j’ai été aussi très touché par la demande de l’honorable Madame Arianne Navarre-Marie qui a rendu hommage à Roger Augustin, un très grand chanteur qui a fait des merveilles et elle a dit qu’il aurait fallu que cette personne reçoive un *recognition*. Il me semble c’est ça que l’honorable membre avait dit, et que c’était son voisin autrefois. Donc, permettez-moi de rappeler à l’honorable membre qu’elle-même, elle avait été ministre dans un gouvernement, je crois entre 2000 et 2005, son leader était le Premier ministre du pays. Il aurait fallu peut être penser à son voisin à cette époque-là, *pa kan nou dans lopozision ki nou pans nou vwazin*, M. le président, et tout ceci pour vous dire que c’est trop facile. Je ne critique pas pour critiquer, mais je dis c’est trop facile. C’est quand on a une position, quand on a la responsabilité de faire quelque chose et puis quand on n’a peut-être même pas pensé à le faire et que quand nous ici, de ce côté de la Chambre nous venons avec un travail sérieux pour le faire et là, on nous fait de la leçon comme si rien n’est fait.

Et puis aussi, M. le président, comme j’ai dit, le *Explanatory Memorandum* est très clair. L’idée ici quand ce projet de loi deviendra loi, c’est de créer ce *Professional in the Arts Council* et là, il y a quelque chose aussi que j’ai retenu. C’est que beaucoup de nos amis de l’opposition ont à plusieurs reprises dit que dans ce *Council*, il n’y a pas la place de l’artiste. Ils ne voient pas la place de l’artiste dans ce *Council*. J’ai été choqué sur le coup, parce que j’allais tirer les oreilles de mon collègue pour lui dire – ‘*b ki arive sa*’ ?

Et là, M. le président, quand je regarde – *Part III – Administration and Management of Council, The Board*, page 8, bien sûr *Chairperson*, etc., et puis les représentants de différents ministères, c'est l'argent du public, ce *Board*, ce *Council*, après aura un compte. Il y aura des *audited accounts* à faire, etc. Donc, les fonctionnaires doivent être dedans. Je ne comprends pas cet acharnement contre nos amis, les fonctionnaires. Qui va être dans le *Board* ?

Alors, à part ça et si je suis en tort vous m'arrêter immédiatement les amis, M. le président, vous m'interrompez immédiatement.

Section 6 (h) – “a person having wide experience in the field of visual arts ...”

B pa enn artis ki bizin ena wide experience in visual arts? Qui va avoir ça? Moi ? L'honorable Hurreeram à côté de moi qui va avoir ce *experience* là ?

Section 6 (i) – “a person having wide experience in the field of literature,...”

Je ne sais pas à moins que nos amis ici vous avez commencé à écrire un peu vos livres, etc. C'est qui ? C'est certainement quelqu'un qui écrit. Donc, n'est-ce pas un artiste ?

Section 6 (j) – “a person having wide experience in the field of music ...”

Bon, je sais qu'il y a certaines personnes qui sont des adeptes du djembé, oui, *bon pa pran sa boug la met ladan selman ein*. On va trouver des professionnels *in the field of music*.

Section 6 (k), et ça c'est extraordinaire ; c'est magnifique, c'est pour faire la place au monde moderne, à la jeunesse –

“a person having wide experience in the field of audio-visual and digital media, ...”

Yes, tous les artistes se retrouvent dans la danse, *performing arts*. Je ne comprends pas pourquoi on doit venir ici et faire croire que les artistes ce n'est pas votre conseil à vous, ce sera le conseil des politiciens, ce sera le conseil des amis du pouvoir. Comme l'honorable Richard Duval a dit, 'les Princes du jour.' Ben non, M. le président, les artistes sont dedans et ils vont se retrouver dans ce conseil pour les artistes.

M. le président, le temps file et je vais conclure avec quelques phrases d'une chanson de Kaya, et avant de conclure avec quelques phrases de Kaya, laissez-moi rappeler à la Chambre et à la population que l'année prochaine cela fera 25 ans déjà que Kaya a perdu la vie. Donc, c'était en 1999, et nous savons tous, M. le président, dans quelles circonstances, et ce n'est certainement

pas le Parti travailliste ou le PMSD ou autre qui va venir nous dire qu'ils ont de la considération pour les artistes. C'était le Parti travailliste qui était au pouvoir en 1999 et l'année prochaine cela va faire 25 ans que Kaya a quitté ce monde, M. le président.

Simé La Limière, je cite –

« Sa mem simé tonn montré mwa

Sa mem simé ki mo pou passer

Sa simé li al laba mem

Sa mem simé ki mo pou passer

Sa mem simé dir pou passer

Sa mem simé la limière. »

M. le président, *simé la limière* de nos artistes, c'est avec l'honorable Pravind Kumar Jugnauth.

Merci, M. le président.

Mr Osman Mahomed: Mr Speaker, Sir,...

Mr Speaker: Hon. Minister!

Mr Osman Mahomed: Mr Speaker, Sir,...

Dr. Boolell: Point of order.

Mr Osman Mahomed: Mr Speaker, Sir, on a point of order.

Mr Speaker: On what point of order?

Mr Osman Mahomed: According to Section 41, with regard to what the Minister has stated during his discourse. I did not want to disturb him earlier. I said to myself 'let me do it after he has spoken'.

Mr Speaker, Sir, I would like to raise a point of order, under Section 41 of the Standing Orders. The hon. Toussaint, during his discourse, just now, referred extensively to me, whom in the past has referred to him as a 'clown'. No problem with that, but...

Mr Speaker: No...

Mr Osman Mahomed: No, no, let me continue!

Mr Speaker: Wait! Wait!

Mr Osman Mahomed: Let me continue!

Mr Speaker: Wait! When I am on my feet, you should wait. I should not wait for you!

Mr Osman Mahomed: Okay.

Mr Speaker: It looks like this is a point of explanation. You want to explain something.

Mr Osman Mahomed: Fair enough.

Mr Speaker: No, but you asked a point of order.

Mr Osman Mahomed: But Section 41 is on this.

Mr Speaker: Yes, point of order is point of order. Ask your lawyer, he is there. Lawyer, please help him.

Mr Osman Mahomed: No, we have discussed. It is a point of order.

Mr Speaker: On a point of order, you have to say which Standing Order and which offence...

Mr Osman Mahomed: I said 41(1).

Mr Speaker: Yes, what is the offence he committed?

Mr Osman Mahomed: The offence is that he has cast aspersions towards my person. He said that, as a 'clown', he is proud not to have allocated housing units to minors, therefore alluding to me when I was Managing Director of the NHDC. This is not true. I am turning to you to ask you to ask the Minister to withdraw this!

Mr Speaker: Where is the offence in that?

Mr Osman Mahomed: Where is the offence?

Mr Speaker: He is rebutting. You do not know what is the difference between rebutting and an offence?

Mr Osman Mahomed: Rebutting to what?

Mr Speaker: I rule that there is no offence!

An hon. Member: *Tahey!*

Mr Osman Mahomed: Rebutting to what?

(Interruptions)

Mr Speaker: So, Minister, you start your speech!

Mr Osman Mahomed: Rebutting to what?

(Interruptions)

Mr Speaker: I have already ruled!

An hon. Member: *Tahey, mari sa!*

(Interruptions)

Mr Osman Mahomed: He is imputing motives. He is rebutting to what?

(4.01 p.m.)

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): Thank you, Mr Speaker, Sir...

(Interruptions)

Mr Osman Mahomed: You are wrong!

(Interruptions)

You are wrong!

Mr Speaker: Mind your language! You apologise for saying that I am wrong. You apologise or you withdraw from the Chamber.

Mr Osman Mahomed: I want to understand from you. He is rebutting to what?

Mr Speaker: I am asking you! You apologise for that bit saying that I am wrong!

Mr Osman Mahomed: He said something to me...

Mr Speaker: This is the last time that I am asking you or you walk out!

Dr. Boolell: Do not threaten!

Mr Speaker: Will you withdraw the word that I am 'wrong'? Apologise for that!

Mr Osman Mahomed: Okay, I apologise...

Mr Speaker: Thank you!

Mr Osman Mahomed: But I want you to...

Mr Speaker: And finish...

Mr Osman Mahomed: ...ask him to remove this!

Mr Speaker: There is nothing more! I have no debate to entertain! Minister, start your speech!

Mr Osman Mahomed: You have allowed something untrue to be reported in the Hansard.

Mr Teeluck: Thank you, Mr Speaker, Sir...

(Interruptions)

Mr Osman Mahomed: *To enn klounn twa ta!*

Mr Speaker: No! Now I am naming you!

(Interruptions)

Dr. Boolell: Naming you?

An hon. Member: *C'est quoi ça !*

Mr Assirvaden: *Mais il a accepté ! Pena naryen ladans!*

Mr Speaker: I am naming you. Please withdraw from the Chamber! Sergeant-at-arms!

Mr Assirvaden: Do your work!

Mr Speaker: Take the gentleman! Continue!

(Interruptions)

Mr Teeluck: Thank you, Mr Speaker, Sir...

(Interruptions)

Mr Assirvaden: *Pena naryen ladans! Line dir!*

An hon. Member: *Line dir li mem li ene clown.*

Mr Osman Mahomed: This is very wrong!

Mr Speaker: You continue!

Mr Teeluck: M. le président, d'emblée je remercie les membres de cette Chambre qui ont activement pris part aux débats sur ce projet de loi, *particularly Members of this side but also Members on the other side.*

Mr Assirvaden: *Pena naryen ladans!*

Mr Osman Mahomed: *Non, pa sa, b lin dir enn zafer ki pa vre!*

Mr Teeluck: Despite certain contentions...

Mr Osman Mahomed: You rebut to what?

Mr Speaker: You are obstructing the House!

Dr. Boolell: But do not threaten!

Mr Speaker: Do not obstruct the House! Continue! This is the third time that I am asking the Minister to continue.

Mr Teeluck: Thank you...

Mr Speaker: Continue!

Mr Teeluck: Thank you, Mr Speaker, Sir. *Je vais reprendre. M. le président, je remercie d'emblée les membres de cette Assemblée qui ont activement pris part aux débats sur ce projet de loi, particularly Members from this side but also Members on the other side of the House and I have the impression that despite certain contentions expressed by Members of the Opposition, there is a general consensus on the fact that today we need to legislate and introduce a legal framework to protect and consolidate the artistic and creative sector.*

Mr Speaker, Sir, henceforth, there will be the pre-status of artist period and a post-status of artists period. Henceforth, there will be a period where despite having spent a whole life at the service of art, a whole life creating, singing, painting, writing. Despite being respected, being admired for their talent and work, despite having recognition nationally, internationally; artists have very often been deprived of the basics in terms of their rights to a decent treatment. For instance, when it comes performing in hotels, when applying for a loan as an artist, when trying

to set up a studio or grow in the artistic field, at times, maybe, we undervalue the importance of art. At times maybe we fail to acknowledge the contribution of artists in the socio-economic growth of a country, in its history, in its political development.

Mr Speaker, Sir, artists have been present at every major crossroad in the history of our country. The very essence of our identity as Mauritian, the very essence of that fraternity, that patriotic belonging we all share – *peu importe* our religious belief, our age, our political allegiance, our social background or economic status, *peu importe nos differences*, there is this one thing that unites us all as daughters and sons of this Republic: our National Anthem. And, Mr Speaker, Sir, it needed an artist to write the lyrics of the National Anthem. It needed an artist to write the notes to the tune of our Motherland. The ‘*donn to lame, pran mo lame*’ of the Gowry brothers, this song, Mr Speaker, Sir, was written and sung at a time when our country was going through one its darkest times because of racial tensions and communal conflict. A song which helped in reconsolidating our unity, it helped in rebuilding our country as one nation *en invitant les mauriciens à donn to lame, pran mo lame et a nou batir enn nasion morisien*. This is what art and artists have the capacity to do, Mr Speaker, Sir.

And, hon. Bodha talked about ‘*donn to lame, pran mo lame*’ but it is not enough, Mr Speaker, Sir, just to reproduce the song *pour le 50^{eme} anniversaire de l’indépendance*. It is not enough just to reproduce the song. We are all happy that the song was chosen but what about the artists? What about Mr Gowry? We celebrate the song but we forget about the artist. *C’est cela la philosophie de Monsieur Culture de hon. Bodha*. We, on the other side, *à l’occasion des 55 ans d’anniversaire de l’indépendance de la République de Maurice, nous avons récompensé financièrement M. Gowry, ainsi que M. Jean-Georges Prosper pour leur contribution a renforcer l’unité national dans notre pays*. We celebrate artists.

Les années 70 et 80, *Mr Speaker, Sir, an era when MMM emerged, when new political ideologies were enunciated, which eventually led to a 60-0. These new political ideologies, the plight of the population at that time, the social difficulties people were facing*, qui sont ceux qui ont grandement aidé et contribué à faire véhiculer ces idéologies, à faire disséminer les cris de la population face à la misère noire de l’époque ? Autre que les leaders politiques, bien sûr, c’était le légendaire ‘*Soley rouz*’ avec Bam Cuttayan, Micheline Virahsawmy, Rosemay Nelson, Alan Ganoo, Nitish Joganah, Ram Joganah ! C’était le groupe Latanier, c’était Siven Chinien. Ces

chanteurs, ces artistes ont, par le biais de leurs ségas engagés, permis au MMM de l'époque, de parler à la population et de créer cette liesse populaire pour un renouveau politique. *Maybe the 60-0 of 1982 wouldn't have been a 60-0* avec cette même ferveur sans les ségas engagés.

But what happened afterwards? *Comment ces artistes ont été traités?* What was the consideration given to them? *Ces chansons font partie de notre patrimoine culturel aujourd'hui. Ces ségas engagés sont notre patrimoine national.* Again, Mr Speaker, Sir, we celebrate art, we celebrate artists. We do not ride on the shoulder of artists at a certain period of time, rise to power and forget them.

Mr Toussaint: *Apel sa mont kadadak !*

Mr Teeluck: Et raison pour laquelle le ministère des Arts et du Patrimoine culturel aujourd'hui travail sur la possibilité, selon les dispositions du *National Heritage Fund Act*, de classer certaines chansons locales comme patrimoine national. Des titres comme *Krapo Kriye*, *Papi Dou* de Ti Frer, *Mo Capitaine* de Michel Legris, *Montagne Berto* de Ganoo, Madame Eugène de Serge Lebrasse, *Lalka Chirainya* de Sona Noyan, *Langaro* de Bhojpuri Boys, Le Morne de Cassiya ou même *Sime Lalimier* - comme l'a si bien chanté l'honorable Toussaint - de Kaya. L'honorable Toussaint a fait mention en parlant de Kaya, feu Joseph Réginald Topize, celui qui à travers sa musique cherchait à montrer aux gens *enn sime lalimier*. Le Parti travailliste se souviendra certainement comment ce légendaire artiste a été traité et les incidents malheureux qui ont coûté la vie à ce fils du sol, et surtout les émeutes qui se sont suivies durant lesquelles le chanteur Berger Agathe a également perdu la vie.

Un gouvernement sensible à la culture valorise les artistes, M. le président. Un gouvernement cultivé respecte la mémoire des artistes et c'est pour cela que le gouvernement de l'honorable Pravind Jugnauth, par respect pour la mémoire des artistes, de cet artiste, Kaya, a décrété le 21 février le *Seggae Day* en mémoire du feu Kaya. De même pour Sona Noyan en décrétant le 08 février le *Bhojpuri Gammat Day*. Et tout récemment, le 06 avril en mémoire de Serge Lebrasse, le *Sega Day*. Un gouvernement sensible à la culture valorise les artistes. L'artiste peintre Vaco Baissac décédé le 05 février de cette année à l'âge de 82 ans a été élevé au rang de *GCSK* à titre posthume.

Mr Speaker, Sir, in this pre-status of artist period, artists do not benefit from any form of pension or other facilities or benefits as artists. They are not recognised as artists, save for

registration done at the level of MASA. The registration at the level of MASA is to protect their right as authors. It is a very different framework. It is a very different scheme.

Therefore, Mr Speaker, Sir, there is a fundamental step towards curing these issues, and the cure is to recognise who is an artist, and most importantly, who is a professional artist. This distinction is crucial, Mr Speaker, Sir. We have on the one side, someone who, as a *passe-temps*, as a hobby sings, he paints, he writes, and on the other side, we have someone who performs for a living, someone who lives by his talent or her talent, someone who is a professional in the sector, someone whose source of revenue - very important distinction - is through his or her art. This Bill speaks for these people because we need to cater for them.

Very jokingly, hon. Mrs Navarre-Marie stated that hon. Dr. Jagutpal is not on the orators' list. But that comment in itself explains her understanding of this Bill. That comment itself explains that, unfortunately, she has not grasped the very essence of what we are debating today. We are here putting in place a legal framework to identify and ensure that those who are professionals in the sector, those whose source of revenue is art are able to evolve in a regulated sector and enhance their socio and economic status as professional in the arts. This is what the Professional in the Arts Council will do: provide a status to these artists.

It took time. Of course, it took some time. As hon. Toussaint it, we are not amending a law, we are building from scratch. We had to seek the collaboration and assistance of UNESCO. It was a tedious exercise because this is new, not just for Mauritius, for the whole world it is a new legal framework. Very few countries have implemented or introduced or adopted a status of artist regulation or act. Very few countries, a handful! Today, Mauritius is joining this league of very few countries which had the courage and the audacity to come forward with a status of an artist bill to regulate the sector.

Moreover, Mr Speaker, Sir, to provide a conducive framework, to develop artistic and cultural talents, my Ministry has put various schemes such as purchase of books schemes. As I said last time, we took time, but there are schemes that were put in place to ensure that there is this assistance, and we keep on growing the sector. *Comme on dit, labourer le terrain en attendant l'introduction de ce texte de loi.* This is what we did. The National Arts Fund, for instance, announced by the Prime Minister, who was also at that time, in 2017, *ministre des*

Finances, that would allow the Ministry through that fund to provide financial assistance to various categories of artists. 22 projects have already been approved.

When I say 22 projects, Mr Speaker, Sir, we are not talking about simple, one-off schemes or assistance. We are talking about grants going up to Rs800,000 per project. Until now, we have dished out nearly *R 50 millions sous ce fonds. On a labouré le terrain*. We have started preparing and setting the base until the introduction of this Bill.

On a parlé ce matin lors de la PNQ du cinéma. Many Members referred to artists, and unfortunately, we have limited ourselves to musical artists. But, Mr Speaker, Sir, we also have other disciplines. We talked about cinema.

Le cinema local *aujourd'hui*, our movies produced locally *sont primés à l'international, au Festival de Cannes*, various other festivals in India, in USA, in Europe, our local products in terms of cinema are being exported and being recognised abroad.

Aujourd'hui, on a environ 101 local film makers, involving around 1,000 artists, technicians benefitting from financial assistance on the Financial Film Assistance Scheme. *Et également pour les écrivains*, l'honorable Bodha pointed out that famous writers who shone internationally, *bein moi*, I would like to remind hon. Bodha that actually at the level of the Ministry, we have introduced various schemes; purchase of books, assisting local authors to do their launching. There are several as I said, *on a jeté les bases* until the introduction of this Bill. Visual artists, *le Mauritius Arts Expo regroupant 100 artistes peintre récemment au Citadelle au mois de juin* and I am not going to repeat myself about what we did during COVID-19 because COVID-19 is not an exception in terms of your deliverables but COVID-19 was an opportunity for those who wanted to do things. COVID-19 was an opportunity for those who wanted to develop differently their respective sectors. The agro sector did their part, social security did their part, SMEs did their part. Of course, let's not forget the contribution of the health sector, each and every one, tourism sector. Everyone tried to devise and find means and ways to ensure that there is a new way of running their respective sector, we did the same thing. COVID-19 is not an excuse. It's the perfect opportunity for those who want to do something, those who want to be proactive.

We have been proactive at the level of the Ministry. We have introduced various schemes, various plans, COVID-19 Action Plan, Post-COVID-19 Support Scheme, helping thousands of

artists, dishing out hundreds and hundreds of thousands of rupees, millions of rupees, just with one objective to be able to support the sector but also allowing them to go digital for instance. Rethinking the way they work, rethinking the way they exhibit their talent *et l'honorable leader de l'opposition*, for him we should not be introducing the Bill. For him we should not be recognising the status, we should rather actually go grassroots and find talent in every Mauritian. Fair enough! Okay. I will go by what he says but before he comes to the House and gives long lectures on what we should be doing for our artists, I would like to tell him that we have already done that. During COVID-19, we have already done that with *Moris Nu Kiltir Nu Talan*. We introduced actually a scheme where we were inviting new talents to come forward being paid out a support and at the same time discovering what we have at grass root level, Artist Incubator Scheme, announced last year, introduced this year with new 11 budding artists who want to emerge in the sector. Before he says it, we have done it already...

An hon. Member: *Ton gore au fait!*

Mr Teeluck: *Mem pa p gore!* Actually he is very unaware. Hon. Toussaint said it. We do not occasionally or for the purpose of a Bill, meet artists. This is our day to day business, meeting artists, talking to them, collecting information from them, seeking their support, trying to improve our service, trying to improve our deliverables, trying to improve what we offer them. We do it on a daily basis and this allows us to go grass root as he suggested, *une suggestion périmée allons dire*.

Hon. Toussaint also raised that point – the hon. Leader of the Opposition was talking about national dance troupe. He wanted to be accompanied by national dance troupe abroad, everywhere, unaware that we have already appointed a board and set up the National Troupe of Mauritius. We already have this National Troupe of Mauritius. They are sitting for their first board meeting in the coming days and they will start working on what we call a national troupe that will go around the world and reproduce what we have culturally in our country but also ensure that we have a national troupe performing for tourists for example, coming to Mauritius. So, again, this is something unaware to him which has already been done. So, that's already half of his speech which is entirely irrelevant in terms of what we have been debating.

And again hon. Toussaint, I think hon. Toussaint went through my speech before coming here...

Mr Toussaint: *Mone goror!*

Mr Teeluck: Hon. Toussaint said it very rightly. The hon. Leader of the Opposition was Minister of Tourism, he was Vice-Prime Minister, he was Deputy Prime Minister, Finance Minister, Acting Prime Minister and not just for a year or two but for two consecutive mandates. He had the opportunity to do so many things especially when he referred to the Tourism Sector. He even said that artists are not treated properly, *pa gagne manze*, they don't have the right, they don't get the benefits. There are people exploiting them but actually nothing was done at that time. It was very simple, Mr Speaker, Sir. As Minister of Tourism, he could have sorted the issue. That fell under his ambit; that fell under the purview of his Ministry to call *les hôteliers* and find a solution to that. Actually the other half of his speech on this matter is an *aveu d'échec*, *un aveu* that he did not do anything for a very important segment of the population who are artists when he had the capacity, the ability, the potential. He had all the means and arms to do something for them, he did absolutely nothing. He is talking about us taking time to bring this Bill. *Le Rapport de la Commission Justice et vérité*, recommended, Mr Speaker, Sir, that we set up a *Musée intercontinental d'esclavage*. Nothing was done. Talking about taking time to bring this Bill! *Musée intercontinental de l'esclavage* – committees were set up, discussions were held, they were even thinking of de-locating the *Musée* which was initially proposed by *La Commission* to another location but it needed leadership. *C'est bien de faire des discours*. Eloquently coming here, raising issues but it needs leadership to implement recommendations and the Prime Minister has done that.

Dans pas longtemps, M. le président, dans pas longtemps, nous allons vers l'ouverture officielle du Musée, permettant aux mauriciens de venir revivre l'histoire noire de notre pays à Port Louis, à Ex-hôpital Militaire. Same for *Bassin des esclaves*, part of the recommendation, *narien pane fer*.

Very recently, the Cabinet approved the listing of *le Bassin des Esclaves*, uplifting the memory of our ancestors. Not only that we went further; *on a également listé le Marché des Esclaves* which is situated next to *le Bassin des Esclaves*. We didn't take time. We do things one at a time but we do it properly and this is very important.

Mr Speaker, Sir, I'm not going to repeat what others have already said but there is this comment about *mainmise sur la nomination*, the usual rhetoric. All Bills come into this House

and all new Councils, new Commissions or both being set up under these proposed laws, we hear the same thing especially from Members of MMM – *ti kopin ti kopinn*, appointment, *mainmise*, but again you said it rightly; the law is very clear.

Firstly, there is this equal allocation of representation; artist and ex-officio members. Ministries representatives, it is very important, *fonctionnaire*; I think they are allergic avec les *fonctionnaires*.

Mr Toussaint: Yes.

Mr Teeluck: Last time, *la virulence avec laquelle* they attacked the officers of the Ministry of Health while we were debating the Central Medical Procurement Authority Bill, *la virulence, cette haine contre les fonctionnaires. Les fonctionnaires*, they are the soul of administration. Without them, we won't be able to run this country. We need them on our boards, we need them for proper administration, but, of course, when we are talking about a Council dealing with the artistic sector, there is this representation from the artistic sector, from the creative sector and this is very clear in the law. Each and every discipline, each and every sector is duly represented. There is no *mainmise*. Even if I want to appoint hon. Bobby Hurreeram, I will never be able to. I will never be able to because I need someone with vast experience in that particular discipline which is very clear in the law. *Il n'y a pas de mainmise; il n'y a pas de ti kopin, il n'y a pas de ti kopinn* and this actually is not the practice of the Government. This might have been the practice way before. Way before, it might have been the practice.

Mr Toussaint: *A la la. Avek kotomili tousala.*

Dr. Boolell: *Pa ouver ban laport twa.*

Mr Toussaint: *Non, non, non, kotomili pan dir.*

An hon. Member: *Lir trankil la.*

Mr Teeluck: And besides the board, we have six sectoral expert committees and these six experts sectoral committees will be exclusively run by artists. There won't actually be any administrative personnel of any Ministry sitting on those Sectoral Expert Committees *et je viendrai avec un amendement* at Committee Stage *pour donner d'avantage de pouvoir* actually to those six experts Sectoral Committees *et permettre à ces* Sectoral Expert Committees to

advise the Board on matters relating to the respective sector which is very important. So, there is no *mainmise* or manipulation, whatever they want to call it. We are here, Mr Speaker, Sir, to put in place a new framework that will help with the registration, identification, enhancement of social economic status of artist. That is the sole objective of this Bill.

Also, several concerns have been expressed on the State Recognition Allowance Scheme and the Pension Scheme. The Bill provides that an artist will be recognised as a professional in the arts once registered by the council. It is expected that out of the 6,000 *artistes* presently registered with MASA and some hon. Members on the Opposition did highlight that we are, *nous avançons les chiffres de 6,000 et le ministre des Finances a avancé le chiffre de 2,000.*

Actually, there is no confusion; I think we need to hear exactly what the nature of the debate in this House is. *6,000 artistes sont enregistrés au niveau de la MASA* but not all the 6,000 artists will benefit from pension from Day one. Nous sommes éligibles à une pension à la retraite.

So, it is not like introducing a Pension Scheme *aujourd'hui*, outright I will run with my registration card, okay pay me for my pension. Pension is paid at retirement. So, out of *les 6,000*, we have to check who are those who are now eligible? Who are those who will reach pension age? Thereon we will calculate what needs to be paid and how it needs to be paid.

Of course, the Council will have the responsibility of putting in place that Pension Scheme. *C'est prématuré aujourd'hui de venir nous demander* – how will the pension work? How it will not work. *Le Council va faire ...*

An hon. Member: *Ki kalkil zot p fer?*

Mr Teeluck: *Zot p fer kalkil tou, exactment.*

And actually, Mr Speaker, Sir, rushing into introducing things; this is costing our artists a lot *aujourd'hui*. At the time of introducing the Bill or voting the Bill or having the council set up, expecting that pension will be paid in the very next day, this is very *dangereux* and I will tell you why, Mr Speaker, Sir.

MASA Artists Solidarity Scheme, a solidarity scheme which exists at the level of MASA. *En 2010*, the then Government decides, I hope it is in the interest of artists but it does not look like. For MASA, they introduced the MASA Artists Solidarity Scheme and a pension of a

minimum of Rs1,000 and a maximum of Rs2,500 will be paid depending upon certain conditions *et ils ont travaillé les critères. Cependant*, Mr Speaker, Sir, where will the money come from? How will the funds be regenerated? Will be *alimenter*? Who will be paid out? How long will this fund survive? I will tell you why I say survive. How long will this fund survive? No actuarial exercises were conducted. Nothing.

Au pied levé, we announced *la mise en place d'un* MASA Artists Solidarity Scheme and we start paying out. *Aujourd'hui, valeur du jour*, this fund has been depleted completely because we have never worked on the survival of the scheme on the long run. No exercise was conducted to see what will happen in 10 years, what will happen in 20 years, what will happen in 30 years. As and when new registrations are coming, how will we cater for them? Nothing was done. They rushed in, set up the scheme, *aujourd'hui* this fund has been depleted completely. We are having to work out something for the artists. Et les artistes ne sont pas responsables de cela.

The artists are not responsible for the state of affairs of MASA. They are those who rush into putting in schemes just to please certain people or just for certain intent which are beyond genuine intent to work for the artists *et là, on se retrouve avec un* Artist Solidarity Scheme that is not working. So, hon. Members let us not rush with the Pension Scheme. It will come. We will sit, we will work on the modalities, we will see the best way to ensure *la subsistence de ce fond*. Thereon we will allocate *la pension* to those who are eligible.

C'est important de comprendre cela, M. le président, and same applies to the State Recognition Allowance. It is to provide a one-off cash grant to the professional in the arts, those registered with the Council of course *et il y a une difference avec ce qu'on pratique aujourd'hui dans le secteur du sport*. Sportspersons/sportsmen usually participate in competitions, they win their competition, they come back and there is this State Recognition Allowance. It is very different for us. Usually, we do not have any competition *au niveau international pour les artistes*.

Having said so, Mr Speaker, Sir, again, the Council will need to sit with stakeholders, with people who are concerned and see what is the best framework to put in place to ensure that there is this State Recognition Allowance Scheme being paid out to certain artists who shall be eligible based on certain conditions. So, no rush. Again, what is more important is that we have a legislation today being introduced in the House, we will have a legislation that will be applicable

to artists and that legislation is already providing for a State Recognition Allowance Scheme whether we want it or not, this will come into play at some point in time. But let the Council do their part of the job. We do ours, they will, of course, work with stakeholders which is very important and see all recommendations and come up with a suitable plan as State Recognition Allowance.

We also heard about duplication. Hon. Mrs Navarre-Marie mentioned about the fear that we have two instances, two organisations dealing with artists. It is important, very important that we understand *c'est quoi la MASA? La MASA*, I will read it, deals with collection and distribution of royalties. When an artist has a work, for instance, a song that is played in hotels, on radio, on TV, there is a remuneration that goes back to the artist. How do we collect and how do we distribute those rights, those royalties, that revenue collected? It is through MASA. MASA has a very defined responsibility, nothing to do with what we are creating *aujourd'hui*. The Status of the Artist Bill, the Council being set up under the Bill will have a very different mandate. *Il suffit de* go through in the Explanatory Memorandum, *il suffit* to run through the Act to understand that this is *une bête très différente de la MASA*. La MASA deals with copyright, deals with collection and distribution of royalties and ensures protection of copyright also. But this one deals with status and how do give recognition to our artists. *C'est cela la grande différence. Il n'y a pas de duplication. Loin de là!* It is actually introducing a framework in a vacuum that was inexistent till now.

Mr Speaker, Sir, *en parlant de la MASA*, I will remind the House that we know that MASA is facing a lot of difficulties in terms of administration, in terms of collection and distribution. Something which has been long overdue is the restructuring at the level of the MASA. This is a call of the artist; they want to see changes in the way MASA operates. We have recently launched an Expression of Interest, a tender exercise rather, to get a Consultant to come and advise us on how to restructure MASA. Unfortunately, I will need to say that the exercise was unresponsive. We are having to launch it again, but we will definitely need to revisit and review the function of the MASA, because that is also a very important limb when it comes to the creative sector.

Hon. Dr. Boolell cited during his speech *l'Union des Artistes*. I think you met them and they did express their concerns by way of a letter. So, if they did express their concerns on the

introduction of this Bill and that it is not aligned with the recommendation or the report of UNESCO. We need to understand something, Mr Speaker, Sir, we cannot just pick up the content of the report and reproduce it in the Bill. We need to ensure that the recommendations tally with our existing legislation. The Status of the Artist Bill talks about atypical worker, when we talk about atypical worker, *on ne va pas réinventer la roue*. What we will do, we already have in our existing legislation, the Workers' Rights Act, provisions for atypical workers regime.

Alors, ce qu'on fait, c'est d'accorder les recommandations des consultants de l'UNESCO with the existing legislation. As simple as that! We will not create a regime within a regime. We cannot have atypical worker under Workers Rights Act that caters for all atypical workers in Mauritius subject to the definition set out in the law and have an atypical worker, especially for the creative sector. *On ne peut pas faire cela.*

That is the reason that there are certain recommendations in the report that had to be readapted, which is logical and which makes sense legally. Also, in practice, when it comes to implementation, it is rather normal that we will have certain adaptations, certain re-editing in terms of what we are reproducing in our Bill. *Toujours sur les commentaires de l'honorable Dr. Boolell*, the comments made by the Federation of International Musicians, I wish to reiterate that each and every member of the Council, members of the Sectoral Expert Committee, co-opted member and staff will have specific and crucial roles to play in delivering a seamless service.

What do we wish? We do not want to put in place a Professional in the Arts Council? Is this what we want? Because *quand on lit* what the Federation of International Musicians is proposing, it is actually not coming forward with the Bill, if we go by what they saying. But do we not want that? Do we not want to cater for the welfare of artists? There is a starting point! We have to take the first step. We cannot at one go have every consideration being put in the law, *et d'un seul coup régler tous les problèmes*. We are creating something new, we are introducing something new. So, one step at a time. This is the first step. Of course, all other considerations, all other progress, all other amendments, modifications will come at a later stage if needs be, Mr Speaker, Sir.

On l'a dit, we have had a lot of consultations. So, we will not come back on that as well, but there is a last point maybe, Mr Speaker, Sir, that I would like to raise before I conclude is that some Members have also raised the concern that there were representations by artists. *Ils ont*

fait des représentations that we have not taken into account. Mr Speaker, Sir, the consultations have been ongoing since 2017, 2018, 2019, 2020. Very recently, I had a workshop with artists in 2022. *Il y a des unions des artistes aujourd'hui* that have been recently set up. Consultations date back to 2017. So, if there is a new *l'union* that has been created now, of course, it is difficult for us to find their recommendations in the report of the UNESCO. It is impossible to find their suggestions and their proposals in the report.

Alors ce qu'on va faire, maybe at a later stage – let us not forget that regulations *découlent des actes*. If we need to introduce things, if we need to improve certain measures, we will of course consider. My door is always opened for artists. I met someone yesterday morning – of course, I will not give the name. I am meeting another group on Monday. This is, as I said, usual business and *nous sommes toujours à l'écoute*. *Ceux qui viennent nous dire que nous n'avons pas pris en considération leurs recommandations*, not, correct at all. They have to revise their copy because they were recently incorporated, which is very, very natural that their recommendations will not be found in the UNESCO report.

Mr Speaker, Sir, as mentioned during my Second Reading, when it comes to Rodrigues, we will see of course the number of applications being received. If it is *conséquent*, we will of course see if an administrative branch of the Council be set up in Rodrigues. So, that would be to bring comfort to the comment expressed by hon. François because we actually have a lot of very good artists coming from Rodrigues.

Après la promulgation de cette loi, M. le président, les artistes ne devront pas ou plus tirer le diable par *lake*. J'ai à cœur leurs intérêts et mon ministère est en train de faire de son mieux pour venir en aide aux artistes et trouver les moyens pour leur permettre de s'épanouir et de vivre de leur talent, *including occasional artists and that will reply to hon. David's concern when it comes to Police Band or other people who are already in employment somewhere. There is already provision in the law that caters for them. There is this category of occasional artists et cette catégorie va repêcher those who are already in employment because there is a distinction. When we talk about professional in the arts or professional artists for instance, there is this last condition, 'whose profession as a professional artist is his primary occupation'*. Alors si quelqu'un pratique l'art d'une manière professionnelle *but is not someone who relies on his art and is not his primary occupation or source of income*, il va basculer sous *occasional*

professional in the arts; ce qui va repêcher comme je dis, *all those who already have a primary occupation* autre que l'art.

Les portes, M. le président, de l'avenir sont ouvertes à ceux qui savent les pousser. Et je suis confiant que ce projet de loi apportera un nouveau souffle à tous ceux qui sont concernés.

This Government under the leadership of the hon. Prime Minister, *l'honorable* Pravind Kumar Jugnauth, who has demonstrated over the years, whether he was Minister of Finance, with the introduction, as I spelt out earlier, the National Arts Fund *mais également* through his Minister of Finance, he has always showed dedication and commitment to help artists. *Et l'exemple la plus vivide* that I recall is *pendant* the COVID-19, and I will end with this Mr Speaker, Sir.

Pendant Covid, when we were introducing the Self-Employed Assistance Scheme *pour les* self-employed, let me remind the House that prior to Status of Artist legislation, *un artiste*, even he is self-employed, he would never benefit from a trade licence – never. *Cette loi change les donnees*. This law is bringing consequential amendment in the Local Government Act allowing the creation of a new category for classified trade, that is, professional in the arts. *Cet artiste enregistré comme* self-employed will be able to not only have a Professional in the Arts Council card but also be holder of a business registration card that would allow him to run to bank and to apply for a loan as a self-employed.

Mais pour revenir à ce que je disais, during COVID-19, when the Self-Employed Assistance Scheme was being devised, when the list of beneficiaries was being set out even though no definition of artist existed, even though artists were not classified as self-employed, even though we could not clearly legally identify artists, the Prime Minister insisted that out of the list of beneficiaries, it be expressly stated that artists will benefit from the Self-Employed Assistance Scheme as any other self-employed. This is the commitment. These are tangible examples. We do not need lengthy speeches to show that. We show it by actions. And you can run or hold calendar of actions that have been taken over the years under the Prime Ministership of Pravind Kumar Jugnauth to help artists, to help the creative sector, to help the cultural sector.

I thank the officers of my Ministry who have worked on this Bill. I thank the officers of the Attorney General's Office who have also collaborated very closely into drafting this marvellous and historic piece of legislation. I thank all my hon. colleagues who have contributed

in the debates and helped disseminate the uniqueness and importance of this Bill to the creative sector and I thank you Mr Speaker, Sir, for your attention.

Thank you.

Mr Speaker: Do you commend the Bill?

Mr Teeluck: Of course, Mr Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

Mr Speaker: Hon. Members, I suspend the Sitting for 30 minutes.

At 4.55 p.m., the Sitting was suspended.

On resuming at 5.36 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE STATUS OF THE ARTIST BILL

(NO. VII OF 2023)

Clauses 1 to 5 ordered to stand part the Bill.

Clause 6 (The Board)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Teeluck: Mr Chairperson, I move for the following amendment in clause 6 –

“in clause 6, in subclause (2), by deleting the words “subsection (1)(b) to (e)” and replacing them by the words “subsection (1)(b) to (g)”;

Amendment agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clauses 7 to 8 ordered to stand part the Bill.

Clause 9 (Sectoral Expert Committees)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Teeluck: Mr Chairperson, I move for the following amendment in clause 9 –

“in clause 9, in subclause (1), by inserting, after the words “professionals in the Arts”, the words “and advising the Minister on matters pertaining to every sector referred to in this section”.”

Amendment agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

Clauses 10 to 29 ordered to stand part of the Bill.

The title and the enacting clause were agreed to.

The Bill, as amended, was agreed to.

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

Third Reading

On motion made and seconded, the Status of the Artist Bill (No. VII of 2023) was read a third time and passed.

Second Reading

THE ROAD TRAFFIC (AMENDMENT) BILL

(NO. X OF 2023)

Order for Second Reading read.

Mr Speaker: Hon. Ganoo!

(5.39 p.m.)

The Minister of Land Transport and Light Rail, the Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Mr Speaker, Sir, I move that the Road Traffic (Amendment) Bill (No. X of 2023) be read a second time.

Mr Speaker, Sir, the Road Traffic Act is an intricate legislation encapsulating various complex transport-related matters including but not limited to motor vehicle licensing and

registration as well as insurance. It further provides for the setting up of various entities such as the Motor Vehicle Insurance Arbitration Committee and the National Road Safety Council. More importantly, the Act caters for the powers and functions of the land transport regulator, that is, the National Land Transport Authority. This legislation, which pre-dates independent Mauritius, was first enacted in 1962 and has been amended, subsequently on several occasions.

The transport sector and its corresponding network, whilst answering to the mobility needs of our citizens and ensuring connectivity island wide, even in the most remote areas, is a linchpin for inclusive and sustainable socio-economic growth.

We also need, Mr Speaker, Sir, to appreciate that the transport sector, on average, makes up to 4.3% of our Gross Domestic Product indicating that it contributes significantly to the economy notwithstanding that it generates employment, including indirect ones.

Likewise, one cannot overstate the importance of our public transport system in attending to the mobility needs of our citizens and this is why we must continuously strive towards improving transport services so that the transport sector acts a linchpin for socio-economic growth.

With well above 650,000 vehicles registered in Mauritius, reckoning around half a million of daily commuters a day and with a workforce in excess of ten thousand, we can have an inkling as to the magnitude of the transport sector in Mauritius which is an industry in itself while also directly contributing in various sectors of the economy through the movement of goods and supplies.

Mr Speaker, Sir, before I delve further, let me elaborate on the triumvirate of the public transport eco-system.

First, we have the passengers who are the prime reason as to why we are continuing to invest massively in further modernising the transport landscape.

Secondly, there are the transport operators such as the bus and the light rail operators, contract car and bus operators as well as taxis who benefit from a wide array of support from Government in order to enhance the sustainability of the industry while making the costs of travel more affordable to commuters.

Finally, but surely not the least, we have the transport employees. And here, I need to pay tribute to those thousands of transport employees who toil endlessly as from the break of dawn in order to allow us to safely reach our destination. We owe it to them, Mr Speaker, Sir, as very often we tend to take things for granted as we fail to acknowledge the amount of efforts put in by the transport employees to service the community.

Mr Speaker, Sir, having said so, we have to appreciate that no system operates on its own and for a particular industry to thrive, it has to be properly regulated.

This is why there is, if I may say, a compulsion to revisit some of the provisions in our legal framework, and this is particularly pertinent to the land transport sector which is a dynamic one and with the advent of the landmark achievement that the Metro Express is, we should imperatively review our laws from time to time in order to make it more responsive and to adapt to the new imperatives of mobility.

M. le président, on ne peut donc rester figé dans le temps et se permettre le luxe d'être en mode autopilote. Le secteur du transport mérite certainement une attention soutenue afin de pouvoir proposer des ajustements pour mieux encadrer ce secteur si vital.

C'est la raison principale pour laquelle nous présentons ce texte de loi avec comme objectif principale de renforcer le cadre légal et permettre à l'autorité régulatrice de mieux encadrer le secteur.

Mr Speaker, Sir, with the advent of the Metro Express, our country has made several leaps into modernising the transport landscape. It has to be admitted, never before has our country been witness to remarkable development and ground-breaking achievements.

Likewise, with the construction of thousands of new housing units in the numerous locations of the country being spearheaded by the Minister of Housing, the DPM, the need for a well-articulated transport system cannot be underemphasised as transport can no more be assimilated merely with the movement of people, rather it should be construed as a means to connect one hassle-free and seamlessly from one point to the other.

Mr Speaker, Sir, similarly, we are pushing for the decarbonisation of the land transport system and this, there is need to admit, cannot be achieved solely by replacing fuel-propelled vehicles with electric-run ones.

In fact, if we are to achieve a massive reduction in our carbon footprint, it is imperative that we increase the uptake of mass transportation and induce the attractiveness of the public transport system.

However, for this to come into effect, we have to give confidence to the public to the effect that our transport system is reliable and responsive to their needs. This, however, cannot be done without adjusting our legal framework.

Mr Speaker, Sir, this is where this Bill, therefore, comes into play as the various clauses therein aim at allowing prompt intervention to improve public transport services.

The Road Traffic Act 1962 is the overarching piece of legislation regulating the road transport sector in our country.

The Act encompasses several intertwining facets governing land transport such as the registration and the licensing of motor vehicles. It also extends to road safety in addition to conferring various functions and responsibilities to the National Land Transport Authority which is the Regulatory Body for both road and light rail transport in Mauritius.

Here it is apt to note that we have gone far quite over the past decades into revamping our legal framework inasmuch that the Road Traffic Act has, on various occasions, been amended for it to adapt to the evolving nature of transportation.

Mr Speaker Sir, my Ministry has, quite often, received many representations from the travelling public, and from even Members of both sides of this House as well with regard to poor and irregular level of service provided by some bus operators.

In addition to the sub-standard of service provided, the attention of my Ministry has been drawn to the fact that some operators do not employ their entire operating fleet, thereby impacting negatively on the commuters.

Similarly, complaints are bound as regards the type of buses which are released to provide service and which are far from providing the level of comfort that one would expect.

Mr Speaker, Sir, against this backdrop where complaints are being levelled against some transport operators, we could not afford to remain aloof and let the situation at a standstill.

We had to intervene so that the best interests of the commuters prevail. This is why, Mr Speaker, Sir, we proceeded with the setting up, for example of a Disciplinary Committee, presided by a law practitioner, at the NLTA, so that transport operators toe the line and refrain from providing mediocre services.

But, Mr Speaker, Sir, a sanction is not an end in itself. We need to see beyond inflicting a warning or revoking a licence, as on the one hand it will rid our transport sector of bad practices, but on the other hand, we also need a mechanism which would allow the Regulator to readily redeploy, reshuffle the transport services across the country. In fact, what we need to focus on is how can we attend and respond urgently to the transport issues being encountered by our citizens.

Therefore, we need to acknowledge that some of the existing provisions of the Road Traffic Act restrict the ambit of the Regulator to promptly attend to the inadequacies in the transport sector in order to palliate to those issues.

Mr Speaker, Sir, this is why we have introduced this Bill today with the aim to improving the licensing mechanism in respect of Public Service Vehicles. The various clauses of the Bill, therefore, have as objective to simplify the licensing process and make it less cumbersome. This would, undoubtedly, allow for the rapid implementation of remedial measures.

Mr Speaker, Sir, likewise, there is need to adapt the Road Traffic Act to the new calls of the transport system so that the officers of the NLTA are vested with adequate powers under the law to effectively carry out their functions as propositioned in the Clauses of this Bill. This is the purpose of those amendments, Mr Speaker, Sir, as there is a dire need to consolidate the regulatory functions carried out by the NLTA so that the latter can better fulfil its mandate.

Mr Speaker, Sir, having given a broad overview of the proposed amendments as couched in the various Clauses of the Bill, let me now delve more in detail on some specific provisions.

Mr Speaker, Sir, the House will surely recall that Rodrigues Island was struck by the COVID-19 pandemic at the beginning of 2022. This made it difficult for vehicle owners in Rodrigues to renew their Motor Vehicle Licences amidst the then pandemic, and as a result, the delay for renewal and payment of licences had to be extended so that the vehicle owners could

pay for the renewal of their Motor Vehicle Licences without incurring the 50% surcharge that usually accrue in case of late payment.

The House would surely concur with me that it would be overly unfair for our brothers and sisters in Rodrigues to be subject of a surcharge for an event that was beyond their control inasmuch that, due to the sanitary crisis, it was decided to restrict movement of people during the then pandemic and many activities came to an halt, including the opening of the cash office of the NLTA in Rodrigues.

For this reason, amendments are being proposed today to give effect to the exemption in surcharge on the same footing as was applicable in Mauritius in 2020 and 2021 where owners of motor vehicles in Mauritius were also not required to pay the 50% surcharge.

Mr Speaker, Sir, the Bill furthermore aims at allowing the NLTA to license a new type of service. In fact, with the new requirements and exigencies of the transport sector, we need to go off the beaten tracks and see to it that we implement new categories of service.

Accordingly, the NLTA would, by virtue of the provisions enunciated in this Bill, introduce a shuttle bus licence with the objective of attending to the first and last mile connectivity while at the same time enhancing the provision of transport services in remote areas and here, I must emphasise that this issue was canvassed by some Members of the House as conventional buses cannot safely ply in some regions due to the narrowness of the roads thereat or due to minimal ridership making the operation of the 12-metre buses uneconomical thereat. Therefore, Clauses 5, 7 and 11 of the draft Bill intends to define and make provision for a shuttle bus.

In fact, my Ministry was in the process of finalising relevant Regulations to provide for this new service, but was, thereafter, advised to provide for a definition of the term 'shuttle bus' first under the Road Traffic Act so that we may proceed with the promulgation of the Regulations.

Mr Speaker, Sir, similar to the Metro Express heralding a new era in the field of transportation, we need to cater for new mobility trends. Public Transport cannot be fully endorsed if we fail to address the issue of first and last mile connectivity. We often overlook that bus or light rail services are not end to end services that connect people directly from their

residence to their destination or vice versa. Very often, they need an additional mode of transport to either seamlessly reach home or avoid the hassle of walking long distances in order to connect to the nearest bus stop or light rail station.

Mr Speaker, Sir, we should not lose sight that if we fail to embrace novelty, then we run the risk of lagging behind and create a void that unlicensed operators would most likely and happily fill-in. That is the reason why we need to regulate and provide a fitting framework wherein there are appropriate parameters under which the first and the last mile connectivity is bridged under specified conditions.

Accordingly, upon the commencement of the Act, needful will be done to promulgate the relevant Regulations to operationalise this new type of service so as to improve transport services and for better connectivity.

Mr Speaker, Sir, Clause 6 of the draft Bill would amend the definition of a ‘classic or vintage motor car’ so as to reinstate the previous definition, which was in force prior to 2017, due to the reason that presently, any vehicle attaining the age of 40 years is *de facto* classified as a ‘classic or vintage motor car’.

It is, therefore, proposed that the definition thereof be amended so that only a vehicle originally registered in or outside Mauritius, prior to 01 January 1970, be considered as a ‘classic or vintage motor car’.

Notwithstanding the above, a transitional provision had to be inserted in the draft Bill for vehicles which, at the time of the commencement of the Act, are aged 40 years or more to be still deemed as a ‘classic or vintage motor car’ and in order not to penalise owners whose car are already classified as a vintage or classic car. Being given that the Registration Duty Act also makes provision for ‘classic or vintage motor car’, it is being recommended that a consequential amendment be brought to the above Act so that the definitions, under both laws, are aligned.

Mr Speaker, Sir, legitimate transport operators have often raised major concerns as to the impact of illegal operations on their ridership leading to a significant decline in their fare revenue. According to the bus operators, illegal transport may lead up to 15% of loss of fare revenue. They have, therefore, made pressing pleas for more forceful actions to curb illegal operations, including strengthening of the law.

In fact, my Ministry had various and intensive consultations with relevant stakeholders, including the Police, and it transpired from the discussions, Mr Speaker, Sir, that the scourge of illegal transport is much more complex than it appears as it is very much difficult not to say nearly impossible, in the absence of evidence that a passenger indeed paid fares to the illegal operator, to establish that one was illegally conveying passengers for reward.

Further to legal advice tendered on the matter and after exploring practices in other jurisdictions, we are proposing, through Clause 8 of the Bill, to allow for the making of relevant Regulations in order to allow the NLTA to affix seals or place immobilisation devices and to also initiate disciplinary proceedings against the owner or person in charge of a vehicle which is being used or operated in contravention to the provisions relating to Public Service Vehicles.

Mr Speaker, Sir, currently, a person who hires a vehicle, as a whole, or at separate fares without ascertaining that the vehicle is duly licensed for the purpose of such travel is liable to a fine of Rs2,000 under Item 119 of the Fourth Schedule to the Road Traffic Act. My Ministry has been informed that very often passengers never admit having paid fares to the unlicensed transport operator being given that their admission would make them liable to pay the fine of Rs2,000.

Accordingly, Item 119 under the Fourth Schedule to the Act would be deleted so that passengers travelling in such transport are not penalised and instead their admission could now allow the Police to establish the offence against the illegal transport operators.

Mr Speaker, Sir, as I stated earlier, the amendments further aim at improving the licensing process as it is intended to decrease the lead time for the determination of an application for a Public Service Vehicle Licence. To that effect, the objective of Clauses 9,11,13,15 and 16 of the Bill would be to do away from the requirement of the NLTA to publish applications received in respect of Public Service Vehicle Licences.

Here, I need to point out that in many cases, applications for the provision of transport services are often significantly delayed as any person can raise objections following the publication of the list of applicants. These objections, the nature of which can be frivolous or vexatious, have to be mandatorily examined by the NLTA in addition to convening sittings for the hearing of these objections. In addition, Mr Speaker, Sir, in case the objections are overruled,

there is the possibility for the objectors to lodge an appeal against the decision before the Appeal Committee, and this further delays the process.

Mr Speaker, Sir, these objections are very likely to result in a major increase in the processing of an application and impedes seriously on the whole licensing regime as it estops the ambit of the Regulator to grant or vary licences especially where there is an urgent need to improve transport services in a particular region.

Mr Speaker, Sir, even if we are to proceed with the amendments, any person who has an interest and who is aggrieved by any such decision could still resort for a challenge against a decision of the NLTA before the Supreme Court. Here, Mr Speaker, Sir, I need to emphasise that the repealing of sections relating to the publication of applications and objections would allow the NLTA to streamline the processing of applications so as to provide a better service while also expediting the licensing of additional transport services in localities where there is a dire need.

Mr Speaker, Sir, I have in mind some cases where the situation has caused serious delay in the provision of bus services along certain routes. Mr Speaker, Sir, the House will I am sure, show serious concern with regard to the excessive delay amounting in some cases, Mr Speaker, Sir, to 4, 6, and even 7 years and these different matters are still awaiting a determination. In fact, there is a need to point out that objections very often significantly protract the timely handling of applications. Accordingly, in order to make sure that applications are duly assessed and the merits thereof are diligently gauged, the NLTA Inspectorate would carry out extensive surveys and inquiries as to better examine the merits of those applications.

Mr Speaker, Sir, a new set-up for the determinations of applications would also be catered for in the proposed amendments where we are taking the opportunity to amend the National Land Transport Authority Act 2019 through a consequential amendment under the Road Traffic (Amendment) Bill 2023. As the proposed amendments are inextricably linked to the various sections governing the licensing of Public Service Vehicles under the Road Traffic Act, it was, therefore, opportune to proceed with the setting up of a new mechanism, more fluid and with the capacity to hear and determine more applications. Accordingly, the Licensing Committee established under section 13 of the NLTA Act 2019 is being replaced by a Licensing Board which would service while also expediting the licensing of additional transport services in localities where there is a dire need.

In fact, Mr Speaker, Sir, there is need to point that objections very often as I said, significantly protract the timely handling of applications. Therefore a new setup for the determination of applications would also be catered for in the proposed amendments where we are taking the opportunity as I just said to amend the NLTA Act through this consequential amendment under the Road Traffic (Amendment) Bill 2023.

Mr Speaker, Sir, one of the main highlights of the proposed amendments would be that, contrarily to the existing Licensing Committee, the Licensing Board would be able to sit in one or more divisions to be presided either by a Chairperson or a Vice-Chairperson. This would surely allow the NLTA to proceed with the determination of a higher number of applications concurrently implying a net reduction in the lead time for the adjudication of an application. In the medium term, it is expected that this new set-up would allow the NLTA to mop-up any pending applications. On the whole, this would make the determination process swifter.

Mr Speaker, Sir, the Road Traffic (Amendment) Bill 2023 proposes to facilitate the processing of applications for Public Service Vehicle Licences with the main aim at enhancing transport services as oftentimes, the licensing of a new route or extension of an existing route is significantly deferred due to the existing provisions hampering the licensing process.

The operation of the Light Rail Transit System, Mr Speaker, Sir, has radically transformed the transport landscape and fashioned a new dynamic. It now calls for a redistribution of bus services on a need basis. In fact, we need to mop up any excess capacity where applicable and redirect transport services accordingly. Moreover, as we move towards intelligent urban planning, we cannot overlook the intricate nexus between land-use and transportation.

Mr Speaker, Sir, shifts in demography over the past decade resulted in some localities not to be adequately served by public transport. In addition, especially in remote areas, some operators fail to provide an appropriate level of service to the residents and this has negative bearings on their timely attendance to their place of work or in students reaching schools on time.

Here again, Mr Speaker, Sir, I have received several representations from both sides of the House in connection with irregular and erratic services on some routes and calling for remedial actions to improve the mobility of the inhabitants of the underserved regions.

Leurs appels et ceux des habitants, M. le président, ont été bien entendus et c'est pour cette raison pour laquelle nous nous sommes attelés à apporter les amendements nécessaires pour que ces régions puissent être desservis correctement. In this respect, Mr Speaker, Sir, Clause 10 of the Bill has, as objective, to allow the NLTA, upon the directives of the Minister, to grant a road service licence to an existing licensee so as to allow the latter to redeploy his bus from an existing route to any route or area, which is not adequately served.

However, here it is important to point out that for such a directive to be issued, there are a number of pre-conditions that must be met, namely that it should be in the public interest and that the route from which the licensee is to be redirected is not adversely impacted.

Furthermore, the licence would be granted for such duration as may be deemed appropriate and on the condition that the NLTA is satisfied that the licensee which is to operate on that route has been providing a satisfactory service. This demonstrates, Mr Speaker, Sir, that licences are not going to be issued '*au petit bonheur*'. Rather, the aim is to redirect and rationalise bus services the more so that bus operators need to achieve a higher operational efficiency.

Similar, it is of essence for ensuring proper public transport service delivery, that relevant sections of the Road Traffic Act be amended so as to allow an operator to be issued with a licence in order to authorise him to ply on a route which is poorly served or where there are several complaints and grievances from the passengers in respect of sub-par bus services.

However, here again, Mr Speaker, Sir, the issue of such a licence by NLTA, would be strictly on the provisos that same is in the interests of commuters along that route and that NLTA is satisfied that existing bus operators have been providing poor service along thereat.

Mr Speaker, Sir, I need to add for the benefit of the House, that the Minister is already empowered, under our present Law, under the existing provisions of the Road Traffic Act to direct the NLTA to issue licences to the National Transport Corporation or to vary existing licences with regard to existing operators including private bus companies under Section 77C of the Road Traffic Act.

These provisions have been in place well before I took office and it would not be preposterous for me to say that previous Ministers had been triggering this section or else if they believed that such provisions were inappropriate, they should have done away with same during

their tenure by proceeding with relevant amendments to have these sections I just mentioned repealed.

Accordingly, Mr Speaker, Sir, what is being proposed today is simply to, in the face of new developments and changes in the transport landscape, set out the circumstances wherein the Regulator, on being requested by the Minister on the ground of enhancing appropriate service at a particular region, may issue a licence for effectively improving services thereat.

Mr Speaker, Sir, the proposed clause seeks to empower the Minister to ensure that the mobility needs of our citizens are adequately met and to avoid the lengthy and the cumbersome process for palliating below average bus services. There is no other aim than to improve bus services, especially in remote areas where there is a pressing need to provide satisfactory bus services. The Road Traffic Act as it is, already, as I just mentioned, confers specific powers to the Minister and as a responsible Minister or responsible Government, we cannot turn a deaf ear to the grievances of our fellow citizens with regard to irregular bus services in some regions. This is why, Mr Speaker, Sir, we need a mechanism, a toolkit where we can speedily act in order to remedy the transport situation thereat.

Mr Speaker, Sir, I wish to give comfort to the House that there is no way that this Clause will be used contrary to the purpose for which it has been framed, that is, to timely improve transport services and simplify the licensing process.

Mr Speaker, Sir, Clauses 12 and 14 of the proposed Bill aim at reinforcing the regulatory powers of the NLTA to request, from the public transport operators, additional information in connection with the operation of their vehicles.

This would also imply that Returns and Records would have to be submitted to the NLTA, upon request, to the NLTA and in case, a person fails to produce, at the request of NLTA, records for inspection purposes, he shall pay a higher fine, that is –

- (i) a fine of Rs5,000 instead of Rs250, and
- (ii) in case of a continuing offence, an amount of Rs2,000 instead of Rs500 for each day the offence continues.

Mr Speaker, Sir, the purpose of the amendments is not only for collecting information but rather how NLTA as the planning agency for transport services can leverage on such data to

better plan transport services and for informed decision-making. There is also need to ensure the licensees are availing the licences solely for the purpose to which same have been granted to them.

For better accountability, there is need for transport operators to provide such data to NLTA as the latter is responsible for monitoring transport services and the implementation of fitting transport solutions. Evidence-based policy formulation can, therefore, be made only when relevant statistics are collected.

Mr Speaker, Sir, the purpose of this Bill is also to strengthen the powers of the Regulator and its officers so that they can better perform their statutory functions for enforcement purposes.

For instance, Traffic Wardens and Road Transport Inspectors would be provided with additional powers in the exercise of their duties where under Clause 20, in case a person fails to abide to the instructions provided by the Traffic Warden, he would be committing an offence.

On the other hand, Clause 21 would allow a Road Transport Inspector to stop or cause a vehicle to move for inspection purposes and with a view to ensuring that the vehicle is indeed being used in the manner under which it has been specifically licensed.

Likewise, Mr Speaker, Sir, Clause 24 would allow a Road Transport Inspector or a Vehicle Examiner, subject to being duly authorised by the Chief Commissioner of the NLTA to that effect, to proceed to a place, in connection with an inquiry, in case they reasonably suspect that a Public Service Vehicle is not providing regular service or where it would appear that a vehicle has been modified in contravention with the provisions of the Act.

The law will also be reviewed to strengthen the powers of NLTA to either suspend or revoke a licence in the interests of the public as we cannot compromise on the fact that a Public Service Vehicle Licence is granted to a person for the purpose of attending to the mobility needs of the public.

In the event that the person is not using the licence for the purpose for which same was granted to him by the NLTA, it stands to reason that the NLTA should be empowered to remove that licence, either for a definite period or cancelled same, for that reason in the best interests of the public. In that respect, provision has been made to amend section 96 of the Road Traffic Act accordingly.

Mr Speaker, Sir, we are also taking the opportunity of this Bill to allow the Motor Vehicle Insurance Arbitration Committee (MVIAC), which operates as a quasi-judicial body, to upload its determinations in respect of disputes in connection with road accidents not involving bodily injuries, under the database system operated by the Financial Service Commission (FSC).

This would allow the MVIAC to lawfully share its Determinations with the FSC solely for the purpose of the NICD platform.

Mr Speaker, Sir, the amendments brought in the Bill to the Cumulative Road Traffic Offence (CRTO) system is in line with Government's strategy to improve road safety and subsequently reduce casualties on our roads. The authorities are of the view that revamping and strengthening the Cumulative Road Traffic Offence system would trigger the right change in the mindset among drivers so that they become more cautious and diligent. Government is determined to take bold and severe actions against those defaulters who have no respect for human life. This Bill comes a long way in making the vision of a safe road, a reality.

Currently, under the provisions of the Road Traffic Act, it is only on the fifth offence committed within a period of 24 months that a person would be disqualified. After having relied on statistics and trends, we decided that we should not compromise on the safety of road users. Accordingly, we are proposing through this Bill to reduce the number of offences from 5 to 4 over the same time frame.

Mr Speaker, Sir, any Road Traffic Offence which is listed in the Third Schedule, once committed would remain effective for a period of twenty-four months on a driving licence. With the new amendments, when four (4) such offences are accumulated by a person within a period of two years, it should lead to his/her disqualification.

Under the proposed amendments, the licensing officer would be empowered to issue a person with a Cumulative Road Traffic Convictions Notice, where a person is convicted on a second occasion of one or more offences specified in the second column of the Third Schedule, within a period of 24 months after proclamation of this Legislation. This would make a person think twice before committing an additional offence and become more cautious and alert.

Mr Speaker, Sir, when a person would be served with a Notice as from the occurring of a second offence, this would have the same effect as if a "*Carton Jaune*" is being issued to him.

He would, as a result, be more inclined to abide by the rules as the Notice would serve as a reminder to him that he runs the risks of having his licence suspended in case of repeated breaches to the law.

For drivers who fail to learn from their mistakes and persistently commit road traffic offences, they would consequently, be disqualified from driving for a period of not less than six months and not more than 12 months. They may also lose their driving licence as may be determined by the Court on a second disqualification within a period of three years after the first disqualification, which shall lead to the cancellation of the driving licence. Mr Speaker, Sir, with the revamping of the CRTO system, drivers failing to observe the Highway Code would therefore be severely sanctioned.

Mr Speaker, Sir, with the revamping of the CRTO system, drivers failing to observe the Highway Code would therefore be severely sanctioned.

Mr Speaker, Sir, the main objectives of the CRTO system are prevention, correction and selection. There is provision for a transition period in order not to unduly penalise road users. This is why we have been careful while drafting this new Bill in order to integrate an element of fairness for holders of driving licence. Accordingly, the new provision would cater for offences committed after the proclamation of the relevant sections of the Act.

Let me provide more clarifications on Section 123AG. In a spirit of fairness, Mr Speaker, Sir, the amendments would have a smooth transition with regard to their application. For existing offenders, that is drivers who have committed at least one offence before the proclamation date, it is only after five offences that disqualification would occur. As for drivers who have not committed any offence under the CRTO system before the proclamation date, disqualification would apply after the fourth offence is committed.

Accordingly, provision has been made in Section 123AG (i) as follows –

“Where a person has, prior to the commencement of this new clause, committed at least one offence specified in the second column of the Third Schedule, he shall be disqualified in accordance with this section only if he is convicted on a fifth occasion, as if the amendments brought to subsections (2) and (7)(a) have not come into operation.”

For drivers who fail to learn from their mistakes and persistently commit road traffic offences, Mr Speaker, Sir, they would consequently be disqualified from driving for a period of not less than six months and not more than 12 months and may also lose their driving licences as may be determined by the Court.

A second disqualification within a period of three years shall lead the cancelation of his driving licence. With the introduction of the CRTO system, drivers failing to observe the provisions of the law and thus putting at risk the safety of road users, would be severely sanctioned. I strongly believe, Mr Speaker, Sir, that the improved CRTO would help the Government attain its objective of making our roads safer. I wish to remind the House that road safety is the responsibility of everyone and we are all concerned with it.

Mr Speaker, Sir, sustained communication, sensitisation, education and continued enforcement are crucial for the CRTO system to be successful and have a preventive effect. Campaigns are ongoing and more friendly and innovative approaches are being adopted to improve the reach and awareness of people on road safety issues.

Mr Speaker, Sir, from the enforcement perspective, offenders should be on their guard and recognise the fact that there is a high possibility that they would be detected in case they commit a road traffic offence. The synergy would be further reinforced so that the CRTO system, Police enforcement and communication blend together for the greater good of all.

Mr Speaker, Sir, there is provision for a transition period in order not to unduly penalise road users. This is why we have been careful while framing the Bill in order to integrate an element of fairness for holders of driving licences. Accordingly, as I said the proposed amendments would cater for offences committed after the proclamation of the relevant sections of the Act.

Mr Speaker, Sir, to conclude as we aspire to join the league of best-in class jurisdictions, there is also need to adapt our legal framework to be more responsive to the needs of our citizens.

Mr Speaker, Sir, we should, therefore, not be oblivious to the fact that the transport sector is a dynamic one calling for periodic adjustments in our legislation. The ultimate aim of these

amendments is for the benefit of our citizens as users of public transport, as applicants for licences before the NLTA and importantly, Mr Speaker, Sir, as road users.

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

The Deputy Prime Minister seconded.

Mr Speaker: Hon. Bhagwan!

(6.22 p.m.)

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): M. le président, nous sommes appelés cet après-midi à voter des amendements à la *Road Traffic Act*. Enfin, on serait tenté de le dire, et en effet, qui ne l'aurait pas souhaité.

Dans ce projet de loi, il y a tout cet aspect de la *NLTA which is a monster*; c'est une organisation monstrueuse. *We have been here in Parliament for many years, we are MPs; we receive representations from our mandates; we have been asking Parliamentary Questions. And also people have been complaining on radio of leur misère, les problèmes qu'ils ont au niveau du transport en général, la qualité du service, la salubrité du système de transport, l'éloignement.* Nous-mêmes maintenant, on a commencé à avoir le service de bus à La Valette qui n'était pas accessible dans le passé, qui n'était pas accessible aux habitants et tout cela au niveau de l'organisation de la *NLTA*, qui me demande ce qu'il faut c'est une refonte de la *NLTA*. Je dis ça par expérience.

Je vais commencer mon intervention, M. le président, sur cet aspect d'accident, *road safety*. Comme je l'ai dit, en effet, qui n'aurait pas souhaité l'amendement sur ce projet de loi. Les familles des victimes des accidents de la route, des automobilistes bloqués quotidiennement au carrefour, je dis de Sivananda, de St Paul ou le long de la route St Jean. Les piétons ou autres usagers de la route. Je me demandais plus que des amendements, la situation requiert une nouvelle *Road Traffic Act* à la place de cette loi cadre lourdement rafistolée depuis 1962, parce que la situation sur nos routes l'exige.

Les récents accidents fatals nous ont encore une fois brutalement rappelé la violence qui règne sur nos routes. L'hécatombe continue. 24 % plus d'accidents en 2022 par rapport à la précédente année. Par rapport à 2021, le nombre d'accidents ayant provoqué des blessés a augmenté de 24 %, et des blessures graves de 11. 1 % et des blessures mineures de 29. 5 % en

2022. 108 victimes de la route en 2022. Un *fatality rate* en hausse passant de 8.8 à 8.9 en une année. Parmi ces 108 victimes, 53 motocyclistes ou leurs passagers et 33 piétons sans ceintures de sécurité, sans *helmet* et sans *airbag*. Les *first responders* sont témoins des scènes des plus atroces que nous avons tous vécu, que nous avons tous vu. Et les sapeurs-pompiers chargés de faire disparaître les mares de sang sur l’asphalte, plus de traces et la circulation reprend.

M. le président, mais le drame a frappé des familles endeuillées, sans leurs *breadwinner*, des plaies, des cicatrices, des séquelles irréversibles, autant de traces qu’on ne parvient pas à effacer. En 2022, il y a eu 132 cas de *hit and run* et parmi 55 cas impliquant des automobilistes et des piétons. Les routes, M. le président, ne sont malheureusement pas aussi sûres qu’elles auraient dû être. L’humain que nous sommes est fait pour se déplacer, d’être en mouvement, c’est propre au genre humain. Ce n’est donc pas sans raison que la section 15 de notre constitution prévoit –

“No person shall be deprived of his freedom of movement...that is the right to move freely throughout Mauritius...”

Freely and safely ! Et cela, c’est la préoccupation majeure des usagers de la route et de nous tous en général et de la population. Sortir et rentrer chez soi *safely*. Des trottoirs plus spacieux et à niveau, des routes entretenues et éclairées et les *road markings* mis à jour régulièrement, des feux en état de marche et des panneaux de signalisation entretenus que malheureusement, malgré tous les efforts de certaines autorités, il y a des lacunes et puis évidemment le casse-tête des parkings. Pour l’ensemble des usagers de la route, hormis ceux qui pilotés par des *riders* qui brûlent les feux, c’est cette sécurité qu’ils recherchent sur la voie publique.

Bien entendu, les usagers ont également leur part de responsabilité en tant qu’utilisateurs de ce bien commun. Une culture de sécurité routière ne tombe pas du ciel. On commence à l’apprendre dès la maternelle ; elle se cultive, elle s’innove, et est valorisée dans la communauté. On dit qu’il existe une corrélation entre la courtoisie sur les routes et le niveau de gouvernance d’un pays. Plus un pays est bien géré, il y a plus de courtoisie sur les routes, et par conséquent, moins de victimes d’accidents. Une responsabilité que tout le monde doit assumer collectivement et solidairement. J’étais ministre de l’Environnement à une certaine période et je l’avais dit à cette époque que l’environnement doit être la responsabilité de tout un chacun, pas seulement du gouvernement, pas seulement des élus, pas seulement des collectivités.

Le cycliste qui quitte sa maison au lever du jour sur sa bicyclette noire et portant un pardessus noir et des bottes noires doit réaliser les dangers auxquels il s'expose en circulant sur les routes. Pour être un bon automobiliste, il faut se mettre à la place du piéton, et pour être un bon piéton, il faut se mettre dans la peau du conducteur. On apprend ainsi à anticiper et à prévenir les dangers potentiels. Anticipation et précaution sont les maîtres mots lorsqu'on circule à pied ou dans un véhicule, parce que le danger est omniprésent.

D'abord le nombre croissant de voitures. À la fin de 2022, il y avait –

- 648,176 véhicules enregistrés auprès de la *NLTA*, soit 25,188 véhicules de plus que l'année précédente ;
- 31,734 véhicules enregistrés contre 6,546 *put off the road*;
- 54.2 % (351,000) *cars, double cab, pick-ups et dual purpose vehicles* ;
- 36.5 % (236,566) *auto/motorcycles* ;
- van (30,675) ;
- 17,000, près de 18,000 *lorries and trucks*, et
- 3,177 *buses*.

Nos routes sont encombrées surtout le long de certaines artères principales et les embouteillages légion aux heures de pointe. Plus les bouchons durent, plus de carburant brûlé inutilement, et plus la *STC* en profite. Les bouchons, ça rapporte aux caisses de l'État. En ce qu'il s'agit de l'âge de la flotte, environ 25.3 % était de moins de 5 ans et 22.1 % entre 5 et 9 ans, et le reste 52.6 % de 10 ans et plus. Un énorme marché de pièces de rechange où il est parfois difficile de distinguer entre les *genuine spares* et les vrais faux. Des *junk yards* ici et là qui permettent à sortir des impasses mécaniques.

Je me suis permis de faire un état rapidement, M. le président, en guise d'introduction, du *backdrop* au niveau du *Road Traffic*, surtout l'aspect *safety* pour mettre l'emphasis sur les attentes du public et les mesures d'intérêt public. Ce projet d'amendement démontre l'état d'esprit du gouvernement et met en lumière leurs réelles priorités.

La priorité du gouvernement c'est la définition du *vintage and classic cars* et les opérations avec ou sans uniforme du *Striking Team* de la *NLTA*. Ce projet d'amendement

concerne le *shuttle service*, un *slyly subtle shuttle service* en tout cas. Un amendement sournois je le dirais, mais ce *shuttle* est aussi un *Trojan Horse*. Dans la citadelle de la transparence et de la redevabilité. Un *shuttle meddle* à devenir *for sure*.

Ce projet d'amendement concerne le transport public et aura un impact certain sur la vie des gens et des opérateurs existants. Le ministre a rendu hommage aux travailleurs, oui, moi aussi, nous aussi nous rendons hommage aux travailleurs. Nous pensons à ce travailleur du Nord, juste après un cyclone, qui était à motocyclette et qui a été tué juste après la levée des restrictions.

M. le président, allons voir un peu les amendements. Ma première remarque concerne les consultations tenues ou non avec les *stakeholders*, le public, les opérateurs économiques, les collectivités locales. Comment peut-on envisager l'introduction d'une mesure d'intérêt public sans consultation préalable avec le public ?

Ma deuxième remarque est relative au manque total d'informations sur la rationalité du projet. On a écouté avec attention le ministre qui, avec l'expérience, je suis sûr, a fait état des problèmes auxquels font face les *road users*, ceux qui demandent un service de la *NLTA*, et aussi le public en général. Mais quelles sont les études d'après moi qui ont été entreprises et quelles sont les conclusions ? Est-ce que ce projet-là vient avec l'expérience du ministre seulement sur le terrain ou ça a été fait à travers une étude de l'inspectorat de la *NLTA*, du management de la *NLTA* - que j'ai rien contre ; nous avons beaucoup d'amis aussi dans ce secteur ? Mais la *NLTA* elle-même demande une réforme. Il faut une étude sur le fonctionnement de la *NLTA* - Je profite de l'occasion pour le dire - ; beaucoup plus de professionnalisme, beaucoup plus de moyens, un *new headquarters* plus accessible au public. Il y a eu certes des décentralisations. Est-ce qu'il y a suffisamment d'accueil pour le public dans ces *sub-offices* de la *NLTA* ? Est-ce que la *NLTA* est à jour avec le système moderne ? L'informatique ? Oui, il y a eu quelques progrès, mais tout cela demande une réflexion. Est-ce qu'il y a eu cette réflexion ?

Pourquoi une telle opacité sur le pourquoi - et je le dis - de ces amendements ? La section 25 du *Road Traffic Act* est sujette à un amendement au sujet de la demande pour un nouveau permis. Section 25(5) –

“Subsection (1) shall not apply to the holder of a contract bus licence who is authorised by NLTA to operate the contract bus as a shuttle bus under a short-term road service licence.”

Quelle est la raison d’être de cette exception ? Pourquoi une telle dérogation ? Une telle discrimination ne peut être *challenged* devant une cour de justice. La loi actuelle donne déjà le pouvoir au ministre, oui, mais nous avons vu dans le passé comment ces pouvoirs ont été utilisés d’une mauvaise façon, et il y a eu des problèmes. Par rapport à l’amendement qui est proposé à la section 77 pour *repeal* les deux sections (b) et (c) concernant les objections, nous demandons des éclaircissements. Le ministre l’a dit, mais nous demandons plus d’éclaircissement et la *subsection 6* et le paragraphe (b) – *Notice of objections and other representations*, les gens qui protestent.

Les *local authorities* ; le ministre a fait état du temps que ça prend lorsqu’il y a une demande de permis, s’il y a les comités lorsqu’il y a des objections. Mais très souvent, il y a des objections qui sont *genuine objections*. Alors, comment une telle démarche s’inscrit-elle dans une logique de consultation, de dialogue, de transparence et de redevabilité ? Nous espérons que le ministre, lorsqu’il va utiliser ses pouvoirs, le fera en connaissance de cause, parce que de toute façon il y a des comptes à rendre. Mais le *repeal* de la section 88, M. le président, qui autorisait les objections me fait sourciller.

Je passe maintenant au niveau des amendes, les amendes ont été lourdement augmentées, passant de R 250 à R 5 000 par jour, soit une augmentation de 1500% et de R 500 à R 2 000, soit de 300%. Outre d’être exorbitantes et *dominer*, ces augmentations ne cherchent qu’à remplir les coffres de l’État, de la NLTA et je souhaite qu’il y ait plus de *fairness* compte tenu des difficultés que rencontrent certains propriétaires de véhicules.

L’abrogation de la section 95, je le dis, est plus ou moins intrigante. M. le président, j’ai parlé du cheval de Troie dans la citadelle de la transparence et les exemples sont malheureusement nombreux. Ce projet d’amendement pour moi, pour nous, c’est un méli-mélo qui dissimule ses objectifs réels en se cachant derrière quelques amendements anodins et qui accorde au ministre un pouvoir indéniable par rapport à un sous-secteur émergent. Il va à l’encontre des règles de base de la transparence, de la méritocratie et de la redevabilité ni dans la

forme, ni dans le fond. Les amendements proposés constituent une avancée démocratique, au contraire, M. le président.

Venons à une des questions encore plus cruciales. Puisque le *shuttle service* fera partie du *public service*, est-ce que des subsides seront accordés aux opérateurs du *shuttle service* ? Je constate déjà qu'il y a quelques compagnies qui font le *shuttle service*, qui opèrent déjà le *shuttle service*. Je constate que dans le budget les *public transport subsidies* passent de R 1,37 milliards à R 2.42 milliards en une année, mais nous voulons comprendre pourquoi. L'essentiel de ces subsides provient de taxes excessives imposées sur les automobilistes à travers les taxes sur les carburants, et il est essentiel que l'on sache comment ces taxes sont dépensées et à quelle fin. Il est inadmissible que le gouvernement joue au Père Noël injuste et fasse du clientélisme avec les taxes prélevées auprès des automobilistes.

M. le président, je voudrais au risque de paraître à contre-courant, évoquer le *first and last mile connectivity*. Certes le *doorstep bus service* comporte un avantage certain pour les usagers du transport public, particulièrement pour les personnes âgées et ceux souffrant d'handicaps. Mais la disponibilité d'un tel service décourage la marche et contribue aussi au manque d'exercice physique. Ce n'est pas la peine de rappeler les problèmes de santé auxquels le pays fait face ; l'obésité, hypertension et maladies cardiovasculaires. Le *walk the first and last mile* pour ceux qui sont en mesure de le faire, représente un moyen simple et efficace pour faire un minimum de marche quotidiennement. Il faut encourager la population à adopter un mode de vie plus sain et à pratiquer quotidiennement une activité physique.

M. le président, rapidement, avant de conclure, on ne peut pas parler de l'industrie du transport sans évoquer la question du changement climatique. Ce secteur est un gros émetteur de gaz à effets de serre. Alors que les alertes s'enchaînent depuis des mois partout sur le globe ; feux de forêts, sécheresses pluies extrêmes. Le mois de juin a été le plus chaud au niveau mondial, un peu plus de 0.5 degré Celsius au-dessus de la moyenne 1991 à 2020, dépassant de loin le précédent record de 2019, en se basant sur les données qui remontent à 1950.

L'*Integrated Land Transport Master Plan* devrait permettre de fluidifier davantage le trafic routier et rendre le système de transport plus efficient, moins de pollution de l'air sur nos routes, moins de complications respiratoires et une meilleure qualité de l'air pour tous. Le ministre peut dire, donner des informations, je l'ai entendu concernant les bus électriques que la

CNT devait commander pour des autres compagnies, de nous dire où on en est avec ce projet d'augmentation de bus électriques.

Pour conclure, je dirais que c'est un projet de loi qui va à l'encontre des règles de la bonne gouvernance, qui crée dangereusement des conditions favorables aux abus et aux passe-droits. Les différents *stakeholders* ont intérêt à être sur leurs gardes pour défendre leurs acquis et empêcher des abus. Pour moi, la table est dressée, pour un *shuttle meddle* à des fins purement électorales et sans moindrement l'intérêt supérieur du public à cœur.

Je vous remercie.

Mr Speaker: Thank you. Hon. Ramchurrin!

(6.43 p.m.)

Mr P. Ramchurrin (Third Member for Savanne & Black River): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, I feel privileged to be able to contribute to our debates around this important Bill, today. Let me, at the very outset mention my earnest wish that this piece of legislation garners the unanimous support of both sides of the House. Allow me to point out that this Bill, Mr Speaker, Sir, before this House today is not only about road traffic offences and the resulting penalties. Indeed, we are rendering the Law even more stringent towards road traffic offenders and we must do so.

This Bill, I think, Mr Speaker, Sir, is not about playing the blame game *mais conscientiser la population*. Let us all put party politics behind us and unite as one National Assembly to constructively debate the Bill being presented today by the hon. Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade, hon. Alan Ganoo.

Mr Speaker, Sir, one of the key provisions of this Bill is to enable a better provision of transport services to the inhabitants of certain distant rural areas and to the population at large. While it is undeniable that our Government has championed the equal access to all public and essential services across all the regions of the island, there has been and will always be room for improvement. The promotion of a sustainable and inclusive form of transport is thus a priority of our Government. The reason behind why it is so important is simple, as the lack of reliable

transportation choices hampers the access to basic services, employment and social activities in distant areas. Sometimes, poorly serviced rural and urban distant locations are only a few kilometers away from public transportation networks but are still severely disconnected.

In rural areas where private car use is predominant, public buses and other shared mobility solutions often cater for a highly diverse audience, such as low-income individuals, seniors, students and people with reduced mobility. It is essential that these key segments of our population are not excluded from our Government's megabus of development which is travelling throughout the country. As a forward-looking Government, we cannot afford to Mauritians to miss this bus.

Moreover, a number of countries are creating unique approaches to provide economically feasible, cheap, inclusive, and sustainable mobility when private and traditional public transit struggle to provide suitable linkages in order to increase access for these populations. While our Government has invested record amounts in upgrading and building new infrastructures across all regions of the island, it is thus essential that the path towards an integrated and holistic development is not hindered by any attempts by certain disruptive private bus operators to deprive our inhabitants from their basic right of transport.

Indeed, hon. Members from both sides of the House receive numerous complaints from our respective constituents on the lack of bus services. The NLTA has promptly intervened after listening to all impacted parties, in each of the situations highlighted to them. However, the most common causes of the lack of bus services or delays in bus arrival times is primarily due to some of the private bus companies playing according to their own rules with their bus time schedules. Indeed, one of the most common issues reported to us is that certain buses race to be the fastest during peak times and contrarily, race to be the slowest during the off-peak hours.

Hence, I thank the hon. Minister, hon. Alan Ganoo, and the NLTA for considering all the possible avenues of this major issue to come up with the two amendments which will empower the NLTA to alleviate the transport accessibility issues being faced by certain of our inhabitants.

Therefore, the proposed amendments to Section 77D will empower the NLTA to allow the redeployment of buses from existing routes to routes which are underserved by the current licensees. Until now, some privately run bus companies have been – I do not want to say hiding but it is the case – hiding under the protection of the Road Traffic Act even if they were not

performing adequately. This will now change and we more than welcome this proposed amendment. Our constituents will be hugely relieved as this proposed amendment will address the issue at its core.

Moreover, Mr Speaker, Sir, I have personally witnessed the positive impact the introduction of small buses can have on the issues of poor and delayed bus services for certain distant areas in my constituency No. 14. For instance, in Chemin Grenier, the introduction of shuttle buses has alleviated the lack of buses issue faced by the inhabitants, and also in certain remote areas like Chamarel and Chamouny. In fact, shuttle buses are more convenient for these areas which face the issues especially during off-peak hours. These same off-peak hours are the time ranges where our senior citizens, for instance, are travelling to attend their hospital appointments, shopping trips or even to collect their pensions. Moreover, such shuttle buses are also more economical for the bus company and more adequate for the remote areas, as the supply of seats matches the demand for transport during peak times.

Moreover, Mr Speaker, Sir, the amendment to Section 172 will also help passengers with their overall safety following numerous issues they have faced about the poor running condition of certain public service buses or cars. For instance, the unauthorised modification of vehicles is becoming a major issue in our vehicle fleet. Mr Speaker, Sir, a growing issue of vehicle modification has been the number of vehicles being modified by installing advanced music devices such as subwoofers and bass speakers. Some cars have become on-the-road music systems and undergone considerable internal modifications. For example, how can one hear a driver's car horn to signal an impending threat, if even one driver is playing deafening music? We cannot put at risk the lives of other drivers or even the peace and tranquillity of our citizens who live close to main roads through deafening music rattling through the windows and minds. Drivers should only be able to modify their vehicles to install music devices only after getting the authorisation from the Chief Commissioner of the NLTA.

Mr Speaker, Sir, it is undeniable that since the tourism industry has picked up from the COVID-19 slump, the demand for support services such as catering and transport from tourists has grown close to its pre-COVID-19 levels. Hence, public services providers such as taxis and contract cars will have more flexibility through this legislation to cater for the growing demand around the island. Mr Speaker, Sir, the country's economy is growing and this legislation will

unlock the necessary response for the taxis and contract services which they have been waiting for.

Mr Speaker, Sir, I welcome the bold initiative of our Government to reduce the disqualification threshold from 5 offences to 4 offences. The onus will now be on the drivers to ensure that they drive on our roads with the utmost care, responsibility and safety. Many drivers demonstrate excessive confidence while driving on our roads. Once a driver has obtained his licence, it does not mean that they should drive irresponsibly on the roads. Unfortunately, the incorrect attitude adopted by many drivers should not prevail anymore. I am sure that with the change being brought forward, drivers will ensure that they should be more careful and respectful.

Mr Speaker, Sir, as PPSs, we are working with the hon. Minister Bobby Hurreeram and we have already opened new roads: at Grand Baie and Cap Malheureux, the A1-A3 Road in the north-west to connect Coromandel to Gros Cailloux; the Verdun Bypass to connect Alma to Côte d'Or in the east, and the Hillcrest, Palmerstone, Pont Fer/Jumbo/Dowlut Flyovers to alleviate traffic in the centre. Now, we are in the process of completing the A1-M1 Bridge that will connect Coromandel to Sorèze; connecting the Verdun Bypass with the St Pierre Bypass through the Grade Separated Junction that will improve even further traffic of the east, and constructing the La Vigie - La Brasserie - Beaux Songes - Flic-en-Flac Link Road that will connect the west coast to the M1, that is, the centre and the south.

More importantly, Mr Speaker, Sir, these new roads, which just opened at Alma - Verdun and at Beaux Songes and Flic-en-Flac, will be the very first ever to have cycle lane in order to avoid any accident and to encourage people to do cycling and exercise, and at the same time, to alleviate congestion on the road, thanks to the able ministership of hon. Bobby Hurreeram, the RDA and MPI.

We should also not forget that the Flyover at Quay D which has relieved thousands of roads at the north entrance of the capital and similar projects at Wooton and Terre Rouge will definitely contribute to the feel good factor on our roads. Taking into consideration this vast and unprecedented transformation currently in action on our traffic network across the whole island, we cannot therefore, Mr Speaker, Sir, *rester les bras croisés*. We have to adapt to this new traffic landscape.

Mr Speaker, Sir, to conclude, I congratulate hon. Minister of Land Transport and Light Rail, hon. Alan Ganoo, for bringing forward this piece of legislation. Indeed, the amendments will reassure the population of the firm intention to address the issue of poor transport services by certain transport providers. The road traffic legislation will undoubtedly be called upon to be updated in the years to come, but the one presented today will definitely set solid foundations.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Lobine!

(6.58 p.m.)

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Speaker, Sir. Mr Speaker, Sir, as we are debating this Bill before this august Assembly, so are the various stakeholders also debating about this amendment Bill at their level. I do hope that the hon. Minister before bringing this Bill before this House has had consultations with all those stakeholders and I would take a few of their questions and suggestions, but also their apprehensions as to this amendment Bill.

Mr Speaker, Sir, the President of the Taxi Proprietors' Union, Mr Raffick Bahadoor, has expressed his apprehensions with regard to what he is calling *concurrence déloyale* from the introduction of those *navettes* as being canvassed by this Bill. So, I would invite the hon. Minister to consider their views, to meet them and also to explain to them that there is no real risk to their daily lives because there are fears amongst taxi drivers that this might hamper their business and also this might be a bar to them functioning properly. So, I invite the hon. Minister to take into account what Mr Raffick Bahadoor and his union has to say.

Also, the views of Mr Sunil Jeewoonarain, he is the Secretary of the Mauritius Bus Owners Cooperative Federation. So, he is asking questions hon. Minister that *déjà que nous avons le métro qui va s'étendre sur plusieurs régions et qui est un compétiteur sérieux, un planning sera-t-il fait pour le mouvement de ses navettes ?* So, there are certain doubts among those stakeholders as to their future. I think it will be good communication to meet them and have a brainstorming session with those people because amendment being brought to the Road Traffic Act is always something that all of us will welcome as we need to ensure road safety, and we need to ensure a good transport operation in this country.

To that effect, Mr Speaker, Sir, I would humbly ask your attention particularly to my arguments on Clause 21, that is, road safety. Road safety, Mr Speaker, Sir, as the hon. Minister has rightly pointed out, we should embrace novelty. For me, road safety should be the novelty, that is, the new national priority. Here, the amendment being brought to Section 123 of the Principle Act with regard to the offences being committed and same being amended, I would humbly opine that the hon. Minister should have come before this House with comparative studies, also certain working documents with regards to where are things going wrong. If I take what Mr Barlen Munusami has been saying, Mr Speaker, Sir, he is somebody who is well versed in road traffic offences and he is an expert in road traffic, and this is what he has to say, Mr Speaker, Sir –

« L'infraction cumulative est une disposition introduite en 2015 pour remplacer le système précédent : le permis à points. Onze infractions étaient concernées. Cependant, les résultats escomptés n'ont pas été atteints. Et, en 2018, le seuil de six a été réduit à cinq infractions cumulatives. »

Et –

« En 2023, cette mesure sera révisée pour ramener le seuil de cinq à quatre infractions. Ce qui veut dire qu'en l'espace de huit ans, l'infraction cumulative a été revue à deux reprises. Je pense qu'elle ne va encore une fois pas avoir les résultats escomptés. »

Selon M. Barlen Munusami, Mr Speaker, Sir, -

« (...) ramener l'infraction cumulative de cinq à quatre n'aura pas d'effet dissuasif psychologique sur le comportement des automobilistes. »

Mr Speaker: Next time, you do not quote names!

Mr Lobine: No, I am just...

Mr Speaker: Not just a president of this or that...

Mr Lobine: Because it is in the public domain, Mr Speaker, Sir.

Mr Speaker: Pas de publicité!

Mr Lobine: Not *publicité*.

Mr Nuckcheddy: Don't argue!

Mr Lobine: Sorry?

Mr Speaker: Okay, carry on!

Mr Lobine: I am not arguing. I was having a conversation with the Speaker. I am not arguing.

Mr Speaker: You may continue.

Mr Lobine: Thank you, Mr Speaker, Sir. May I continue?

Mr Nuckcheddy: Yes!

Mr Lobine: Thank you, Mr Nuckcheddy! Mr Speaker, Sir, as I said, road safety should be the new national priority and as we are debating this Bill and as per the Explanatory Memorandum, the main object of this Bill is to amend the Road Traffic Act with regard to the legal framework governing transport operations. But Mr Speaker, Sir, the backdrop leading to this Bill is the alarming increase in fatal road accidents.

Mr Speaker, Sir, I seize this opportunity to convey my deepest sympathy to all aggrieved families. Mr Speaker, Sir, in 2022, we have witnessed 44 deaths on our roads from January to June 2022. This year, Mr Speaker, Sir, from January to June 2023 and as at date, we have unfortunately witnessed 79 deaths on our roads.

Mr Speaker, Sir, this is an alarming situation. Mr Speaker, Sir, I am not saying that Government is to be blamed or our people is to be blamed, but there is an alarming situation. This is not an alarming situation, not just in Mauritius. This alarming situation is worldwide. But what are we doing to address these issues? We all know, Mr Speaker, Sir, that in discipline of drivers, pedestrians, the rise in vehicle users, the speeding, alcohol consumption, now drug consumption, the state of our roads, the decimal system to ward driving permits, the traffic congestions raising impatience and discourtesy and still other factors.

According to some data, Mr Speaker, Sir, we consistently witnessed 10 times, Mr Speaker, Sir, more fatal road accidents than in sister island Réunion. This is an obviously alarming chronic situation. Mr Speaker, Sir, a cursory look at our transport statistics demonstrates that the traditional response mix of raising fines that we are having in this amendment Bill, increasing sensitisation campaigns that we do all the time, and greater roads spot checks that we always see

on our roads, never really succeeded in bringing down the levels of fatal accidents and serious injuries either in absolute numbers or as raids per vehicle or population numbers.

If we consider, Mr Speaker, Sir, the three-year periods, the statistics of chronic fatalities are telling, but there are also evidence clearly that the introduction in 2013 of a personal *permis à points* for every driver had a dramatically welcome effect and could at, first sight, be attributed the reduction of some 20 fatalities annually. This is a mooted point, Mr Speaker, Sir, because this is what we expect to have in terms of statistics, workings and documents to compare whether *permis à points* was *à point* to meet our demand to decrease road fatalities or whether the National Road Safety Strategy that was introduced in July 2015 by this Government, that is, what is being said in this strategy, road safety a national urgency has been released in a forceful bid to improve road safety amid general concerns over the high death and injury rates among road users since beginning of the year.

That is this new way of looking at things, doing away with *permis à points*, were supposed to address this national agency but now in 2023, Mr Speaker, Sir, we must admit, Government must be honest – we cannot continue to have a simplistic approach to this national tragedy. We cannot continue to bring on piecemeal amendments, Mr Speaker, Sir. It's time to end deaths on our roads.

The world is finally waking up to the scale of the road safety crisis, Mr Speaker, Sir, and here for the first time ever, in June last year, there was a high-level meeting of the United Nations' General Assembly on global Road safety and it was canvassed that we need four key shifts to save countless lives. Mr Speaker, Sir –

- Firstly, safety must be the priority;
- Secondly, we need a holistic approach to adopting appropriate legal framework;
- Thirdly, there should be shared responsibility, and
- Fourthly, we need transformative leadership.

And with regard to transformative leadership, during those deliberations, Mr Speaker, Sir, much emphasis was laid on what we call the Swedish model. In Sweden, Mr Speaker, Sir, they adopted what they call the vision zero. In Sweden, Mr Speaker Sir, a vision zero approach to road safety was launched in 1997 and why I am referring to vision zero? I feel that we need to shift to vision

zero and adopt it as other countries are adopting it to our own reality because too many times, we have brought amendments with a view, of course, with good intentions to decrease road accidents, to decrease road fatalities but we are not able to meet it because the statistics are crying to say that we are failing, the system is failing and this is not conducive to our people and the transportation industry at large.

We are a tourism island, we are also catering to have a safe environment, a sustainable environment for our people and we need proper road safety and this approach, Mr Speaker, Sir, the Swedish approach, they will endeavour to have a transport system that will always put safety front and centre with the aim of avoiding death and serious injuries. This approach, Mr Speaker, Sir, places the responsibility for safety on the system and it is designed rather than individual road users.

So, it is a novel approach. It is a novel way at looking at it instead of repressive or fines or cumulative offences. No, it is a novel approach; we have to look at it at a holistic approach. This is what the Swedish Government has been implementing and by its very nature, Mr Speaker, Sir, this is a safe system that is guided by the vision of zero fatalities, prioritises the most vulnerable such as the pedestrians, the motorcycle riders and cyclists and this zero vision, Mr Speaker, Sir, is a vision that is being adopted by many countries. For example, in Australia, Japan, very recently the United Arab Emirates, Singapore, Oslo and in Sweden, Mr Speaker, Sir, after 20 years, they have been doing a study and this approach has given them the figure of a decrease by 75%. Death rate with regard to road fatalities, has decreased by 75%.

My humble request, Mr Speaker, Sir, to the hon. Minister is that we need to adopt and opt for a fundamental shift in how we approach mobility and legal framework governing transport operations. The global plan for the decade of action for road safety 2021-2030 that was adopted by the United Nations is in itself, Mr Speaker, Sir, a roadmap for the whole world to adopt to our local context.

Please, hon. Minister do consider and brainstorm on implementing our own vision zero approach. We need to set up and maintain the necessary coordination tools to ensure their full implementation because many of those aspects of the vision zero are in our legislation but what we need is a more and stronger, adaptable legal framework that will go along with the

sustainable island that we need to be and hon. Minister, I do appeal wholeheartedly, that too many road fatalities, too frequently, is a tragedy for our country.

Hon. Minister, Mr Speaker, Sir, we need to act now. We do not need simplistic approach to those problems. We need a comprehensive approach; I would urge the hon. Minister to consider the Swedish approach.

I thank you for your kind attention.

Mr Speaker: Hon. Ms Jutton!

(7.14 p.m.)

Ms T. Jutton (Second Member for Vieux Grand Port & Rose Belle): Thank you, Mr Speaker, Sir. It is with a sense of privilege that I take the floor this evening to bring my humble contribution to the Road Traffic (Amendment) Bill of 2023 and at the very outset, I would like to congratulate the hon. Alan Ganoo, the Minister of Land Transport and Light Rail, who, despite being just back from medical leave, has left no stone unturned to bring this much awaited, much-needed Bill to the House today so as to ensure that the lives of all citizens are improved.

I truly commend his goodwill and his dedication to serve the nation. I pray for your indulgence, Mr Speaker, Sir, by allowing me a brief but legitimate spell of hyperbole by saying that the tabling of this Bill today is to a broad measure the reflection of the unprecedented public infrastructural development made in this country by an MSM-led Government; first, under the leadership of our much regretted Sir Anerood Jugnauth and as from 2014 and also since 2017, under the leadership of the hon. Prime Minister, Pravind Kumar Jugnauth. I shall come to these major projects in a while but suffice it to say that it is as a result of the major public road projects initiated by and which have come to fruition under successive MSM-led Governments that new legislations, like the one being tabled today are warranted to introduce a more efficient and up-to-date legal framework that will commensurate with the fast changing road network. It will as well allow transport connectivity to almost every nook and corner of this island and more importantly, Mr Speaker, Sir, it will allow us to introduce stringent regulations for road users with a broader perspective of saving lives.

Mr Speaker, Sir, never since Independence, has Mauritius known a massive public road development of such a phenomenal order as it has since 2014 to date. Mr Speaker, Sir, during

my regular political activities, I often come across many of our compatriots who have settled abroad and who are visiting the country after more than a decade. They invariably expressed their amazement as to the highly remarkable quality of our roads and their connectivity and how the very landscape of Mauritius has been transformed especially by the Metro Express and this is precisely one of the *raison d'être* of the Road Traffic (Amendment) Bill being debated today, considering to improve first and last mile connectivity especially in remote areas and also considering the introduction of a new type of license namely the shuttle bus license.

Indeed, Mr Speaker, Sir, for a small economy like ours, it is quite commendable that we have an excellent road network that provides smooth and fast connectivity to every part of the island even from the remotest village to the capital of the island.

It is rightly said, Mr Speaker, Sir, that the progress and rate of development of a country can be gaged by the quality of its public road infrastructure. On this core and with all humility, Mr Speaker, Sir, following some of the remarks that we have heard from some hon. Members on the other side of the House, let me say that we have no lessons to take from those who for years altogether have mired the country into sluggishness due to their pathological inability to take timely decisions as well as their compulsive inertia and lethargy.

Mr Speaker, Sir, the Road Traffic (Amendment) Bill being debated today provides amongst other things for the licensing of motor vehicles that would cater, as I said earlier, for the first and last mile connectivity linking residence to and from remote areas. Though the Bill does not explicitly mention it, it is obvious that the coming into operation of the Metro Express has called for such provision.

Mr Speaker, Sir, since we are at it, do we need to emphasise how the introduction of the Metro Express has revolutionised our public transport system? And the same token has significantly eased the mobility of hundreds or even thousands of our countrymen including our students.

Mr Speaker, Sir, as a former lecturer at the university, I have to say that I am marvelled at how the Metro Express has transformed the very face of the Réduit campus and has made the lives of our students much easier. With the introduction of a new licencing of vehicles to carry 7 to 32 passengers as provided by this Bill, students from the remotest places will have easier access to the campus. A few days ago, the hon. Minister of Land Transport and Light Rail, hon.

Ganoo also inaugurated a new line from Phoenix to Ebène. Can you imagine, Mr Speaker, Sir, for the thousands of employees having to commute through this route, from the south, from Curepipe, from Vacoas and towards Ebène? We all know what a nightmare it was to spend hours in what seemed like an unending traffic jam from Phoenix. Today, with this new Metro line, *toutes ces personnes poussent un grand ouf de soulagement*.

Yet, Mr Speaker, Sir, I cannot understand the bad faith of some hon. Members on the other side of the House who have been systematically criticising the Metro Express since its inception. We all remember one hon. Member even going to the extent of stating in this very august House that his Sunday past time was to watch and to be appalled by the poor number of night commuters on the Rose Hill Metro line. Well, the hon. Member would do well to come down to the reality of the ground level, to take cognisance of the comfort and ease with which our fellow countrymen are experiencing and the dignity and pride with which they travel on the Metro Express.

Mr Speaker, Sir, with your permission, I wish to remind the House and in particular some hon. Members on the other side of the House that the idea of the Metro, then known as Light Rail Transport, was actually mooted by the Labour Party Government as far back as 1995! But due to its incurably obsessive syndrome of procrastinating sine die, most development projects of the country, the Metro could not even be shunted to the rails. Some hon. Members on the other side of the House, who were also Members of the then Labour government, especially my friend, hon. Dr. Boolell – whom I thank for coming back to the House, where I am told impassively, albeit silently, but exasperatingly watching the *Metro léger dossier* coming up week in, week out for years altogether. Yearning for ratification, but only to be systematically and unceremoniously sent back! And, of course, not without the usual bag full of foul words!

In the process, the State was made to unproductively waste hundreds of millions of rupees in so called consultancy fees lavishly dished out to Singaporean consultants. Had it not been for Sir Anerood Jugnauth, who only two years after he took command of Government, gave the green light in 2017 for the implementation of the Metro Express project, and which undeniably represents the most complex national infrastructure development ever undertaken in Mauritius, which now definitely warrants the provisions of the law, notably through the present Road Traffic (Amendment) Bill.

But, Mr Speaker, Sir, maybe we need to give the devil its due. *Il faut rendre à César ce qui appartient à César !* The greatest public infrastructure achievement of the erewhile Labour government is arguably the Terre Rouge-Verdun road costing the State astronomical amounts of money. Alas, it has turned out to be the worst ever public infrastructure disaster in the history of a country as we all know, Mr Speaker, Sir! The MSM Government had to spend and cough up huge amounts of hard earned taxpayers' money to make the roads safe and practicable for commuters again. I think maybe this is the reason why there is not one single orator from the Labour Party today to bring his contribution to this Bill tonight!

Mr Toussaint: *Bien trouve!*

Ms Jutton: Mr Speaker, Sir, it is a fact that there are currently several individual bus operators who do not respect the timetables. Allow me to take the example of my own constituency. Who does not remember the famous *ligne 87* issue which had even gathered national attention? Despite several complaints and directives given by the authorities to the bus owners, the latter did not comply. Had the individual bus owners respected their respective timetables, some people would never even have to undertake *une grève de faim*. I hereby do seize this opportunity to thank hon. Ganoo as Minister as well as his officers of the Ministry and those of the NLTA who came up with the bold decision of stopping the individual bus operators and servicing this line by the National Transport Authority. Today, all those commuting along line 87 are extremely grateful to those officers.

Mr Speaker, Sir, during CSU meetings which I chair, many complaints have been taken up with the NLTA such as along line 11 and line 14. Not later than yesterday itself, I had organised a meeting for representatives of villages from the coastal region of my constituency from Rivière des Créoles, Vieux Grand Port, Grand Sable, Petit Sable, Bambous Virieux, and they were all telling me about the difficulties that they are facing with the bus operating on line 18, which is the Flacq to Mahebourg road. It is sad to take cognisance that there are many of our elderly who keep waiting sometimes for hours and hours to get a bus to be able to even commute to the public hospital. Now, when these buses do not come, we can only dread the state of those already sick people who need to go to the hospital for treatment.

In addition to the above, as I said earlier, further to representations I received, there are also many students having to catch the bus for examination or for their classes and the stress of

getting late, for instance, in the case of line 14 which is in the region of Bananes. There were also representations of the bus roof leaking and students even getting soaked. It is a fact that there are some bus operators who deploy buses which are in very poor or should I say even critical conditions both in terms of passenger comfort and running state. I have been urging the Ministry and the NLTA to look into same. I even had cases of people who got late for work and were served warnings coming to see me to ask for help.

I hereby thank the hon. Minister for not being insensitive to all these pleas. As he said it earlier, there is such a high need for the NLTA as a planning and regulatory body to put in place a mechanism, as the hon. Minister rightly said it, a toolkit to remedy all such situations. Following countless representations, there is this urgent need to call for immediate actions for enhancing transport services on underserved routes and poor services offered by certain bus operators. Here, this is why there is the *sine qua non* to consolidate the regulatory powers of the NLTA for the latter to better enforce and carry out its statutory functions. Through this Bill, the powers of NLTA officers will be reviewed to allow them to be in a position to better perform in inspection.

Moreover, as the hon. Minister said it earlier, there will also be the setting up of appropriate disciplinary committees to take up matters in hand. Clause 10 of this Bill gives authority to the Minister to give such directives to the NLTA and even to grant a road service licence to a licensee so as to allow the latter to redeploy his bus from an existing route to any other route or area which is not appropriately served. Of course, this has to meet several preconditions in the public interest and also ensuring that the licensee is not adversely impacted. The duration of such directives will also differ on a case to case basis.

Mr Speaker, Sir, this Bill also introduces a new section, namely 77D, which relates to redeployment of bus services and issuing of road service licence, as I just explained. So, with these amendments, it will be possible to redeploy buses from existing routes to alternative ones. It is important to note that all this will not be operating in a vacuum since the NLTA has to be satisfied that existing bus services on that route or area, as directed by the hon. Minister, are inadequate and that there have been requests or complaints from commuters or users of public transport with respect to that specific route. As hon. Ganoo said it, all these are important to

ensure that the citizens do not suffer. Last but not least, he also spoke about the need to even suspend or revoke a licence for public interests.

Mr Speaker, Sir, as I said earlier, since this Government took the command, especially under the leadership of hon. Pravind Kumar Jugnauth, the very landscape of the country has experienced a paradigm shift. Major infrastructural works are ongoing everywhere. *L'île Maurice elle-même est devenue un chantier.*

As I said it in my budget speech, this Government being a caring and compassionate government, so as to mitigate the impacts of climate change and reduce the risk of flooding, billions have been earmarked to accelerate the National Flood Management Programme. Here, I again take the example of the major emergency drain work project in my own constituency, in Nouvelle France. To be able to relieve the inhabitants of the flooding and water accumulation, the Government is carrying out major works along the Grand Port Road, which is A10, and it consists of the construction of 1.3 km of drain, the demolition and reconstruction of reinforced concrete culverts along the A10 roads. Hence, for some time, while the contractors have been working, access to road users had to be restricted. Since there is a major deviation, it was an absolute need to have in place a shuttle service.

I hereby, again, seize this opportunity to thank the hon. Minister, hon. Ganoo, for having accepted to put in place the operation of a shuttle so as to relieve all the inhabitants of Nouvelle France, especially the elderly from having to walk over such long distances. In this way, there can be various instances, requiring the need for a new shuttle or bus operator.

I now come to section 80 of the Bill, which relates to the application for taxi licence and enhancing the licensing process in relation to public service vehicle licence so as to expedite the determination of applications by simplifying the mechanism altogether. The hon. Minister dutifully explained earlier that by repealing the publication of applications, this will allow the NLTA to streamline the application processes and expedite matters as per the new clauses 9, 11, 13, and 16 of this Bill. As he explained, there are often many frivolous applications and those objections which are received actually bear no substance but sensitise the procedure. The Ministry and the officers have to hear out the objections which cause undue delays in the processing of applications. With the new amendments, as per section 31, especially clause 13 whereby we will have a new Licensing Board, and also as per the sub clause 4, which stipulates

that the Board will be able to sit in one or more division, this will allow NLTA to expedite the processing of applications.

Mr Speaker, Sir, this Government believes that there is nothing more precious as the human life. For us, on this side of the House, every single human life matters more than everything else. This is why, the Road Traffic (Amendment) Bill provides for a strategy to increase road safety and subsequently reduce casualties on the roads through amendments being proposed to the Cumulative Road Traffic Offence system (CRTO). Just like hon. Lobine kept pointing out, that road safety is the priority.

Comme il l'a souligné, il est malheureux qu'il est un fait inéluctable que nos routes deviennent de plus en plus meurtrière. Et rien qu'en janvier 2023 à ce jour, pas moins de 79 personnes ont perdu leur vie lors de 77 accidents, et parmi ces victimes se trouve 30 piétons, 24 motocyclistes et 2 passagers, tous percutés par des automobilistes téméraires ou même inattentifs. Et là, je me joins aussi à l'honorable Lobine pour présenter mes sincères condoléances à toutes ces familles.

Mais cela ne peut continuer, M. le président. Il convient de mettre un frein à ce type de conduite dangereuse. C'est pourquoi ce gouvernement cherche à agir d'une manière sans équivoque à travers ce projet de loi en apportant un amendement au *Road Traffic (Amendment) Bill* afin de rendre le mécanisme du système CRTO bien plus efficace contre les chauffards qui ne semblent se soucier de la vie des autres.

Je vais maintenant conclure, M. le président, faute de temps. Nous pouvons qu'espérer que cette nouvelle dimension préventive du système de CRTO, dont préconise ce projet de loi, servira comme une dissuasion efficace contre tout écart de conduite.

As the hon. Minister said it, the main aim is verily prevention, correction and selection. So, today, the Bill brought to this House is a testimony to the fact that change being the only constant and the transport sector being ever dynamic, that we, as a Government, do what it needs to be done to ensure that our legislative framework be responsive to the evolving nature of things.

Thank you, Mr Speaker, Sir.

ANNOUNCEMENT

HON. OSMAN MAHOMED - NAMING

Mr Speaker: Hon. Members, earlier today, I named the hon. Osman Mahomed for disregarding the authority of the Chair.

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Deputy Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Osman Mahomed, I beg under Standing Order 17(3) to take the time of the House for urgent business.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

The motion was, on question put, agreed to.

The Deputy Prime Minister: Mr Speaker, Sir, having obtained your permission, I beg to move under Standing Order 29(1) to present a motion without notice.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

The motion was, on question put, agreed to.

The Deputy Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Osman Mahomed, I beg to move that the hon. Osman Mahomed be suspended from the service of the Assembly for today's Sitting and the next two Sittings unless unreserved apologies are tendered to the House.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

The motion was, on question put, agreed to.

Mr Speaker: Hon. Bodha!

(7.38 p.m.)

Mr N. Bodha (Second Member for Vacoas & Floréal): C'est triste pour l'honorable membre, et qu'on ne le reverra pas de sitôt.

M. le président, la mobilité va dicter le rythme de l'activité économique et socio-économique de notre pays. Plus on bouge vite, plus c'est bon pour le développement. Cela nous permet de faire nos démarches, de travailler, d'aller à l'école, d'aller à l'université. La mobilité est un facteur essentiel dans le développement moderne. On a élargi le débat au-delà des amendements, je pense que c'est une bonne chose parce que je suis convaincu qu'il faut une vue d'ensemble, un *master plan*, il faut revoir le tout complètement, et je vais venir avec quelques propositions.

D'autant plus que l'arrivée du *Metro Express* a changé dramatiquement le paysage du transport public et nous arrivons aussi à la fin du programme de décongestion sauf pour le tunnel *Ring Road Phase 2*. Aujourd'hui, je pense que c'est une législation *piecemeal*, car rien n'est fait pour une intégration parfaite du *Metro Express*, des compagnies de bus, de la CNT, des opérateurs individuels, les taxis et maintenant les *shuttles*. Le moment est arrivé pour une réflexion profonde. Regardons les chiffres, M. le président. Je prends les chiffres annoncés par le ministre lui-même. Il a parlé de 4.3% de notre PIB. Donc, 500 milliards. Nous parlons d'un secteur qui contrôle à peu près R 20 milliards, M. le président. Le ministre a, bien sûr, parlé des milliers de personnes qui sont concernées. Nous avons 600,000 véhicules. Il a parlé d'un demi-million de *commuters* par jour. Il a parlé des travailleurs. C'est un secteur extrêmement important. Cela est seulement sur l'infrastructure.

Maintenant, il y a la sécurité, on a élargi le débat concernant l'accidentologie, la dangerosité du réseau, et il y a beaucoup qui en ont parlé avec beaucoup de passion parce qu'il s'agit d'une question de vie ou de mort. On a parlé du système suédois, de zéro mort. Moi, je vais prendre quelques éléments du projet de loi, et après, je vais faire quelques commentaires. Pour venir à la section 75 (e), *we will have the possibility to have* –

“(e) shuttle buses, being motor vehicles having a seating capacity for 7 or more but not exceeding 32 passengers and carrying passengers for hire or reward at separate fares.”

Je voudrais aussi savoir si ses *shuttles* devraient permettre ce qu'on appelle le *first mile* et le *last mile connectivity* avec le métro, avec les gares, avec les *Urban Terminals*? Les questions que se posent –

- Combien de ces véhicules seront autorisés? Parce qu'il y a déjà un problème de compétition loyale et de compétition déloyale.

- Quels seront les critères appliqués ?

Allons-nous faire un effort pour avoir des *shuttles* électriques ou pas ? Et je ne souhaite pas une politisation à outrance dans l’octroi des permis. M. le président, sur quelle ligne et dans quelle région ces *shuttles* vont s’appliquer ? Je voudrais demander au ministre, il y avait un certain nombre de nouvelles lignes qui devaient être octroyées à la compagnie actuelle pour pouvoir subvenir à leurs revenus, vu de la perte d’un certain nombre de passagers par le *Metro Express*, et quel sera le prix du trajet étant donné que le minimum pour ce qu’on appelle le *first stage*, je crois, est actuellement R 12. Alors, si on prend le *shuttle* pour arriver au métro et on prend le métro qui coûte plus cher que le bus, à ce moment-là, un trajet d’Henrietta, par exemple, pour arriver à Port-Louis va coûter presque le double de ce que cela coûte par le bus.

Alors, je voudrais savoir comment ce système va s’aligner, se synchroniser, s’intégrer au système déjà existant. En ce qui concerne la gratuité, j’espère que la gratuité sera maintenue dans les *shuttles*, gratuité pour les personnes âgées, pour les scolaires, pour ceux qui vont à l’école et pour les autres. Je trouve aussi que partout, c’est le ministre qui décide –

“77D. Redeployment of bus services and issue of road service licence on Minister’s directions

(1) Where the Minister is satisfied that it is in the public interest (...) he may direct NLTA to allow an existing licensee to redeploy (...)”

Et là, je vais expliquer. Il y a quatre lignes, entre Baie du Cap et Port Louis, Ebène qui ont été octroyées à certaines personnes et eux ils ont sous-loué leurs vieux bus et la ligne et ils récoltent R 3,500 par bus pour jour tout en se payant les R 57-59,000 qu’ils ont pour le transport gratuit. *It’s a business in a business*. Alors, je me demande si le ministre avait vraiment besoin de pouvoirs accrus.

La *NLTA* est un organisme régulateur, avec des techniciens qui ont une bonne connaissance de la réalité du terrain, concernant aussi la demande et l’offre sur une base quotidienne. Ici –

“Where the Minister is satisfied that it is in the public interest to do so, he may direct NLTA to allow an existing licensee to redeploy his bus [une condition] that the

(c) NLTA is satisfied that the licensee has been providing adequate service.”

Donc, le rôle de la *NLTA* se résume à savoir si celui, qui a une licence, a fourni un bon service.

M. le président, *again* –

“Where the Minister is satisfied that a particular route or area is inadequately served and that it is in the public interest (...)”

Encore une fois *‘designated by the Minister’* ! Encore une fois, tout est à la discrétion du ministre. Ce que je demande, c’est est-ce que le ministre avait vraiment besoin de ces pouvoirs accrus ? Est-ce que ces pouvoirs accrus n’auraient pas dû être donnés aux techniciens ?

Et je vois aussi maintenant –

“(3) Where the Minister makes a direction under subsection (1) or (2), section 77 shall not apply and, on application made by the licensee, NLTA shall vary the licence accordingly.”

Donc, c’est le ministre qui a raison à la fin. C’est la saison dictat. Alors, je me demande maintenant, est-ce que le ministre avait vraiment besoin de ces pouvoirs ?

Je viens à la *NLTA*, section 80. Taxi, contract car or shuttle bus licence, –

“(5) NLTA may, on an application made by the holder of a taxi licence, authorise him to operate, in addition to his existing base of operation, in another location (...)”

Cette flexibilité est une bonne chose, mais encore sur la discrétion de qui ? Est-ce que c’est le ministre ? Est-ce que c’est le *Board* ? D’ailleurs, c’est une pratique qui existait déjà, par exemple, quand il y avait une rénovation dans les hôtels, les taxis de l’hôtel étaient déployés dans d’autres hôtels ou un retour avec la station de base.

J’arrive maintenant à la clause 16, section 96 –

“(1A) Notwithstanding subsection (1), NLTA may revoke or suspend a public service licence, road service licence or carrier’s licence where it is in the public interest to do so.”

Who will decide on the public interest issue, Mr Speaker, Sir? We know that individual bus owners have been flouting the regulations and often are not providing an adequate service. I am very fully aware of that. We have been fighting against this, but you know that for all that we have been speaking about the 600,000 vehicles, the NLTA has, I think, about 30 inspectors. Les pauvres!

Mr Speaker, Sir, we know what is happening. There is nothing here and I would have liked to see it, because we have tried in the past. How do we see to it that individual bus owners provide an efficient service? We know about the abuse.

Et c'est là qu'il fallait sévir. Alors, je reviens au nombre de délits réduits de cinq à quatre - moi-même j'avais réduit de six à cinq - pour arriver à une question. Est-ce que cela va avoir l'effet recherché ? *Are we being more stringent?*

C'est un peu comme pour la vitesse. Je ne sais pas ; il se peut qu'on ait un certain effet. Il se peut que ça marche, mais je me demande s'il n'y a pas d'autres solutions. On a parlé du permis à points qu'on avait considéré à un moment donné ; on avait arrêté le permis à points ; on a introduit ce système-là. Mais le problème fondamental de tout ça c'est comment? *How do we service; how do we enforce the laws, Mr Speaker, Sir?*

Alors, laissez-moi maintenant aborder d'autres questions. Nous avons le transport public gratuit : personnes âgées 244,000 ; étudiants 200,000, et le secteur privé paye le coût du voyage de son employé, 100,000 ; ça nous fait 550,000. Moi je crois que le moment est arrivé, M. le président, pour considérer un transport gratuit national. Un transport gratuit national pourquoi ? Parce que le transport national, le transport commun coûte à peu près 6 milliards, et vous savez qu'il n'y a que 25 % des passagers qui payent de leur poche. C'est une déclaration que j'avais faite déjà en 2015. L'État dépense déjà 1.2 milliards avec le transport gratuit. L'État dépense 800 millions avec le *bus recovery* pour le diesel. L'État dépense également 80 millions pour le transport gratuit des fonctionnaires, et le secteur privé paye pour les 100,000 passagers.

Mr Speaker: Hon. Member, do you know that the Bill is called the Road Traffic (Amendment) Bill? There is nothing about public transport.

Mr Bodha: Mr Speaker, Sir, no, I don't ...

Mr Speaker: I allowed you some flexibility, but you are going too far.

Mr Ameer Meea: *Kan soz ti koze talerla.*

Mr Speaker: So, I don't listen to anybody.

Mr Bodha: Mr Speaker, Sir, I have listened to all the speeches. I don't think ...

Mr Speaker: Yes, you can refer to a few things, but you can't go in depth, dealing with public transport openly. The whole world is listening to you.

Mr Bodha: Yes, what I am saying...

Mr Speaker: Not only this small Assembly; the whole world is listening to you.

Mr Bodha: A solution to this Bill.

Mr Speaker: You are out of subject.

Mr Bodha: Am I out of subject?

Mr Speaker: Sure, you are out of subject! Let me read again: the Road Traffic (Amendment) Bill (No. X of 2023). Continue with the amendments.

Mr Bodha: Mr Speaker, Sir, what I am proposing will have a dramatic effect on the mobility of this country.

An hon. Member: He is proposing a solution.

Mr Speaker: So what? The Bill is a Bill!

Mr Bodha: Ça vous fait du mal que je propose ça ?

Mrs Luchmun Roy: Standing Orders!

Dr. Boolell: He is proposing.

Mr Bodha: I am proposing. Why? Mr Speaker, Sir, there is only one ...

Mr Speaker: No, you have been the Minister of Transport yourself. This is becoming too much from you.

Mr Bodha: No, I will not go by your ruling.

Mr Speaker: Now, you know that there is an amendment Bill. So, we talk about the amendments. You started well; you did very well on two points. I was listening to other points, but, unfortunately, you shifted, you went to the public transport in all Mauritius.

Mr Bodha: Let me shuttle back.

Mr Speaker: Comparing Metro, bus and whatever.

Mr Bodha: Mr Speaker, Sir, what I am proposing will change dramatically the transport ecosystem in this country, and I am explaining that this can be done.

Mr Speaker: No, again! Listen, I don't have to discuss with you!

Dr. Boolell: Oh!

Mr Speaker: I have to rule! Okay?

Mr Bodha: So, what is your ruling?

Mr Speaker: My ruling is if you can't speak on the amendments, you better stop there.

Dr. Boolell: *Mais non!*

Mr Bodha: No, I don't agree at all.

Mr Speaker: You agree, you don't agree is not my problem!

Mr Bodha: I don't agree at all.

Mr Speaker: So, I shift. Who is the next speaker?

Mr Bodha: When I see, Mr Speaker, Sir, what has been said by the others. They have spoken about Terre Rouge Verdun; they have spoken about A1-M1, decongestion.

Mr Speaker: Yes, they referred.

Mr Bodha: Yes.

Mr Speaker: But you are making an analysis of the public transport in Mauritius and I will not tolerate this. I will not ...

Mr Bodha: I am proposing ...

Mr Speaker: I will not! Listen, I have already ruled! Next orator! Hon. Ms Tour!

An hon. Member: But the others have been talking.

Mr Speaker: You stop!

Dr. Boolell: *Enfin!*

(7.53 p.m.)

Ms J. Tour (Third Member for Port Louis North & Montagne Longue): M. le président, permettez-moi tout d'abord de faire ressortir que ce projet de loi présenté devant la Chambre ce soir ne porte pas que sur les infractions routières et les pénalités assorties. Certes, nous avons été obligés de rendre la loi plus sévère envers ceux qui commettent des infractions au code de la route. C'était une obligation pour protéger la sécurité des citoyens et améliorer la fluidité sur nos routes, mais ce projet de loi a une portée beaucoup plus vaste. Les autres amendements proposés relatifs à l'introduction d'un système de navette et à la rationalisation de l'octroi des licences pour les véhicules de transport public auront un impact est décisif pour soulager nos citoyens et leurs longues heures d'attente sur les arrêts de bus.

Je souhaite donc commencer par saluer et remercier mon collègue le ministre des Transports terrestres et du métro léger, l'honorable Alan Ganoo pour ces amendements proposés à la *Road Traffic Act*, en particulier les clauses 3, 7 et 8 qui vont officiellement introduire le système de navette dans notre législation et de notre système de transport public.

M. le président, nous sommes actuellement en train de procéder à une complète transformation de notre système de transport. C'est une évidence aujourd'hui et c'est devenu une nécessité, en particulier avec l'essor du trafic routier que notre pays a connu ces dernières années. Nous avons, désormais, un système de métro léger qui couvre déjà près de 30 kms de trajet et qui connecte Port-Louis à Curepipe, Rose-Hill à Réduit. Il a suscité un véritable engouement dans la population, pas seulement dans les zones où il opère déjà, mais dans tout le pays, car maintenant, beaucoup d'autres villes et villages espèrent bénéficier de ce service.

D'ailleurs, M. le président, nous avons déjà initié les phases 3 et 4 du *Metro Express* qui connecteront Réduit à Côte-d'Or et Curepipe à la Vigie. De plus, c'est un fait indéniable que notre réseau routier aussi a connu des développements majeurs depuis 2017 sous l'égide de notre Premier ministre, l'honorable Pravind Kumar Jugnauth. Oui, sans aucun doute, tous ces changements tangibles et bénéfiques que nous pouvons expérimenter sur nos routes et dans nos vies quotidiennes, c'est à l'honorable Pravind Kumar Jugnauth et son leadership visionnaire que nous le devons.

Nous avons déjà ouvert de nouvelles routes dans diverses parties du pays, dans le nord à Grand Baie et Cap Malheureux, dans le nord-ouest avec la A1-A3 qui connecte désormais Coromandel à Gros Cailloux, dans l'est avec le raccourci de Verdun qui connecte Alma à Côte-

d'Or, et dans le centre avec les *flyovers* de *Hillcrest*, *Palmerstone*, Pont Fer, Jumbo et Dowlut qui fluidifient considérablement le trafic. Et, maintenant, ...

Mr Speaker: You have anything to say about the Bill itself; the amendment?

Ms Tour: Tout cela, M. le président, pour vous dire qu'avec tout ce *feel good factor* sur nos routes, étant donné ces vastes transformations sans précédent qui sont en train de s'opérer sur notre réseau routier à travers tout le pays, force est de reconnaître que le gouvernement n'est pas resté les bras croisés. Avec ces nouvelles lignes du *Metro Express*, ces nouvelles routes et la nouvelle configuration du trafic routier ...

Mr Speaker: I give you one more chance to speak on the Amendment Bill!

Ms Tour: ... notre système de transport doit donc se moderniser. J'y arrive, J'y arrive - et s'adapter à ce nouveau paysage routier. Ainsi, donc, M. le président, les transports en commun sont une pièce maîtresse dans la vision du gouvernement, car l'ambition affirmée de notre gouvernement est de faire de Maurice un pays où il fait bon vivre. C'est le bien-être des citoyens qui est au cœur de toutes nos politiques publiques. Dans une époque où nous devons faire attention à notre empreinte carbone et lutter contre la pollution, les transports en commun présentent bien des avantages.

An hon. Member: Next!

Mr Speaker: Okay, I will put an end to your speech! I will allow the Minister to conclude.

Dr. Boolell: This is very abrupt, Mr Speaker, Sir. You are going by the fast lane, now, Mr Speaker, Sir.

(7.58 p.m.)

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Thank you, Mr Speaker, Sir. You applied maximum brake!

Dr. Boolell: Don't stay on the slow lane.

Mr Speaker: Fast track!

Dr. Boolell: Fast track!

Mr Ganoo: Speaker, Sir, I am grateful to all the hon. Members on both sides of the House and I have to thank them, for all of them were, in fact, very objective in their comments, save for hon. Bhagwan who at the end of his speech slid a little in demagogy when he was making remarks about the powers of the Ministers and talking about ‘*transparence*’ and ‘*redevabilité*’ and ‘*dissimulé*.’ He used that word, Mr Speaker, Sir, with regard to the powers of the Minister, but I will come back to...

Mr Toussaint: *Ale ! Pre ler pou al lakaz la !*

Mr Ganoo: I will answer in a few minutes, Mr Speaker, Sir.

(Interruptions)

But indeed hon. Bodha said it, as parliamentarians, as MPs, as Ministers, Mr Speaker, Sir, transport is a subject which, in fact, interests all of us. Some of us, I know, because I talk to many friends in the House, are just like me very passionate about the whole problem because, as I have just said earlier on, Mr Speaker, Sir, the transport sector, the bus industry in particular commutes 475 Mauritians per day.

We have had the Metro Express which is an iconic project, as we all know, thanks to the Indian Prime Minister and our Prime Minister which have made this project a dream come true. Nevertheless, Mr Speaker, Sir, the bus industry is still here and we have to live with it for many years more. So, that is why, with the evolution of the situation, of our society, we have watched the economic development taking place, Mr Speaker, Sir. In fact, we have to adjust and we have to take bold measures. In fact, this is what we are doing today.

Mr Speaker, Sir, many points have been raised by the different Members to whom I am very thankful for having contributed to this piece of legislation. Let us come first to this question of the powers of the Minister. As I said it in my speech, this is not new, Mr Speaker, Sir, in section 77A, 77B and 77C. I am astonished by what the hon. former Minister of Transport, hon. Bodha, who is an intelligent person, who is known for his political career could have said such, I would not say who had misled the House, I would not say that, but who had said something which is so untrue, Mr Speaker, Sir. I am not giving myself new powers. These powers existed even when he was Minister. I am quoting 77C. –

“(1) Where the Minister is satisfied that it is in the public interest to do so, he may direct the Authority to vary an existing licence so as to allow the holder to operate his bus on any route or in any area designated by the Minister.

(2) Where the Minister makes a direction under subsection (1), section 77 shall not apply and, on application made by the holder of the licence, the Authority shall vary the licence accordingly.”

So, we are not inventing the wheel, Mr Speaker, Sir, but what we are saying, what we are arguing by amending the Act today, Mr Speaker, Sir, is that since the Minister is already empowered under the provisions of the Road Traffic Act to direct the NLTA, we have, in fact, elaborated on this section because we know there is a problem today, Mr Speaker, Sir, in our transport sector for many reasons.

You know, Mr Speaker, Sir, the bus industry is an industry which is heavily subsidised by Government, and I think somebody talked about this. It is true, Rs1.3 billion in terms on FTS, Rs800 m. per year in terms of subsidy on diesel. I am not talking about helping them in terms of wages and salaries of the employees and so on and so forth, Mr Speaker, Sir.

So, it is heavily subsidised. We also have a scheme which enables them to buy, to acquire new buses and even when we are shifting to electric buses, the Minister of Finance announced it in his budget that this subsidy will continue to exist. In fact, it has been raised because as we know, electric buses cost more, it has been increased, Mr Speaker, Sir. But what has happened during these recent years? COVID came, ridership declined, diesel increased, the cost of repairs in the workshop increased. What about the salary adjustment, salary compensation as we know, Mr Speaker, Sir, which have added on the burden placed on the shoulders of the operators?

So, they have not been buying new buses, and on top of that they have problems with the labour. Do you know, Mr Speaker, Sir, that the operators have come to my Ministry to request that they be allowed to import foreign labour to work as drivers because when they, Mr Speaker, Sir, advertise for the recruitment nobody comes? I know and I will not cite the name of this company, only one person came, Mr Speaker, Sir. On Mondays 30, 40, 50 buses of their fleet have to stay in the garage because there are no drivers to take these buses out of the depot to go and service the country.

At the end of the day, Mr Speaker, Sir, who is suffering? All these students, all these workers who have are late to go to work. Can we, as a responsible Government, as a responsible Minister stay, just stand and stare at the situation, Mr Speaker, Sir?

This is what we are doing today. What we are saying is that when the Minister comes to be informed that on such and such routes there are problems; I know of routes where there are on paper, 22 different buses belonging to companies, operators or even individuals who have to service that route, only 15 buses every day are servicing that route. Can you imagine, Mr Speaker, Sir, what is the pain meted out to the travelling public? So, what do we do, Mr Speaker, Sir? This is what we are doing! Nothing sinister! You cannot impute motives to me!

What I am doing, Mr Speaker, Sir, after having conferred with all stakeholders, the NLTA, the Police is we have even talked to the operators, Mr Speaker, Sir. This is the solution: the possibility to redeploy on a temporary basis. This will not be done *au petit bonheur*. It will be done after having scrutinised the situation. The existing operator, not the new operators, when he has performed well on another route, and if he is capable of helping out the situation, he will be asked to come on this route and to bring one or two buses depending on the number of buses that will be required, Mr Speaker, Sir.

But when we ask the operator to do that, the route which he is serving should not suffer at any cost. So, this is the proposal in this Bill, Mr Speaker, Sir. As I said, there is nothing sinister. These powers existed in our law and we have elaborated on these powers because the situation now is too serious. We cannot allow our school children, Mr Speaker, Sir, to stay on bus stops and come late to school.

This is why also, Mr Speaker, Sir, we have given the inspectors, the wardens new powers, because I know of individual owners, Mr Speaker, Sir, not all of them, this is not blaming all the private operators or all the individual operators, but some of them do that, Mr Speaker, Sir. Their buses stay in their garage inside their houses, at their residence and do not go out at all, and at the end of the month, Mr Speaker, Sir, they are being paid under the Free Travel Scheme. Do you think that this is correct, Mr Speaker, Sir?

Even though you are a Member of the Opposition, would you tolerate that? Mr Speaker, Sir, this is public money which is being spent in a useless manner. So, this is why we are having recourse to this legislation.

This Bill, Mr Speaker, Sir, is not a Bill where we are proposing the reform of the transport industry. I must inform the hon. Members that there is a Transport Master Plan, Mr Speaker, Sir, which is in the pipeline and the time will come when we will have the occasion to discuss about a new Transport Master Plan but this Bill has tried to address certain specific features of the transport industry and one of the clauses in fact relates to the safety on our roads, the section dealing with the CRTO. That is true but, Mr Speaker, Sir, it is not a Bill which is proposing reform in the transport industry. We will come to the reform.

Hon. Bodha talked about free transport services. We have a file at the Ministry; we are already working upon that, Mr Speaker, Sir. The time will come when this Government will take its decision because we have about 18 months more to go; the time will come when we will decide. Of course, it has to be a serious study, Mr Speaker, Sir.

Now, to come on this question of shuttle services; many Members have raised this question. Mr Speaker, Sir, the questions that some of the Members have asked will, in fact, be addressed in the regulations on the operation of shuttle services.

Now, hon. Bhagwan also said when we are introducing shuttle services, last mile connectivity, that might be a danger to health; that will discourage people from walking but, Mr Speaker, Sir, I ask hon. Bhagwan a question. All of us in this House, in the morning, we get out of our house, we go straight in our garage, in our luxury cars and we come to work – all, Opposition and Government also. Let us be truthful about it. But, Mr Speaker, Sir, you know how many people I know in my constituency, for example –I will give you a very good example which you know - at Rivière Noire, near the filling station, every day, about 50 maidservants waiting for a *taxi maron*, for a transport to go on the *Colline* of Carlos, to go and work as maids there. There is no bus transport for them, so they have to walk for either 2 or 3 kms to earn their living and shuttle services will not come and *empiètent* on routes where the transport service already exists; we cannot do that.

In fact, Mr Speaker, Sir, what we are doing in the transport sector and I think all Ministers have done that – we have to do balancing act. On the one hand, we have to protect the interest of the operators; on the other hand, we have to protect our fellow citizens. On the other hand, Government is not a *trou sans fond*; we cannot endlessly just give subsidies. There is a time when we must decide whether or not. With regard to the shuttle services, we are not going

to hurt anybody. I will give you an example, hon. Dr. Boolell. At Le Morne, all the hotels are at a walking-distance from the main road. Those people who go to work in the hotels, they have to stop at Le Morne Royal Road and walk - you know that road which goes to Paradis, Meridien and all those hotels there - 3-4 km. I am sure in all your constituencies, you have areas like that; you have localities like that where there is no transport and even the taxis do not go there.

So, it will be after a scrupulous exercise done by the NLTA which will precede the granting of the shuttle licence. It is not going to be given *au petit bonheur* or being given to *petit copains*. I can assure the House that the officers at the NLTA, including the Road Traffic Commissioner will, of course scrutinise all the applications and decide whether or not to grant the shuttle licence but, Mr Speaker, Sir, as I said, the regulations will be published. Everybody will have a chance to look at the regulations. Therefore, it will be only after an assessment of the transport situation, Mr Speaker, Sir, subject to there being need for such services. The shuttle service, I repeat it, for the operators to hear, will not compete unfairly with taxis, with bus operators, as the shuttle service will operate on a specific itinerary under specific conditions and care would be taken for such a service not to overlap on bus services, Mr Speaker, Sir. So, this is where we are with the shuttle service, which will be governed by specific conditions, Mr Speaker, Sir.

Now, to come back to what I was saying, in the budget which we just voted a few weeks ago - which you voted because I was not there, Mr Speaker, Sir, unfortunately – funding has been earmarked for a Transport Master Plan to provide a strategic orientation for the transport sector, including the digitalisation of the NLTA, the services and also, reinforcing the capacity of the regulator.

Mr Speaker, Sir, we do not want to '*fer dominer*' with any operator, including the individual buses. No. And the House knows, Mr Speaker, Sir, during the COVID-19 years, how we tried to outreach these operators with the Assistance Scheme, giving them an extension to use their buses. The use of a bus has now been extended to 21 years but as I said, Mr Speaker, Sir, as responsible authorities, we have to do the balancing act. We set up the Disciplinary Committee to take disciplinary actions against operators, against whom complaints are made, for example, refusing to take an old person in the bus. All these are being done in the interest of the commuters Mr Speaker, Sir.

Finally, Mr Speaker, Sir, I would just like to say a few words on the CRTO, on the road safety. Again, this is not a debate on road safety today but we took the opportunity to amend the law. As hon. Bodha himself said, it was 6 offences, when he was Minister, he reduced it to 5 but unfortunately, fatal accidents continue to take place on our roads. Mr Speaker, Sir, I do not want to go into the reasons for all these accidents.

Now, we have decided to reduce it from 5 to 4, Mr Speaker, Sir, but, I heard hon. Bhagwan, I think hon. Bodha also and hon. Lobine talking about road accidents. I have a document with me Mr Speaker, Sir. Not to fiddle but if we start to look at statistics, in 2002, when the MMM-MSM Government was in power –I say that for those in the MMM – in May of year 2002, there were already 73 victims on our roads, fatal accidents, already killed – 73. In 2012, at the end of July, that is, in 10 days' time, when we look at the figures – 2012, *le Parti travailliste était au pouvoir*.

Mr Speaker, Sir, let me come back to 2022 –

- July 2002, *il y avait 103 morts*;
- July 2012 – 82 *morts* when the Labour Party was in power.
- Now when we look at the figures, Mr Speaker, Sir, 2019, *il y avait 144 morts*;
- 2020: 131;
- 2021: 108;
- 2022, *l'année dernière, 107*.

And true it is that during these past months we have had an escalation, a new wave, reaching the figure of 79. That is true, Mr Speaker, Sir but I can also cite statistics to show, Mr Speaker, Sir, that in fact, if we analyse the figures, we have had darker years than we have had since the time this Government took power.

But with regard to road safety, Mr Speaker, Sir, I do not think anybody can point a finger at this Government. We have introduced 30 to 40 km/h zones in Port Louis and soon in the other towns, sensitisation campaigns – millions of rupees, road safety unit, and road safety education. Hon. Bhagwan talked about the introduction of a culture of road safety. Does he know that Government has already recruited 700 teachers – what is their name?

Mrs Dookun-Luchoomun: Holistic teachers!

Mr Ganoo: Holistic teachers in collaboration with the Ministry of Education to start teaching road safety in our schools. More than that, Mr Speaker, Sir, and it is the first time, with the permission of my colleague the Minister of Education, I will announce it: we have already decided to introduce road safety as a subject in our curriculum, isn't it? The first country in Africa to do that, one of the few countries in Europe to do that, when even in Europe they haven't done that, Mr Speaker, Sir. You can count on fingers how many countries in Europe have introduced road safety as a subject and the books are being printed. Are they ready?

Mrs Dookun-Luchoomun: Already printed!

Mr Ganoo: So, once all the books will be ready, we will launch this project and this is not politics and hopefully we will invite the hon. Members of the Opposition. So, this and hopefully they will be present, Mr Speaker, Sir.

An hon. Member: *Lobine pou vini !*

Mr Ganoo: So, road safety as a subject in our curriculum. I agree with him. We have to introduce a new culture and we have already done it and we are improving it, Mr Speaker, Sir. Finally, at the end of the day when we analyse all the accidents, Mr, Speaker, Sir – I said that on radio yesterday – we are responsible, we have no discipline, we do not have the *courtoisie* that is required. When I say 'we', I mean the Mauritian population. Unfortunately, some of our drivers, one second of inattention *et d'imprudence coûte la vie à une famille quelquefois*, Mr Speaker, Sir.

So, in terms of sensitisation, the billboards, social media, and even Mrs Miselaine with regard to the light rail – I said that yesterday, Mr Speaker, Sir – for traffic calming and road safety measures. We have road safety observatory. The University of Education has conducted four studies on four different aspects of road safety which is now public, Mr Speaker, Sir. I can go on, Mr Speaker, Sir, and we are now working on a design and build project for the installation of arrester bed at Soreze and Valton which would be a combination of granular bedding materials, drag wire net mechanism, crash cushion to address the momentum of a run-away truck or a bus if their brakes have failed when coming down to Port Louis, Mr Speaker, Sir, if they are

encountering a break failure and this arrester bed, which will be the first of its kind in Mauritius aims at decelerating the speeds of a vehicle, Mr Speaker, Sir.

There are circumstances which are beyond our control, *650 véhicules*, even during the COVID-19 years, Mauritians continued to import more new cars and second hand cars, Mr Speaker, Sir. In terms of density of cars, of vehicles as compared to our population, we are one of the highest in the world, Mr Speaker, Sir.

To sum up, Mr Speaker, Sir, I would just like to thank everybody. Somebody talked about electric car; I do not want to respond because it will take me so much time but...

Mr Armance: Time is over!

Mr Ganoo: ... as we all know, Mr Speaker, Sir, our country is one of the leading countries in terms of countering climate change and what is happening in the world today, Mr Speaker, Sir. At the moment, we are negotiating with friendly countries, 200 electric buses are on the way to Mauritius. The Prime Minister started the negotiation and when I went the G20, I had the opportunity, the honour to talk to the Minister of Foreign Affairs, Mr Jayshankar, my counterpart and I more or less finalised the deed. Mr Speaker, Sir, in its generosity, India agreed once again to on a grant basis 100 buses and 100 buses which will be bought on a line of credit. Mr Speaker, Sir, our two Ministries are now negotiating. It is a very complex negotiation; it is not easy. I am sure that friends, Members who are following the situation are taking cognisance of what is happening even in India which is producing a lot of electric buses these days. It is not easy; some of them are catching fire, some of them are having breakdown and so on, Mr Speaker, Sir. It is a new initiative which is being taken by many countries of the world, trying to come up with EV buses, Mr Speaker, Sir. So, we are doing what should be done and hopefully, Mauritius will also have its share of electric buses.

Mr Speaker, Sir, I think I have responded to all the queries made by the different Members of the House and what I can assure the House also is that all the powers that will be exercised by me as Minister, Mr Speaker, Sir, will be exercised in a very judicious manner and in any way, we are *un pays de droit*. We saw the Privy Council on Monday.

(Interruptions)

So, whenever you are aggrieved by the decision of the Minister, you will be able to go to the Supreme Court or to the Privy Council because we are *un État de droit*, Mr Speaker, Sir.

Mr Speaker: You commend the Bill to the House?

Mr Ganoo: So with these words, Mr Speaker, Sir, I end and I once thank my colleagues on this side of the House and also the Members on the other side of this House. Once this law will be adopted, hopefully proclaimed, I can assure the citizens of our country that a solution to their problems on the bus stops, on the bus shelters will be readily available to them.

Thank you, Mr Speaker.

Mr Speaker: Commend the Bill!

Mr Ganoo: I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

Mr Speaker: For Committee Stage, I will call upon the Deputy Speaker to take the Chair.

At this stage, the Deputy Speaker took the Chair.

The Deputy Speaker: Thank you very much. Please be seated!

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

THE ROAD TRAFFIC (AMENDMENT) BILL

(NO. X OF 2023)

Clauses 1 to 8 ordered to stand part of the Bill.

Clause 9 (Section 77 of principal Act amended).

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Ganoo: I move for the following amendments in Clause 9 –

“by deleting clause 9 and replacing it by the following clause –

9. Section 77 of principal Act amended

Section 77 of the principal Act is amended –

- (a) in subsection (1)(b), by deleting the words “, or of any person of a class of objector mentioned in subsection (5),”;
- (b) in subsection (5), by repealing paragraphs (b) and (c);
- (c) in subsection (6), by repealing paragraph (b);”

Amendments agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

Clauses 10 to 30 ordered to stand part of the Bill.

Clause 31 (Consequential amendment).

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Ganoo: Mr Chairperson, I move for the following amendments in clause 31 –

“by deleting clause 31 and replacing it by the following clause –

31. Consequential amendments

(1) The National Land Transport Authority Act 2019 is amended –

- (a) in section 2 –
 - (i) by deleting the definition of “Licensing Committee”;
 - (ii) by inserting, in the appropriate alphabetical order, the following new definition –

“Licensing Board” means the Licensing Board set up under section 13;
- (b) in Part IV –
 - (i) in the heading, by deleting the words “**LICENSING COMMITTEE**” and replacing them by the words “**LICENSING BOARD**”;

- (ii) by repealing section 13 and replacing it by the following section –

13. Licensing Board

(1) There is set up, for the purposes of this Act, a Licensing Board which shall be responsible for determining any application made for the issue, grant, variation or transfer of a licence, a certificate, a permit, an authorisation, a clearance or a registration under the Road Traffic Act and the Light Rail Act 2019, as the case may be.

(2) The Licensing Board shall consist of –

- (a) a Chairperson, who shall be a law practitioner;
- (b) one or more Vice-chairpersons; and
- (c) such other members, having suitable qualification or wide experience in transport, light rail or in any other related field, as may be necessary to enable the Licensing Board to discharge its functions under the Road Traffic Act and the Light Rail Act 2019.

(3) The members of the Licensing Board shall –

- (a) have no direct or indirect interest in the road transport industry or light rail industry, the motor trade or light rail business or in the motor or light rail insurance business; and

- (b) be appointed by the Minister on such terms and conditions as he may determine.

(4) (a) The Licensing Board shall sit in one or more divisions.

(b) A division shall consist of the Chairperson, or a Vice-chairperson, and 2 other members selected by the Chairperson.

(c) Any decision of a division of the Licensing Board shall be considered to be the decision of the Licensing Board.

(5) There shall be a Secretary to the Licensing Board who shall be an officer of NLTA, to be designated by the supervising officer.

(6) (a) On receipt of an application made for the issue, transfer, variation or grant of a licence, a certificate, a permit, an authorisation, a clearance or a registration under the Road Traffic Act or the Light Rail Act 2019, as the case may be, the Chief Commissioner shall, subject to subsection (7), refer the application to the Licensing Board.

(b) The Licensing Board shall determine an application made under paragraph (a) and shall thereafter make its recommendation to the Chief Commissioner.

(c) The Chief Commissioner may, on the recommendation of the Licensing Board, grant or reject the application and shall forthwith notify the applicant of

its decision in accordance with the Road Traffic Act or the Light Rail Act 2019, as the case may be.

(d) Notwithstanding paragraph (c), the Chief Commissioner may, after giving reasons therefor, request the Licensing Board to review its recommendation.

(7) (a) The Chief Commissioner may, with the approval of the supervising officer, cause certain classes of applications made under the Road Traffic Act or the Light Rail Act 2019 to be dealt with by the officers of NLTA.

(b) Paragraph (a) shall not apply to an application made for a public service vehicle licence, road service licence and carrier's licence under Part VI of the Road Traffic Act and to an application for the licensing of a petrol service station under section 166A of the Road Traffic Act.

(8) Any application made for the issue, grant, variation or transfer of a licence, a certificate, a permit, an authorisation, a clearance or a registration under the Road Traffic Act or the Light Rail Act 2019 and which is pending on the commencement of this section shall be taken up and dealt with by the Licensing Board.

(2) The Registration Duty Act is amended, in section 2, by deleting the definition of "classic or vintage motor car" and replacing it by the following definition –

"classic or vintage motor car" has the same meaning as in the Road Traffic Act;"

Amendments agreed to.

Clause 31, as amended, ordered to stand part of the Bill.

Clause 32 ordered to stand part of the Bill.

The Schedule ordered to stand part of the Bill.

The title and the 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 Road Traffic (Amendment) Bill (No. X of 2023) was read a third time and passed.

ADJOURNMENT

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I move for the adjournment of the Assembly to Tuesday 18 July 2023 at 11.30 a.m.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned!

MATTERS RAISED

The Deputy Speaker: Hon. Aadil Ameer Meea!

(8.31 p.m.)

CITÉ ROCHE BOIS – WATER LEAKAGE – REMEDIAL MEASURES

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East): Mr Deputy Speaker, Sir, the issue I am raising tonight is addressed to the Minister of Energy and Public Utilities, more specifically the CWA. It's been a week since there has been a leakage in a water pipe at Desperoux Street at Cité Roche Bois, which is found in my Constituency, Constituency No. 3. Several inhabitants have called the CWA but to no avail. Mr Deputy Speaker, Sir, it is not only a wastage of clean water but also is causing inconvenience to road users as this road is a busy one next to the *Centre Social* Cité Roche Bois. Therefore, I would request the hon. Minister to inform the CWA to take urgent remedial measures. Thank you.

The Deputy Speaker: Who shall take the request? Hon. Ganoo!

The Minister of Land Transport and Light Rail, the Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Yes, Mr Deputy Speaker, Sir, I have taken good note of the request made by the hon. Member. I will certainly take up the matter with my friend, the hon. Minister of Energy and Public Utilities and I will inform him of the point made by the hon. Member.

The Deputy Speaker: Thank you very much, hon. Minister! Hon. Mrs Sandra Mayotte!

(8.32 p.m.)

CASE NOYALE - BUS SERVICES

Mrs S. Mayotte (Second Member for Savanne & Black River): Merci, M. le président. Ma requête s'adresse aussi au ministre des Transports terrestres et du Métro léger et c'est une requête de la part des habitants de certaines régions de notre circonscription. Alors, ils ont rapporté certaines irrégularités dans le service des transports, notamment pour les habitants qui doivent en ce moment prendre les navettes et faire la déviation Case Noyale jusqu'à la route Baie du Cap-Choisy vu que la route de Macondé est fermée temporairement. Alors, ils ont noté quelques irrégularités dans le service des transports. Les chefs de gare n'arrivent pas à l'heure et les navettes ne sont pas suffisamment grandes pour contenir tous ces passagers, et des irrégularités également dans le service de transport pour les habitants de Chamouny qui vont jusqu'à Curepipe et vice versa, et pas de ramassage scolaire pour les élèves du Collège Sungeelee de Chamouny en ce moment. Si l'honorable ministre peut prendre en considération ces doléances, merci.

The Minister of Land Transport and Light Rail, the Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Yes, Mr Deputy Speaker, Sir, I am personally aware of this problem. In fact, this problem is linked to what we debated today, the lack of buses, the unavailability of buses, the reduction in the fleet of the respective operators, but I will certainly impress on all the operators concerned to remedy the situation as quickly as possible.

The Deputy Speaker: Thank you very much. Hon. Mrs Luchmun Roy, please!

(8.33 p.m.)

JOHN KENNEDY COLLEGE – MUSIC CLASSES

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you, Mr Deputy Speaker, Sir. My address goes to the hon. Mrs Leela Devi Dookun-Luchoomun, Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology. It is on behalf of the students of John Kennedy College who have informed me that, unfortunately, since their college has become an academy, they are not benefiting from any music class or their musical instruments as well. So, if the hon. Vice Prime Minister could look into the matter. Thank you very much.

The Deputy Speaker: Hon. VPM, please!

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): I certainly believe that they should have their music classes and I am going to look into the matter.

The Deputy Speaker: Hon. Khushal Lobine, please!

(8.34 p.m.)

SYNTHETIC FOOTBALL PITCH, CAMP FOUQUEREAUX – DEFECTIVE LIGHTINGS

Mr K. Lobine (First Member for La Caverne & Phoenix): Thank you, Mr Deputy Speaker, Sir. My request is addressed to the hon. Vice-Prime Minister who is not here, if any Minister could take it. It concerns the football pitch at Camp Fouquereaux whereby the lightings are defective for months and there is a synthetic football pitch which is closed. So, they are relying on this football pitch to play and to do jogging – the women in the evening. I would request upon the hon. Vice-Prime Minister to look into the matter with the Municipal Council of Vacoas-Phoenix. Thank you.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Thank you, hon. Member, I will certainly convey to the Vice-Prime Minister, Dr. Husnoo, your request, and I am going to make sure that he does get the information. Thank you.

The Deputy Speaker: Allow me to call hon. Dhunoo, please!

(8.35 p.m.)

MIDLANDS – DRAIN PROJECTS

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Deputy Speaker, Sir. My request is addressed to hon. Mahendranath Hurreeram, Minister of National Infrastructure and Community Development and it is with regard to Ramgoolam Lane in Midlands where drain projects have to be started. There have been projects done in the past by the previous Government which has done an absorption pit there and which is causing much problem for the inhabitants. And with the LDA now and our dynamic Minister, we can say that we can have the proper solution for these people there. I am asking the hon. Minister if he could use his good office to talk with the NDU so that we can find the proper solution to start the works as soon as possible.

The Deputy Speaker: Hon. Minister Hurreeram!

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Mr Deputy Speaker, Sir, I thank the hon. Member for raising this issue and I will definitely look into it as I am not aware at this stage. I will look into it and convey to the NDU to look into the matter. Thank you.

The Deputy Speaker: Thank you. Hon. Dr. Boolell, please!

(8.36 p.m.)

ROSE HILL RESIDENTS - STREET PARKING - PETITION

Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes): Yes, since everybody has put their hands up, let me take advantage. An appeal to the Minister of Land Transport, in relation to a petition forwarded to the Ministry by local residents of Deacan Street and Charles de Gaule of Rose Hill. It has to do with street parking and I am sure the hon. Minister will look into it. The matter has been referred to TMRSU and as of now, nothing has been done. So, I ask the hon. Minister to look into it and address the matter as forcefully as possible. Thank you.

The Deputy Speaker: Thank you. Hon. Minister, please!

The Minister of Land Transport and Light Rail, the Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Yes, Mr Speaker, Sir, I thank

the hon. Member for raising this issue, I will certainly address the issue and talk to the TMRSU and I will ask my Ministry also to look into the matter.

The Deputy Speaker: Thank you very much. *Bon appétit à vous tous et bonne route.*

At 8.38 p.m., the Assembly was, on its rising, adjourned to Tuesday 18 July 2023 at 11.30 a.m.