



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 19 JULY 2022

CONTENTS

PAPERS LAID

QUESTIONS (*Oral*)

ANNOUNCEMENT

MOTION

BILLS (*Public*)

ADJOURNMENT

QUESTIONS (*Written*)

THE CABINET

(Formed by Hon. Pravind Kumar Jugnauth)

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. Louis Steven Obeegadoo	Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism
Hon. Mrs Leela Devi Dookun-Luchoomun, GCSK	Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology
Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government and Disaster Risk Management
Hon. Alan Ganoo	Minister of Land Transport and Light Rail Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
Hon. Mrs Fazila Jeewa-Daureeawoo, GCSK	Minister of Social Integration, Social Security and National Solidarity
Hon. Soomilduth Bholah	Minister of Industrial Development, SMEs

	and Cooperatives
Hon. Kavydass Ramano	Minister of Environment, Solid Waste Management and Climate Change
Hon. Mahen Kumar Seeruttun	Minister of Financial Services and Good Governance
Hon. Georges Pierre Lesjongard	Minister of Energy and Public Utilities
Hon. Maneesh Gobin	Attorney General, Minister of Agro-Industry and Food Security
Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Information Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training
	Minister of Commerce and Consumer Protection
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping

Hon. Mrs Kalpana Devi Koonjoo-Shah

Minister of Gender Equality and Family 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. 21 of 2022**Sitting of Tuesday 19 July 2022**

The Assembly met in the Assembly House, Port Louis, at 11.30 a.m.

The National Anthem was played

(Mr Speaker in the Chair)

PAPERS LAID

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

A. Ministry of Land Transport and Light Rail

Ministry of Foreign Affairs, Regional Integration and International Trade

The Annual Report and Report of the Director of Audit on the Financial Statements of the Bus Industry Employees Welfare Fund for the year ended 30 June 2021.

B. Ministry of Finance, Economic Planning and Development

- (a) The Report of the Director of Audit on the Accounts of the Rodrigues Regional Assembly for the Financial year 2020-21.
- (b) The Certificate of the Director of Audit on the Annual Statements of the Rodrigues Regional Assembly for Financial Year 2020-21. (In Original)
- (c) The Securities (Collective Investment Schemes and Closed-end Funds) (Amendment) Regulations 2022. (Government Notice No. 182 of 2022)

C. Ministry of Energy and Public Utilities

The Annual Report and Report of the Director of Audit on the Financial Statements of the Wastewater Management Authority for the year ended 30 June 2021.

D. Ministry of Social Integration, Social Security and National Solidarity

The Social Aid (Amendment No. 2) Regulations 2022. (Government Notice No. 184 of 2022)

E. Ministry of Industrial Development, SMEs and Cooperatives

The Annual Report and Report of the Director of Audit on the Financial Statements of the St. Antoine Planters Co-operative Trust for the year ended 30 June 2021.

F. Ministry of Information Technology, Communication and Innovation

- (a) The Information and Communication Technologies (Licensing and Fees) (Amendment) Regulations 2022. (Government Notice No. 180 of 2022)
- (b) The Information and Communication Technologies (Amendment of Schedule) Regulations 2022. (Government Notice No. 181 of 2022)

**G. Ministry of Labour, Human Resource Development and Training
Ministry of Commerce and Consumer Protection**

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Manufacturing Sector Workers Welfare Fund for the year ended 30 June 2021.
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 16) Regulations 2022. (Government Notice No. 183 of 2022)

ORAL ANSWERS TO QUESTIONS
BAIE JACOTET LANDING STATION - SNIFFING ALLEGATIONS - SELECT
COMMITTEE

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the allegations made by Mr S. S. concerning sniffing at the Baie de Jacotet Landing Station, he will state if he will agree to the setting up of a Select Committee of senior members of the House from both Government and Opposition to look into the whole matter, including conflicting statements made by various protagonists.

The Prime Minister: Mr Speaker, Sir, as the House is aware, the setting up of a Select Committee is the prerogative of the National Assembly.

The procedure for the setting up of a Select Committee, which comprises Members of the National Assembly, is provided for under Standing Order 70 of the Standing Orders and Rules of the National Assembly.

As a matter of fact, Standing Order 70 makes the following provisions, *inter alia*, for the setting up of Select Committees, other than Sessional Select Committees, and I quote -

- “(i) A Select Committee other than a Sessional Select Committee, shall be appointed by a resolution of the Assembly on a motion made and shall consist of such members as may be nominated by the Speaker.
- (ii) Such Committee may be ordered by the Assembly to consider or take evidence upon any Bill or matter and to report their opinion for the information and assistance of the Assembly.
- (iii) Every Select Committee shall make a report to the Assembly upon matters referred to them before the end of the session in which the Committee was appointed, but if a Committee find themselves unable to complete their investigations before the end of the session they may so report to the Assembly. The Report from a Select Committee shall be presented by its Chairperson and shall be laid on the Table.”

Mr Speaker, Sir, the Terms of Reference of the Select Committee shall be those contained in the resolution of the House setting up such a Committee.

The scope of the enquiry by a Select Committee is defined by the terms of the “Order” under which the Select Committee is appointed and may include, and I quote -

“power to send for persons, papers and records and to appoint such number of specialist advisers thereto and to make such recommendations, as it deems fit.”

Mr Speaker, Sir, however, I wish to highlight the fact that Standing Order 71(10) also provides as follows, and I quote -

“Witnesses shall not answer questions relating to -

- (i) Cabinet documents or proceedings;
- (ii) communication between officers and Ministers;
- (iii) communication between Ministers;
- (iv) material, the publication of which may be injurious to national interest;
- (v) opinion of judicial officers;
- (vi) legal advice to Ministers and departments;
- (vii) communication between officers and third parties relating to formulation of policy, and
- (viii) material which, by statute, is required to be kept secret.”

Mr Speaker, Sir, in accordance with Standing Order 70(14), the report of a Select Committee is presented by its Chairperson and is laid on the Table of the Assembly.

After the laying of the Report, the mover of the Motion may choose to come with another Motion, on a subsequent date, to the effect that the Report of the Select Committee on the subject matter, which will have been laid on the Table of the Assembly, be approved.

The Motion will be moved and debate will follow thereon, following which a vote will be taken for its adoption by the Assembly.

Mr Speaker, Sir, I wish to refer the Leader of the Opposition to my reply to the Private Notice Question of 05 July and more specifically to my reply to Parliamentary Questions B/771 and B/775 on 12 July 2022 regarding the allegations made by Mr S. S., former Chief Executive Officer of Mauritius Telecom.

I gave a chronology of the facts leading to the survey mission by the technical team from India at the Baie Jacotet Landing Station.

I highlighted in my reply that the allegations made by Mr S. S. were baseless and unsubstantiated, and that I had never given any instructions for the installation of any sniffing equipment and that the only objective of the survey was in the interest of national security.

Mr Speaker, Sir, I also highlighted that since Mr S. S. had not reported the matter to the Police despite my invitation to him to do so, I personally gave a statement to the Police on 11 July 2022, which triggered an enquiry into those allegations.

It is public knowledge that, following my statement to the Police, the former Chief Executive Officer is currently being questioned by the Police.

Mr Speaker, Sir, I wish to emphasise that since the very first day in relation to this baseless allegation, I have been consistently saying that the purpose of the visit of the technical team to Baie Jacotet Landing Station was for a technical survey, and that no equipment has been installed at the Landing Station to enable sniffing or interception of internet traffic. Thus, there have been no conflicting statements on my side.

Mr Speaker, Sir, hon. Members are aware that a report of a Select Committee can be subject of debate in the National Assembly but cannot be used to institute any criminal proceedings. In case there is any incriminating evidence against any person in the report, the Police will have to start an enquiry afresh on the matter and call for evidence.

Mr Speaker, Sir, I repeat that the allegations of Mr S. S. are indeed baseless and gratuitous and reveal ulterior motives. As I stated in the National Assembly last Tuesday, the false statement, declaration and publication of Mr S.S., have caused and are causing irreparable prejudice to Mauritius, the Government, my Office, and my person as Prime Minister. Since this represents a grave risk to national security, I have deemed it my duty to report the matter to the Police myself.

Mr Speaker, Sir, since police enquiry has already started and is ongoing, the setting up of a parallel exercise to consider or take evidence by a Select Committee is indeed, I repeat, not only superfluous but also totally unjustified.

Mr Speaker, Sir, the Opposition has a sinister agenda, which is to poison the minds of the people through baseless allegations, insinuations and deliberate mud-slinging targeting Government, Government institutions and myself also.

We are not going to give way to the hysteria of this Opposition which is causing much harm to our country and to our economy.

I have always acted in the best interests of the Republic of Mauritius and will continue to do so.

Mr X. L. Duval: Mr Speaker, Sir, let me just say, firstly, that nobody believes that there will be an independent Police enquiry. Everybody knows that it is just a farce! Because it is causing irreparable damage to the reputation of Mauritius; in Mauritius and overseas. Just see what the South African Ambassador said yesterday!

This is why I am giving the opportunity to the Prime Minister to appoint a Select Committee. We can fine tune the rules of the National Assembly as every other country has done in the Commonwealth; that is not the issue. The idea is that we have senior Members, ex-Members of Government here in the Opposition, who I am sure can be more trusted than some Police Officers. I am offering the Prime Minister the chance to come clean and clear his own name, if that is possible. That is what I am saying. Why don't you accept a balanced Select Committee to clear your name and to clear the reputation of Mauritius?

The Prime Minister: May I know from the hon. Leader of the Opposition what Her Excellency, the High Commissioner of South Africa, has said in relation to this case?

Mr X. L. Duval: I refer you to *Le Défi* of this morning. I am not going to read the paper for you.

(Interruptions)

Mr Speaker, Sir, I am going to ask the Prime Minister...

The Prime Minister: Mr Speaker, Sir, may I reply? No, but if you...

Mr X. L. Duval: I am asking the Prime Minister whether he is aware - and he has quoted *ad nauseam* the fact that the ex-CEO of Mauritius Telecom knew from 21 October onwards of the survey. Now, I have his letter here, which he gave to the CCID, and there is no reference there at all to any survey! Neither does the letter of 22 December! So, how and in what way, when you are quoting from 21 October onwards that Mr S. S. was aware that you wanted a survey? This is not corroborated by the letters that were issued by your Office!

The Prime Minister: Mr Speaker, Sir, let me again say, before I reply to this question, that I am not going to find out from a newspaper what Her Excellency, the South African High Commissioner has said. When he comes to this Assembly, and if he is a serious Leader of the

Opposition, he must state exactly what the High Commissioner has said, and do not refer me to some other publications. But I am sure he cannot say anything; he is just bluffing and is, in fact, using a diplomatic person, the High Commissioner of South Africa, to try to make people believe that she has said something, which is not really correct. Tell us what she has said yourself!

Secondly...

(Interruptions)

I reply to your question! Let me answer! Let me answer! You are not even able to say anything, and what she has said. You are just bluffing!

(Interruptions)

Mr Speaker: Order! Order!

The Prime Minister: You are just bluffing! Let me say, Mr Speaker, Sir, I maintain what I have said; that since 21 October, at least, - I say, at least, - Mr S. S. was aware that a survey was going to be carried out. There are witnesses, there is evidence, but these testimonies, of course, will be taken by the Police, and then you will see!

Mr X. L. Duval: The first thing, Mr Speaker, Sir, the Prime Minister should know that his arrogance does not impress me at all.

(Interruptions)

The Prime Minister: *Arogans! Arogans lopozision!*

Mr X. L. Duval: Drop it! Drop it! The second thing, Mr Speaker, Sir,...

(Interruptions)

The Prime Minister: *Al guet to larogans ...*

Mr X. L. Duval: The letters do not corroborate what...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: *Ale dimann larogans Joanna!*

Mr X. L. Duval: Mr S. S. has been very precise in what he said up to now. The Prime Minister has been *flou, flou, flou*. The letters do not corroborate what he has said. Similarly, Mr Speaker, Sir, when he spoke last week, he said that on 22 December, a reminder was sent to Mr S. S. because he had not responded at all to your Office's first letter of 21 October. Does he know, Mr Speaker, Sir, that Mr S. S. met the Secretary to Cabinet three days after the issue of that letter of 21 October to tell him about the real qualms that he had concerning, this time, real

security issues with giving this sort of information that was requested in the letter which, as I said, there was no mention of survey; not even anywhere the word ‘survey’, neither in the letter of the 21st or 22nd or in the questionnaire that is attached to that letter.

The Prime Minister: Mr Speaker, Sir, the hon. Leader of the Opposition is saying that my statements or whatever I have stated either in this House or outside this House are *flou, flou, flou. Flou, flou, flou!* Here comes somebody who makes allegations, very serious allegations against my person, against the Security Division of my Ministry and, first of all, he does not go to the Police himself. He does not make any declaration. And rightly so, questions were asked by hon. Ehsan Juman and hon. Assirvaden, asking whether I have reported the matter. He should have reported; he does not report! Somebody is committing something which is illegal, committing a very serious offence; he does not go to the Police. I invited him to go to the Police; he does not go. As I have said, I had to report the matter to the Police thereafter because of the way in which that Mr S. S. has been making allegations. And now, their new ally, that is, the Opposition’s new ally, and Opposition Members are themselves also making all sorts of allegations. In reply to what I said, he was supposed, through one of his *porte-parole*, to go again on radio to expose me? I was told tsunami is coming, Mr Speaker, Sir. I was told tsunami is coming and I was waiting for tsunami. It was meant to be on Friday 08 July. It was announced by his *porte-parole* on 05 July that irrebuttable evidence will be made public. On 08 July, Friday, we waited. I do not know whether the hon. Leader of the Opposition also waited. Nothing happened. He absconded. He did not go ...

(*Interruptions*)

Mr Speaker: What is happening?

The Prime Minister: ... for the radio interview. I think he had to review his notes, ...

(*Interruptions*)

Mr Speaker: You do not have the floor.

The Prime Minister: ... he had to get prepared. Then, tsunami was announced for Tuesday 12 July, on the very day I was answering questions with regard to Mr S.S. in this House. So, he waited. Good enough! I am happy that he waited for my answers so that he can get prepared and he will wave a tsunami against me, against my Government. Everybody waited; we listened. I did not listen to him, but so many people, including Members of the Opposition,

listened to him ,and at the end of the radio programme, when I was reading the comments, just to sum up –

« *La montagne a accouché d'une souris ?* »

La montagne a accouché de l'air ! Même pas d'une souris ; de l'air ! There was nothing! In fact, - I do not want to mention names - some Members of the Opposition also told me –

“*Nous sommes sur notre attente, sur notre faim, nous n'avons rien entendu.*»

This is the kind of person; *ils sont en train de monter kadadak pour le moment*, but let me tell this House one thing. There will come a time where they will not want to be the jockey; they will want to kill the horse itself. I am saying it before this House, and the population, the country will see. But, anyway, talking about survey, nowhere has it been mentioned that a survey mission will be carried out. The letter of 12 April...

Mr X. L. Duval: Yes!

The Prime Minister: ... mentions of a survey mission. I am maintaining ‘survey mission’. The purpose of that mission was communicated to Mr S. S. well before, and on the 12th, by a letter from the Security Division of my Ministry, and it was communicated to him, again, that we are asking for access to the Baie Jacotet Landing Station to carry out a survey mission. Now, if he was not...

Mr X. L. Duval: Mr Speaker, Sir,...

The Prime Minister: Mr Speaker, Sir, let me answer! This is a serious matter! *Mais alors !*

Mr X. L. Duval: *Pa kriye ar mwa ein !*

The Prime Minister: *Mais alors !*

(*Interruptions*)

When you ask question, I do not stop you *do!* *Eta aler do ta! To p koz...*

(*Interruptions*)

Mr Speaker: Order! Both sides of the House, order!

Mr X. L. Duval: *To le mo kriye ar twa?*

The Prime Minister: You do not want to have...

(*Interruptions*)

Mr Speaker: Order! Order!

Mr Lesjongard: *Lese popilasion koner!*

The Prime Minister: I am not shouting! Because you do not hear, that is why.

An hon. Member: *Per repons aster?*

Mr Speaker: Continue!

The Prime Minister: So, I was saying, Mr Speaker, Sir, that on 12 April, if he was not agreeable to the survey mission to be carried out, but he stays in office? He stays in office, and I have listened to his justification, why he stays in office. He stays in office to collect evidence.

(Interruptions)

Mr Speaker: You do not have the floor!

The Prime Minister: To collect evidence! It is as if somebody is going to commit a murder, he allows the person to commit the murder, he gathers the evidence and he says: "you see now, there is an offence that has been committed." People will see, at the end of the day, what nonsense this is all about.

Mr X. L. Duval: Mr Speaker, Sir, the letter of 12 April is a fake; it is not a genuine letter.

(Interruptions)

I am informed that there is no recollection of this letter anywhere else apart from the PMO. But that is for him to prove, and this is why I am asking for a Select Committee because he has to prove all these things. I am also asking, Mr Speaker, Sir, the Prime Minister this question concerning this famous report, which has conveniently been leaked in all the papers, of the CTO, which is dated 02 July, two months or so after the Baie Jacotet intervention. Was this letter written at the PMO, and did the CTO - because he is still around - sign this under duress after having been given various options of letter? It is a straight question. Answer it by a straight answer!

The Prime Minister: I wish that the hon. Leader of the Opposition repeats what he has said. If he is a serious Leader of the Opposition, he repeats that outside the House, not under parliamentary immunity, and then I shall deal with him!

An hon. Member: *Kapon!*

(Interruptions)

The Prime Minister: Coming to this House and saying all sorts of nonsense? Mr Speaker, Sir, I hope Mr S. S., in his statement that he is giving now, says that this is a fake letter. I hope that he says that it is a fake letter. This is one, and secondly, I hope he says that there is

duress with regard to whatever letter this CTO has written. And if you have the courage, you go outside and then you repeat what you have said.

Mr X. L. Duval: If you have the courage Prime Minister, appoint a Select Committee! We do not need anything else from you! We do not need anything else from you! Appoint only a Select Committee! Change the rules if necessary and we will vote for them! Why are you hiding? Why are you afraid of the truth? This is Parliament; I don't need to go on the streets! I am asking you the question in Parliament! That is my right and it is your duty to answer in truth about what is being said. Mr Speaker, Sir, I am going to ask about this famous...

The Prime Minister: May I answer?

Mr X. L. Duval: No! I am going to ask about this famous letter...

The Prime Minister: You put a question and I do not answer!

(Interruptions)

Mr Speaker: Hon. Leader of the Opposition, you are out of order! Please! You put a question, you made a statement; the Prime Minister wants to reply. Allow him!

Mr X. L. Duval: My question is not finished.

Mr Speaker: Allow him! I am allowing him to reply!

Mr X. L. Duval: Don't be afraid of my question!

The Prime Minister: I am not afraid of you, *do!* You, your party, your alliance making blasphemous...

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order! Both sides of the House, order!

(Interruptions)

The Prime Minister: You and your party...

Mr Speaker: Prime Minister and Leader of the Opposition, I need silence to conduct business.

An hon. Member: *La honte!*

Mr Speaker: No crosstalking! Now, it is your turn ...

The Prime Minister: I have to answer!

Mr Speaker: ... to reply.

The Prime Minister: Yes! Mr Speaker, Sir, I am not afraid; neither of this Leader of the Opposition nor of this *l'Alliance de l'Espoir*, nor of any member of that *l'Alliance de l'Espoir*, whose behavior we can see as in the way they are denigrating people who are performing prayers...

(*Interruptions*)

Mr Speaker: Order!

The Prime Minister: ... at Grand Bassin in a sacred moment.

(*Interruptions*)

Mr Speaker: Order!

The Prime Minister: *Sa se l'alliance!*

(*Interruptions*)

Mr Speaker: Order, please!

(*Interruptions*)

Order! Continue with your reply!

The Prime Minister: I am not afraid.

(*Interruptions*)

Mr Speaker: Order! I am on my feet! Order!

The Prime Minister: And because I am not afraid, that is why I have...

(*Interruptions*)

An hon. Member: *Al manz gato!*

The Prime Minister: ... given a statement to the Police for the Police to enquire. And, at the end of the day, when the enquiry is going to be completed, the matter will be referred to the DPP for the DPP to take a stand, instead of wasting time and having a Select Committee. As I say, what is going to be the ultimate objective of the Select Committee after a report would have been drafted? There would have been a report. The report would be laid on the Table of this National Assembly. There is going to be debate on that; all blah-blah-blah again. We are not going to have another show. That show, I can tell you, will not last for very long.

Mr X. L. Duval: Mr Speaker, Sir, the Prime Minister wants us to believe that the CCID, headed by someone that he has himself recruited on contract and which he has renewed, is going to enquire and investigate his own actions. Nobody in Mauritius believes that! Now, I am going to ask the Prime Minister this question. The famous CTO report - you have not replied whether it

was done at the PMO or not. Perhaps you will reply later - of 02 July which apparently was written at the PMO; this one, and there was a previous one by the Manager there, one Mr G. M., who is, in fact, a specialist of cables, etc. Now, Mr G. M. apparently has submitted a report, very close to 15 April, and there, he has actually told the whole truth of what happened at Baie du Jacotet. So, given that you have now leaked the CTO report of 02 July, will you now accept to publish the previous technical reports issued by the people who attended that exercise? That is the question.

The Prime Minister: Well, again, the Leader of the Opposition is...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: ... to my knowledge, only making frivolous allegations that supposedly there is a report of 15 April. Where is the report? Where is it?

Mr X. L. Duval: You should tell me!

The Prime Minister: There is no report! You want me to produce something which does not exist? Where is your report? Where is your report? What is in the report? Tell us! Then I shall reply to you. You come and say there is a report...

Mr Speaker: Leader of the Opposition, are you in a position to table the report you mentioned?

Mr Toussaint: *Pena!*

Mr X. L. Duval: This is why I am asking for a Select Committee, because there are so many conflicting reports!

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order!

(Interruptions)

Order!

(Interruptions)

Order, Leader of the Opposition! My question is very simple. You mentioned a report. Are you in a position to table the report?

Mr X. L. Duval: If I was a position to table the report, I would be called Mr Sherry Singh. I leave it to him to do his job.

Mr Speaker: No, no, I am not asking all these things.

(Interruptions)

Mr X. L. Duval: I have answered you!

Mr Speaker: I am not ...

Mr X. L. Duval: I have answered!

Mr Speaker: The question is simple and requires a simple answer: either yes or no.

Mr X. L. Duval: Who are you to ask me a question? Who are you?

(Interruptions)

Mr Speaker: I am the Speaker!

Mr X. L. Duval: Who are you?

Mr Speaker: I am the Speaker! No, I am the Speaker! So, I take it that you do not have any report to table, and that goes in Hansard.

Mr X. L. Duval: Go and read the Standing Orders! ... questions to ask me! This is Prime Minister's Question Time! This is not Leader of the Opposition's Question Time! Now, let us go on!

Mr Speaker, Sir, I want to know from the Prime Minister...

(Interruptions)

You are getting me angry for nothing! All I wanted is a Select Committee. You are getting me angry for nothing.

Mr Toussaint: *Donn rapor la!*

Mr X. L. Duval: Arrogance and all that do not work with me.

(Interruptions)

Mr Speaker: Order!

Mr X. L. Duval: Now, Mr Speaker, Sir, I want to know...

(Interruptions)

Mr Speaker: Order, please! Order!

Mr X. L. Duval: ... from the Prime Minister. He has a lot of people, etc., here. There was, apparently, a problem with national security. It is what you have said. You have not told us what it is. You have not told this House. Did you inform Cabinet, the supreme instance power

taking in Mauritius, of the problem that was there and your decision to call in, apparently - whether it was your decision or it was somebody else's decision to ask you that? Did you inform Cabinet? And on what date did you inform the Cabinet, please?

The Prime Minister: The hon. Leader of the Opposition who has been a previous Minister and has been a member of Cabinet, knows fully well that matters that are discussed in Cabinet cannot be divulged.

An hon. Member: Not the matter, the date!

The Prime Minister: *Aret bluffer ta!*

(*Interruptions*)

Mr Speaker: Why are you bullying the Prime Minister? You don't have the floor! Don't bully Members!

Mr X. L. Duval: Would the Prime Minister be surprised to hear from me...

(*Interruptions*)

Mr Speaker: You don't have the floor!

Mr X. L. Duval: ... that Cabinet members here are saying that they are not at all aware of anything, any decision that you have taken with regard to the Landing Station at Baie du Jacotet? Would you be surprised to hear that from me?

The Prime Minister: I told you Cabinet matters are not divulged publicly in this House. *Alé pas to avoka!*

Mr Speaker: Time over!

Mr Mohamed: What?

The Prime Minister: *Alala!*

Mr Speaker: We move to the Prime Minister's Question Time. The Table has been advised that PQs B/884 and B/899 will be replied by the hon. Prime Minister, time permitting. Hon. Uteem!

NATIONAL SECURITY ADVISER - QUALIFICATIONS - TERMS & CONDITIONS OF APPOINTMENT

(No. B/856) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the current National Security Adviser, he will state the -

- (a) qualifications held, and
- (b) terms and conditions of appointment thereof.

The Prime Minister: Mr Speaker, Sir, the current National Security Adviser, Mr Kumaresan Ilango, holds degrees of Bachelor of Laws and of Masters of Science in Chemistry. He has served the India Police Service. He has also served at high level in the field of security, including research and analysis.

With regard to part (b) of the Question, I am tabling the terms and conditions of his appointment. It is to be emphasised that the post of National Security Adviser is covered by the Pay Research Bureau.

Mr Uteem: 54 years after independence, we still do not have a Mauritian as National Security Adviser! May I know from the hon. Prime Minister how was Mr K. I. selected? Was it the Prime Minister's choice? Did the Prime Minister carry out a due diligence on Mr K. I. before he was appointed as National Security Adviser?

The Prime Minister: He was appointed after we had made a request to the Government of India, and there was a recommendation. As a result of that, he was appointed the National Security Adviser.

Mr Uteem: Is the hon. Prime Minister aware that Mr Ilango was India's Spy Agency Raw Station Chief in Sri Lanka, and that he had to be recalled because allegedly he was accused of engineering a political combination against the Party in power? It is all over the Internet. Was he aware that this Mr Ilango was accused of interference in domestic political matters in Sri Lanka?

The Prime Minister: I am not aware of that. If the hon. Member has any proof of that, and if he can lay it before the National Assembly so that I can take cognizance of it.

Mr Uteem: I will table copies of the press articles.

The Prime Minister: Before I can reply, may I have a look at this press article, please?

Mr Uteem: It is on the Internet; you just have to click his name on the Internet and all will come up. May I know from the hon. Prime Minister whether it is this Mr Ilango who had advised him to order the CEO of Mauritius Telecom to allow foreigners access to the SAFE Cable Landing Station at Baie Jacotet without any Judge's Order?

The Prime Minister: Mr Speaker, Sir, there is a Police enquiry which is underway. This matter, of course, will be dealt with by the Police during its enquiry.

Mr Mohamed: Mr Speaker, Sir, could the hon. Prime Minister tell us whether this is the very same National Security Adviser that led and headed a mission in Maldives in March of this year, where one of the issues that was discussed was precisely cyber security for the nation? Is it the same Mr Ilango?

The Prime Minister: I need notice of the question. This is a specific question in relation to supposedly a meeting that was held in Maldives.

I had a quick look at the documents that have been tabled. This is not proof of what the hon. Member is alleging. These are supposedly just press statements. Now, press statements can publish anything they want; but this is not proof. I can come with other press statements also to show certain things with regard to Members of the Opposition. So, then, you will ask whether that is proof? This is not proof!

Mr Uteem: Since we are talking about national security issues and there are allegations that the current person has been involved in political activities in Sri Lanka, will the hon. Prime Minister take it up with the Indian authorities and verify whether these information that are freely circulated on the Internet are accurate or not?

The Prime Minister: When I saw all these publications in the newspapers, even here in Mauritius – you are just tabling whatever newspaper from abroad. Let me say one thing. I see *Le Défi Quotidien* had published since Friday 03 September 2021 –

“*Le PMO recrute Ilango comme National Security Adviser.*”

I see at one paragraph before the last what that paper itself says –

“*Cependant, ces accusations sont restées des rumeurs jusqu'à présent.*”

This is the press! This is the press and this is what they are saying: “*sont restées des rumeurs.*”

If I have to sit down and look at all the rumours that are being published every day – apart from the rubbish of the Opposition – my whole time will be spent just to look at those rumours and try to clarify, and this and that! I have more important matters to look at.

Mr Speaker, Sir, I am concentrating myself on the work that we have to do to build and, in spite of the major challenges that we are facing, to make this country move ahead and to progress.

Mr Speaker: Hon. Nuckcheddy!

Mr Nuckcheddy: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister state whether there is any reason not to appoint an Indian national as the National Security Adviser in Mauritius?

The Prime Minister: Mr Speaker, Sir, as I say, hon. Uteem is saying that 54 years after the independence, we are still appointing an Indian as National Security Adviser.

Mr Mohamed: Why not a Mauritian?

The Prime Minister: Why do not we appoint a Mauritian? So, why do not we appoint an Indian as National Security Adviser? Why is it? What have you got against India?

(*Interruptions*)

What have you got against? Regularly! Regularly you are having!

Mr Speaker: Order!

(*Interruptions*)

Order! Order!

An hon. Member: *La honte!*

The Prime Minister: As I say, there cannot be any reason not to appoint an Indian national, and for that matter, any other national as National Security Adviser, except when there are proven facts that are based on due diligence. We have had the due diligence conducted, and there is nothing against him. As I have just said, it is regretful that some people in the Opposition are indulging in systematic India-bashing to pursue their sinister agenda!

(*Interruptions*)

An hon. Member: *Shame on you!*

(*Interruptions*)

The Prime Minister: They will have to bear their responsibilities for the way in which they had made disrespectful comments!

(*Interruptions*)

Mr Speaker: Order!

(*Interruptions*)

The Prime Minister: Unacceptable! I would say unacceptable attitude towards India!

Mr Speaker: Hon. Nagalingum!

DR. B. A. F. G-F., GCSK, FORMER PRESIDENT - COMMISSION OF INQUIRY - STATUS

(No. B/857) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Commission of Inquiry on Dr. B. A. F. G-F., GCSK, former President of the Republic, which started on 14 August 2018 and terminated on 30 January 2020, he will, for the benefit of the House, obtain information as to where matters stand as to the work thereof, indicating the total amount of money disbursed in terms of fees payable to the President and to the assessors thereof.

The Prime Minister: Mr Speaker, Sir, the Commission of Inquiry on the Violation of the Constitution and any other laws by Dr. B. A. F. G-F., G.C.S.K., former President of the Republic, was set up on 16 May 2018 by the then Acting President of the Republic, pursuant to section 2 of the Commissions of Inquiry Act.

The composition of the Commission of Inquiry is as follows –

- (i) Chairperson: hon. Asraf Ally Caunhye, former Chief Justice;
- (ii) Commissioners: hon. Mrs Nirmala Devat, Senior Puisne Judge, and
- (iii) Commissioners: hon. Mrs Gaitree Jugessur-Manna, Puisne Judge.
- (iv) The Secretary of the Commission is Mrs Premila Sinnathambi-Gopynauth, Principal Court Officer.

Mr Speaker, Sir, I am informed that on 27 June 2018, the Commission issued a Press Communiqué inviting the public to make submissions to the Commission by end of July 2018. After completing its preparatory and preliminary works, the Commission started its hearings on 06 August 2018, and not on 14 August 2018 as wrongly stated by the hon. Member. The last hearing was held on 30 January 2020. Moreover, the Commission has not completed its assignment on 30 January 2020, as stated by hon. Member in his question. It has only completed its hearing on 30 January. The House will appreciate that there are three other important tasks in the Terms of Reference of the Commission of Inquiry, touching upon fundamental aspects in our Constitution.

Mr Speaker, Sir, I am informed by the Office of the President that the Commission has not submitted its report yet.

In regard to the information sought by the hon. Member as to where matters stand, the House will appreciate that in view of the nature of its function and the subject of its Terms of Reference, the Commission of Inquiry is bound to carry out its duties in a totally independent manner. It would not, therefore, be appropriate for any person or authority to interfere, in any manner, in the work of the Commission.

It is noteworthy that section 9 of the Commissions of Inquiry Act empowers the Commissioners to, and I quote –

“make such rules for their own guidance and the conduct and management of proceedings before them, and the hours and times and places of their sittings, not inconsistent with the commission, as they think fit, and may adjourn for such time and to such place as they think fit, subject only to the terms of the commission.”

Moreover, according to section 7 of the Commissions of Inquiry Act, the Commissioners are required to submit their report to the President of the Republic. Section 7 of the Commissions of Inquiry Act, provides as follows, and I quote –

“(1) The Commissioners shall, after taking the oath provided under section 5, make a full, faithful and impartial inquiry into the matter specified in the commission, and shall conduct such inquiry in accordance with the directions (if any) in the commission.

(2) The Commissioners shall, in due course, report to the President, in writing the result of such inquiry, and, where required, shall furnish to the President, a full statement of the proceedings of the Commission, and of the reasons leading to any conclusion arrived at or reported."

Mr Speaker, Sir, in addition, the Commission issued by the President of the Republic on 16 May 2018 authorises the Commissioners to report their proceedings to the President, from time to time, if they judge it expedient to do so.

Mr Speaker, Sir, regarding payment of fees, I am informed that, as at date, no fee has been paid to the Commissioners. Payment of fees to the Commissioners will ultimately be decided upon by the President of the Republic, pursuant to section 16 of the Commissions of Inquiry Act based on the recommendations of the High Powered Committee chaired by the Secretary to Cabinet and Head of Civil Service.

Mr Nagalingum: Can I ask the hon. Prime Minister why is it taking so much time for the report to be published?

The Prime Minister: Mr Speaker, Sir, in my reply, I have stated that we have no control over the length of time that a Commission of Inquiry takes. I think I have given sufficient information and this is all that I can provide to the House. The Commissioners are independent, they have listened to evidence, they are going according to the terms of reference of the Commission of Inquiry, and I believe that there are a lot of matters that they have to look at before they submit a report. That is all I can say.

Mr Nagalingum: The hon. Prime Minister will surely agree with me that the Commission relates to the image of our country and raises constitutional issues about the Head of the State. Will not he press upon to see that the report should be published as soon as possible?

The Prime Minister: What I can do, Mr Speaker, Sir, is to take the remarks of hon. Members and pass them on to the President of the Republic so that he can transmit those remarks to the Chair of the Commission of Inquiry.

Mr Dhunoo: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister state whether he has any power to ask the Commissioner of Inquiry to expedite its duties?

The Prime Minister: As I have said, Mr Speaker, Sir, I have no power to give any directive to a Commission of Inquiry. Let me repeat again so that the House can understand. A

Commission of Inquiry is, by the very nature of its functions and the subject of the Terms of Reference upon which it has been set up to inquire, bound to carry out its duties in a strictly independent manner, free from any interference from any other quarters.

Moreover, since the Commission of Inquiry is not part of the Executive nor the emanation of any arm of the Executive, it is submitted that it is not accountable in the discharge of its independent functions not only to the National Assembly but also to myself.

Mr Speaker: The Table has been advised that PQ B/864 has been withdrawn. Next question!

Mr Assirvaden: Je retire ma question, M. le président.

**STANDING ORDERS AND RULES OF THE NATIONAL ASSEMBLY (1995) –
REVIEW**

(No. B/858) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Standing Orders and Rules of the National Assembly (1995) presently in force, he will state if he will consider initiating procedure with proposals for a review thereof for referral to the Standing Orders Committee by the Assembly and, if so, when and, if not, why not.

(Withdrawn)

Mr Speaker: Next question!

**SUBMARINE CABLE LANDING STATION, BAIE JACOTET – SURVEY – 15 APRIL
2022 – REPORT**

(No. B/859) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the survey conducted on the Submarine Cable Landing Station of Baie Jacotet by a foreign technical team on Friday 15 April 2022, he will state if he will table the report of the Chief Technical Officer of Mauritius Telecom who accompanied the team.

The Prime Minister: Mr Speaker, Sir, the survey carried out at Baie Jacotet Landing Station by a foreign technical team was in the context of National Security.

A Police enquiry into the matter is underway and disclosure of any such information pertaining thereto will be prejudicial to the investigation.

However, I would like to restate that the Chief Technical Officer of Mauritius Telecom who was physically present all throughout the survey has, in a report, confirmed that no sniffing or other equipment had been installed at Baie Jacotet Landing Station.

Mr Osman Mahomed: Thank you, Mr Speaker, Sir. It is a question of a technical survey. This morning, in the PNQ, the hon. Prime Minister has stated that it is causing an irreparable prejudice to the country. And this is what Her Excellency – the Prime Minister had asked a copy of this – Dr. Hlamalani Nelly Manzini has said *sur le sniffing : si c'est vrai, nous allons devoir agir*. I am going to table a copy for the Prime Minister to see for himself.

Now, can I ask the hon. Prime Minister whether he is basing himself on the letter that appeared in the Press yesterday, dated 02 July, where the CTO said that there was no sniffing? Because this letter has been written not even on Mauritius Telecom's letterhead; it is not even a report, it is a letter addressed to the Chairman of the Mauritius Telecom who is also Secretary to Cabinet. Because this letter is not a report, Prime Minister, and to our information, the first report is available at Prime Minister's Office. This is a technical report that we are asking you to make public so that it dissipates all doubts there are in the mind of the people of Mauritius, even the diplomatic corps. This is the report that we are asking you to table once and for all so that we get over with this issue.

The Prime Minister: May I know from the hon. Member to which report he is referring that is at the Prime Minister's Office?

Mr Osman Mahomed: Mr Sherry Singh, the ex-CEO has gone on air, without any...

(Interruptions)

... parliamentary cover to state that there was a report. So, he takes all his responsibilities. And in this report, hon. Prime Minister, which is causing great prejudice to us, it is being stated that there has been capture on the system and this capture is allowing whoever has access to it to have access to all information of the citizens of Mauritius. Can you, please, table this report?

The Prime Minister: Mr Speaker, Sir, the Opposition Members are so well acquainted with him, and they have now become like a family with Mr S. S. Instead of repeating what Mr S. S. is saying, I am sure they must have asked him: 'well, provide us with your letters, your evidence that you have so that we can put questions to the Prime Minister in the National Assembly'. Where are all those evidences? Even he himself has not been able to produce anything on the radio, and I call it a radio show. You are referring to Mr S. S. having said this.

This is hearsay. If you seek advice, you will know that this is hearsay, unless you have anything concrete. And I can say that all this is rubbish, Mr Speaker, Sir. They are rubbish. But I do not want to go into all the details of what they have been saying. In fact, I should not have mentioned a number of things that I have been made to mention. I must say it is against my will, but if I had not given some information, they would have continued with their hysteria. I have to retain myself. So, what is this report; which date, at least? Tell me which date it is!

Mr Osman Mahomed: One last question.

Mr Speaker: You have a copy of that report to table?

Mr Osman Mahomed: I have a question to the Prime Minister.

(*Interruptions*)

I have another question to the Prime Minister.

Mr Speaker: You mentioned a report and...

Mr Osman Mahomed: Hon. Prime Minister, can I ...

Mr Speaker: You are in Parliament!

Mr Osman Mahomed: Yes, can I ask...

Mr Speaker: Hon. Member!

Mr Osman Mahomed: No, I don't have.

Mr Speaker: You don't have! So, refrain from talking about the report!

Mr Osman Mahomed: Hon. Prime Minister, my last question to you is: do you confirm to the House that there is no other report at Mauritius Telecom or at the Prime Minister's Office, save that letter that appeared in the Press yesterday?

The Prime Minister: I have given a statement to the Police; the Police will enquire. If there is anything that the Police find that we need to clarify, including any report which, if at all, will be produced by Mr S. S. and I must say, all this *cinema*, all this show, what amazes me is that, at least, I thought that he would not be making public certain evidence that he has. When he started to answer questions at the Police, after some time - anyway, I do not know whether I can rely on Press reports, but I saw one of the media reporting that his Counsel has said, *il garde le droit de silence*. I do not know when he is going to reveal all his proof. *Pour le moment, il garde le droit de silence*. For me, what *droit de silence* means is that he has got nothing. It is a bag of wind.

Mr Speaker: Next question! Hon. Quirin!

MRS V.A. & MR V.A.R. - DRUG DEALING - ARRESTS - INQUIRY

(No. B/860) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrests of Mrs V. A. and of Mr V. A. R. by the Anti-Drug Smuggling Unit with 1 kilogramme of gandia on 13 May 2022, he will, for the benefit of House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that, following credible information received and in virtue of a search warrant, a team from the ADSU Western Division proceeded on Friday 13 May 2022 at around 11.15 hours to Jacmin Street, Roches Brunes, to search the dwelling of one Mrs V.A. The ADSU team met with Mrs V.A. as well as Mr V.A.R. who were both in the living room. In the course of the search, a plastic parcel containing about 1kg of compressed leaf matter, suspected to be Cannabis, was found. The approximate street value of the drugs secured is Rs600,000.

Mr Speaker, Sir, I am also informed by the Commissioner of Police that on the same day, at about 14.30 hours, a search was carried out by the ADSU in the dwelling of Mr V.A.R. at Apartment No.1, Subburun Tower, Sir Virgil Naz Street, Rose Hill. Two cellophane paper parcels, each containing a certain quantity of leaf matter suspected to be Cannabis and a resealable plastic sachet containing 12 suspected Cannabis seeds were secured.

Both Mrs V.A. and Mr V.A.R. were arrested on the same day and brought to the ADSU Office in Rose Hill for enquiry.

On Monday 16 May 2022, provisional information were lodged against Mrs V.A. and Mr V.A.R. before the District Court of Rose Hill for Drug Dealing – Possession of Cannabis for the Purpose of Selling in breach of sections 30(1)(f)(i) and 47(5)(a) of the Dangerous Drugs Act. They were both remanded to Police Cell until 20 May 2022. They appeared before Court on 20 May 2022, 26 May 2022, and 01 June 2022.

On Wednesday 01 June 2022, Mrs V.A. was remanded to jail and Mr V.A.R. was again remanded to Police Cell.

Mr Speaker, Sir, on Monday 06 June 2022, Mr V.A.R. applied for bail before the District Court of Rose Hill. On that date, the motion for bail was fixed for hearing on 13 June 2022. The

motion was heard and the ruling was fixed for Thursday 16 June 2022. Mr V.A.R. was released on bail after furnishing a surety of Rs150,000 and a recognizance of Rs500,000.

Mrs V.A. applied for bail on Saturday 25 June 2022 before the Bail and Remand Court and was, on 28 June 2022, granted bail. However, she failed to furnish the required sureties and was maintained in detention. She was subsequently bailed out on 01 July 2022 after furnishing two sureties of Rs75,000 and a recognizance of Rs500,000.

In accordance with the conditions of the bail, Mrs V.A. and Mr V.A.R. have to report daily to the nearest Police Station between 6 o'clock in the morning and 20 o'clock in the evening and between 6 o'clock in the morning and 21 o'clock in the evening respectively.

I am further informed by the Commissioner of Police that the exhibits have already been analysed by the Forensic Science Laboratory and the report was submitted to the ADSU on 21 June 2022. The enquiry into the case is ongoing.

Mr Quirin: Le Premier ministre peut-il nous dire si les deux personnes arrêtées ont des antécédents liés au trafic de drogue ou autre et, si oui, de bien vouloir nous donner des détails ?

The Prime Minister: I think it will not be proper for me to give any information on that issue. I can inform the House that eventually, if there is a case, the case will go before a court. The court will hear evidence. And whatever I say now can prejudice the case before the court.

Mr Quirin: Le Premier ministre est-il informé qu'une des personnes arrêtées dans cette affaire, nommément Madame V.A., a été *l'Electoral Agent* de l'ex-maire de Beau Bassin-Rose-Hill et candidat de *L'Alliance Morisien* aux élections générales de 2019 et fut aussi la *Constituency Clerk* d'un ex-ministre du gouvernement MSM de 2014 à 2019 ?

The Prime Minister: What I know is that that person has been expelled from the Party. As soon as they became aware that the person had been involved in certain dealings, they took the decision to expel that person from all the "instances" of that Party. But let me remind the hon. Member that prior to that, that same person was very close to a former candidate of the PMSD, Mr G. L. So, be careful about what you say. I have the evidence here.

(Interruptions)

An hon. Member: Own goal!

Mr Toussaint: *To zet sa lor Patrice ta !*

Mr Quirin: *One last, please.* Dans le cadre de cette enquête, le Premier ministre peut-il nous dire s'il y a d'autres personnes qui ont aussi été arrêtées ou interrogées par la police à ce jour ?

(*Interruptions*)

The Prime Minister: Mr Speaker, Sir, the PQ is about two persons named in the question; Mrs V. A. and Mr V.A.R. Anyway, I do not know because the Police will of course and certainly not provide me with other information about the inquiry.

At any rate, Mr Speaker, Sir, I am sure the hon. Member will appreciate that it will also not be proper for me to give names of people who have been interrogated with regard to this inquiry.

Mr Speaker: The Table has been advised that PQ B/867 has been withdrawn. Questions addressed to hon. Ministers! The Table has been advised that PQ B/881 will be replied by the hon. Vice-Prime Minister, Minister of Local Government and Disaster Risk Management. PQ B/868 has been withdrawn.

Hon. Woochit!

SHELTERS - FEMALE RESIDENTS - ALLEGED SEXUAL ABUSE

(No. B/868) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Gender Equality and Family Welfare whether, in regard to the shelters, she will state the number of reported cases of female residents thereof having allegedly been victims of sexual abuse over the last three years thereat, indicating the –

- (a) number of ensuing pregnancies, if any, and outcome thereof in each case and actions taken to protect the unborn children, and
- (b) number of inquiries carried out as to the circumstances surrounding same.

(*Withdrawn*)

PARKING SPACE - COMPREHENSIVE NATIONAL POLICY

(No. B/869) Mr R. Woochit (Third Member for Pamplemousses & Triolet) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to parking, he will state if Government proposes to bring a comprehensive national policy therefor and, if so, give details thereof.

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Mr Speaker, Sir, with your permission I shall reply to PQ B/869.

Mr Speaker, Sir, at present, there is no comprehensive national policy with regard to parking. Actually, there exist two types of parking facilities available for the public namely –

- (i) the public parking space which is managed by the Government under the Road Traffic (Paid Parking) Regulations 2002, and
- (ii) the private parking space which is managed by private operators.

Mr Speaker, Sir, as regard to the public parking space, there are four types of such facilities offered namely –

- (i) Reserved Parking Bays which are part of a road dedicated to Reserved Parking and demarcated as Zone 1 and Zone 2. Zone 1 being the City Centre, the cost of which is Rs50,000 yearly. Zone 2 is away from City Centre and cost Rs40,000 yearly;
- (ii) Paid Parking Bays which are regulated using Parking Coupon with a denomination of Rs10 in Zone 2 and Rs20 in Zone 1, being valid for a period of 30 minutes;
- (iii) Delivery Bays which are meant for the parking of light goods vehicle for loading and unloading of goods. This is managed by Delivery Parking Coupons of Rs10 in Zone and Rs20 in Zone 1, and valid for a period of 30 minutes;
- (iv) Disabled Parking Bays which are free of charge and are painted in blue colour.

These parking bays are demarcated and maintained by officers of the Traffic Management and Road Safety Unit (TMRSU). Non-adherence to Road Traffic (Paid Parking) Regulations 2002 makes the offender liable to parking offences. Enforcement in accordance to the Road Traffic Regulations 2004 and the Road Traffic Regulations 2002 are carried out by the Traffic Wardens of the NLTA and the Police.

Paid parking checks are undertaken in Port Louis, Rose Hill and Curepipe. Crackdown operation are likewise effected for illegal parking such as parking vehicles on single/double yellow lines and parking vehicles on footpath in different regions of the island. According to

statistics submitted by the NLTA, 9,665 contraventions have been established by Traffic Wardens from January to June 2022.

Mr Speaker, Sir, as regard to private parking space, we have noticed lately that there are a number of private parking lots which are cropping up around the island. The Ministry has not yet come up with a defined policy. However, it is felt that these private parking should be regulated.

The Ministry in collaboration with the Ministry of Information Technology, Communication and Innovation has embarked on the implementation of a Smart Parking System. In addition, the Ministry is presently working on a Transport Master Plan wherein the parking issues and policy to be taken would be looked into. Thank you.

Mr Woochit: Thank you, Mr Speaker, Sir. Is the Minister aware that there are so many accidents related to pedestrians particularly people on wheelchair or with low visual impairments due to parking on pavement and side street parking congestion on public roads in most residential areas? What recent assessment he has made with the Commissioner of Police to prohibit pavement parking?

Mr Hurreeram: Mr Speaker, Sir, as I have said in my reply, that Traffic Wardens, the Police are looking into crackdown operation that are effected for illegal parking a bit across the island. There will be the Transport Master Plan that will look into those issues eventually.

Mr Woochit: Can the Minister inform the House what steps his department is taking to ensure all vehicle users have a self-service ticket machine facility in all towns and cities instead of buying parking tickets in filing station or library?

Mr Hurreeram: Mr Speaker, Sir, I have already replied to this also. In fact, we are going a step further. We are not burdening people with ticket machines; these are outdated systems. Now, my good friend, hon. Deepak Balgobin, is coming up with a state-of-art technology that will allow you to pay your parking sitting in your office with your phone.

Mr Woochit: Mr Speaker, Sir, whether there are any plans for construction of multi-level parking facilities due to the increased number of vehicles each year so as to reduce the on-street parking congestion on public roads?

Mr Hurreeram: Mr Speaker, Sir, the hon. Member will appreciate that I am not the substantive Minister. I will convey this matter, but I am not aware and this question does not pertain to high rise parking. So, if you come with a substantive question, we will answer.

Mr Speaker: The Table has been advised that PQs B/911, B/912, B/919, B/896, B/910, B/918, B/921 and B/922 have been withdrawn.

Next question!

BASIC COMMODITIES - MAXIMUM MARK-UP REGIME - REVIEW

(No. B/870) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the maximum mark-up regime, he will state if the recent imposition thereof resulted in severe shortages of basic commodities in Mauritius, indicating if consideration will be given for a review of the decision to impose same or of the percentage thereof.

Mr Callichurn: Mr Speaker, Sir, since 01 July 2022, 12 essential products, namely canned fish, canned tomatoes, cheese, edible oil, margarine, milk powder, pulses, pasta, wheat cereal, infant food/infant food preparation, baby and adult diapers have been placed under the maximum mark-up price control with a mark-up ranging from 20% to 25%.

Since coming to force of the mark-up mechanism, officers of the Consumer Affairs Unit have effected visits in some 392 retail outlets around the island to ensure that maximum approved retail prices of these products are being respected. In case of non-compliance, the traders are contravened in accordance with the prevailing legislations.

Mr Speaker, Sir, I am informed that according to the market surveillance as at 14 July 2022 carried out by the Consumer Affairs Unit, there is no severe shortage of these basic commodities in major sales points around the island.

However, some occasional shortfalls have been noted for certain types of pulses in certain trade premises. The traders have stated that these products are in high demand. They have already placed their orders and are awaiting new stock.

I also wish to point out that the mark up imposed on these products has been determined after a detailed analysis of the costing submitted by the respective importers.

Mr Speaker, Sir, at this stage, it is not foreseen to review the percentage of mark up for these 12 essentials commodities.

Dr. Gungapersad: Will the Minister table the number of suppliers, if he has it, who have not submitted their costing in order to fix the prices of the imported commodities when maximum mark-up was introduced on items such as *lentilles noires*, *petit pois*, *sardines* and so on?

Mr Callichurn: We do have the contravention taken from the suppliers, and I undertake to table same.

Mr Speaker: Hon. Doolub!

Mr Doolub: Thank you, Mr Speaker, Sir. In reference to the maximum mark-up imposed on these 12 categories of products that the Minister just mentioned, can the Minister inform the House what was the average mark-up on these same products? I presume his officers must have surveyed. Thank you.

Mr Callichurn: Mr Speaker, Sir, prior to the introduction of the mark-up and subsidy, not all products in the seven commodities were under the price control. However, milk powder was being controlled under the maximum recommended price with a maximum mark-up of 35%, and as regards edible oil, the maximum mark-up was around 25%. For other products, the maximum mark-up ranged from 25% to 40%.

Dr. Gungapersad: Is the Minister aware that maximum mark-up does not *de facto* control prices of commodities as importers have an easy back door for not submitting their costing to the price-fixing unit of the Ministry of Commerce by paying a meagre penalty fee of only R 5,000? Will the Minister consider imposing the concept of maximum price instead of maximum mark-up in order to protect consumers, especially at a time when Mauritian consumers at large are suffering?

Mr Callichurn: Mr Speaker, Sir, for the moment we are applying the maximum mark-up regime and if the need arises, we will review accordingly.

Dr. Gungapersad: Will the Minister undertake to have the prices of products on the maximum mark-up to be published on a daily basis so that consumers can take cognizance of the

prices in real time instead of publishing only the maximum mark-up percentage on the website of the Ministry of Commerce?

Mr Callichurn: This can be considered, Mr Speaker, Sir, in any event the Price Observatory Committee will be finalising its work and the application will soon be launched so that consumers across the island know the different prices that are being practised by different retail outlets.

Mr Speaker: Next question! MP Mrs Foo Kune-Bacha!

FEMALE WORKERS – COMPLAINTS – HARASSMENT, DISCRIMINATION & UNEQUAL REMUNERATION

(No. B/871) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to female workers, he will state the number of complaints received therefrom since 2019 to date at his Ministry for –

- (a) harassment;
- (b) discrimination, and
- (c) unequal remuneration for work of equal value.

Mr Callichurn: Mr Speaker, Sir, section 114 of the Workers' Rights Act provides, amongst others, that no person shall harass a worker in the course of his employment.

Mr Speaker, Sir, with regard to part (a) of the question, on the basis of figures compiled by my Ministry, for period January 2019 to May 2022, a total number of 218 cases of harassment has been reported to my Ministry, involving 162 female and 136 male Mauritian workers. As regards migrant workers, 9 complaints of harassment were reported during the same period.

However, I wish to add that 18 other pending cases of harassment as at December 2018 were brought forward, in addition to the 218 registered cases.

Mr Speaker, Sir, with regard to discrimination, section 5 of the Workers' Rights Act provides, *inter alia*, that no employer shall treat any worker in his employment in a discriminatory manner.

Concerning part (b) of the question, I am informed that, for period January 2019 to May 2022, 26 cases concerning discrimination at work have been reported involving 4 female and 22 male Mauritian workers. No complaint of discrimination from migrant workers was reported to my Ministry.

Two other pending cases of discrimination at work as at December 2018 were brought forward, in addition to the 26 registered cases.

Mr Speaker, Sir, as regards part (c) of the question, I presume that the hon. Member is referring to ‘Equal Remuneration for Work of Equal Value’ as stipulated under section 26 of the Workers’ Rights Act which provides, *inter alia*, that every employer shall ensure that remuneration of a worker shall not be less favourable than the remuneration of another worker performing work of equal value.

Mr Speaker, Sir, I am informed that no complaint regarding ‘equal remuneration for work of equal value’ has been registered at the Regional Labour Offices in respect of both Mauritian and migrant workers during the above-mentioned period. However, 3 disputes have been reported to the Conciliation and Mediation Section of my Ministry during the period of January 2019 to May 2022.

Mr Speaker, Sir, any worker who considers himself or herself to be a victim of harassment, discrimination or unequal pay can report a complaint to any of the 17 Regional Labour Offices. And upon receipt of a complaint of harassment, officers of my Ministry investigate the matter to determine whether there is sufficient substance to initiate criminal proceedings.

Mr Speaker, Sir, I am further informed that over the period of January 2019 to May 2022, 189 cases of harassment, out of a total number of 236 cases, and 22 cases of discrimination, out of a total of 28 cases, have been disposed of at the level of my Ministry. In addition, 9 cases of harassment from migrant workers have already been disposed of.

With regard to the 3 disputes pertaining to the issue of ‘equal remuneration for work of equal value’, the situation is as follows –

- one has been resolved to the satisfaction of the complainant;

- another dispute has reached a deadlock and referred to the Commission for Conciliation and Mediation by the parties, and
- the last one which is still pending, the next conciliation meeting has been scheduled for 02 August 2022.

Mr Speaker, Sir, the House may wish to note that there are presently nine cases of harassment/verbal abuse falling under section 114 of the Workers' Rights Act at the level of the Prosecution Unit, out of which, four cases have already been lodged before the Industrial Court, one case has been struck out as there was no solid ground to sustain criminal proceedings and four cases are being analysed prior to referral to Court.

Mr Speaker, Sir, my Ministry is fully committed to providing all the necessary support to victims of harassment, discrimination and unequal pay at work. The hon. Member may wish to note that Mauritius is among the first few countries worldwide to ratify the ILO Violence and Harassment Convention 2019 No. 190, thereby reiterating our determination to further enhance protection of workers of this country.

Mrs Foo Kune-Bacha: Le harcèlement est une offense et une violation des droits humains. J'aimerais demander à l'honorable ministre combien d'employeurs ont été déjà sanctionnés à ce jour sous la section 114 (3) du *Workers' Rights Act* qui rend les employeurs responsables pour toute sorte de violence au travail depuis 2019 ?

Mr Callichurn: Mr Speaker, Sir, I have just given the answer as per the question asked, that is for the period of 2019 to 2022.

Mrs Foo Kune-Bacha: Selon la Banque mondiale, entre 2004 et 2015 dans le secteur privé, les femmes étaient rémunérées 30% de moins que les hommes et selon *Statistics Mauritius*, en 2019, les salaires des femmes étaient en moyenne de R 6000 de moins que les hommes. Malgré la loi déjà existante d'*Equal Renumeration for Work of Equal Value*, les écarts existent toujours. Puis-je demander à l'honorable ministre qu'est-ce qu'il a l'intention de faire pour réduire cet écart ?

Mr Callichurn: Mr Speaker, Sir, maybe this was the case prior to the coming into effect of the Workers' Rights Act which, we, ourselves, enacted in 2019. As for equal remuneration for work of equal value which is regulated by section 26 of the Workers' Rights Act, since 2019 there has been no complaint received at the level of my Ministry. So, this answers your question.

Mr Speaker: Hon. Dhunoo!

Mr Dhunoo: Thank you, Mr Speaker, Sir. In his reply, the hon. Minister mentioned about harassment. Can he inform the House if there has been any case of racial harassment or abuse in the workplace that has been registered?

Mr Callichurn: Well, Mr Speaker, Sir, I have given the figures for harassment in general. If the hon. Member comes with a specific question, then I will be able to give more details.

Mr Speaker: Hon. Quirin!

12TH CJSOI GAMES – ORGANISATION – FUNDS

(No. B/872) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the 12th CJSOI Games to be held in Mauritius from 04 au 11 December 2022, he will state where matters stand as to the organisation thereof, indicating the –

- (a) composition of the organising committee;
- (b) total estimated cost thereof, indicating accommodation cost and locations earmarked therefor;
- (c) participating countries;
- (d) number of sports disciplines and respective competitions sites earmarked, and
- (e) quantum of funds earmarked for the preparation of each Mauritian team.

Mr Toussaint: Mr Speaker, Sir, as the House is aware, Mauritius will host the 12th edition of the *Commission de la Jeunesse et des Sports de l'Ocean Indien (CJSOI)* Games from 04 to 11 December 2022 for the youth aged between 14 to 17 years.

The CJSOI Games are considered as a “*mini Jeux des Iles*” and its main objective is to promote exchange and collaboration in the field of youth and sports among the member countries of the CJSOI.

I wish to inform the House that the composition of the Organising Committee is as follows –

- President – myself;
- Vice-Presidents –
 - Mr J. Ramsamy, Permanent Secretary of my Ministry;
 - Mrs C. Ah Sue, DPS (Sports Department);
 - Mrs Z. Gaungoo, DPS (Youth Department);
- Director of the Games – Mr N. Pillay Samoo;
- Assistant Director of the Games – Mrs A. Sreekeessoon;
- Commissioner of the Games – Mrs S.D. Cadressen;
- Treasurer – Mrs F. Mungroo;
- Secretary – Mr. A. Oree.

As regards part (b) of the question, the total estimated costs for the organisation of the games amount to Rs100 m. A sum of Rs50 m. has been earmarked in the next financial year for costs related to both the organisation of the games and the preparation of athletes.

Hotels for accommodation have been identified taking into account their proximity with the sites of competition. For instance, as the competition for beach handball and yachting will be held at Blue Bay and Mahebourg respectively, the participants will stay at Holiday Inn hotel. Similarly, for competitions to be held at Côte d'Or, Vacoas and Beau Bassin, hotels have been identified in the lower Plaines Wilhems and in the North. The costs for board and lodging are still being finalised.

As regards part (c) of the question, I am pleased to inform the House that the seven-member countries of the CJSOI namely, Comoros, Djibouti, Madagascar, Mauritius, Mayotte, Reunion and Seychelles have confirmed their participation in the games. Around 1,200 athletes, coaches and officials are expected to participate in eleven sports disciplines and three youth activities.

As regards part (d) of the question, the sports disciplines retained for the games involving both boys and girls are athletics including handisports events, beach handball, boxing, futsal, *pétanque*, table tennis, tennis, swimming, triathlon, weightlifting and yachting. The youth activities are *Assemblée des Jeunes*, Esports competition and *Spectacle Musical*. A majority of the sports competitions including athletics, futsal, *pétanque*, swimming and triathlon will be held at the Côte d'Or National Sports Complex while beach handball will be held at the Blue Bay

beach arena. On the other hand, boxing, table tennis, tennis, weightlifting and yachting will be organised at the National Boxing Centre, the National Table Tennis Centre, the National Tennis Centre, the National Weightlifting Centre and the Mahebourg Waterfront, respectively.

As regards Youth Activities, Esports will be held at the Côte d'Or National Sports Complex. The venues for the *Assemblée des Jeunes* and the *Spectacle Musical* are still being finalised.

As regards part (e) of the question, I must point out that the preparation of athletes has started since two years and is an ongoing process. The federations concerned usually include training camps and competitions in their annual calendar of activities for this age group. Requests for financial assistance from the federations will be considered as and when required and on a case to case basis.

I am pleased to inform the House of the launching tomorrow of the Mascot and the *Chanson des Jeux* as well as the march past, the jingle and the hymn that will be played during the Games. Thank you.

Mr Quirin: Le fait qu'il n'y a pas eu de compétition durant ces deux dernières années et que les infrastructures sportives étaient fermées en raison des restrictions sanitaires, l'honorable ministre peut-il nous dire s'il y a eu une évaluation au sein des disciplines retenues pour ces jeux par rapport aux conditions et le niveau des athlètes, et cela, à pratiquement quatre mois des jeux, et si un plan de travail a aussi été mis en place ?

Mr Toussaint : Alors malgré les restrictions, M. le président, et à la demande de certaines fédérations pour tenir leur compétition – et je me souviens que nous avions écrit à plusieurs reprises au *High Level Committee*, qui, pendant ces deux dernières années, nous ont donné des dérogations pour autoriser les fédérations qui ont fait leurs demandes pour leurs compétitions. Donc, il y a belle et bien eu compétition durant ces dernières années et les fédérations ont la responsabilité de leurs athlètes. Et à l'heure que nous parlons, les fédérations sont prêtes, les athlètes aussi sont en train de parfaire leur préparation pour décembre.

Mr Quirin : Est-ce qu'on peut savoir M. le président, si un exercice d'appel d'offres est prévu avant de finaliser le choix des hôtels car nous savons que pour les derniers jeux des îles, ici à Maurice, le coût de l'hébergement a été exorbitant ?

Mr Toussaint : M. le président, si on se réfère aux jeux des îles, exorbitant ou pas, de toutes les façons aujourd’hui encore les différentes îles participantes continuent de féliciter et de remercier Maurice pour la qualité de l’organisation des jeux des îles. Nous allons appliquer le même principe que pour les jeux, c'est-à-dire avant de prendre tel ou tel hôtel, il faut voir le nombre de chambres disponibles, il faut voir le nombre de personnes qu'on peut accommoder par chambre tout en prenant en considération la situation de la Covid. Il faut prendre en considération les hôtels qui ont des accès pour les personnes ayant un handicap et donc nous ne pouvons pas faire un appel d’offres *karé karé* et demander des hôtels par rapport à ces compétitions. Il faut voir d’après *the supply* ce que les hôtels peuvent nous donner pour pouvoir accommoder. Donc, c'est le même principe que nous allons appliquer ; le même principe que nous avons utilisé pour les jeux des îles.

Mr Quirin : M. le président, comme l'a souligné l'honorable ministre dans les *estimates* du budget 2022-2023, une somme de R 50 millions a été *earmarked*, budgétée pour ces jeux. De ce fait, l'honorable ministre peut-il nous donner des détails sur la répartition de cette somme par poste de dépense si possible ?

Mr Toussaint : Non, malheureusement, M. le président, cette somme de R 50 millions, et comme je l'ai dit, les dépenses pour ces jeux vont nous arriver autour des R 100 millions. Donc, quand nous allons diviser la totalité des sommes que nous avons dépensées, ce sera basé sur 100 millions et non sur 50 millions. Et là, bien sûr nous avons commencé un *process* de *sponsorship* ; nous avons une équipe qui a commencé à contacter les différents sponsors et je dois dire jusqu’aujourd’hui, il y a un très bon *response* et je remercie ceux qui ont signifié leur intention déjà de sponsoriser les jeux. Je lance un appel patriotique aussi à d’autres compagnies privées, paraétatiques pour venir nous soutenir dans la préparation, dans l’organisation de ces jeux.

Mr Quirin: Une dernière question avec votre permission, M. le président. L'honorable ministre peut-il nous dire si les médaillés de ces jeux seront récompensés financièrement et si oui, de nous donner les détails ?

Mr Toussaint: Les médaillés mauriciens ?

Mr Quirin: Oui, bien sûr, mauriciens.

Mr Toussaint: *Nou pa kapav paye tou dimoun !*

Alors, au ministère, M. le président, nous avons des *schemes*, des *reward schemes* pour tous les athlètes qui font des performances. Donc, il faut que je vérifie quel est le *scheme* que nous avons pour les jeux de la CJSOI en sachant que c'est des jeux régionaux.

Mr Speaker: Thank you very much. I suspend the Sitting for one and a half hour.

At 1.02 p.m., the Sitting was suspended.

On resuming at 2.43 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Thank you very much. Please be seated! Hon. Mrs Foo Kune-Bacha!

COVID-19 - WEEKLY CASES - 01 JULY 22 TO 19 JULY 22

(No. B/873) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the weekly number of known cases thereof since 01 July 2022 to date, including the –

- (a) number of patients
 - (i) admitted in healthcare institutions, and
 - (ii) having passed away as a consequence thereof, and
- (b) actual prevailing variant.

Dr. Jagutpal: Mr Deputy Speaker, Sir, from –

- (i) 01 to 07 July 2022, a total of 2,240 cases of COVID-19 were reported,
- (ii) from 08 to 14 July 2022 a total of 3,717 cases were reported.

The Deputy Speaker: Can you please get your mic closer? Thank you.

Dr. Jagutpal: Mic?

The Deputy Speaker: Yes, just the mic. Not the mask. The mic!

Dr. Jagutpal: So, Mr Deputy Speaker, Sir, with regard to hospitalisation, all admitted patients suffering from COVID-19 in regional hospitals are directed to the New ENT Hospital for appropriate management.

In reply to part (a) (i) of the question, 45 patients were admitted from 01 to 08 July and 58 patients from 09 to 14 July.

Mr Deputy Speaker, Sir, in reply to part (a)(ii) of the question, 3 patients have passed away as a consequence of COVID-19 from 01 to 07 July. There has been no reported case of death directly related to COVID-19 during the week of 08 to 14 July 2022.

Mr Deputy Speaker, Sir, in reply to part (b) of the question, the PCR sequential analysis is carried out on positive cases since strain monitoring is still on-going in the country. The last sequencing results on 118 samples collected between 29 May to 23 June were as follows –

- BA.1: 0
- BA.2: 41
- BA.4: 34
- BA.5: 31
- BE.1: 12

Thank you, Mr Deputy Speaker, Sir.

Mrs Foo Kune-Bacha: Dans l'éventualité que le nombre d'hospitalisation et de décès augmentent d'avantage et que la situation se dégrade, l'honorable ministre peut-il nous dire quelles seront ses recommandations au *High-Level Committee* par rapport aux restrictions sanitaires ?

Dr. Jagutpal: Mr Deputy Speaker, Sir, we are monitoring the situation, obviously, with the variant that is now more in the population. We know that these variants are more infectious but less infective. If we follow the trend in other countries around the world, there is a surge of cases but that also depends upon the vaccination status and the variant that is already circulating in the population. Obviously, we will take measures which are appropriate. But as for the time being, we know that there will be cases, especially during this winter season. But is that having an impact on death or on cases that need hospitalisation? This will be followed. And obviously, if any recommendation from the public health will come, we will definitely make provision for.

Mrs Foo Kune-Bacha: L'honorable ministre peut-il nous dire quels sont les soins actuellement administrés à ceux qui sont hospitalisés ?

Dr. Jagutpal: Mr Deputy Speaker, Sir, the treatment modalities –

- if patients are asymptomatic, they are given treatment based on their symptoms,
- but otherwise, for treatment of symptomatic, it is based upon the protocol that is already established.

I think that in the past, I have already tabled the protocol of treatment. This has remained unchanged since the beginning that we are treating patients of COVID-19.

The Deputy Speaker: Hon. Dr. Aumeer, please!

Dr. Aumeer: Thank you. In view of the actual prevailing variant in the country where there is a surge in the number of cases and the number of people who are doing the Home Self-Test Kit has been on the increase, and surely there have been many of them who have been tested positive without actually attending the public sector and thereby evading the number of cases that are truly positive in the country. Will the Minister consider a system whereby people who are tested positive can actually inform the Ministry at least for knowing the prevailing conditions in the country?

Dr. Jagutpal: Mr Deputy Speaker, Sir, COVID-19 is a notifiable disease as per the Public Health Act. So, anybody who has been tested positive at home especially by the Self-Testing Kit, they should report to a health centre to get the test confirmed or they should phone 8924 to send the information over there so that this can all be compiled by the Public Health Unit of the Ministry.

The Deputy Speaker: Hon. Bodha, you still have one?

Mr Bodha: Thank you, Mr Deputy Speaker, Sir. May I ask the hon. Minister what is the capacity of the ENT Hospital and whether we have reached capacity and some patients - old aged ones - are requested to go home to be treated at home?

Dr. Jagutpal: Mr Deputy Speaker, Sir, patients transferred to ENT Hospital are those who require admission or those who are in a state where they should be admitted for follow-up. For the last two or three months, since admissions have gone down drastically in the different

hospitals where we were having special wards for COVID-19 patients, we have closed all these wards. Due to that limited number of admissions, all patients are transferred to ENT Hospital.

At present, there are some 40 patients that are admitted at ENT Hospital, and these patients are all those who have been admitted at ENT. In the future, if ever the number of cases keeps on rising, the wards in the different hospitals will be reopened again. That would be the long term planning in case we are going to have more admission of cases for COVID-19. They will be catered at the hospital.

The Deputy Speaker: Thank you very much. Next question, hon. Dr. Gungapersad!

WORK PERMIT – AUDIT COMMITTEE

(No. B/874) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the work permit, he will state if the Audit Committee set up at the level of his Ministry has assessed the existing systemic risks associated with the absolute discretion conferred upon his good self for the granting or refusal thereof by virtue of section 4(1) of the Non-Citizens (Employment Restriction) Act and, if so, indicate the recommendations thereof, if any.

Mr Callichurn: Mr Deputy Speaker, Sir, I wish to inform the House that the Audit Committee at my Ministry was constituted and appointed on 11 December 2020 with the following Terms of Reference –

- (a) to assist the accounting officer in maintaining sound control systems and in promoting governance;
- (b) to oversee compliance with financial, administrative and procurement regulations, and
- (c) to ensure that the criticisms and weaknesses levelled against the Ministry by the Director of Audit, Public Accounts Committee and the Internal Control Unit are reduced progressively.

The Audit Committee was fully operational. However, given that there were no substantive issues which had been raised in the previous Audit Reports and upon recommendations of the Ministry of Financial Services and Good Governance in January 2022,

the Committee was deferred for the Financial Year 2022-2023. The Audit Committee is currently working on an action plan which will enable the scrutiny of all risk areas including for work permits.

Mr Deputy Speaker, Sir, the grant of work permits occurs within a strict framework of rules, policies and good governance. In this regard, all applications for work permits have to be made in accordance with the guidelines which are prescribed under this very provision.

Accordingly, both the requirements for compliance with the guidelines and the exercise of the discretionary power of the Minister have to be read in conjunction. Reading either in isolation is invariably a distorted interpretation of the provision of the law.

I would further wish to apprise the House that in 2019, following the advice from the Attorney General's Office, I have delegated the power for the renewal of work permits to the Permanent Secretary of my Ministry. Therefore, the allusion being made by the hon. Member that the Minister retains the sole power for granting work permits is not accurate.

Dr. Gungapersad: Thank you, Mr Deputy Speaker, Sir. Will the Minister inform the House, if ever, he has ever used his absolute discretion to grant or refuse a work permit so far? If the Minister does not have the information now, he may table same afterwards.

Mr Callichurn: Yes, Mr Deputy Speaker, Sir, I have used my discretion to grant or refuse a work permit in the past.

The Deputy Speaker: Hon. Dr. Boolell!

Dr. Boolell: Thank you very much, Mr Deputy Speaker, Sir. Can the Minister be kind enough to inform the House as to the number of recruitment agencies which are operating?

Mr Callichurn: I would invite the hon. Member to come with a specific question.

The Deputy Speaker: Yes, next supplementary!

Dr. Gungapersad: Will the Minister, in the name of transparency and to dispel all doubts and suspicions regarding abuse of power or corrupt practices, consider amending Section 4 (1) of the Non-Citizens (Employment Restriction) Act and set up an independent committee to look after and handle applications for work permits for non-citizens?

Mr Callichurn: Well, Mr Deputy Speaker, Sir, the process is well structured and the applications are dealt with according to the guideline in place. There are several layers before an application is determined. So, consideration for amending the Non-Citizens (Employment Restriction) Act is not envisaged at the moment. I will let the Audit Committee come with proper recommendations and in the light of these recommendations, necessary actions will be taken.

Dr. Gungapersad: Hon. Minister, there are many owners of companies who feel aggrieved very often that their applications, which sometimes fulfil all the requirements, notwithstanding, they find that their applications are rejected. Can you look into the matter?

Mr Callichurn: There are guidelines which have to be followed. Sometimes the information that is given for the processing of an application is not complete.

The Deputy Speaker: Thank you. Hon. Abbas Mamode!

UNIVERSITÉ DE BORDEAUX – PARMU AGREEMENT - POSTGRADUATE STUDIES

(No. B/875) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to offer of postgraduate studies for Medical and Health Officers under the *PARMU* Agreement with the *Université de Bordeaux*, in France and in other countries, he will state where matters stand, indicating the fields of speciality identified and number of candidates in each case.

Dr. Jagutpal: Mr Deputy Speaker, Sir, Medical and Health Officers/ Senior Medical and Health Officers of the public sector, registered as General Practitioner undergo postgraduate studies either through recognised medical universities abroad or in Mauritius through joint collaborations with other universities under a Memorandum of Understanding jointly with the Ministry of Health and other stakeholders.

Since year 1995, for various diploma courses and specialisation programmes, they were conducted through collaboration with University of Bordeaux. 79 participants at that time, including 71 Mauritians had been trained in 12 different fields of specialisation, namely Anaesthesia-Reanimation, General Internal Medicine, Paediatrics, Orthopaedic Surgery, Legal Medicine, Cardiology and Psychiatry to mention a few.

Mr Deputy Speaker, Sir, I am informed that the *PARMU* project, *Projet d'Appui au Développement de l'Anesthésie-Réanimation et Médecine d'Urgence dans l'Océan Indien* was a

one-off regional project which was conducted from 1999 to 2003. The *PARMU* project was a collaboration between the governments of France and Mauritius.

The *PARMU* project ended with the completion of the training in 2003. Therefore, no further postgraduate training can be considered under *PARMU* project.

Mr Deputy Speaker, Sir, as regards postgraduate training of Medical and Health Officers/Senior Medical and Health Officers, my Ministry reactivated the policy to provide training for Medical and Health Officers/Senior Medical and Health Officers, irrespective of whether they have qualified from the University of Mauritius or any other recognised medical institution.

Mr Deputy Speaker, Sir, in 2020, the University of Mauritius launched the new faculty of Medicine and Health Sciences and it was agreed that the University of Mauritius will go ahead with an *Accord de Principe* between all stakeholders, namely my Ministry, the University of Mauritius and the Ministry of Education, Tertiary Education, Science and Technology.

Since early 2021, a survey was conducted on human resources for future training needs, in the context of the COVID-19 to identify speciality fields in order of priority.

My Ministry will shortly be proceeding on the signature of an *Accord Cadre de Coopération*, a collaboration between my Ministry, the University of Mauritius, the University of Bordeaux, the Centre *Hospitalier Universitaire de Bordeaux*, the University of Réunion, the *Centre Hospitalier Universitaire de La Réunion* and the French Embassy in Mauritius to provide postgraduate courses to our doctors.

In the first instance, my Ministry is envisaging to provide specialisation training in the field of Radiology and Anaesthesia followed by Emergency Medicine, Nephrology and Neurology. Some 10 candidates will be recruited in each field of specialisation.

The final draft of the *Accord cadre* is awaited from the French side and subsequently, necessary clearances will be sought from the Ministry of Finance, the Ministry of Foreign Affairs and the Ministry of Education and the document will be sent to the State Law Office for the final legal vetting.

The Deputy Speaker: Hon. Abbas Mamode!

Mr Abbas Mamode: Can the Minister inform the House about the recruitment procedures for candidates who wish to undergo specialisation?

Dr. Jagutpal: Mr Deputy Speaker, Sir, procedures will be made through an Expression of Interest. The candidates will be selected by a representative of *Université de Bordeaux* in the concerned field of specialisation.

Mr Abbas Mamode: Can the hon. Minister inform the House whether the candidates will have to bear the costs for the specialisation course?

Dr. Jagutpal: Mr Deputy Speaker, Sir, no. In fact, all the costs will be borne by the Ministry of Health.

The Deputy Speaker: Hon. Dr. Aumeer!

Dr. Aumeer: Thank you. The Minister is surely aware of the discontent of nearly 10 doctors who were selected by his Ministry to undergo training in Emergency Medicine through the *CHU De Bellepierre à la Réunion*, attached to *Université de Bordeaux*. It does appear that there has been some problems arising as to their recognition as emergency physician. May I ask the hon. Minister whether necessary actions are being taken so that these doctors be recognised as emergency physicians?

Dr. Jagutpal: Mr Deputy Speaker, Sir, the hon. Member should be updated with the information. The University of Réunion has already been sent for gazetting so that this University, once it is recognised, the Degree will be recognised by the Medical Council. This has been done a long time back.

The Deputy Speaker: Thank you. Hon. Doolub!

NATIONAL ACTION PLAN FOR TOBACCO CONTROL

(No. B/876) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to cigarettes, he will –

- (a) state the measures taken by his Ministry to reduce smoking thereof in Mauritius, and
- (b) give details of the National Action Plan for Tobacco Control.

Dr. Jagutpal: Mr Deputy Speaker, Sir, smoking is injurious to health. A series of measures have been put in place since many years to discourage and reduce the consumption of cigarettes among the population.

In order to curb down cigarette consumption, in June this year the Government came up with a new Public Health (Restrictions on Tobacco Products) Regulations 2022. The previous regulations have been amended to fully comply with the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) and the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol), to improve public health by limiting the health harms caused by tobacco and nicotine use.

The purpose of the new regulations amongst others is to –

- (i) restrict the use, sale, importation, manufacture and distribution of tobacco products;
- (ii) restrict sale of tobacco products to minors; that is, no new tobacco vendors will be allowed to operate within a radius of 200m of an educational institution and sports and leisure facilities;
- (iii) implement the concept of Plain Packaging of Tobacco Products in terms of labelling and package design. It's worth highlighting that Mauritius will be among the few countries in the world which will implement the concept of plain packaging, and
- (iv) display new sets of pictorial health warnings on the packaging of all tobacco products for example: cigars, cigarillos which was only applicable to cigarettes in the past.

Mr Deputy Speaker, Sir, increasing tobacco taxes and prices are considered as the single most cost-effective tobacco control intervention, and it is a critical component of a comprehensive tobacco control strategy. In the Budget 2022-2023, the increase by 10% is still one step further limiting accessibility of tobacco products in the population including the youth.

Mr Deputy Speaker, Sir, another measure undertaken by my Ministry to discourage smoking among the population is the setting up of tobacco cessations clinics around the island. Currently, there are 8 fully functional tobacco cessation clinics in Mauritius including one in Rodrigues and the latest one was inaugurated last year in the context of the World No Tobacco

Day 2021. My Ministry has also conducted the training of 10 Community Physicians and 8 Nursing Officers in tobacco cessation therapy in 2021 and this training programme will be extended to other health professionals. 14 medical and paramedical staff have been trained over the island concerning tobacco cessation practices and guidelines on 14 July 2022.

Mr Deputy Speaker, Sir, one of the strategies to curb cigarette consumption among the population is to intensify mass media campaigns. In this context, at least 5 sets of TV and radio programmes on tobacco have been broadcasted since 2021. Online videos on smoking were also released during the COVID-19 period to sensitise the population about its adverse effect on human health. My Ministry is currently working on additional Health Information Education and Communication materials on targeting the youth and the population at large on tobacco cessation services.

Furthermore, my Ministry is also engaged in sensitisation campaigns and regular health talks organised in the community, worksites and secondary schools to raise awareness on the damage caused to our health by tobacco intake.

Mr Deputy Speaker, Sir, with regard to part (b) of the question, I wish to inform the House that the National Action Plan for Tobacco Control 2022-2026 is in line with goal 3 of the United Nations' resolution entitled "Transforming our World: The 2030 Agenda for sustainable development", which targets a 30% reduction in prevalence of current tobacco use in persons aged 15 years and above by 2025. The National Action Plan for Tobacco Control 2022-2026 has been devised to enumerate forthcoming strategies that could enhance the actual position Mauritius holds as a typical anti-tobacco lobbying country.

The main objectives of the Action plan are to –

- (i) tackle urgently the scourge of tobacco epidemic in youth;
- (ii) strongly support the implementation of plain-packaging in Mauritius as a signatory of the Framework Convention on Tobacco Control;
- (iii) lay emphasis on the importance of introduction of a new set of pictorial warnings to inform the public of the ill-effects of tobacco, and
- (iv) include the community in decision making and in the planning of policies amongst others.

Moreover, the key features included in the Action Plan relate to four main domains namely

-
- (i) championing the cause of the anti-tobacco fight in Mauritius;
- (ii) reducing consumption of tobacco products;
- (iii) reducing environmental tobacco smoke, and
- (iv) revising existing legislative frameworks and anti-tobacco policing.

The Action Plan is in strict alignment with the new Public Health (Restrictions on Tobacco Products) Regulations 2022 to avoid discrepancies in policy formulation and implementation.

The Deputy Speaker: Hon. Doolub!

Mr Doolub: Thank you, Mr Deputy Speaker, Sir. In this reply to part (a) of the question, the hon. Minister mentioned the concept of clean packaging. Can we thus have from the Minister details as to where matters stand concerning the introduction of plain packaging regarding cigarettes and when this measure will be enforced?

Dr. Jagutpal: Mr Deputy Speaker, Sir, the Public Health Regulations 2008 was revoked and the new regulation of 2022 is being enforced since 10 June 2022. One of the main purposes of the new regulation is to implement the concept of plain packaging of tobacco products in terms of labelling, package design and the new set of pictorial health warnings. So, tobacco importers will have till 31 December 2022 to implement plain packaging for all tobacco products imported into Mauritius and an additional of two months have been given for the depletion of old stock of tobacco products at retail so therefore, importers will have to fully comply with plain packaging by 01 March 2023.

The Deputy Speaker: Hon. Doolub!

Mr Doolub: Thank you, Mr Deputy Speaker, Sir. In his reply again to part (a) of the question, the hon. Minister mentioned about the intensification of mass media campaigns. Can the hon. Minister inform the House as to the yearly budget dedicated and spent on these campaigns?

Dr. Jagutpal: Yes, Mr Deputy Speaker, Sir. From January to December 2020, during COVID-19 pandemic, 175 secondary schools have been visited and some 30,990 students of

Grade 7, 9 and 12 attended health talk sessions. For the period January to December 2020, 26,882 people attended health talks. For the period February to June 2022, 21,777 students of Grade 7, 9 and 12 were sensitised against tobacco use and for the period February to June 2022, 14,260 people within the community and work site have been sensitised against tobacco.

Mr Deputy Speaker, Sir, as for the Budget, as per the National Action Plan, the information that I have, a budget of Rs3.3 m. has been voted for prevention programmes on a 5 year's span.

The Deputy Speaker: Hon. Mrs Sandra Mayotte! Last question!

Mrs Mayotte: Mr Deputy Speaker, Sir, can the hon. Minister inform the House on how the National Action Plan on tobacco control 2020-2026 will be monitored? Thank you.

Dr. Jagutpal: Mr Deputy Speaker, Sir, my Ministry has set up a Steering Committee to monitor the implementation of the National Action Plan for Tobacco Control 2022-2026. The Committee will be chaired by the Senior Chief Executive of my Ministry and will comprise representatives from various Ministries and Organisations as well as NGOs.

The Deputy Speaker: I will squeeze in one last question!

Mrs Luchmun Roy: Thank you, Mr Deputy Speaker, Sir. I know the question is mainly with regard to cigarettes and the National Action Plan for Tobacco Control. However, can the hon. Minister provide information to the House with regard to the regulations concerning the e-cigarette in Mauritius? Thank you.

Dr. Jagutpal: Yes, Mr Deputy Speaker, Sir. Now there are different types of e-cigarette in use, also known as electronic nicotine delivery system and sometimes electronic non-nicotine delivery systems and these systems heat a liquid to create aerosol that is inhaled by the user.

They are called e-liquids or may not contain nicotine, but also typically contain additives, flavours and chemicals that can be toxic to people's health. In the regulation, it also includes products marketed or known as electronic cigarettes or e-cigarettes, vapes, e-cigars, e-pipes, and e-shisha. So, all have been included into the regulations of June 2022.

The Deputy Speaker: Next question!

LOCAL PRIVATE HEALTH INSTITUTIONS - PATIENTS - TREATMENT

(No. B/877) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to patients referred for treatment in local private health institutions, he will state the –

- (a) specialities concerned therewith, and
- (b) reasons why such medical services are not available in the public sector.

Dr. Jagutpal: Mr Deputy Speaker, Sir, my Ministry signed a Memorandum of Understanding for referral of patients with 14 local private health institutions on 02 June 2022. Following the signing ceremony, my Ministry has requested all 14 local private health institutions to submit detailed proposals on the specialty and subspecialty services which they provide along with cost estimates of the proposed treatments. My Ministry is awaiting receipt of the detailed proposals to operationalise the scheme.

Mr Deputy Speaker, Sir, since 2001, my Ministry has been providing financial assistance to the tune of Rs200,000 at that time, under the Overseas Treatment Scheme, to patients suffering from diseases which are not operable in Mauritius.

These specialties for which patients are sent for overseas treatment concern, but are not limited to, the following –

- Ophthalmology – Retinoblastoma;
- Neurosurgery – Aneurysm, Arteriovenous Malformation, Pituitary Adenoma and Tumours inoperable locally;
- Cardiology – Complicated cases mostly for new-borns with severe congenital abnormalities and complicated cardiac cases;
- Orthopaedic Surgery – Osteosarcoma and complicated cases that are not operable in Mauritius;
- ENT – Cochlear implant;
- Oncology – Leukaemia and bone marrow transplant;
- Transplantation – Renal transplant, Lung transplant and Liver transplant.

Mr Deputy Speaker, Sir, in November 2011, the amount of financial assistance for overseas treatment was revised to Rs500,000. Furthermore, in the Budget 2014, an amount of Rs800,000 was approved for complex cases to be treated abroad.

Three costly and complex cases were identified namely Leukaemia requiring bone marrow transplant, osteosarcoma and cochlear implant. Furthermore, in the Budget 2022/2023, an additional provision of Rs200,000 was provided for patients requiring stretchers during overseas treatment for cases of neurosurgery and bone marrow transplant.

The treatment for these conditions are not available in Mauritius both in the private and the public health sector given the complexities involved to manage these cases in terms of expertise, knowhow, equipment and other logistics. This Government, through this new scheme, will give the opportunity for local private health institutions to manage these cases for the very first time in Mauritius with the support of both local and foreign medical experts.

Mr Deputy Speaker, Sir, it all started years back, in 1985. At that time, maybe we were watching TV when Professor Hassan Raffa came to Mauritius along with Dr. Guness and did the first operation. I was still a secondary school student. Dr. Aumeer, I do not know whether he was already working in the public sector. So, at that time we started the open heart surgery which was carried out in the public health sector. This knowledge sharing process has paved the way for the adoption of a culture of continuing medical progress which is today evident both in terms of expert skills and available medical equipment.

The public health sector is now equipped with the latest technology in many areas of medicine, for example, laparoscopic surgery which is minimally invasive as well as state-of-art medical care which is being provided in neonatal and paediatric medicine.

It is clear that the Government is not only concerned with the development of the public health sector, but also wants to rope in the private health sector. This is the very aim of this collaboration, that is, to give the opportunity to local private health institutions to offer medical services that are not available in Mauritius, and also to promote these medical services in the region where we envisage to uphold our island as a medical hub.

Mr Deputy Speaker, Sir, in regard to part (b) of the question, I wish to inform the House that Mauritian patients requiring such advanced treatments in different specialty and subspecialty areas are limited in number, and as such, medical doctors who chose to work in Mauritius do not opt for training in these areas. In addition, employment of such trained personnel is not cost effective given the low number of patients in each specialty and subspecialty.

Mr Deputy Speaker, Sir, through this scheme, local private health institutions are being encouraged to enhance their health infrastructure and services as well as enlist the services of international experts in the different subspecialties to provide these services in their institutions. This would in turn enable capacity building of medical and paramedical staff and succession planning in turn leading to sustainable employment in the local medical and paramedical sector.

Mr Deputy Speaker, Sir, in the Budget Speech 2021/2022, the income eligibility criteria for households was increased from Rs50,000 to Rs100,000 thereby opening up the Overseas Treatment Scheme to additional Mauritian families. In addition, following a stabilisation in the COVID-19 sanitary situation, it is expected that the expenses related to Overseas Treatment will soar up again in 2022.

With the coming into operation of this new scheme, it is expected that patients due for treatment abroad would be able to benefit from same in our local private health sector.

Mr Deputy Speaker, Sir, this scheme will also bring an end to the hassle that a patient and his family is put into when a close one has to proceed overseas for treatment. As my colleagues are aware, a lack of family and social support can have a detrimental effect on the recovery process. Through this scheme, treatment of patients would be done locally, and this would allow patients to be close to their family members thereby enhancing the aftercare process. Thank you, Mr Deputy Speaker, Sir.

Dr. Aumeer: Thank you. I listened to the hon. Minister's very exhaustive reply, and he did mention that in certain specific and complex cases, it is not economically feasible for them to be done in the public sector. Needless to remind him that it is not the money that counts but the training of our junior doctors and specialists as well that should matter. If I could just remind him of Professor Paddy Dewan, who has been coming here to do complex surgery in the paediatric field. Anyway, my question is Rs15 m. have been earmarked for this item in the current budget estimate, does the Minister have any substantiate details of which specialties this sum is to be used?

Dr. Jagutpal: Mr Deputy Speaker, Sir, this budget is earmarked based on the budget that was allocated for the Overseas Treatment Scheme. We know that this is a slow process. It is not going to pick up overnight because we have to give time for the private clinics to get the foreign

experts, to have certain collaborations with foreign hospitals, universities to start this project. But at least, this is a start.

This is the first time that the Ministry of Health and the private sector, that is, the public and private partnership, to encourage training, capacity building of the local health sector, that is the private clinics with the doctors, the nursing officers to be trained. In the future, are we going to keep on investing more money for patients that are not operable in Mauritius to be sent abroad or do we want to have that capacity building in Mauritius as we started with the open-heart surgery so that gradually – we know that we will not be able to do all the operations in Mauritius but, at least, this is the start-up – we can stepwise proceed with the private clinics doing the operations in Mauritius. Obviously, instead of paying foreign hospitals, this fund will be used to pay our local clinics to proceed with the operations.

The Deputy Speaker: Hon. Dr. Aumeer!

Dr. Aumeer: Thank you. I think and I hope this is the beginning of a very long journey that will help both the public and the private sectors for the benefit and welfare of patients who suffer complex conditions. My question to the Minister is in the light of assistance to patients referred for treatment in local private institutions, is his Ministry for the time being contemplating outsourcing PET Scan to the new Aegle Cancer Centre until and so forth the one to be installed at Solferino is up and functioning?

Dr. Jagutpal: Mr Deputy Speaker, Sir, it all depends upon the oncologists working at the new cancer centre. So, if there are mandatory tests that we need to do for diagnostics or for therapeutic reasons and if ever we were supposed to send some patients abroad to do these tests, obviously, this will be an open bidding, I believe this is the word that is being used. If that will cost us less with the quality that we will get, obviously, we are going to send patients. But so far, to my knowledge – I do not know exactly whether we are sending patients over there – this is not the case for the time being.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you. I have understood from the hon. Minister's reply that in going to local private health institutions it is all a question of expertise and know-how not being available in the public sector and he mentioned that it is not cost-effective for those

specialities for the public sector. Can I ask him how does he reconcile the fact that if it is not cost-effective for the public sector, with a much larger client base, how does he expect it to be cost-effective for the private sector with a smaller client base? Because in the process it is the patient who somehow will be victimised?

Dr. Jagutpal: Not victimised, sorry.

Mr Osman Mahomed: Not victimised but disadvantage or whatever.

Dr. Jagutpal: Probably, it is good that I explain. Thank you, hon. Member for giving me the opportunity to explain this process. For example, we are sending a neurosurgery case for some operations in a hospital in India, and we can borrow the expertise, that doctor and nursing officer can come to Mauritius. And instead of doing one operation, for example, they do two operations. They reach Mauritius in the morning, the next day they do the operations and they leave the third day. If this can be done, instead of sending the patient and the relative, having all the hassles that this patient has to stay outside, in this way you borrow the expertise, you bring it to Mauritius, you train your staff gradually and maybe with time, we will not need that expert. Maybe the Mauritian counterparts will be doing the surgeries. So, it is a question of giving that opportunity to the private sector to start building on these operations. I will give you the numbers

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- in year 2018, we sent 321 patients who proceeded for overseas treatment for Rs68.5 m.;
- in 2019: 335 patients, and that tuned up to around Rs82 m. And that will keep on increasing.
- In 2020: 176 patients – Rs63 m.;
- In 2021: 173 patients – Rs69 m.

So, that will keep on increasing. Do we want, at least, some of these surgeries, treatments to be available locally? If that can be done by the private clinics, having the experts coming to Mauritius and these patients can be directed there, instead of the Government of Mauritius, the Ministry of Health paying all, from air tickets to accommodations and everything, we can have it in Mauritius and only the expert be coming, it will obviously be a win-win situation for the private clinics. That is the vision and that is how we are going to proceed with this.

The Deputy Speaker: Next question!

NEW CANCER HOSPITAL - SITES - GEOTECHNICAL ASSESSMENTS

(No. B/878) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Minister of Health and Wellness whether, in regard to the New Cancer Hospital at Solferino, he will state if EIA experts and the Water Resources Unit have carried out geotechnical assessments of the sites on which stand the buildings thereof and, if so, indicate the outcome thereof.

Dr. Jagutpal: Mr Deputy Speaker, Sir, in the year 2016, my Ministry carried out a geotechnical assessment for the New Cancer Hospital at Solferino through a private specialised agency M/s Geo Crust. As per the report, the site was found suitable for the construction of the cancer hospital from geotechnical perspective. Based on the comments and the recommendations regarding foundations and other issues related to the geotechnical aspects of the projects, Hospital Services Consultancy Corporation (HSCC) India Ltd., the consultant and the contractor, Swadeshi Civil Infrastructure Private Ltd. have designed the Project.

I am informed that the contractor also enlisted the services of Professor Saddul, Geomorphologist, to conduct a preliminary study on underground water levels at site of the cancer hospital in the year 2020. According to the preliminary study, there was a constant and continuous flux of underground water below the surface of the site and if the ground water was not captured there was a risk of overflow.

Mr Deputy Speaker, Sir, in light of the recommendations made by the Geomorphologist and the Project Consultant, in order to ensure that the ground water level is contained my Ministry went along the recommendations to construct a borehole next to the New Cancer building. The construction will be carried out by the contractor Swadeshi Civil Infrastructure Private Ltd. Application for the 'authorisation to drill' from the Central Water Authority has already been made and same is awaited. Following the construction of the borehole, same will be handed over to the CWA for management.

Mr Deputy Speaker, Sir, I also wish to inform the House that an official mission was carried out by the International Atomic Energy Agency (IAEA) in April 2022 with regard to Expanding Radiotherapy and Nuclear Medicines Services in Mauritius. The IAEA has agreed to share the cost of one PET/CT Scan to be installed at the New Cancer Centre. As per the End-Of-Mission Report of the IAEA, some issues have been noted in the New Cancer Centre including –

- (i) high humidity in the underground level, and
- (ii) certain infrastructural modifications required for the installation of the PET/CT Scan.

Mr Deputy Speaker, Sir, the Consultant is working on the modifications requested by the IAEA and the former will liaise with the supplier and turnkey jobs will be carried out accordingly.

With regard to the humidity issue, I am informed that same will be controlled in the specialised equipment room by dedicated air conditioning which includes components of de-humidification contrary to what, during the last parliamentary Sitting, hon. Dr. Aumeer stated. He suggested that there were serious shortcomings of water overflow concerning the installation of the PET Scan. So, all these have already been taken on board. Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Ittoo!

Mr Ittoo: No supplementary, thank you.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: I have understood from the hon. Minister's reply that in 2015, a geological study was done but subsequently the services of Mr Prem Saddul has had to be sought in order to resolve the problem which warrants the construction of a borehole in order to syphon the water so that there is no problem.

Can I ask the hon. Minister whether he is telling the House that there was a problem and if so the cost of the borehole and all ancillaries associated thereto? Is it going to be passed on to those who have faulted or is it Government that is going put the bill?

Dr. Jagutpal: No, Mr Deputy Speaker, Sir. The first specialised agency that has conducted that geotechnical assessment has already given the report that we can construct the hospital over that site. Now, the Consultant, that is, the HSCC and the Contractor, again engaged somebody, they contracted out the services of Professor Saddul who also came up with a report. So, the HSCC has done a recommendation of borehole and it is what the contractor is doing. We need to have a borehole to get out the water over there. That is my understanding. I am not an engineer to understand all that but that has already been catered for and I believe that for the

whole area, we do have that water table – I call it like that – in that area and you need to get that borehole so that you can get out this water.

The Deputy Speaker: Hon. Paul Bérenger!

Mr Bérenger: Thank you. Can I know since that project is already very late, that problem of a borehole that you have just mentioned, is it going to make the project even more late and what extra cost is this going to have?

Dr. Jagutpal: Mr Deputy Speaker, Sir, the project is late because of COVID-19. There was the COVID-19 and all the borders were closed. Foreign workers did not attend, all that had to be imported, the materials, all was delayed. But now, the project is at a state where the infrastructural project is nearly completed and will be handed over shortly. In the next month, for that project, the infrastructure will be ready.

Now, it is a question of highly specialised equipment that will be installed by the beginning of next year. That also will be completed with the training because these are specialised equipment. You have to get the training and to get the training you should know which equipment you are buying and that equipment once we know that this award has been given and we are purchasing these equipment, obviously that training will follow. The question of delay is not there and for the question of the borehole, this is being undertaken by the contractor himself. He is doing that borehole but I do not know whether there is an additional cost for that but I will definitely give that information. I will table that information.

The Deputy Speaker: Thank you. Next question please!

PLAINE-VERTE, SWIMMING POOL – RENOVATION

(No. B/879) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Plaine-Verte Swimming Pool, he will, for the benefit of the House, obtain information as to when it will be operational, indicating when it was closed for renovation, indicating the work progress thereof.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Deputy Speaker, Sir, I am informed by the Municipal City

Council of Port Louis that the Kader Bhayat Swimming Pool at Plaine-Verte was closed to the public on 18 August 2021 for renovation works.

I am informed that the renovation of the swimming pool consists of two phases as follows –

- (i) The first phase comprises complete renovation of the swimming pool, building including painting, plumbing, electrical works and upgrading of the yard. The works have been completed on 08 April 2022.
- (ii) The second phases comprises repair of the leakage to the roof of the building. The works have started from 18 July 2022 and the expected date of completion is 01 August 2022.

Mr Deputy Speaker, Sir, I am informed that the reopening of the swimming pool is scheduled two weeks after completion of the second of renovation works, that is, by mid-August 2022.

The Deputy Speaker: Supplementary!

Mr Juman: Thank you, Mr Deputy Speaker, Sir. Hon. Vice-Prime Minister, can you please inform the House why despite the swimming pool being closed for nearly one year, only two weeks ago tender was launched for the repairs of the iron sheet roof?

Dr. Husnoo: Initially, the works were supposed to take care of the roof as well but what happened is that after most of the work was completed in the first phase, we did a site visit there and we noticed that there was still leakage in the roof. That is why we had the second phase started to sort out the roof.

The Deputy Speaker: Hon. Juman!

Mr Juman: Hon. Vice-Prime Minister, can we know if it is the same contractor and the cost of the repairs?

Dr. Husnoo: It is a different contractor. The first contractor was SMS Contracting and the cost of that work was about Rs8.1 m. and for the repairs of the roof, it was Jays Supply Ltd for Rs845,000.

The Deputy Speaker: Next question!

CONSTITUENCY NO. 3 - CLASSIFIED ROADS - LAYBY - PARKING

(No. B/880) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to bus stops on classified roads in Constituency No. 3, Port Louis Maritime and Port Louis East, he will state if consideration will be given for measures to be taken to prevent the parking of vehicles on the layby provided therefor and opposite same.

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Mr Deputy Speaker, Sir, I will reply to this Parliamentary Question.

Mr Deputy Speaker, Sir, I am informed that the Road Traffic (Construction and Use of Vehicles) Regulations 2010 already makes provision for deterring illegal parking of vehicles near bus stops and laybys under Section 72 (2) (c) of the Road Traffic (Construction and Use of Vehicles) Regulations 2010, which stipulates that –

“No person shall cause or permit any motor vehicle to be parked within a distance of –

- (a) 10 metres from a bus stop;
- (b) 12 metres before and 8 metres after the bus sign post, and
- (c) 20 metres opposite the restricted length.”

In addition, Section 72 (2) (g) of the Road Traffic (Construction and Use of Vehicles) Regulations 2010, stipulates that –

“No person shall cause or permit any motor vehicle to be parked on the side of a road where there is a continuous longitudinal white line prohibiting overtaking by a vehicle”.

Any person contravening these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding Rs10,000.

Mr Deputy Speaker, Sir, I am informed that at the location of these bus laybys, there are continuous white line which prohibits parking and overtaking of vehicles on the opposite side of the road.

In this respect, the Ministry has already requested the Police and the National Land Transport Authority to undertake rigorous enforcement thereat, in accordance with the Road Traffic (Construction and Use of Vehicles) Regulations 2010.

Thank you.

Mr Abbas Mamode: Being given, Mr Deputy Speaker, Sir, that the issue relates to narrowness of classified roads such as Sir Abdool Razack Mohamed, St François, Magon etc. May I request the hon. Minister if the TMRSU could install new signage and road marking in these regions or a site visit is welcomed?

Mr Hurreeram: Mr Deputy Speaker, Sir, I will surely convey this request from the hon. Member to the substantive Minister and make sure that the needful is done.

The Deputy Speaker: Next question!

MAGON & MARIAMEN TEMPLE STREETS, PORT LOUIS – ROAD STRIPS – REINSTATEMENT

(No. B/881) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of National Infrastructure and Community Development whether, in regard to Magon Street, between Diego Garcia Street and Boulevard Victoria and from Royal Road to Mariamen Temple Street, in Port Louis, he will, for the benefit of the House, obtain from the Road Development Authority, information as to if consideration will be given for the reinstatement thereof.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Deputy Speaker, Sir, with your permission I shall reply to this question.

I am informed by the City Council of Port Louis that the strips of road between Diego Garcia Street and Boulevard Victoria Street as well as from Royal Street to Mariamen Temple Street are non-classified roads. Thus, maintenance of the above mentioned road strips fall under the responsibility of the City Council.

I wish to highlight the fact that a site visit was carried out by officers of the City Council of Port Louis on 20 May 2022 and it was observed that the above named streets are damaged and require resurfacing.

Mr Deputy Speaker, Sir, with regard to the strip of road between Diego Garcia Street and Boulevard Victoria Street, the contractor of the Central Water Authority has completed the pipe laying work and by mid of August 2022, a complete reinstatement of the road will be undertaken.

Concerning the reinstatement of the road from Royal Street to Mariamen Temple Street, the National Development Unit has informed that a consultant has been appointed to look into the implementation of the drain work project along Queen Street, Etienne Pellereau Street, Franklin Temple Street up to Mariamen Temple Street.

A first presentation has already been done at the NDU by the consultant in the presence of all stakeholders, including inhabitants of those above-mentioned streets.

Moreover, the consultant is working on the drain network project based on some additional inputs received by various stakeholders, including the inhabitants. Upon completion of the drain network, the whole strip of the road will be completely reinstated.

As far as the strip of road from Royal Street to corner Queen Street and Franklin Temple Street is concerned, the reinstatement of this part of the road is being considered by the NDU as well.

The Deputy Speaker: Next question!

METRO EXPRESS LTD – PASSENGERS, REVENUE & OUTSTANDING LOANS

(No. B/882) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether in regard to the Metro Express, he will, for the benefit of the House, obtain from Metro Express Ltd., information as to the –

- (a) total number of passengers conveyed as at to date;
- (b) total revenue obtained from sales of tickets, and
- (c) quantum of outstanding loans.

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Mr Deputy Speaker, Sir, with your permission, I shall reply to this Parliamentary Question.

Mr Deputy Speaker, Sir, as to part (a) of the question, I am advised that, since the start of commercial operations, Metro Express Ltd. has recorded a ridership of over 8 million as at mid-July 2022.

It is to be noted here, that since the start of operations of the Metro Express for Phase 1 from Port Louis to Rose Hill and Phase 2A from Rose Hill to Quatre Bornes, Metro Express Ltd. has faced numerous challenges with the imposition of two national lockdowns from 20 March 2020 to 15 May 2020 and 10 March 2021 to 30 April 2021, travel restrictions and sanitary measures, due to the prevailing COVID-19 situation and the work from home policy.

Mr Deputy Speaker, Sir, as regards part (b) of the question, I am informed by Metro Express Ltd. that the total revenue obtained from the sale of tickets, as at date, amounts to Rs166,276,804.

As the House is aware, Free Travel Scheme is provided to bus operators and the light rail operators for the free conveyance of senior citizens, persons with disabilities and students to ease their mobility. In this connection, Metro Express Ltd. has received an amount of around Rs30 m. under the Free Travel Scheme, to date.

Mr Deputy Speaker, Sir, in respect of part (c) of the question, loan facilities have been provided to Metro Express Ltd. to enable the latter to meet its operational expenses. A breakdown of the quantum of the loans, as at date, by financial year is as follows –

Financial Year	Amount (Rs Million)
2019/20	220
2020/21	380
2021/22	300
2022/23	110
TOTAL	1,010

As per the terms and conditions, the loans have a repayment period of 10 years and a grace period of 3 years.

According to the current trend, as Metro Express Ltd. is extending its operations, the loans taken by Metro Express Ltd. has decreased by around 63% from last financial year, that is, 2021/22 to financial year 2022/23. After the completion of the whole alignment from Port Louis to Curepipe, it is expected that operations of Metro Express Ltd. would be sustainable and Metro Express Ltd would not require additional loan facilities from Government.

Mr Deputy Speaker, Sir, attention should be drawn to the fact that Metro Express Ltd., as opposed to the other public transport operators, has to incur major operation cost relating to the inherent nature of its business as regard the light rail track, furniture, infrastructure and systems. Thank you.

The Deputy Speaker: Supplementary!

Mr Nagalingum: Can I know from the hon. Minister how many passengers are actually paying their fares?

Mr Hurreeram: How many, sorry?

The Deputy Speaker: I did not get it myself. Repeat the question, please!

Mr Nagalingum: Can I know from the hon. Minister how many passengers are actually paying their fares? Because we know that old people are not paying, children are not paying.

The Deputy Speaker: You mean on a daily basis?

Mr Nagalingum: My question is how many passengers are actually paying their fares?

Mr Hurreeram: Mr Deputy Speaker, Sir, I have said there is a ridership of 8 million and I do not have this information.

Mr Nagalingum: Regarding advertising, can the hon. Minister tell us what is being done to boost up the revenue on advertising?

Mr Hurreeram: Mr Deputy Speaker, Sir, the hon. Member will appreciate that I am not the substantive Minister and the question that has been put clearly states the information requested which I have already given. Now, if there is information not pertaining to my question, it will be difficult for me to answer.

The Deputy Speaker: Do you have another one?

Mr Nagalingum: Can the hon. Minister give us a breakdown – if you do not have it now, you can give us later – of expenses, including the amount paid to workforce?

Mr Hurreeram: Well, I will convey to the substantive Minister. I think the hon. Member should come with a substantive question requesting these information.

Mr Nagalingum: One last supplementary, Mr Deputy Speaker, Sir. Can the hon. Minister confirm to the House that there is not going to be an increase in fares? I know you cannot answer it, but can you pass it to the Minister and then, we can have a reply on the increase?

Mr Hurreeram: I have replied to the question, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you. Next question! Hon. Dr. Boolell!

HAL HARMONY LTD APARTMENT PROJECTS, QUATRE BORNES – BUILDING &LAND USE PERMIT

(No. B/883) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to a Building and Land Use Permit awarded to Hal Harmony Limited Apartment Projects, he will, for the benefit of the House, obtain from the Municipal Council of Belle Rose and Quatre Bornes, information as to if it is in presence of objections filed by the inhabitants of corner Willoughby and Bernardin de St Pierre streets in Quatre Bornes in relation thereto and, if so, indicate the consideration given thereto.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Deputy Speaker, Sir, I am informed by the Municipal Council of Quatre Bornes that an Outline Planning Permission application was received from Hal Harmony Limited Apartment Projects on 20 September 2021 for the construction of a residential building at ground and five upper floors with 37 residential units.

Following public notification, objections were received from the inhabitants of Willoughby and Bernardin de St Pierre streets in Quatre Bornes against the Outline Planning Permission application and a hearing was held of 24 November 2021. The application was subsequently rejected by the Permits and Business Monitoring Committee on 24 November 2021 on the ground that as per Outline Planning Scheme for the Municipal Council of Quatre Bornes,

there should be a presumption against application for tall building of more than four floors (ground plus three upper floors) in the area where the subject site is located.

Mr Deputy Speaker, Sir, I am further informed that the developer submitted an application for a Building and Land use Permit (BLUP) on 22 December 2021 for the construction of a residential building at ground plus three upper floors with 34 residential units. Objections were again received from the inhabitants of Willoughby and Bernardin de St Pierre streets in Quatre Bornes against the application.

However, the Permits and Business Monitoring Committee at its sitting of 29 December 2021 decided not to schedule a hearing in view of the fact that no public notification is required for the construction of a residential building at ground plus three floors, and the Committee has already taken cognizance of their grievances.

Nevertheless, the Committee agrees that a letter be addressed to the objectors informing them that their ground of objections would be taken into consideration when the application for Hal Harmony Limited would be processed. This BLUP Application was set aside given that the applicant did not submit additional information and documents and amended plan within the prescribed delay.

Mr Deputy Speaker, Sir, the Municipal Council of Quatre Bornes has informed that the developer submitted a fresh application, that is, a second one, for Building and Land use Permit on 11 February 2022 for the construction of a residential building at ground, first, second and third floor, having 34 units and the construction of a boundary wall. Objection was received anew from inhabitants of Willoughby and Bernardin de St Pierre streets in Quatre Bornes, but the PBMC decided not to hold a hearing in view of the decision taken for the previous BLUP Application.

However, the ground of objection was considered by PBMC. The latter also considered the clearance which the application had obtained regarding the project from the following authorities –

- a) the Traffic Management and Road Safety Unit;
- b) Wastewater Management Unit;
- c) Central Water Authority, and

d) Central Electricity Board.

This clearance has taken care of the main grievance of the *riverrains*. Consequently, the application was approved by the Permits and Business Monitoring Committee on 09 March 2022 with conditions as required by the different authorities.

The Deputy Speaker: Supplementary?

Dr. Boolell: Hon. Vice-Prime Minister, thank you very much for the reply. Now, I am sure the MPs sitting on the Government bench have also raised this issue and it is an issue that has been flagged, flogged and taken up with the Municipal Council of Belle Rose and Quatre Bornes. Now, all the MPs, I am sure are of agreement but 34 units are far too many and this is an area where there is a huge traffic and two well-known colleges are not far from each other. Can I ask the Minister to impress upon the Municipal Council of Belle Rose and Quatre Bornes to revisit and to make sure that the project, also to a large extent, meets the needs of the people otherwise it is going to be a very cumbersome project and the protest will be carried on.

Dr. Husnoo: Yes, Mr Deputy Speaker, Sir, I take note of what the hon. gentleman has just mentioned. As I mentioned, all the clearance has been obtained by the different authorities but I take it, there has been some protests, in fact, at different times and, I think, at the request of the hon. Member and my colleague, the Minister, I am going to take it up again with the Municipal Council and see whether they can review the situation and see what can be done to alleviate the problem caused by this particular project.

The Deputy Speaker: Thank you. Next question!

GENDER COUNTRY PROFILE 2021-2027 – RECOMMENDATIONS

(No. B/885) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the Gender Country Profile 2021-2027, she will state if consideration will be given for the implementation of the recommendations thereof, specifically, in relation to the ratification of the protocol on gender and development of the Southern African Development Community and, if not, why not.

Mrs Koonjoo-Shah: Mr Deputy Speaker, Sir, with utmost respect to this House, until this Member tenders her unconditional apologies to this entire nation...

(Interruptions)

... she has no moral rights to sit in this House.

The Deputy Speaker: Order!

Hon. Members: *La honte!*

The Deputy Speaker: Order!

(*Interruptions*)

Order!

Mr Quirin: *Dir to envi dormi!*

(*Interruptions*)

The Deputy Speaker: Order!

Mr Bérenger: *Dormi ou bien zoure !*

The Deputy Speaker: Order! Order! I am in no mood to ask anybody to go home. Order, please! There is a rule. I have to go by the rule. You all know it. If you have supplementary, you can try to put.

(*Interruptions*)

An hon. Member: Apologise!

Ms J. Bérenger: Malheureusement c'est le peuple qui n'a pas droit à ces réponses, M. le président. C'est le peuple qui est perdant aujourd'hui.

(*Interruptions*)

The Deputy Speaker: Order! Order!

An hon. Member: *La honte!*

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

Mr Quirin: *Pa pey twa pou dormi!*

The Deputy Speaker: Order!

Mr Toussaint: *Pa pey li pu ecrire coneri lor facebook!*

The Deputy Speaker: Order!

An hon. Member: *Kumsa pa kokin!*

(*Interruptions*)

The Deputy Speaker: Should I raise the session? I understand you don't have any question.

Ms J. Bérenger: But she has not answered!

The Deputy Speaker: No, it is not about her; it is about me. Do you have or don't you have, please? I just have to go by the Standing Order.

Ms J. Bérenger: This is my right to put questions!

(*Interruptions*)

I am doing my job!

An hon. Member: Shame! *La honte!*

(*Interruptions*)

An hon. Member: *Pey twa pou koz nimport!*

Ms J. Bérenger: I am doing my job!

(*Interruptions*)

The Deputy Speaker: Order!

Ms J. Bérenger: Instead of sleeping, ...

An hon. Member: *Communal!*

(*Interruptions*)

The Deputy Speaker: We break for five minutes!

At 3.58 p.m., the Sitting was suspended.

On resuming at 4.37 p.m. with the Deputy Speaker in the Chair.

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

ANNOUNCEMENT

PQ NO. B/885 – REPLY - RULING

Hon. Members, allow me to impart my ruling to you. Hon. Minister, according to Standing Orders 21 to 25, you are under duty to reply and the reason you have put forth for not replying is not a valid reason that holds ground under the Standing Orders.

However, Standing Orders also do not allow me to insist upon you to answer the question. In the circumstances, if you are maintaining your position not to reply, I cannot force you to reply. That is my position. Hon. Ms J. Bérenger, do you insist on further question?

Ms J. Bérenger: *Mais elle n'a pas répondu!* How can I ask supplementary question? *C'est complètement illogique, M. le président.*

(*Interruptions*)

The Deputy Speaker: Order!

(*Interruptions*)

An hon. Member: *La honte!*

(*Interruptions*)

The Deputy Speaker: Order! Next question!

SUFFREN ROAD & MAURICE STREET, MAHEBOURG – RESURFACING

(No. B/886) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the bad condition of Suffren Road, also known as Chemin Mosqué, and Rue Maurice at Mahebourg, he will, for the benefit of the House, obtain from the Savanne District Council, information as to if consideration will be given for the resurfacing thereof and, if so, when.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Deputy Speaker, Sir, Mahebourg is under the jurisdiction of District Council of Grand Port. Therefore, I am informed by the District Council of Grand Port

that Suffren Road, also known as Chemin Mosqué at Mahebourg runs from Sivananda Avenue to Hollandais Street and is 437 metres long. A stretch of 63 metres of the road is in good condition while approximately 374 metres of that road is in a bad state.

With regard to Rue Maurice at Mahebourg, it runs from Villeneuve Street to Rue Boulangerie and is approximately 1.1 kilometres long and a stretch of 389 metres needs to be resurfaced.

Both have been included as a priority in the list of roads to be resurfaced. As soon as funds will be made available, the resurfacing work would be undertaken by the Council.

The Deputy Speaker: Supplementary? Next question!

HEALTH SECTOR - PUBLIC-PRIVATE PARTNERSHIP PROJECTS

(No. B/887) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the proposed implementation of Public-Private Partnership projects in the health sector in Mauritius, he will state where matters stand.

Dr. Jagutpal: Mr Deputy Speaker, Sir, provision has been made in Budget 2022-2023 for the implementation of the following projects –

1. Modern warehouse of international standard for storage of medicines, medical consumables, medical and non-medical products, equipment on a ‘Design, Build, Finance, Operate and Maintain’ model;
2. National Health Laboratory Services Centre on a ‘Design Finance, Build and Maintain’ model;
3. State-of-the-art Cardiac Centre on a ‘Design Finance, Build and Maintain’ model, and
4. Construction of the second phase of Flacq Hospital and the Public-Private Partnership framework.

Mr Deputy Speaker, Sir, the House will note that the construction of phase 2 of the New Flacq Hospital will be implemented on the same site as the phase 1, that is at Belle Vue Allendy, Constance, Central Flacq and my Ministry will be shortly registering the project with the BOT Project Unit.

The other three projects will be implemented on 30 acres of land leased at Côte d'Or. These projects have been registered as potential BOT projects. In line with the provisions of the Build Operate Transfer Projects Act 2016, my Ministry proceeded with the enlistment of services of a Transaction Advisor for the implementation of the three projects, that is, the National Health Laboratory, New Cardiac Centre And Modern Warehouse. The Transaction Advisor team will assist my Ministry in the preparation of the visibility study phase through the bidding exercise until the award of the contract. The Transaction Advisor will provide his services till award of the contract.

I am informed that a tendering exercise for the enlistment of the Transaction Advisory Services was launched on 11 May 2022. As at closing date of 11 July 2022, two bids were received and an evaluation exercise is currently under progress.

The Deputy Speaker: Supplementary!

Dr. Aumeer: Thank you, Mr Deputy Speaker, Sir. Rs20 m. have been earmarked in the Budget 2022-2023. Can I ask the hon. Minister whether, he could inform the House as to the name on the Transaction Advisor and the criteria that has been used for his selection?

Dr. Jagutpal: Mr Deputy Speaker, Sir, as stated, this is still at the tendering process because as at closing date, there were two bids and the evaluation exercise is currently under progress. So, hopefully, once we have the outcome of this tendering exercise, I will inform the House about what has been done.

The Deputy Speaker: Supplementary!

Dr. Aumeer: Thank you. With regard to the various potential BOT projects that would be part of the Public-Private Partnership, can I ask the hon. Minister whether he has the information as to the repayment terms and value for each project?

Dr. Jagutpal: No, Mr Deputy Speaker, Sir. So far I don't have the details of these BOT projects. Hopefully, after the Transaction Advisor takes office, we will have details on how he is going to conduct these projects.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Stemming from the same question, for the laboratory, the warehouse and the cardiac centre, on a BOT, these facilities must be income generating for it to

ensure regular payment to the private promoter. And then, eventually, transferred to the eventual owner, which is Government of Mauritius. This is how BOT functions as far as I understand. So, will these facilities be income generating, or Government will pay as capital expenditure every year?

Dr. Jagutpal: Mr Deputy Speaker, Sir, I do not have these information. We know that all these projects are not income generating because they are services that will be provided free of cost to the population. This will, obviously, involve the Ministry of Finance; if ever we have one project, how the repayment will be done, based on what terms and conditions. I am sure the Transaction Adviser will guide us on the process of how these projects will be implemented under BOT.

The Deputy Speaker: The Table has been advised that the following PQs have been withdrawn: B/917, B/923 and B/894. Next question!

COMMODITIES - PRICE MONITORING - MOBILE APPLICATION

(No. B/888) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the Mobile Application to monitor the prices of commonly used commodities by consumers, he will state if same is operational and, if so, since when and, if not, why not.

Mr Callichurn: Mr Deputy Speaker, Sir, I intended to reply to PQ B/888 and PQ B/198 together as they relate to the same subject matter. But I need your guidance as to whether PQ B/198 has been withdrawn?

The Deputy Speaker: Madam Clerk, can you please confirm? What number did you say again, please?

Mr Callichurn: PQ B/918, sorry!

The Deputy Speaker: PQ B/918, is it? It has been withdrawn!

Mr Callichurn: Okay.

In July 2021, Government took the decision to re-establish the Price Observatory with the primary objective of giving consumers more visibility on prices of certain essential products.

Subsequently, the Consumer Protection (Price Observatory Committee) Regulations 2021 was promulgated with effect from 03 September 2021. The Price Observatory Committee was set up in November 2021.

I am, therefore, informed that the Committee has had eight meetings at which the model and methodology to be adopted for the Price Observatory mechanism were extensively discussed. I am also informed that five analytical reports have been prepared. However, these reports include a lot of analytics and technicalities which could be quite difficult for the average consumers to understand.

Mr Deputy Speaker, Sir, it is with this perspective that a Price Monitoring and Control Application is being developed so that people can easily access information in a user-friendly way.

As such in September 2021, my Ministry signed a contract with the Mauritius Research and Innovation Council (MRIC) and Verde Frontier Solutions Ltd. for the development of a mobile application by the latter under the Public Sector Transformation Scheme. The project which amounts to Rs2 m. is being financed by the MRIC. The project is in the final stage of implementation, and the legal consent and disclaimers are being finalised.

The Deputy Speaker: Supplementary, please!

Dr. Gungapersad: Will the Minister inform the House whether measures will be taken to include those retailers who are unwilling to upload data on the mobile application?

Mr Callichurn: Mr Deputy Speaker, Sir, actually we sought advice from the State Law Office regarding the intended use of the application and its legal implications, and the advice was as regard to the private policy, disclaimer and terms and conditions. So, we have been strongly advised that the Ministry should obtain the written consent of all retail outlets concerned.

Dr. Gungapersad: Can the Minister please inform the House whether the prices on the mobile application will be updated daily or will it reflect prices that have been collected during one whole month? If ever it reflects one month old prices, the mobile application will not serve its purpose because consumers will not have real-time prices for commodities on their mobile phone.

Mr Callichurn: Well, it will be difficult to input data on a daily basis. Mr Deputy Speaker, Sir, the application has been designed for the input of data on a monthly basis.

Dr. Gungapersad: Can the Minister inform the House whether the mobile application will be in line with the Data Protection Act?

Mr Callichurn: Yes, it will be.

The Deputy Speaker: No supplementary. Next question, please!

HENRIETTA - ASBESTOS HOUSES - DEMOLITION & RECONSTRUCTION PROTOCOL

(No. B/889) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to houses containing asbestos, he will state the number thereof identified in Henrietta, indicating the protocol put in place for the demolition and reconstruction thereof.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I am informed that there are some 40 houses containing hazardous asbestos that were built at Henrietta by the former Central Housing Authority, and this was in the early 1960's. These houses are commonly referred to as *lakaz EDC* (EDC houses) because the construction thereof was funded by the European Development Community (EDC).

I am also informed that further to the recommendations of the Addison Report, these houses were treated with oil and epoxy based paint to prevent disintegration of the wall panels which would thereby constitute danger.

Now, I am further informed that 14 of those housing units have, years back, been pulled down without my Ministry being made aware of, but we know that 14 houses no longer exist. Furthermore, 2 more of these houses have been dismantled at the request of the owners. They have been dismantled by the Solid Waste Management Division of the Ministry of Environment, Solid Waste Management and Climate Change according to the existing protocol under safe and regulated conditions in line with the Occupational Safety and Health (Control of Asbestos at Work) Regulations 2014.

Mr Deputy Speaker, Sir, there is at present a scheme which offers opportunities to owners who wish to pull down and reconstruct their respective EDC houses. This present scheme

including the existing protocol is being revisited to ensure better coordination among concerned authorities and occupiers of the EDC housing units for more effective and expeditious removal of asbestos in EDC houses.

Indeed, in the last Budget Speech, my colleague, the Minister of Finance has announced that for the complete removal of asbestos from residential dwellings, Government would rebuild some 1,800 ex-CHA houses for an amount of Rs800 m. This bears testimony to the commitment of this Government to do away with hazardous asbestos in residential dwellings as soon as possible.

The Deputy Speaker: Thank you. Supplementary!

Ms Anquetil: Je vous remercie, M. le président. Le Premier ministre adjoint pourrait-il indiquer à la Chambre s'il y a un manque de coordination et de suivi entre son ministère et le ministère de l'Environnement sachant qu'une maison à Henrietta a été démolie depuis plus de deux mois ; c'est passé sur une radio privée et cette maison n'a toujours pas été reconstruite et le plastique qui recouvre les murs se détache progressivement, et en plus nous sommes en hiver. Merci.

The Deputy Prime Minister: D'abord, M. le président, permettez-moi d'exprimer le regret que ma collègue députée qui me connaît de longue date, ne m'ait pas approché pour attirer mon attention quant à un problème qui semblerait urgent qui se serait posé. Évidemment, nous aurions donné toute notre attention à ce cas précis.

Donc, elle m'a posé deux questions supplémentaires. Je répondrai à la première. Avant 2014, le protocole existant était tout à fait inadéquat. Il n'existait pas vraiment de mesure pour permettre l'élimination de l'amiante. M. Osman Mahomed pourra poser sa question supplémentaire par la suite. Je crois que madame voudrai écouter ma réponse, n'est-ce pas ? Comme l'exige la politesse. Donc, je disais que ce protocole était tout à fait inadéquat, il n'y avait pas une planification de l'élimination de ces résidences avec de l'amiante malgré l'excellent travail réalisé par le gouvernement MMM-MSM entre 2000-2005 avec le rapport Addison et les recommandations qui y étaient contenues.

Donc, en 2014, il y a un nouveau protocole qui est introduit qui prévoit que l'élimination de l'amiante soit effectuée par la seule unité de l'Etat qui ait les compétences techniques, dont

cette division du ministère de l'Environnement à laquelle je faisais référence. Le problème dans les arrangements présents ce n'est pas un manque de coordination entre le Logement et l'Environnement, loin de là. C'est que nous laissons l'initiative aux propriétaires de ces maisons de décider si et quand ils demandent à ce que l'on enlève l'amiante et ces populations – les populations concernées – sont souvent moins fortunées que d'autres, peut-être moins conscients du danger de l'amiante que d'autres. Donc, il faut améliorer, il reste un bon nombre de maisons contenant de l'amiante à travers l'île.

C'est pour cela, qu'avec mon collègue le ministre des Finances et le Premier ministre, nous avons décidé de prendre une nouvelle initiative où l'État sera encore plus proactif pour inciter et assister les propriétaires des maisons contenant de l'amiante à aller faire détruire pour être éventuellement rebâtie avec toute l'assistance de l'État. Les R 100,000 déjà disponibles pour l'acquisition de matériaux de construction, les sommes disponibles pour la dalle – ce qu'on appelle *lamone dal* dans le langage courant. Donc, nous allons améliorer ce dispositif très vite.

Pour ce qui est du cas cité, moi je l'ai appris à la radio – malheureusement, cette personne n'est pas venue vers le ministère du Logement – et là nous avons un cas complexe parce que la maison est propriété de la fille alors que c'est le père qui y habite. C'est le père qui fait la requête pour que l'on détruisse les murs de sa maison, toutes les *partitioning* pour enlever l'amiante mais il ne fait pas une demande pour obtenir de l'aide financière de l'État ni fait-il des arrangements pour aller habiter ailleurs. Donc, le ministère de l'Environnement fait le travail qui est le sien mais cette personne qui a de la famille, dont sa fille, choisit de demeurer sur place et évidemment cette personne éprouve par la suite des difficultés considérables.

Ce que je peux dire à madame la député c'est qu'après – puisque nous sommes très attentif à ce qui se dit – la *NHDC*, en coordination avec la *NEF* sous la responsabilité de ma collègue, la ministre de la sécurité sociale et avec le concours de mon collègue, le ministre de l'Environnement, la *NHDC* a effectué plusieurs visites. Nous avons confirmé que la fille, madame Marie Samantha Marisson est déjà enregistrée auprès de la *NEF* et la *NEF* est en train de faire le nécessaire pour qu'elle soit considérée à la première occasion pour la reconstruction d'une maison effectuée par la *NEF*.

The Deputy Speaker: Thank you very much. The Table has been advised that the following PQs have been withdrawn –

- (i) B/891;
- (ii) B/893;
- (iii) B/902;
- (iv) B/904, and
- (v) B/915.

Time is over! We will break for tea, 30 minutes, please!

At 4.58 p.m., the Sitting was suspended.

On resuming at 5.37 p.m. with the Deputy Speaker in the Chair.

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

MOTION
SUSPENSION OF S.O. 10(2)

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

Mr Hurreeram seconded.

Question put and agreed to.

PUBLIC BILLS

Second Reading

THE ACADEMY OF DESIGN AND INNOVATION BILL

(NO. XI OF 2022)

Order read for resuming adjourned debate on the Academy of Design and Innovation Bill (No. XI of 2022).

Question again proposed.

The Deputy Speaker: Hon. Minister Stephan Toussaint!

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): Merci, M. le président. Nous débattons aujourd'hui et depuis la semaine dernière, *the Academy*

of Design and Innovation Bill et dont l'objet est de créer *the Academy of Design and Innovation* en remplacement du *actual Fashion and Design Institute*.

M. le président, un rapide retour dans le passé pour comprendre d'où vient le mot ‘*design*’ et d'où vient le mot ‘*innovation*’. Le mot ‘*design*’ vient du latin, ‘*designare*’ qui veut dire marquer d'un signe, dessiner, indiquer. Le mot ‘*design*’ avait été utilisé pour la première fois dans le sens moderne que nous le connaissons, là, actuellement et a été popularisé par Henry Cole en 1849 dans le premier numéro du journal, *Journal of Design and Manufacturers*. Très intéressant tout ce que Henry Cole a fait et donc, j'inviterai la population à lire ; et surtout les jeunes étudiants du *actual Fashion and Design Institute* d'aller lire un peu les ouvrages de Henry Cole.

Le terme ‘*innovation*’ vient du latin, *innovatio, innovare* et apparaît au 13^{ème} siècle. Donc, tout ceci pour dire que nous qui croyons détenir la connaissance et nous qui avons parfois l'audace de croire que nous sommes les inventeurs de beaucoup de choses, et bien beaucoup de ce qui existe dans le monde actuel vient de nos ancêtres, vient du passé. Et là, comme j'ai dit, donc, le mot apparaît pour la première fois vers le 13^{ème} siècle. Et c'est un terme qui était utilisé si je ne me trompe pas dans le monde juridique à l'époque. Et vers le 16^{ème} siècle, le sens du mot ‘*innovation*’ va plus vers quelque chose d'inattendue et surprenant. Alors, évidemment, aujourd’hui quand nous utilisons le mot ‘*innovation*’, nous voulons dire la recherche constante d'amélioration de ce qui existe et tout ceci en lien bien sûr avec l'industrie créatif.

M. le président, ce projet de loi présenté par mon honorable ami, le ministre Bholah, est un projet de loi claire, direct, simple, à la portée de tout le monde et qui va bien sûr aller vers la création de *l'Academy of Design*. Et si nous retournons maintenant dans le présent, le actuel *Fashion and Design Institute* que nous connaissons donc, – comme les orateurs avant moi ont dit – a été lancé officiellement en 2009 et ensuite en 2013, il y a eu des amendements dans la loi. Et le *Fashion and Design Institute*, le *FDI*, comme nous le connaissons actuellement, est divisé en trois départements : le *Learning and Training*, le *Corporate Affairs, Business/Industry, Development, Research and Consultancy*. Le *Fashion and Design Institute* donc offre la possibilité à nos jeunes et à la population de venir apprendre, de venir s'instruire et de trouver leur gagne-pain dans le monde de la créativité.

Et c'est un domaine qui passionne beaucoup de nos jeunes. Et donc, j'ai aussi appris que l'honorable député, Dr. Boolell, qui a un fils qui est dans ce domaine. Et je suis aussi fier de dire que mon fils aussi est dans le même domaine, *Graphic Design* ; et il suit sa formation au *FDI*. Il est actuellement en dernière année au *FDI*. Il est content de ce qu'il apprend, de ce qu'il découvre. Il est content du talent et de l'expérience de ses enseignants. Il est content de son institution puisque je suis lié directement à ce qu'il fait et je vois tout le travail qu'il fait. Pour vous dire, M. le président, avec les différents *assignments* qu'il a à faire, par exemple en ce moment, il a à faire un album, un livre où d'abord il devait réfléchir sur le fil conducteur, un thème quelconque. Il a dû faire la tournée de l'île pour prendre des différentes photos sur le thème qu'il a décidé de travailler, de corriger, de renvoyer au professeur et de recorriger, et de refaire les photos.

C'est des devoirs de facilement jusqu'à deux heures à trois heures du matin qu'il travaille et qu'il se parfaire dans ce qu'il est en train de préparer comme *assignment*. Pour vous dire, c'est un domaine qui demande beaucoup. À ceux qui veulent entrer dans ce domaine, ce n'est pas ce que l'on a tendance à croire ; ce ne sont pas des choses simple - *bat bate*. Loin de là ! C'est très scientifique et les jeunes qui sont dans le domaine ont un très grand travail à faire. Donc, l'idée de venir avec une institution moderne, M. le président, est une vision à long terme parce que le domaine créatif n'est jamais au point mort. Le domaine créatif évolue de jour en jour, et aujourd'hui avec l'apport de la technologie et de ce que l'Internet nous offre, l'apport des outils technologiques que nous avons, nos jeunes ne peuvent pas rester *behind* comme on dit ; d'où l'idée de venir créer un *Academy of Design and Innovation*. Donc comme il est dit dans le projet de loi, cela permettra au *Academy of Design and Innovation* de *award certificates, degrees, diplomas*. Tout ceci pour dire c'est d'ouvrir l'éventail, de donner plus de possibilités à nos jeunes et de faire grandir ce secteur qui est en plein essor.

M. le président, le *Fashion and Design* actuel collabore énormément avec mon ministère, et c'est pour cela que je peux me permettre de parler en bien sur notre *Fashion and Design Institute* parce que moi je vois le travail qu'ils sont en train de faire. Pour vous donner un petit exemple, dans le cas du *revamping process of our Youth Centres*, nous avons lancé un *tendering process* pour avoir une entité for the *preparation of architectural, structural and drawings for the revamping of Youth Centres*. C'est le *Fashion and Design Institute* qui a été choisi pour ce travail. Ils ont déjà fait les dessins, les designs de différents *Youth Centres*. D'ailleurs, celui de

Mahebourg est en pleine rénovation et à titre d'exemple, voilà ce que le *FDI* nous a proposé pour le *Youth Centre* de Mahebourg, un bâtiment moderne ! Donc, avec du vieux que nous avons, ce *Youth Centre* de Mahebourg date de 30 ans de cela ! Avec du vieux que nous avons là-bas, le *FDI* actuel nous propose un bâtiment neuf avec un nouveau design, moderne dans le cas du *revamping of our Youth Centres* dont je suis sûre, après son ouverture, va attirer encore plus de jeunes dans le *Youth Centre*.

Comme je l'ai dit dans une réponse parlementaire ce matin, demain nous allons lancer la mascotte des jeux de la *CJSOI*, et dans ce *process* là aussi, nous avons fait appel au *Fashion and Design Institute*. Je ne peux pas tout révéler aujourd'hui. Ce sera une belle surprise ! Mais je peux dire que l'institut apporte sa contribution dans ce que vous allez voir demain pour le lancement de la mascotte. Donc, ça c'est le présent et le futur, M. le président, c'est bien sûr avec une institution moderne qui sera beaucoup plus grande. Je suis aussi très content et je félicite mon collègue pour cela avec la proposition d'avoir un campus moderne, je cite l'honorable Bholah –

“The proposed campus will be in line with Government Programme 2020-2024 in terms of innovative greener, cleaner and sustainable infrastructure (...),” *pour abriter le Academy of Design and Innovation.*

Tout ceci, pour venir, M. le président, à une remarque que l'honorable Dr. Boolell a fait pendant son discours. Il se posait la question *what's in a name* ? Soyez rassuré, l'honorable Dr. Boolell, nous ne sommes pas en train que de changer de nom. Soyez rassuré ! Nous sommes un gouvernement sérieux, nous avons un Premier ministre sérieux, nous avons des collègues ministres sérieux, des députés sérieux qui travaillent pour faire avancer notre pays, qui travaillent pour le bien-être de toute la population, ici particulièrement, pour le bien-être de nos jeunes qui veulent se faire former dans ce domaine en particulier. Ce n'est pas seulement un changement d'appellation, ce n'est pas *zis ene ti makiyaz* parce que le mot maquillage est très à la mode en ce moment. Loin de là ! C'est un changement en profondeur qui permettra à nos jeunes d'avancer dans leur domaine.

Autre petite remarque aussi, que l'honorable Dr. Boolell a fait, je cite –

“I am sure you have been informed Minister that courses are being run in school yards.”

Bon, je ne sais pas si c'est vrai ou pas. De toutes les façons, je n'ai jamais vu mon fils venir à la maison un jour en train de grogner pour dire *wei b, pe fer nou aprann anba pie !* Il m'aurait dit, je connais mon fils bien ! Et il n'aurait pas hésité à venir me dire cela. Mais de toutes les façons, si c'était le cas...

Dr. Boolell: L'innovation!

Mr Toussaint: Voilà ! *Li em dir tou la !*

(*Interruptions*)

La créativité, honorable Dr. Boolell, se trouve partout ! La créativité ne peut pas être enfermée en quatre murs. La créativité se trouve partout, *be it* sous un arbre, *be it* dans une voiture, sur un terrain de foot, *anywhere !* Tout comme Dieu n'est pas enfermé entre quatre murs, Dieu est aussi partout, l'honorable Dr. Boolell ! Donc, je suis content que vous êtes sur la même longueur d'onde que moi et que cette remarque, c'est bon qu'on puisse venir apporter une petite précision.

Mon honorable collègue, le ministre Balgobin, je suis sûr va pourvoir donner un peu plus d'informations puisque c'est son domaine par rapport au *Global Innovation Index*. Je laisse ça pour mon honorable ami, le ministre Balgobin.

Et puis, M. le président, l'honorable Mme Arianne Navarre-Marie a beaucoup parlé de *vintage* dans son discours. C'est vrai, le *vintage* est à la mode ! Tout ce qui est ancien, retapé, relooké, revient à la mode. C'est cela aussi l'innovation, c'est faire du neuf avec du vieux. Il ne faut pas que l'on reste quand même seulement collé dans le *vintage*, dans le passé. Il faut avancer, il faut utiliser le vieux. Il faut utiliser l'ancien et innover avec, et faire avancer et créer de choses nouvelles avec cela.

M. le président, donc, nous parlons d'innovation, nous parlons de *design*, nous parlons de technologie, nous parlons d'Internet, nous parlons du monde moderne. Le monde est moderne ; Maurice est moderne, Maurice avance. Et je dois dire que nous trouvons cela vraiment dommage et navrant que dans ce monde moderne, dans ce monde d'Internet et d'innovation, il est vraiment déplorable qu'un jeune membre de cette Assemblée puisse tenir des propos vraiment troublants sur Facebook. À l'ère numérique, à l'ère de jeune, à l'ère où l'on veut faire avancer ce pays, je trouve cela honteux. Et j'espère que l'honorable membre pourra présenter ses excuses à la

population. Il y va pour son bien-être - un petit conseil d'ami que nous voulons passer. Mais de toutes les façons, la population jugera, et la population a fini de juger et les jeunes ont déjà jugé, M. le président.

Alors, je termine ici. Comme je l'ai dit, c'est un projet de loi claire, simple et directe. Je voulais apporter ma contribution et je voulais montrer le bon travail que le *Fashion and Design Institute* est en train de faire. Et sans nul doute avec ce projet de loi, et demain la création de l'académie, il y va sans dire que ce domaine de la créativité aura un nouvel essor. Et surtout quand les jeunes vont voir cela qu'ils vont décider de faire ces matières devenir leur premier choix comme on veut à travers la réforme de l'éducation que l'honorable vice-Premier ministre est en train d'apporter et que certains secteurs ne viennent pas des secteurs de *stepney*. C'est-à-dire que quand il n'y a rien d'autre à faire, *ale be, akoz ki affaire nou ale fer sa*. Non ! Il faut qu'à travers ce projet de loi, à travers la création de cette académie, les jeunes se disent : oui, c'est ça que je veux faire ! Je veux rentrer dans ce domaine du *design* pour gagner ma vie.

Je vous remercie, M. le président, pour votre attention.

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

(5.55 p.m.)

The Minister of Technology, Communication and Innovation (Mr D. Balgobin): Mr Deputy Speaker, Sir, thank you for allowing me to take part in the debates on the Academy of Design and Innovation Bill and I wish here to start by congratulating my colleague, hon. Bholah, Minister of Industrial Development, SMEs and Cooperatives for having introduced this Bill in the National Assembly.

As the subject of innovation falls within the mandate of my Ministry, I am naturally sensitive to this Bill and in my usual collegial spirit I wish to share my reflections to the House today.

Academia is a hive of great ideas and potential innovations, but the pathway from laboratory to marketplace is often incredibly long and uncertain. In a world in which the future already exists, being able to tap into this expertise faster than your competitors could be a key source of competitive advantage.

Innovation does not come just from giving people incentives. It comes from creating environments where ideas can connect. In this sense, this new Academy will fulfill its role as a cutting-edge institute for creative thinkers, designers, and innovators to shape their career in design and at the same time play a crucial role in bridging the gap between the industry, the academia and the market.

Many things make the world go round, but innovation is what drives the world forward. It often requires a catalyst, and one of the most robust catalysts is indeed design.

Revamping the Fashion and Design Institute (FDI) into the Academy of Design and Innovation is certainly a logical step ahead and, of course, an important gap to be filled in our National Innovation Landscape.

Our country needs to nurture and develop design-thinking skillsets combined with innovative techniques and technologies in order to be able to handle the new global challenges and create new opportunities.

Mr Deputy Speaker, Sir, if we look at the most innovative economies in the world such as the United States of America, Finland, Denmark, Israel and the Netherlands, State-initiated measures to promote and integrate design and design skills in the process of innovation have been crucial in boosting their respective strong innovation ecosystems and the spin-offs in their respective economies.

The guiding principles in all these countries have been public-private partnerships, continuous education and awareness through sensitisation programmes which not only contribute to their economic growth but also impact on their ranking in the Global Innovation Index.

I am pleased to note that many of these principles are reflected in the objects and functions of the Academy of Design and Innovation Bill, which clearly spells out direct industrial relevance, multidisciplinary, cutting-edge research and training as well as linkages with the private sector, locally and internationally.

For instance, at a glance at how state-of-the-art Academies of Design and Innovation operate around the world similarly reveals these close linkages with industry. Students will have the opportunity to rub shoulders with expert practitioners, help in producing graduates or

diploma-holders who can bring immediate value to Industry, in contrast with what overly bookish knowledge cannot do.

We have many reasons to believe that this new Academy will be an important actor in the national innovation ecosystem and can propel Mauritius to the league of innovative economies.

Here, I wish to point out that the Academy has a particular focus on forging strong relationships and partnerships region-wise which will also represent a potential market for the young technopreneurs who will graduate from the Academy.

Mr Deputy Speaker, Sir, the rapid development of new technology and digitalisation is fundamentally reshaping the ways in which we work with design, providing constant opportunities for innovations in both formal and informal learning environments. These opportunities and demands need to be explored in relation to challenges in the fields of design, learning, and innovation.

The Academy of Design and Innovation indeed opens up a whole new space that can potentially create a highly skilled workforce with the versatility to adapt to a wide range of industrial sectors and activities.

In the construction industry alone as a case in point, we will see an increased demand for talented engineers, project managers, architects, and quantity surveyors who can harness digital and implement new and innovative solutions.

Likewise, to cite another example which came up recently at *les Assises de la Recherche et de l’Innovation*, organised by the Mauritius Research and Innovation Council a few months back. In the thematic area of ‘Blue and Green Innovation’, there is a clear case for the innovative use of blue and green materials in the fashion industry to support circularity and sustainability in garment manufacturing including bio-fashion. And this is a very interesting area to focus on for the future.

With the ability to think creatively and especially outside the box, *pour ne pas dire en dehors de la boîte*, students will be more likely to come up with unique and innovative solutions paving the way for more empowered start-ups.

New courses targeting the design industry such as product design engineering will give students the confidence, knowledge, practical skills and experience to build a portfolio that will

open up both creative and technological career opportunities in areas that range from industrial design and engineering through creative technology.

Mr Deputy Speaker, Sir, more than ever, businesses understand the importance of innovation and design. In some industries, like big tech, these skills are crucial to a company's short-term stability and long-term survival. As a result, graduates from design programmes with a focus on innovation are in high demand and the most creative of them all can earn big salaries and make significant contributions to the world around them. I have reasons to believe, therefore, that this Academy should not find it hard to attract more students and will become one of the high demand institutions in the country.

Mr Deputy Speaker, Sir, widening the mandate and empowering institutions to take on new functions and address emerging challenges are important businesses of the House. Today, most design jobs are defined by creative and social intelligence. These skill sets require empathy, problem framing, creative problem-solving, negotiation, and persuasion. The first impact of Artificial Intelligence will be that more and more non-designers develop their creativity and social intelligence skills to bolster their employability. In the future, designers will train their AI tools to solve design problems by creating models based on their preferences. AI-driven parametric design will enable designers to quickly and easily create millions of variations of a design and most designers' productivity will dramatically increase.

Suddenly, we will be able to explore massive numbers of alternative directions in a fraction of time we need today. With increased productivity and better tools, it will be easier for amateur designers to create acceptable, if not exceptional work, and potentially put price pressure on professional design services.

With the metaverse, virtual, augmented, and mixed reality will explode and it will become the next frontier of opportunity for design. Virtual worlds may generate new demand for the more traditional design disciplines, such as architecture, interior design, object design, and fashion, as we rush to create virtual worlds.

In the graphic design industry, we have got different types of tools integrated with the features of AI. They have simply simplified the process of creating different types of artwork by understanding design requirements on their own. For instance, automated logo makers work on

the same technology. These tools have an advanced understanding of every type of logo and how they are made using different design elements.

A few years ago, Mr Deputy Speaker, Sir, these types of tools were simply unheard of. But, with the rise of AI, everything is now becoming possible. As a result, designers are getting more features to express their creativity and simply use less time to create any masterpiece.

Mr Deputy Speaker, Sir, one of the objectives of the Academy, as stated in Section 4(g) of the Bill will be to –

“promote innovation in the design fields”.

This is crucial to help boost excellence in the design field of fashion and textile, graphic and multimedia, built-in and architecture, jewellery, arts and crafts.

The Mauritius Research and Innovation Council will also be well positioned to provide any support given its existence as the apex body for Research and Innovation in the country, regarding the proposed functions of the Academy, namely Sections 5(c) and 5(j). These sections address, firstly, the engagement of the Academy in research and consultancy activities, and secondly, the proposed operation of the Academy in partnership with any other institution or enterprise with wholly or partly similar objects.

Section 5(l), Mr Deputy Speaker, Sir, of the Bill, includes that the function of the Academy will be to –

“safeguard and market the intellectual property rights and products of the Academy”.

And Section 6(d) provides for engaging “in the commercial development of any intellectual property in which it has a right or interest”. Here, consideration should be given to the development of an intellectual property policy for the Academy.

Mr Deputy Speaker, Sir, I welcome the proposed multi-sectoral, yet, very relevant composition of the Board which includes, amongst others, the supervising officer of the Ministry responsible for Education, the supervising officer of the Ministry responsible for Finance, the Mauritius Research and Innovation Council, and members from the Manufacturing Sector And Industry Associations.

The Bill also makes provision for the setting up of an independent Academic Council which will be the supreme academic deliberative and decision-making body and includes concerned stakeholders such as the HRDC, the HEC, the MES and persons with experience in the field of designs. To put it simply, Mr Deputy Speaker, Sir, the different activities of these institutions are all pointing towards one direction: innovation to create jobs and to take the economy to the next level its development.

M. le président, je souhaite revenir sur les propos de l'honorable Dr. Boolell la semaine dernière lors de son intervention sur ce projet de loi. Je dois dire, M. le président, que l'honorable membre a induit la Chambre en erreur. Et je cite Hansard, l'honorable Dr. Boolell vient nous dire, je cite son discours –

“Mr Speaker, Sir, let me remind the House, there was a time when Mauritius ranked very highly in the Global Innovation Index (...). Now, our ranking has gone down to the 82nd position”.

Je dois dire que l'honorable Dr. Boolell a fait complètement fausse route parce que notre pays, M. le président, en 2019, sur 131 pays, nous étions classés à la 82ème place en 2019. Et, grâce à nos divers efforts et initiatives dans le domaine de l'innovation, nous nous sommes hissés à la 52ème place en 2020. Complètement l'opposé de ce que l'honorable Boolell avait mentionné.

En 2021, nous avons maintenu notre classement à la 52ème place. 1er en Afrique, 52ème mondiale; et non comme disait l'honorable Dr. Boolell –

“There was a time we used to be very high”.

There was a time we were low, now we are very high compared to what he said. Le prochain rapport, M. le président, qui devrait être publié dans les semaines voir les mois à venir et nous nous attendons à une encore meilleure position sur le *Global Innovation Index*.

Donc, laissez-moi conclure, M. le président, I am a firm believer that our Republic's future socio-economic and environmental prosperity will be underpinned by Science, Technology and Innovation. Innovation has become a way of life and has become the new way forward for our people. This investment in design education and by extension design professionals to help our country meet its diverse design needs can only enhance our innovative potential and especially competitiveness.

Design innovator always find practical solutions to contemporary problems, but it is food for thought that the forthcoming generations of creative minds will need to find answers to questions that we never knew even existed.

On this note, once again, I congratulate my friend, hon. Bholah, for the introduction of this Bill and I am certain of its promising success.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you. Hon. Vice-Prime minister!

(6.14 p.m.)

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Deputy Speaker, Sir, thank you for giving me the opportunity to intervene on the Bill presented by my colleague, hon. Bholah, Minister of Industrial Development, SMEs and Cooperatives. I congratulate him for coming up with this Bill at a time when there are significant transformations taking place in the design field, that is, the field of fashion and textile coupled with graphic and multimedia, building and architecture, jewellery, arts and crafts.

The Bill, Mr Deputy Speaker, Sir, provides for a new legal and institutional setup for the Academy of Design and Innovation in lieu of the Fashion and Design Institute. If we are looking for the reasons why, this is amply explained by the on thrust of technology that has transformed today the world of design and the design field. It is also accounted for by the need to be highly competitive in niche markets and retain the position achieved by Mauritius on the competitive indexes.

Mr Deputy Speaker, Sir, let us be clear about the terminology used here. Design is not just about designing objects or a field of study. Design is a way of thinking. We should not be constrained by the traditional and especially parochial view of design. The modern dimension of design starts with looking beyond the world of fashion and design. It now encompasses domains like architecture, as I have said earlier, jewellery, the arts and crafts programmes as the Bill has informed, but it also to be borne in mind that design here, is associated with innovation, and rightly so. Can we really dissociate one from the other? The recent pandemic has generated the realisation that one essential skill lies in recognising and creating the exploiting opportunities it

arises. Today, the opportunity is presenting itself through the notion of design to transcend contempt and include disruptive innovation in both process and approach.

All to affirm, Mr Deputy Speaker, Sir, the how is more important than the what. I am thus very pleased to see this Bill actually making a case for the Academy of Design and Innovation to have a much broader mandate. The Academy will promote excellence and will also take on-board the creative industries. What justifies this broadened mandate, Mr Deputy Speaker, Sir? The reasons are both varied and valid. Let me firstly highlight that the world today is what we call the VUCA world: Volatile, Uncertain, Complex and Ambiguous. Broadening the mandate of the Academy is much called for to respond to the tectonic shifts brought about by this VUCA world, and this calls for a new era of skills development.

More and more, we speak of the Fourth Industrial Revolution as defining the modern day context. The Fourth Industrial Revolution is fundamentally reshaping the way we live, the way we work. The age of digital transformation and technological progress has been instrumental for many Mauritian businesses including fashion to achieve global visibility, to connect with a broader and more diverse audience and also customer based. This explains why our textile industry has remained resilient despite the many challenges it has faced. No doubt, the label ‘Made in Moris’ has had its forceful contribution to the symptoms of both quality and design.

Yet, we cannot stop here. It is in this global context that Mauritius has to continue evolving so as to successfully respond to the resulting shifts. In such a context, Mr Deputy Speaker, Sir, what are the implications for Mauritius? For one thing, we have to recognise the necessity to build up and reinforce the value adding dimension of our creative industries. Indeed, it is known that the more sophisticated the taste of people grows, the more likely they are to spend any additional income on outputs of the creative economy.

So, we are here in the presence of a niche market, one that also creates valuable employment opportunities. This is why, the very first object of the Bill and of the Academy is purported to promote excellence in the design field. The Academy will thus spearhead quality and innovative courses and programmes to propel the field to new heights. May I here open a parenthesis by stressing that on the international scene as well, countries that have reinforced their institutions and invested in these domains have succeeded in their exports lead take-off.

A June 2021 report by Deloitte titled ‘The Future of the Creative Economy’ reveals that the creative economy employment represented around 7% of total employment, nearly 20 million people in nine developed countries –

- (i) Germany;
- (ii) the UK;
- (iii) France;
- (iv) Italy;
- (v) Spain;
- (vi) Turkey;
- (vii) Japan;
- (viii) South Korea, and
- (ix) Australia.

The report goes on to suggest that creative economy could grow 40% by 2030, adding more than 8 million additional jobs in the above named economies. The report goes on to add, and I quote –

“(...) Middle income countries are likely to show even stronger growth to the extent their overall national income grows faster.”

Mauritius, Mr Deputy Speaker, Sir, stands to gain as we shape up into a growingly sophisticated nation and reclaim our rightful place among the high income status countries.

Mr Deputy Speaker, Sir, let us allow ourselves to be ambitious. This Academy will be called upon to play a regional role as well. It may not be in the next few months, it will certainly not be overnight, but that role, it is destined to play. The Academy will not simply be building skills for the present, but it will also be building skills for the future. Already, we have cleared the ground for positioning Mauritius as a new regional knowledge hub. Here, we should draw optimism and comfort from the report of Business of Education in Africa that was launched in 2020 at the World Economic Forum in South Africa. It estimates that by 2035, the number of Africans joining the workforce between the ages 15 to 64 will exceed that of the rest of the world

combined. This starts a tremendous opportunity for Mauritius to play its full role as a knowledge hub in the region and also for the Academy of Design and Innovation to have a special role.

Indeed, the credibility of the Academy is very likely to be regionally enhanced when it demonstrates its ability to offer programmes and courses that are quality assured that show fitness for purpose through the fulfilment of the objective set, and fitness of purpose through relevance to societal needs. Therein will lie the attractiveness for the captive market that the Academy is called upon to task.

Let me reiterate that through the Academy as much as through our universities, we can successfully have an uptick both in the intake and in the development of skills and competencies of learners both local and continental. Skills to be acquired will go beyond the mere know-how, beyond technical aptitudes, technologies and practices. These will be the soft skills or the transversal skills that will primarily focus on how to interact and connect, how to be innovative and creative. In short, skills that are more directed to learners' insertion in and adjustment to the world of work.

These, Mr Deputy Speaker, Sir, will be the persons who will enter into jobs but also be job creators, entrepreneurs in short. And that in itself is a magic bullet to counter any rise in unemployment rates. I believe that it will be a win-win situation for all, for the students, obviously, but also for the Academy of Design and Innovation. Certainly, the Academy will have a tremendous role to play as an important contributor to a regional innovation ecosystem while also ensuring that Mauritius emerges as a powerhouse of innovation, as rightly put by hon. Balgobin.

Mr Deputy Speaker, Sir, speaking of innovation brings to mind here, the strong link that will be in the offing between the Academy that will be set up and the world of education. This Bill brings to the fore the notion of design thinking as a framework for critical thinking, problem-solving and strategy formulation. Now, to develop the workforce that is adept at design thinking, we must start young. That is why our students are exposed to creative thinking, as well as design principles and processes. We believe that this will help them think of novel solutions to address complex problems.

Such world of thinking, Mr Deputy Speaker, Sir, when my Ministry spearheaded the most comprehensive systemic reform in education till date, including the Nine-Year Continuous

Basic Education Reform. What lies at the core? At the core lie inclusiveness, equity and sustainability. Thus, a development of knowledge is inextricably linked to the development of the 21st century thinking skills and values. It has been a common complaint that our society, our scales have traditionally tilted in favour of academic qualifications. We tend to overweigh academic degrees to the exclusion of skills. We are in for a change here, a change that has already been sweepingly acted upon.

Our reform targets children as from pre-primary education and seeks to instil a different mindset. It also envisages the creation of multiple pathways for young people to develop those skills, fulfil their aspirations. We have to catch them young. As Frederick Douglass, the African-American abolitionist of the 19th century, said –

“It is easier to build strong children than to repair broken men.”

Our reform targets the holistic development of the self and willingness and commitment to embrace lifelong learning at all echelons because of the short shelf-life of skills in a world that is constantly in flux. This is also why our education system strives for more creativity, more practice-based immersion among the youth. The need to be creative to not only be self-sustaining but also remain relevant in today’s competitive world.

It is precisely with this in mind that technical education is being rebranded today. The House will recall the passing of the ITET Act in 2021. This legislative framework provides the means to promote unified, sustainable and technologically advanced public network of technical education centres that provide work-based, on-campus and online technical education across the country and beyond. The objective is straightforward, makes skill development responsive to the development priorities of both Government and the industry and thereby addressing the sectoral skill gaps in the country. Just as ITET, I believe that this proposed Academy of Design and Innovation will also have its role to play in adopting a demand-centric lens to assess and satisfy the interest of all stakeholders.

Mr Deputy Speaker, Sir, this brings to the fore the need for collaboration, specially institutional collaboration and we recall that one of the functions of the Academy will be to operate in partnership with and establish and exchange programmes and courses with any other institution or enterprise having objects wholly or partly similar to its objects. This is the way institutional growth lies. It is given that with the mandate of the Academy, it will be called upon

to work together with MITD, ITET as well as the Higher Education Institutions. It is in this context, pleasing to note that the Academic Council that will also be set up will have a good representation from the education sector, as well as experienced persons in the field of design.

Mr Deputy Speaker, Sir, this legislation makes a reference under sub-section 6 of the powers of the Academy, to the Academy conducting a wide variety and range of courses and programmes that scale up to diplomas and degrees. The Academy will also be an awarding body. Obviously, this will not be happening overnight and the Academy will go through a growth process, much attention will be paid to ensure that quality standards are met and that internal and external audits are undertaken to verify baseline compliance with these standards. As we know, quality assurance for Higher Education Institutions has a primary function of establishing the legitimacy of both the institution and its programmes and offer. It also establishes in-house dialogues that focuses on continuous quality, self-improvement.

This entire process, Mr Deputy Speaker, Sir, is obviously one of the best ways in which to inculcate public trust and to see to it that students are informed about the quality, purposes and outcomes of the courses being run by the institution. My Ministry, through the Higher Education Commission, will support the Design and Innovation Academy and ensure that its foundations are solidly grounded in the existing regulatory framework governing the higher education in Mauritius.

Allow me, Mr Deputy Speaker, Sir, to also highlight that one of the requirements of the Higher Education Act is the accreditation of programmes run by public and private HEIs. My colleague Minister and I have already discussed this issue and I wish to reassure the House that all programmes will be duly accredited before being offered. This will obviously be helpful where international students are concerned. Indeed, what better way to attract international students by offering them programmes which bear a label of quality. The Republic of Mauritius intends to play its full role as a regional knowledge hub. The Mauritius-Africa Scholarship Scheme is already channelling many African students who have opted for local awarding bodies and programmes.

Mr Deputy Speaker, Sir, substantial change is needed to achieve this Government's aim that all Mauritians are equipped to be successful in the 21st century with the transferable

knowledge and skills to take on different types of work throughout their careers that make them gainful, productive and drivers of the high income status economy.

I am glad to note the emphasis laid on adopting the multi-sectoral and multi-disciplinary mindset along with research and consultancy focus in the second and fourth objects of the Academy.

The Deputy Speaker: Take your time, hon. Vice-Prime Minister!

Mrs Dookun-Luchoomun: Thank you. Thinking from a multi-disciplinary approach, requires more than cross-disciplined actions and initiatives. It stems from a firm belief that one should put in question one's worldview. This, Mr Deputy Speaker, Sir, requires a real paradigm shift. Today, divisions between learning and work are breaking down, bringing before a need to develop an alternate mode of Education Industry Corporation that transform the teaching content and instructional methods, be it adopting technology in teaching, revamping the physical infrastructure and reforming curricular while promoting competency-based education that instills life-long skills and competencies.

Mr Deputy Speaker, Sir, perhaps before I conclude, it would be proper for me to set the record straight in the light of some arguments that have been ventilated on this Bill. First, all apprehensions relating to losses of or threat to employment of the staff of the FDI should be laid to rest. The transitional provisions do provide the comfort and guarantee the safeguard and retention of the employment and rights of all persons in the new body. I also heard a hon. Member of the Opposition question the credibility of the Mauritius Examination Syndicate whose representative will be a potential Board Member of the Academy. One would genuinely wish that we do not mix issues, Mr Deputy Speaker, Sir. What happened recently at the MES has been an issue that had immediately been remedied with no major consequence arising therefrom. I do not view this as proper or even sound in principle to put an entire organisation in jeopardy through a wild claim or a blanket statement. On another count, we need to view education today from a multi-disciplinary perspective. We cannot practice contempt exclusivity. I am of the opinion that design thinking should not be restrained and confined only to students of design. Rather, all programmes, be they of engineering, business, health, sciences, tourism, all should include a design module. All vocational, technical and university students need to learn to couple the design led creative thinking process with their domain expertise and come with something

innovative. Only then, Mr Deputy Speaker, Sir, they will make the shift from being job seekers to becoming entrepreneurs, innovators and job creators.

Mr Deputy Speaker, Sir, we all agree that the skill levels of the Mauritian population must be raised and this in order to improve competitiveness, growth rates, job prospects and promote social inclusion in line with Government's vision 2030. We must not forget and it is often taken for granted but design and innovation have been at the cornerstone of the Mauritius miracle and Mr Deputy Speaker, Sir, nothing happened by chance or by itself, not our economic growth, not our resilience in the face of adversity. More recently, our handling of the COVID-19 pandemic, not our infrastructure, not even our multi-cultural diversity and unity and I believe that this has been so because of the foresight and of our forefathers and our leaders and I think it is our duty as a new generation of leaders, of politicians to make sure that this unity is not at any point jeopardised or threatened, Mr Deputy Speaker, Sir. So, I believe that it is only by being visionary and by being proactive that we will manage to create the right environment for us to achieve our vision and our goals. Mr Deputy Speaker, Sir, today, we all know too well that exogenous shocks to our economy and our very fabric of life can come in any form and at any time. Building the skills to be resilient in the face of uninvited changes cannot be relegated to future generations; the time to act is now.

As I conclude, I am reminded of the famous words of Charles Darwin –

“It is not the strongest of the species that survives, nor the most intelligent but the ones most responsive to change.”

Any new institution will have to be nimble and agile to succeed because change is the only constant.

I thank you for your kind attention.

The Deputy Speaker: Thank you very much! Hon. Minister Bholah!

(6.40 p.m.)

The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah):

Mr Deputy Speaker, Sir, at the outset, allow me to extend my appreciation and my thanks to all Members from both sides of the House who have participated in the debates.

I note with satisfaction that there is a general consensus with regard to the Academy of Design and Innovation Bill.

However, there are certain comments and points that have been raised by some interveners and moving forward, I will reply to same. Everyone intervening on this Bill has pointed out the increasing importance of the design sectors, especially with regard to the fierce international competition Mauritius is facing or will have to face with regard to its export.

As I mentioned in my opening speech, design is not limited to the textile sector. It encompasses a wide array of fields such as graphic and multimedia, built-in and architecture, arts and crafts as well as jewellery. Ultimately, it is the manufacturing sector that will benefit the most from the multi-sectoral approach of the Academy.

As a responsible Minister, I have always walked the talk. During the last mandate, I came in this very House to create SME Mauritius. Also I introduced the New Cooperative Act which paved the way for the opening of the National Cooperative College. There is no doubt these two institutions are functioning to the satisfaction of their respective stakeholders. We just need to see the work they are doing in the terms of training, in terms of our outreach, in terms of management of schemes, in terms of market fairs, in terms of observatory.

Today, through the academy of Design and Innovation Bill, I am equally proud to be associated to the setting up of yet another institution of repute. I wish to reassure the House that the academy of design and innovation is not a buzz word and will not remain a change in appellation only.

In his intervention, hon. Dr. Boolell kept on emphasizing and rightly so, on the need to promote creative minds in a conducive environment. He also stressed on the need to engage the best resources and personnel.

In fact, this Bill will empower the Academy with the required capacity and logistics to achieve its set objectives of being a Centre of Excellence in the design field. My Ministry will see to it that the Board be given its required latitude to function in all independence to achieve the mandate of the academy.

La question d'avoir des bâtons dans la roue ne se pose pas.

Mr Deputy Speaker, Sir, my Ministry will also see to it that the courses delivered by the Academy meet all the necessary standards and requirements as laid down in the Higher Education Act, including quality assurance, with a view to ensuring that its awards are recognised by professional bodies and the prestige of its qualifications is maintained. We will not compromise with the levelling-up of the quality of the courses and the certificates issued by the Academy.

As provided in the Bill, we are taking a commitment to safeguard the Intellectual Property (IP) rights of designers for them to be given due recognition for their creations and talent. It is worth mentioning that, pending the enactment of this Bill, the Fashion and Design Institute is already collaborating with the Mauritius Research Innovation Council, with the support of an international consultant, on developing regulations for IP rights for designers.

The Academy will work with the relevant institutions and funding agencies so that research funds are made available to research officers, who are result-driven.

Mr Deputy Speaker, Sir, during his intervention, hon. Dr. Boolell mentioned that at one time, Mauritius was ranked 52nd in the Global Innovation Index and has now gone down to 82nd. This point has been canvassed by my colleague, hon. Balgobin. Let me set the record straight. The hon. Member has muddled up his figures. I will not dwell much on that. In fact, Mauritius is ranked first in Africa.

In keeping up with this momentum, we are aiming to further improve our ranking by providing the Academy with a much wider role through innovation in design, operational practices and sustainable manufacturing.

Allow me to stress that the drafting of the Academy of Design and Innovation legislation has not occurred in a void. Extensive consultations have been made with all relevant stakeholders to understand and cater to the needs of the design sector.

By being an Awarding Body, all new courses of study at the Academy will be mounted following a Training Needs Analysis effected with the stakeholders concerned. As for current programmes, they have regularly been reviewed and updated by the present Awarding Bodies, namely, Pearson UK and the University of Technology, Mauritius.

In parallel, both the academic and non-academic staff are being regularly trained and retrained on new developments and use of latest technologies to upgrade their skill sets, in line with the principle of Continuous Professional Development. The staff will also benefit from exchange programmes under Memoranda of Understanding with renowned international tertiary education institutions to improve the delivery of lectures and to enhance collaboration in research projects. This demonstrates without any doubt that all opportunities will be explored to strengthen the capabilities of the staff to meet the new requirements of the Academy. I wish to reiterate that no stone will be left unturned to have the best people in place for the Academy to impart best training to its students.

The Academy will continue the work of the existing Fashion and Design Institute in offering support services to students and its graduates. Work placements in industry are already included in the programmes offered, to create a bridge between academia and industry. Graduates will benefit from incubator services which will be provided by the Academy of Design and Innovation. Furthermore, the Academy will pursue the role of the FDI to provide greater visibility for students and graduates through the holding of fashion shows, exhibitions, workshops and conferences.

Mr Deputy Speaker, Sir, hon. Mrs Navarre-Marie commented on the issue for the new Academy to focus on the concept of sustainability and circularity in the fashion and design fields. I wish to mention that the FDI is already actively involved in bringing to the forefront the concept of sustainable fashion and design. This is denoted by the fact that it organised in March this year, a three-day International Design Conference on Sustainable and Innovative Design in the margin of Dubai Expo 2020. As the theme suggests, the conference has regrouped international designers to present collections conceived from eco-friendly materials. The conference was also the perfect platform for the participants to debate on eco-fashion and ways that the industry could adopt to reduce carbon footprint.

Furthermore, I wish to underline that the Academy of Design and Innovation, as part of its revamped mandate, will take on board in its new courses, dedicated modules pertaining to ecological design, eco-fashion, slow fashion (an approach of producing garments by respecting the environment along the whole supply chain) and the use of organic materials, which altogether embed the principles of circularity.

Mr Deputy Speaker, Sir, Mr Deputy Speaker, Sir, hon. Mrs Navarre-Marie also raised a question on the rights of existing employees. Let it be loud and clear that in alignment with Government's philosophy for inclusiveness and protection of workers, the rights of the existing employees of the FDI will be maintained.

Transitional provisions have been made in this Bill to cater for the period of service of the current employees of the FDI to remain unbroken and for their terms and conditions of employment to remain the same and to continue to be governed by the Pay Research Bureau.

Now, she also raised a question on consultation, whether there has been consultation or not. In the drafting of this Bill, both academic and non-academic staff of the FDI were invited to bring their contribution through their respective Trade Unions. I am glad to share with Members of the House that the staff have unanimously endorsed the Bill in as much as the Academy will provide better career prospects and working conditions for them.

Hon. Mrs Navarre-Marie also commented and raised concerns on the previous management of the Fashion and Design Institute – the management and the Director. Let me bring some light on this issue. When I assumed responsibility of this Ministry, soon after, I directed the Board of the Fashion and Design Institute to look for a high calibre, competent and capable person to be placed at the helm of the institution. I therefore, instructed that a diligent recruitment process be conducted for the appointment of a new Director. Subsequently, the Board floated an open vacancy notice. To that effect, 16 candidates applied for the position. An independent panel composed of highly experienced persons interviewed candidates, under the chair of none other than the Director of Open University of Mauritius (Dr. K. S. Sukon). The Board proceeded with interviews and selection exercise. In October 2020, the Fashion and Design Institute appointed its Director who has a rich academic qualification and experience.

Let me just spell out the qualification of this existing Director. She is a lady, who has a BTec Diploma in Art and Design from North East College of London; a BA (Hons) in Design from the University of Central Lancashire, UK; a Master's Degree in Design from the Heriot-Watt University, Scotland; and a PhD in Tactile Design and Technology from the University of Mauritius. In fact, she has spent some 20 years as Lecturer at the University of Mauritius and she headed the Department of Applied Sustainability and Enterprise Development at the Faculty of Engineering.

In the same vein, I wish to reassure both hon. Dr. Boolell and hon. Mrs Navarre Marie that qualified and competent persons will be appointed on the Board to reflect multi-sectorial expertise, which will be required for the proper management of the Academy.

Hon. Mrs Navarre Marie mentioned about the issue of considerable delay in graduation back in 2019. I must say that this was *ad hoc* occurrence. With my taking office in November 2019, I made sure that the Convocation Ceremony be organised as soon as feasible in order to bring an end to the concern of the students. Consequently, the ceremony took place on 04 March 2020 for the 66 graduates.

Indeed, as I mentioned it was a one-off unfortunate happening. Subsequently, two graduation ceremonies have successfully taken place. The first one was on 14 December 2020 with 57 graduates. The second one took place at Côte D'Or National Sports Complex, Moka on 23 June 2022 with a cohort of 79 graduands.

Mr Deputy Speaker, Sir, let me seek the opportunity to dispel the qualms of hon. Mrs Navarre Marie with regard to the composition of the Board. Persons with legal, marketing, administrative or financial background may be added to those who already have specified in clause 8 (f). In as far as the representative of the Mauritius Examinations Syndicate, she will sit only on the Academic Council and not on the Board.

I have duly noted the suggestion made by hon. Dhunoo in respect of the setting up of Body to be known as the Convocation of the Academy and which will consist of its graduates and diplomats. This is also commonly referred to as the Alumni which usually works for the development of the Academy and promotes its image, both on the local and international scene. I wish to mention that we are taking this proposal on board and necessary provision for Convocation will be made in the Statutes as prepared under clause 9(1) (a). Likewise, an Advisory Committee, rather than a Technical Committee, will also be provided for in the Statutes to ensure continuous collaboration between the Academy and the private sector.

Mr Deputy Speaker, Sir, to conclude, I would like to seize this opportunity to thank the hon. Prime Minister and all Members of the House for their support in the presentation of this Bill. I also wish to thank the staff of my Ministry and those of the FDI for their diligence in the drafting of this Bill. Last but not the least, I also wish to place on record my gratitude to my colleague, the Attorney General and his staff, for their esteemed contribution.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: You commend the Bill.

Question put and agreed to.

Bill read a second time in committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The Academy of Design and Innovation Bill (No. XI of 2022) was considered and 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 Academy of Design and Innovation Bill (No. XI of 2022) was read the third time and passed.

Second Reading

THE IMMIGRATION BILL

(NO. XII OF 2022)

Order for Second Reading read.

The Prime Minister: Mr Deputy Speaker, Sir, I move that the Immigration Bill (No. XII of 2022) be read a second time.

Mr Deputy Speaker, Sir, at the very outset, allow me to refer the House to the speech I made during the Second Reading of the Immigration (Amendment) Bill 2019 in this very august Assembly on 16 April 2019, wherein I, *inter alia*, mentioned that, and I quote –

“It is worth highlighting that the Immigration Act, which exists since 1970, requires a complete review along with other related legislation such as the Civil Status Act, the Mauritius Citizenship Act and the Deportation Act. I wish to inform the House that my Office is currently examining the different legislation in a holistic manner.”

Mr Deputy Speaker, Sir, it is with this endeavour and commitment that the review of the legislation concerning immigration matters has been included high on the agenda of my Government.

In fact, one of the measures announced in the Government Programme for the period 2020 to 2024 includes the following at paragraph 129, and I quote –

“To address all the issues relating to border control, Government will review the Immigration Act, the Mauritius Citizenship Act and other relevant legislation.”

To that effect, Mr Deputy Speaker, Sir, my Office has had several consultative meetings with the relevant authorities. It has, accordingly, been decided that, instead of bringing piecemeal amendments to the present Immigration Act, it would be more suitable to come up with a new legislation regarding immigration matters with a view to addressing the new realities and emerging challenges related to the admission of foreigners to the country, as well as to their stay.

Mr Deputy Speaker, Sir, having situated the context, allow me to explain to the House the objects of the Immigration Bill.

In fact, the main object of this Bill is to consolidate and strengthen the law with regard to the admission and stay of non-citizens in Mauritius.

Mr Deputy Speaker, Sir, the Immigration Act was enacted in the year 1970, that is, more than 50 years ago. At that time, a limited category of non-citizens could be admitted to, and remain in Mauritius.

Over the last 50 years since its enactment, the Immigration Act has been amended at least 20 times to provide, *inter alia*, for other categories of non-citizens to be admitted to, and remain in Mauritius such as investors, retired non-citizens, self-employed persons, professionals and young professionals.

With such major and consequential amendments brought to the Immigration Act over the years, it has now become necessary to repeal the Immigration Act 1970 and to come up with a more appropriate and simplified legislation with regard to immigration.

Mr Deputy Speaker, Sir, migration is not a new phenomenon. In fact, people have been on the move since the dawn of civilisation. While the contexts have changed over time, the movement of persons has now become global in scale. It is an undeniable fact that such

international mobility offers numerous opportunities. It is also true that it poses a number of challenges.

Mauritius is no exception to the rule. With the advent of globalisation as well as with the opening up of our economy, we have also, over the past decades, experienced an increasingly inward movement of foreigners in the country such as tourists, foreign workers, investors, businessmen, and students. At present, approximately 30,000 foreigners are either working or studying in the country.

Mr Deputy Speaker, Sir, one of the challenges faced worldwide with the mass cross-border movement of persons is ‘transnational marriage’, which basically refers to a marriage between two persons from different countries. This global phenomenon has not spared Mauritius either.

Mr Deputy Speaker, Sir, a genuine marriage is the ultimate conclusion of love between two persons and is characterised by the intention of the married couple to create together a durable family unit as a married couple as well as to lead an authentic marital life. On the other hand, a marriage of convenience is characterised by a lack of such an intention. It is an unfortunate fact that many people use this sacred bond to default the law to obtain undue immigration advantages.

Since the recent past years, we have noted an increase in the number of non-citizens marrying citizens of Mauritius. Pursuant to the existing provisions of the Immigration Act 1970, a non-citizen who marries a citizen of Mauritius automatically acquires the status of resident by virtue of the civil marriage, except where the non-citizen was a prohibited immigrant at the time of his marriage with the citizen.

Unfortunately, an increasing trend has also been observed in the number of non-citizens coming to Mauritius and engaging in marriage with citizens of Mauritius for the sole purpose of obtaining the status of resident to enable them to continue to stay in the country and, eventually, to acquire the citizenship of Mauritius. While firm figures on the extent of the marriages of convenience are not readily available, my Office has been receiving numerous complaints, including anonymous complaints as well as reports regarding alleged cases of marriage of convenience. Marriage of convenience between a non-citizen and a Mauritian citizen provides the non-citizen a fast track to permanent residence.

Accordingly, it has been observed that in several cases Mauritian citizens have been misled into marriages of convenience by unscrupulous non-citizens, whose primary motive is to obtain the status of resident and enjoy the benefits provided to citizens such as welfare state facilities, owning properties, and access to work.

Moreover, available statistics reveal that divorce cases between non-citizens and citizens are also on the rise. As soon as a divorce between a non-citizen and a citizen is pronounced, the latter has a period of 6 months to leave the country. However, during that period, the non-citizen resorts to another marriage with a citizen to escape expulsion by the authorities.

Mr Deputy Speaker, Sir, nowadays, new trends are being observed. Firstly, foreigners are making acquaintances with Mauritian nationals through such social media as Facebook, WhatsApp, Messenger, WeChat, amongst others. Subsequently, on the basis of such acquaintances or virtual meetings, non-citizens are increasingly travelling to Mauritius to get married to Mauritian citizens. Secondly, foreign students, who initially arrived in the country to pursue their studies in Mauritius, are increasingly ending up marrying Mauritian citizens.

Mr Deputy Speaker, Sir, the problem does not lie in the marriage but in the intention of the non-citizens whose main aim is to continue to reside in the country using as cover their residence permit as spouse. My Office has been raising objections to a number of such suspected marriages, where it is strongly believed that the non-citizens are marrying Mauritian citizens for the sole purpose of obtaining a residence permit to stay in the country. Upon resistance from the authorities to celebrate the marriages, the foreigners invite citizens abroad and have recourse to a civil marriage in their country of origin or residence.

Furthermore, after the marriage with the Mauritian citizen, the non-citizen automatically enjoys the status of resident and becomes eligible to apply for Mauritian citizenship after having resided in Mauritius under the same conjugal roof for a period of four years pursuant to Section 7(2) of the Mauritius Citizenship Act of 1968.

Mr Deputy Speaker, Sir, I have said it earlier and let me repeat it; we are certainly not against the right of a non-citizen to marry a citizen of Mauritius and for him or her to become a resident of our country.

However, as a caring Government, it is our duty to safeguard the interests and well-being of our citizens and protect them from being exploited or becoming the prey or victims of ill-intentioned non-citizens. In several such instances, foreigners, after acquiring Mauritian citizenship, either leave their conjugal roof or end up in divorcing their Mauritian spouse.

Mr Deputy Speaker, Sir, presently, pursuant to the Civil Status Act, any non-citizen who has been in Mauritius for a period of at least seven days, may apply for publication of his/her marriage. The marriage may then be celebrated after a period of 10 days following the publication. Some non-citizens, present in our territory, have been abusively using this flexibility.

Mr Deputy Speaker, Sir, we have to react responsively to such realities by taking bold measures to address these abuses.

Mr Deputy Speaker, Sir, the present legislation, as compared to the Immigration Act 1970, therefore, makes new provisions to prevent situations where a non-citizen marries a citizen for the sole purpose of obtaining a residence permit to stay in Mauritius. It is, therefore, provided that a non-citizen spouse will not outright be eligible for a residence permit. The marriage between the non-citizen and the Mauritian Citizen will have to be a civil marriage. The non-citizen will, in lieu, obtain a temporary residence permit to stay in Mauritius for a period of 2 years, where he is civilly married to a citizen and was not a prohibited immigrant at the time of becoming such a spouse.

After the period of 2 years, the non-citizen spouse will be eligible to apply for a residence permit. Where the non-citizen has resided with his spouse under the same conjugal roof in Mauritius for a period of 2 years immediately preceding his application, and where on the basis of an investigation carried out by the Immigration Department, it is established that the marriage is not a marriage of convenience, the non-citizen will be granted a residence permit.

Mr Deputy Speaker, Sir, the new legislation also makes provision that, when considering a request for a residence permit by a non-citizen spouse, an aggregate period of less than 2 years, but more than one year of temporary residence permit under the same conjugal roof in Mauritius may be considered, provided that the non-citizen provides evidence to the fact that, over the said period of 2 years, either he or his spouse had to regularly travel abroad for medical, business, or other reasonable purposes.

In addition, in the new legislation, it is being catered that where the marriage between a non-citizen and a citizen is celebrated outside Mauritius, no application for a temporary residence permit will be entertained unless the non-citizen submits the following documents -

- firstly, his marriage certificate certifying that he is civilly married to his citizen spouse, and
- secondly, an affidavit or any other document, duly sworn or affirmed by him before a Court of law in his country of residence, attesting that, on the date of his marriage to the Mauritian citizen, he is not married to any other person.

The new legislation would further provide that where an application for marriage between a non-citizen and a citizen has been rejected in Mauritius and subsequently, the marriage is celebrated outside Mauritius, the non-citizen, unless in exceptional circumstances, will not be issued with a temporary residence permit. This measure has been rendered necessary given the fact that when an application for a marriage between a non-citizen and a citizen is rejected in Mauritius, they marry in another jurisdiction and the non-citizen automatically acquires the status of resident.

Mr Deputy Speaker, Sir, amongst the other measures that are being envisaged through the new legislation to address the growing problem of marriage of convenience, is the vesting of additional powers upon Immigration Officers.

In fact, the Immigration Officer would be empowered to investigate into whether the marriage between a non-citizen and a citizen is a marriage of convenience. He would, for the purpose of the investigation, be able to carry out the following activities -

- a) order the non-citizen, who has made an application for or who has been issued with a temporary residence permit or residence permit, or his citizen spouse, to appear before him for examination and to submit any document;
- b) summon and hear witnesses, or call for the production of any document from any other person or institution, and
- c) inspect the household where the citizen and non-citizen spouses are living.

Mr Deputy Speaker, Sir, in the new legislation, provision is being made for the following additional offences -

- (a) a person who, without reasonable excuse, remains in Mauritius, where his permit or visa has expired or cancelled;
- (b) a person who fails to appear before an Immigration Officer for the purpose of an investigation in connection with a marriage of convenience;
- (c) a person who enters into a marriage of convenience, and
- (d) a person who assists a non-citizen and a citizen to enter into a marriage of convenience.

Any person who commits these offences would be liable to a fine not exceeding one million rupees and an imprisonment for a term not exceeding 5 years.

Mr Deputy Speaker, Sir, to further strengthen the existing legislation, consequential amendments are, *inter alia*, being brought to the Civil Status Act.

As such, to enable other relevant authorities to conduct appropriate checks on non-citizens who intend to marry Mauritian nationals, the Civil Status Act is being amended to provide that no marriage between a non-citizen and a citizen would be celebrated before the expiry of a period of 30 days, instead of the current 10 days, commencing on the first day of the publication of the marriage. Such a measure would provide relevant authorities more time to conduct appropriate checks on the non-citizens.

Furthermore, amendments are being brought to the Civil Status Act to provide that, at the time of making an application for publication of a marriage, a non-citizen would now also have to submit the following additional documents -

- (a) an affidavit sworn before the Master and Registrar of the Supreme Court of Mauritius, attesting that he is not marrying the citizen for the purpose of becoming a resident;
- (b) an affidavit or any other legal document, duly sworn or affirmed by him before a Court of Law in his country of residence, attesting that he is in gainful employment or alternatively, has sufficient means to maintain himself, and

- (c) an affidavit or any other document, duly sworn and affirmed by him before Court of Law in his country of residence, attesting his marital status.

Mr Deputy Speaker, Sir, other consequential amendments are also being brought to the Mauritius Citizenship Act. In fact, the Mauritius Citizenship Act was last amended as far back as the year 1995. Prior to the year 1995, a Mauritian citizen, who had acquired a foreign nationality before attaining the age of 21, had to exercise an option as to whether he would retain his Mauritian citizenship in accordance with the then Mauritius Citizenship Act. In that case, he was under the obligation to renounce his foreign nationality between the ages of 21 and 22, failing which he would have lost his Mauritian citizenship. Those who had acquired foreign nationality above the age of 21 had no such obligation and, therefore, they were allowed to hold dual nationality.

Following Government policy to allow for dual nationality, in May 1995, the Mauritius Citizenship Act was amended to allow Mauritian citizens, who had acquired a foreign nationality and ceased to be a citizen of Mauritius by virtue of their failure to renounce the nationality of that other country, to resume their Mauritian nationality under section 15 of the Act.

Mr Deputy Speaker, Sir, section 5(2) of the Mauritius Citizenship Act presently stipulates that, and I quote –

“A person to whom this section applies shall not be registered under this section unless he first renounces any other citizenship which he may possess.”

However, this provision is no longer in accordance with the spirit to allow dual nationalities and has not been applied since 1995 to those non-citizens applying for Mauritian citizenship.

Mr Deputy Speaker, Sir, I would like to stress here that, a person who first renounces any other citizenship which he may possess prior to the grant to him of the Mauritian citizenship may find himself momentarily as a “stateless person”, which is contrary to our own law as well as to other international conventions on nationality.

Besides, the processing of an application for Mauritian citizenship is time consuming given the fact that there is need to conduct due diligence, verification of travel movements, assessment of the legal aspects and merits of the case. And most importantly, all applications

may not be approved, thereby resulting in the deprivation of a person of his initial nationality. In addition, our law does not provide a proper mechanism to allow for conditional grant of nationality such as prevailing in countries like Germany and Singapore, where a person is granted a provisional citizenship, which is later confirmed when the person shows evidence that he has renounced his nationality of origin.

Mr Deputy Speaker, Sir, it is, therefore, high time to repeal this provision, firstly, in order to avoid the problem of statelessness, and secondly in the spirit to allow citizens to hold dual or multiple nationalities in all fairness. In the same vein, the Mauritius Citizenship Regulations will be amended to reflect this change.

The same argument will also apply to the provisions of sections 9(4) and 14(3) of the Act, where the renunciation of one's nationality is imposed prior to the submission of an application for Mauritian citizenship. These provisions are accordingly being repealed. Section 9(4) of the Mauritius Citizenship Act is being repealed and I will bring an amendment at Committee Stage to also repeal section 14(3) thereat.

Mr Deputy Speaker, Sir, the rationale behind the amendments to section 7 of the Mauritius Citizenship Act is to cater for the 2 years temporary residence permit to be introduced to monitor the conduct of foreigners who have married citizens. This will act as deterrent to marriages of convenience as such marriages are not durable in time.

Presently, section 7 (2) of the Mauritius Citizenship Act stipulates that, and I quote –

“Where a non-citizen is or was married to a citizen of Mauritius, he may be registered as a citizen of Mauritius if he satisfies the Minister that he has lived with his spouse under the same conjugal roof in Mauritius for a period of not less than 4 years immediately preceding the date of his application for registration.”

I wish to point out here that practically the large majority of non-citizens applying for Mauritian citizenship as spouses of citizens are not able to meet the 4 years continuous residence period in Mauritius immediately preceding the date of application, due to travel abroad for work, business, medical treatment, or family reasons. As such, from the year 1998, the 4 years residence period is being computed over a period of stay of 6 years in Mauritius, to be more realistic and fair to applicants.

Mr Deputy Speaker, Sir, in short, the new legislation will henceforth provide that a non-citizen who is married to a citizen, and who intends to be registered as a citizen of Mauritius, would be eligible to apply for registration 4 years after having been issued with a residence permit as spouse. When determining applications for Mauritius citizenship, an aggregate period of 4 years of residency in Mauritius would be considered. In other words, the 2 years of temporary residence permit would be accounted for in the computation of the aggregate 4 years residence qualification.

Provisions are also being made for the applicants to be of good character and shall have an adequate knowledge of the creole language or any other language current in Mauritius and of the responsibilities of a citizen of Mauritius as imposed for other applicants under section 5 and section 9 of the Act. In fact, applicants are already required to produce their Certificate of Character upon submission of their application and interviews of applicants are carried out by the Passport and Immigration Officers.

Furthermore, the Minister would henceforth, on an application made under sections 5, 7 and 9, be able to order for an investigation to be carried out by an Immigration Officer in accordance with section 25 of the Immigration Act 2022.

This is motivated by the fact that where a marriage of convenience is suspected or applicants are found to be indulged in criminal and subversive activities, sufficient and acceptable evidence have to be compiled and produced in Court to substantiate the reasons for the refusal of Mauritian citizenship to an applicant.

Mr Deputy Speaker, Sir, the security and credibility of our country should not be jeopardised by suspicious non-citizens seeking residence or other immigration benefits in our peaceful island. Despite sophisticated due diligence tools being available sometimes, unfortunately, the criminal activities of some persons are found very late when they are already residing in Mauritius or married to citizens or have even already acquired Mauritius citizenship. It is proposed to amend section 11 of the Mauritius Citizenship Act to allow the Minister, in his absolute discretion and without giving any reason, to deprive any non-citizen who has acquired Mauritius citizenship under the Act, of his citizenship of Mauritius, if he has reliable information and is satisfied that it is in the interest of defence, public safety, or public order.

Mr Deputy Speaker, Sir, other consequential amendments have been rendered necessary to the Deportation Act, the Economic Development Board Act, the Non-Citizens (Employment Restriction) Act, the Non-Citizens (Property Restriction) Act, and the Passports Act, so as to align these enactments with the new legislation.

Mr Deputy Speaker, Sir, I wish to point out that legal provisions, concerning measures announced in this year's Budget Speech relating to the Immigration Act have been included in this Bill, instead of being included in the Finance (Miscellaneous Provisions) Bill 2022. This is so, given the fact that the Immigration Bill is being introduced in this August Assembly before the Finance Bill. The Budget measures relate to the following -

- (i) review of the eligibility criteria for Young Professional Occupation Permit;
- (ii) a residential property acquired by more than one non-citizen under 'fractional ownership' will be eligible to apply for the status of residency provided that the investment by each non-citizen exceeds USD 375,000, and
- (iii) lastly, holders of residence permits will be given the opportunity, upon applications, to acquire a residential property of a minimum of USD 350,000 outside the existing schemes, subject to a 10 per cent contribution made to the Solidarity Fund.

Mr Deputy Speaker, Sir, I also wish to point out that the enactment of the new legislation will not affect the right of current holders of the status of resident under the repealed legislation as long as they continue to meet the conditions for which the residence permit was issued.

Furthermore, an application for a residence permit, other than a residence permit for a non-citizen spouse, a permanent residence permit, an occupation permit, a short-term occupation permit, or a family occupation permit made prior to the commencement of the new legislation will be dealt with in accordance with the new legislation, because the conditions upon which the permits are issued have remained the same. On the other hand, an application for a residence permit for a non-citizen spouse prior to the commencement of this Act would be dealt with in accordance with the repealed Act.

Mr Deputy Speaker, Sir, Mauritius is not the only country in the world which is facing the problem of marriages of convenience. Globally, several countries such as the United

Kingdom, the United States of America, Australia, amongst others, have tightened their immigration laws to prevent an influx of unscrupulous foreigners engaging in marriages of convenience. These countries have introduced conditional measures for residency to non-citizen spouses.

The measures being envisaged to consolidate and strengthen the law with regard to the admission and stay of non-citizens in Mauritius as well as to address the problems of marriage of convenience through the new Immigration Bill bear testimony to the commitment that my Government has to safeguard the best interests of our citizens.

Mr Deputy Speaker, Sir, with these words, I commend the Immigration Bill 2022 to the House.

The Deputy Prime Minister seconded.

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

(7.36 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Deputy Speaker, Sir, buried among the various legislations to be amended is a provision at page 40 which will have far-reaching consequences on foreigners who acquired Mauritian citizenship through registration or naturalisation. Not a word in the Explanatory Memorandum as to why this amendment is being proposed and the hon. Prime Minister spent less than one minute justifying this amendment.

I am talking about the proposed amendment to Section 11 of the Mauritius Citizenship Act. Mr Deputy Speaker, Sir, Section 11 of the Mauritius Citizenship Act deals with circumstances where a person can be deprived of his citizenship. It deals with limited cases where a citizen who has acquired citizenship by registration or naturalisation may be deprived of his citizenship by order of the Prime Minister. We are talking here about exceptional circumstances. We are talking about citizens who have shown themselves to be disloyal to the State, traitors, international criminals. And, before the Prime Minister deprives a citizen of his citizenship, he must inform him in writing under Section 11(5) of the ground for revoking his citizenship and he must above all ensure that this person shall not become Stateless.

But what is proposed in this Bill is unprecedented and I read it –

“Notwithstanding subsections (5), (6) and (7), the Minister [meaning the Prime Minister] may, in his absolute discretion and without giving any reason, deprive any person of his citizenship of Mauritius, if he has reliable information and is satisfied that it is in the interest of defence, public safety or public order.”

Yes, the hon. Prime Minister may in his absolute discretion – you cannot question him – without giving any reason, he is not answerable to anyone; he does not have to justify himself. By a stroke of the pen, he can deprive any person who acquired citizenship by registration or naturalisation of citizenship in Mauritius. He can do so if he has reliable information that it is in the interest of defence, public safety or public order to do that.

Now, what is reliable information? You will never know because this law says that the Prime Minister does not have to give any reason. He just has to state it and we have to take his words for it; just like he simply has to invoke public safety and order to compel the CEO of Mauritius Telecom to give access to foreigners to make survey. This is the same type of thing. Even in this House, the hon. Prime Minister does not say anything. For national security, he does not have to say anything. He just has to mention that it is for national security purpose. And now, we are giving him the power to use the same term for reason of defence, public safety, public order; he can deprive a citizen of his citizenship. And the decision of the Prime Minister will have devastating effect on the person and his family. Many non-citizens marry Mauritians and when they marry Mauritians, they have to give up their citizenship to become a Mauritian citizen. For example, an Indian national must renounce his Indian citizenship when he marries a Mauritian citizen and becomes a Mauritian citizen. And if now we are going to deprive that person of his Mauritian citizenship, he will become Stateless. He will have no anchor, no right, no political rights, no right to vote, no right to stand as candidate and this is against fundamental human rights. And this person may have a family in Mauritius. He may have a spouse and children and overnight a family can be destroyed by the stroke of the pen by a Prime Minister who is not answerable to anyone and who does not have to give any reason.

What if we have a Prime Minister who wants to settle scores with his political opponents? He can revoke the citizenship of a spouse of an MP who is a political opponent and cause him or her to be deported. And there are several Members in this august Assembly today sitting here, several MPs on both sides of the House who are married to non-citizens, whose

spouses have become Mauritian citizens and now, the Prime Minister will be given the power just to invoke defence, national safety, public order and deport the spouse, and he does not have to give any reason. Unfettered absolute discretion! And, can't hon. Members see the danger of this power falling in the wrong hands? Forget about political opponents. If the Prime Minister is not happy with a journalist or an influencer who happened to have become a Mauritian citizen by virtue of marrying a Mauritian, again, the Prime Minister just has to say: for reason of defence, public safety or public order, I am revoking your Mauritian citizenship. Off you go! Deported! And what recourse will that person have? The Prime Minister is given such draconian powers. What is the recourse of a person who has been deprived of his citizenship by the hon. Prime Minister? Do you know what is the recourse, Mr Deputy Speaker, Sir? It is in Section 17(2) of the Mauritius Citizenship Act. Let me read it for hon. Members so that they know what we are doing today –

“The decision of the Minister [the Prime Minister] on any application under this Act shall not be subject to any appeal or review in any court.”

Absolute discretion! No need to give any reason. Deport a citizen and you cannot question him. His action cannot be questioned in any court of law and you expect the Opposition to vote this amendment?

The hon. Prime Minister was mentioning about statelessness. Yes, today, under the Mauritian Citizenship Act, under section 11, this is one factor which the hon. Prime Minister must take into consideration before revoking a citizenship – whether he is going to be stateless. But with the proposed amendment to section 11(h), there is no requirement that that person will become stateless. He can do it because he does not have to give any reason to do it.

Now, surely, this Bill represents a huge leap backwards when it comes to the recognition and protection of fundamental human rights. Surely, with this Bill Mauritius will no longer be able to ratify the 1954 Convention relating to the status of stateless person. Surely, with this Bill, Mauritius will not be able to ratify the African Union Convention governing the specific aspect of refugees problems in Africa which Mauritius signed as far back as 1969 and has still not ratified.

Mr Deputy Speaker, Sir, this obsession about having absolute power to decide who can stay in Mauritius, who can leave Mauritius, is unfortunately not new. Hon. Members will recall

back in 2019, on 16 April 2019, the Immigration Act was amended under a Certificate of Urgency giving three days for us to prepare ourselves, and this amendment in 2019, gave the hon. Prime Minister absolute discretion to deprive a resident of his status of resident. That was under section 6 (1) of that Act!

The Prime Minister was also given the power to declare as prohibited immigrant any person which in his opinion was likely to be prejudicial to the interest of defence, public safety, public order, public morality or public health. That was section 8 of the amendment. Now in 2019, the whole Opposition spoke as one voice against these new powers being given to the Prime Minister. And one of the orators who was the most vocal against the amendment at that time was no one else than hon. Alan Ganoo! Unfortunately, he is not in the House and his name is not on the list.

Hon. Ganoo, in his speech, referred to the case of a former pilot of Air Mauritius who was getting married; a non-citizen who was getting married to Mauritian citizen with whom he has had a relationship for over a decade. Hon. Ganoo queried whether the amendment to the Immigration Act which was being passed under a Certificate of Urgency was not a tailor made legislation to deprive that pilot of his status as resident? I am referring to this example, Mr Deputy Speaker, Sir, because the Immigration Bill before the House reproduces in section 5 the very same categories of prohibited immigrants which were spelt out in the amendment back in 2019. So, whatever arguments were used in the debate in 2019 is very much relevant to the Bill today!

So, back in 2019, hon. Ganoo questioned the real motives of the hon. Prime Minister in voting the proposed amendments. The unequivocal answer was given by the hon. Prime Minister to this House; not in 2019, when we were debating the Bill, but last year on 30 March 2021 to be precise, when answering a PQ from hon. Assirvaden on whether he would allow the very same pilot – who was a prohibited immigrant – to authorise that pilot to come back to Mauritius to perform religious ceremony for his wife who in the meantime has passed away? And in a supplementary question asked by hon. Shakeel Mohamed, this is what he said: “the hon. Prime Minister will recall that the reason why this person and indirectly his late spouse happened to be made prohibited immigrants was because he, the Prime Minister, felt insulted by the language

that this person had held *à son égard!*” That was what hon. Shakeel Mohamed said! What was the answer of the hon. Prime Minister? Let me quote from Hansard –

“Mr Speaker, Sir, the reason that has been put forward by the hon. Member is not ‘the reason.’

I said it is not ‘the reason’, but it is one of the reasons.”

It is not me saying it! It is in Hansard! The hon. Prime Minister, himself, acknowledged in this House that one of the reasons why he made a pilot who was getting married to a citizen declared prohibited immigrant, deprive him of his status of resident, prevent him from getting married in Mauritius was because he insulted the hon. Prime Minister! Today, we are going to give the same Prime Minister the right to deprive a citizen, a spouse who is married to a Mauritian, unfettered discretion without him giving any justification, any reason, in his absolute discretion? This is what we are being called upon to give?

The irony of it all, Mr Deputy Speaker, Sir, is today, hon. Alan Ganoo is the Minister of Foreign Affairs, and he is the one who will have to justify before the United Nations High Commissioner for Human Rights, why this Government is passing a law which is making a person stateless!

Mr Deputy Speaker, Sir, when we look at the Explanatory Memorandum; the main object of the Bill is to consolidate and strengthen the law with regard to admission and stay of non-citizen in Mauritius. But, in fact, this is not the main object of the Bill. The main object of the Bill is to tighten the absolute and unfettered power of this Prime Minister with regard to the admission and stay of non-citizen in Mauritius!

I will give you an example. Section 8 of the Bill sets out a list of non-citizens who are eligible for residence permit; very objective criteria which they have to meet, and if they do not meet these criteria, the Director of Immigration can reject their application as residence permit. Fair enough!

But then, section 8(4) (c) states notwithstanding the fact that that a non-citizen did not meet these requirements, the Prime Minister

“may issue a residence permit to a non-citizen where the non-citizen is –

“(c) is, in the opinion of the Minister, a fit and proper person to become a resident.”

So, why do we have the law? The Prime Minister can just decide if you are fit and proper person, you can be a resident! How is he going to determine it? Is he going to do like hon. Collendavelloo: look into his eyes? Is he going to check his bank account? How is he going to determine if he is a fit and proper person?

Similarly, when it comes to deprivation of residence, section 18 sets out a list of objective criteria which would result in a resident being deprived of his status of resident. Objective criteria, you need to give the grounds. For example, if he has become a criminal, if he did not comply with his conditions of his permit, if he has made false statement. But then, again, section 18 (2) goes on to provide, notwithstanding all that has been said –

“(2) Notwithstanding subsection (1), where the Minister is satisfied that it is in the public interest to do so, he may, in his absolute discretion, deprive a non-citizen of his status of resident.”

So, the Prime Minister can at any time revoke the residence permit of a non-citizen and have him removed from Mauritius! So, if tomorrow another citizen insults the Prime Minister, is he going to revoke his citizenship? This is the power we are giving to him?

Similarly, under section 20(4) of the Bill, again, the Prime Minister is given the power in his absolute discretion to cancel the visa of a non-citizen. This is why, we maintain, Mr Deputy Speaker, Sir, that the main object of this Bill is to strengthen the grip of the Prime Minister on who can stay in Mauritius!

We see that again when it comes to the Director General of Immigration! This is a new post that is being created. The Director of Immigration has wide powers, he is the one who is going to consider applications; he is the one who is going to decide whether to accept or reject an application; he is the one who is going to appoint immigration officers to conduct investigations. And who is going to appoint the Director General? The Director General of Immigration will be a public officer; he will be designated by the Prime Minister, not by the Public Service Commission, not by the Disciplined Forces Service Commission, not by the Commissioner of Police. He will be designated by the Prime Minister himself. The Bill does not provide for any qualification for this post, he will just be appointed by the Prime Minister.

So, can the hon. Prime Minister, at least, give an undertaking to this House and to the population at large that he will not entrust the responsibility of Director General of Immigration to someone other than a Mauritian citizen who has sworn allegiance to our motherland?

Mr Deputy Speaker, Sir, I will not repeat all that I have said during my intervention in 2019 or the various conventions that will be breached by this proposed Immigration Bill; Article 12 of the Universal Declaration of Human Rights; Article 17 of the International Covenant on Civil and Political Rights; Article 11 of the American Convention and Article 8 of European Convention on Human Rights. But I will recall for hon. Members that Article 9 of the Convention on the Right of a Child provides that –

“State parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.”

Since 2019, we had the Children’s Act – unfortunately, the Minister responsible for children is not there – and Section 4 of the Children’s Act says that –

“The best interests of a child shall, in respect of any matter concerning the child, be paramount and be the primary consideration by any person, Court, institution or other body.”

But, then, in this Bill, it is a matter of great regret, Mr Deputy Speaker, Sir, that Government has missed an opportunity to impose an obligation on the Director General of Immigration and on the Prime Minister in exercising their powers to issue a residence permit or revoke a residence permit to take into consideration the interests of the Mauritian child in this case.

For all these reasons, Mr Deputy Speaker, Sir, we, on this side of the House, will not support this Bill.

Thank you.

The Deputy Speaker: Thank you very much. Hon. Minister, Mrs Fazila Jeewa-Daureeawoo!

(7.57 p.m.)

The Minister of Social Integration, Social Security and National Solidarity (Mrs F. Jeewa-Daureeawoo): Thank you, Mr Deputy Speaker, Sir. I have listened very carefully to the hon. Member who has intervened before me and I must say that it is very hard to please the Opposition Member.

Of course, the hon. Member has the full right to criticise but I was expecting him to, at least, come with some concrete proposals but, unfortunately, nothing, Mr Deputy Speaker, Sir. Only criticisms! Now, to reply to the hon. Member, Mr Deputy Speaker, Sir, I have read the Bill several times. It is clearly stipulated in the Bill that the power to deprive a person of Mauritian citizenship may only be exercised by the Prime Minister where there is reasonable ground to believe that it is in the interest of defence, public safety and public order. So, the Prime Minister is not being given a power which he will be exercising on a whim. Specific circumstances need to be present for him to exercise this power.

The hon. Member will appreciate that information relating to defence, public safety and public order are strictly confidential. Of course, if revealed, I am of the opinion that such information can do more harm than good. Therefore, it is the duty of the Prime Minister to prioritise the safety of our citizens. Public safety and public order take precedence over all other considerations.

Moreover, Mr Deputy Speaker, Sir, information on national security cannot be disclosed and discussed in a Court of Law. We need to respect the doctrine of Separation of Powers. For example, Mr Deputy Speaker, Sir, in the United States, any information relating to national security is categorised as classified information which means top secret. So, I think, we need to understand that no power is being given to the Prime Minister to act on whims and caprices. There are specific reasons in the Bill when the Prime Minister can deprive someone of citizenship.

Having said this, Mr Deputy Speaker, Sir, I think it is important that, as a Government, we ask ourselves what kind of Immigration Policy we want. Do we want a policy that enables non-citizens to continue contracting marriages of convenience for the whole purpose of obtaining a residence permit or do we want a policy that prohibits fake marriages?

On this side of the House, Mr Deputy Speaker, Sir, we welcome the introduction of the Immigration Bill in the National Assembly this afternoon. I thank the hon. Prime Minister for

having found it necessary to frame and bring a new piece of legislation instead of continuing to bring amendments to the existing law. A vigorous review of the Immigration Act of 1970, leading to a new Immigration Bill was very essential. The hon. Prime Minister has said it, the existing Immigration Act dates back to 1970 and over the last 50 years, the Act has been amended on a number of occasions. As rightly said by our Prime Minister, 20 amendments have been brought so far to adapt the legislation to evolving needs.

Initially, only a limited category of non-citizens could be admitted and remain in Mauritius. Gradually, the categories of non-citizens permitted to stay in Mauritius have been broadened. Our Prime Minister did mention the list in his intervention. Let me say it again –

- investors;
- retired non-citizens;
- self-employed persons;
- professionals, and
- young professionals.

So, in view of the numerous amendments brought to the Immigration Act over the years, I do not think it would have been proper to continue amending the Act. It was high time that the existing Act be repealed and replaced by a new one. Now, the present Bill that we have in the House today is a consolidated and simplified piece of legislation.

Mr Deputy Speaker, Sir, one of the main objects of the present Bill, of course, is to address, once and for all, marriage of convenience, that is, where a non-citizen marries a citizen of Mauritius for the whole purpose of obtaining a residence permit. The need to resist this type of marriage is a serious concern which requires major policy change. I must highlight that marriage of convenience is an issue not only in Mauritius but in many other countries. For example, marriage of convenience is a matter of concern in all European countries as it is viewed as an attempt to undermine anti-illegal immigration policies.

So, the European Commission has, under the Free Movement Directives, defined the key factor in marriage of convenience as being –

“the absence of the intention of the married couple to be involved in a genuine and subsisting marriage or relationship akin to marriage and to create a family unit.”

So, such marriage of convenience is contracted for the sole purpose of enjoying the right of free movement and residence under European Union law which someone would not otherwise be entitled to.

Moreover, under British law, the concept of marriage of convenience is recognised as a sham marriage which is defined under Section 24 of the Immigration and Asylum Act of 1990. So, European countries also have been facing this problem since many years now. Since the 1970s, they have constantly brought amendments to the immigration policies and laws to address this particular issue.

So, in Mauritius, our Government and our Prime Minister has deemed it fit and necessary to redesign our immigration policies through the present Bill to properly address marriage of convenience by non-citizens.

Mr Deputy Speaker, Sir, much judicial consideration has been given to marriage of convenience in our case law. For instance, this matter was thoroughly examined in the case of Samitha Madhushanka Wijesinghe v The Registrar of Civil Status 2021. This particular case dealt with an application of a non-citizen against an order made by the Registrar of Civil Status to maintain the decision of the Secretary for Home Affairs, Prime Minister’s Office to refuse proceeding with the celebration of the applicant’s civil marriage to a Mauritian citizen. The objection to the proposed civil marriage was based, *inter alia*, on the fact that there was, I quote –

“strong ground to believe that the applicant is trying to marry the Mauritian citizen for the sole purpose to automatically acquire the status of resident.”

There were many inconsistencies on the part of both the applicant and the Mauritian citizen as to when their alleged relationship started and when and where they started living together. The Judge in this particular case held, I quote –

“The applicant’s interest, in fact, predominantly appears to be in acquiring citizenship of Mauritius, whether through marriage to a citizen or naturalisation and the respondents’

finding as to the lack of genuineness of the proposed marriage cannot therefore be said to be unreasonable.”

Therefore, Mr Deputy Speaker, Sir, the application was set aside by the Supreme Court.

The question of a marriage of convenience to secure residence in Mauritius was again dealt with in the case of V.E.P Marguerite v The Prime Minister of Mauritius and the Passport and Immigration Office 2014. This case is different from the one I have just referred. This case concerns an application made by a Mauritian citizen for a review of the decision of the respondents refusing to grant an entry visa to her husband, a British citizen. The parties, a Mauritian citizen and a British citizen made an application to the Registrar of Civil Status for publication of civil marriage in Mauritius.

However, the Certificate of Character submitted by the husband at the time the application was made revealed that he had been convicted of 22 offences, including drug offences in the past. So, the Registrar of Civil Status therefore informed the parties that the proposed marriage had not been authorised. Following this decision, the parties got civilly married in UK and have been living there since then. However, the husband made a number of applications for an entry visa into Mauritius; but all the applications have been turned down. So the parties contend that the British citizen has, I quote –

“by virtue of his marriage to a citizen of Mauritius, the status of a resident pursuant to section 5 (1) (c) of the Act and that the decision to refuse him an entry visa is wrong in law.”

The Supreme Court held, I quote –

“It is not disputed that the husband has by virtue of being the spouse of a citizen of Mauritius obtained the status of a resident pursuant to Section 5 (1) (c) of the Act. It is equally not disputed that the husband has not been deprived of his status of resident under Section 6 (1) nor cease to be a resident under Section 6 (2).”

So, Mr Deputy Speaker, Sir, this case shows clearly that the provisions of the existing Immigration Act 1970 could be circumvented for the purpose of gaining lawful residence in Mauritius through a marriage of convenience. It was therefore high time for our Government to

address the loopholes in the law. New conditions regulating the issue of residence permit to non-citizens spouses are therefore being introduced in the present Bill.

Strong conditions and appropriate safeguards are being laid down to prevent non-citizens from gaining access to the status of residents through marriages of convenience and at the same time protect our citizens. Many safeguards such as –

- (1) a non-citizen spouse will no longer be outright eligible to apply for a residence permit;
- (2) a non-citizen spouse will only be eligible for a temporary residence permit for a period of 2 years, provided he satisfies some conditions, two conditions in fact –
 - (i) he should be civilly married to a citizen of Mauritius and he should not be a prohibited immigrant at the time of becoming a spouse;
 - (ii) once a temporary residence permit is issued, a second safeguard is being placed at the time of his application for a residence permit;
- (3) a non-citizen spouse will be eligible for a residence permit under certain conditions, again under two conditions –
 - (i) after the 2 years following the issue of a temporary residence permit, during which both spouses have resided under the same conjugal roof, and
 - (ii) where it is established to the satisfaction of the Immigration Department that the marriage is not a marriage of convenience.

Third safeguard, Mr Deputy Speaker, Sir, concerns marriage celebrated outside Mauritius. It is also worth pointing out that where a marriage between a citizen of Mauritius and a non-citizen is celebrated outside Mauritius, the non-citizen spouse can only make an application for a temporary residence permit, where he submits –

- (i) his marriage certificate certifying that he is civilly married to his citizen spouse, and
- (ii) an affidavit or any other document, duly sworn or affirmed by him before a Court of law in his country of residence, attesting that, on the date of his marriage to the citizen, he was not married to any other person.

- (4) safeguard is with respect to application for marriage rejected by the Mauritian Authorities. Clause 4 of the Bill stipulates that unless in exceptional circumstances, no temporary residence permit will be issued to a non-citizen spouse where an application for his marriage to a citizen has already been rejected in Mauritius, and thereafter, the marriage is, therefore, celebrated outside Mauritius.
- (5) safeguard has been introduced in the Civil Status Act at the time of making an application for the publication of a marriage, a non-citizen will now have to submit some documents which are very important indeed. An affidavit sworn before the Master and Registrar of the Supreme Court of Mauritius, attesting that he is not marrying the Mauritian Citizen for the sole purpose of becoming a resident and an affidavit or any other document duly sworn or affirmed by him before a Court of law in his country of residence attesting his marital status. This was not present in the Immigration Act.

So, the Civil Status Act is being amended to also include the 6 safeguards pertaining to the publication of a marriage between a non-citizen and a citizen which concerns the delay. So, the delay for the publication of a civil marriage between a non-citizen and a citizen is being extended to 30 days instead of 10 days as is currently the case. I think it is a good thing that this delay has been extended to 30 days now because this extension, Mr Deputy Speaker, Sir, will provide relevant authorities with sufficient time to carry out appropriate investigation, checks and inquiries into the non-citizen to determine the intent of the marriage and at the same time protect our citizens.

The Bill therefore, provides the relevant safeguards to prevent foreigners from circumventing all immigration laws by entering into marriage of convenience. However, as we know, we have never, Mr Deputy Speaker, Sir, wanted to close our territory to non-citizens, this is not the purpose of the present Bill. The purpose of the present Bill is to protect our citizens, and at the same time, we have never wanted to close our territory to non-citizens. We know very well that we rely on tourists for the economic development of the nation. The Bill consolidates the provisions of the law concerning the grant of visas.

Moreover, it has been the Government's policy over the past years to open up the country to other categories of non-citizens who will assist us in the economic development of the

nation. Therefore, we have come up with a series of measures to give residence status to those non-citizens. The Immigration Act 1970 has been the subject of a series of amendments over the years to provide a legal basis for the grant of residence permit to such non-citizens. Therefore, the present Bill consolidates the provision of the law that shall allow the grant of many permits; the Temporary Residence Permit, Permanent Residence Permit, Occupation Permits, Short-Term Occupation Permits and Family Occupation Permits.

The Bill will also provide safeguards with powers granted to Immigration Officers to carry out investigations thoroughly. The Bill will also consolidate the powers of the Minister responsible for Home Affairs to cancel the visa in the public interest or for persons who are prohibited immigrants. In brief, Mr Deputy Speaker, Sir, the Bill will provide up to date consolidated provisions for the control of migration in Mauritius while at the same time, attract non-citizens who we believe can contribute to the economic development of the nation. So, in one sentence, I can say that the Bill strikes the right balance between promoting economic development and preventing fraudulent marriages to gain residence.

Consequential amendments are also being brought to the Mauritius Citizenship Act to cater for additional safeguards. Henceforth, a non-citizen spouse will be able to apply for Mauritian citizenship four years after having been issued with a residence permit as spouse. An aggregate period of at least four years of residence for both spouses will be considered when assessing the application for citizenship. It is good to note that the period of temporary residence will be taken into account during the said assessment.

To facilitate investigation into marriage of convenience, clause 25 of the Bill proposes to vest Immigration Officers with additional powers including the power to summon a non-citizen spouse or other witnesses as well as the power to inspect the household where the citizen and non-citizen spouses live amongst others. Immigration Officers will also be empowered to conduct investigation in respect of applications made by non-citizens for citizenship under section 5, 7 and 9 of the Mauritius Citizenship Act.

Therefore, Mr Deputy Speaker, Sir, on this side of the House, as I have said, we welcome the introduction of the present Immigration Bill. The Bill is both practical and purposeful. It is a clear signal to non-citizens; it would not be business as usual when it comes to marriage of convenience. The law has been tightened up by a better control mechanism, which was not in the

present Immigration Act. The Immigration Bill is yet another achievement of our Government to provide a robust legislative framework governing immigration matters, and at the same time, to better protect our citizens.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Thank you very much. We will break for one hour.

At 8.22 p.m., the Sitting was suspended.

On resuming at 9.39 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: Hon. Léopold!

Mr J. B. Léopold (Second Member for Rodrigues): Thank you, Mr Deputy Speaker, Sir.

Mr Deputy Speaker, Sir, in a rapidly globalised world in terms of nations, economies, trade, investment and with new challenges which are impacted on the livelihood and coping capacity of people due to ecological downturn, war, terrorism and a decline in economy leading to humanitarian disasters, the problems that I have just mentioned, Mr Deputy Speaker, Sir, if attention is not given properly, and if are not managed properly can lead to the trends of political instability, insecurity, and poverty.

Globalisation allows people to move across easily and people are supposedly free to move around the world. But with the trend of political instability, environmental degradation due to climate change, insecurity and poverty, these factors are making both immigration and migration a major concern for policy makers. Immigration can cause socioeconomic and political challenges. Therefore, a legal pathway is necessary for its management for the betterment of the country.

Mr Deputy Speaker, Sir, immigration is inevitable, and people move from one country to another for many reasons. In many cases because of complex reasons, some are forced and some are voluntary. Because immigration is inevitable, that is why we are updating our immigration law regarding the admission and stay in Mauritius to prevent all the negative effects. So, we need to constantly review our immigration law. Immigration needs to be better governed through planned and well managed policies.

In the time we are living now, with immigration issues making headlines almost every day around the world, we need to address, among others, the issue of immigration crisis. Mauritius is not too small to have good thought on that and another issue which needs to become our main concern is the continental efforts of allowing free movement of people and its impact on our country.

Although we are less likely to be affected directly to the world immigration crisis, nonetheless, we need to have appropriate framework with the recommended strategies and we are doing just that tonight in Parliament; creating a legal pathway for immigration.

And over and above strategic solutions on how to deal with immigration crisis, should the problem arise, one example is on how to counter human trafficking as this problem is becoming increasingly alarming worldwide. We need strengthened strategies to deal with its prevention, prosecution, and investigation. These issues will become more and more concerning by the global approach on immigration but more specifically the continental efforts in managing migration.

With the shift in geopolitical landscape, our continent is increasingly favouring an integration of the continent and the involvement of countries of the continent in the economic development and its economic integration. Part of the continental integration process is the free movement of the people of the continent, with a unique visa. Therefore, we are called to come with strategic policy framework for an effective movement of people.

So, Mr Deputy Speaker, Sir, I am not going to be long and I am totally in favour of changes to our immigration law to further protect our country and at the same time be integrated in the global and continental economic development. Therefore, a legislative framework on immigration for the Republic of Mauritius is of great importance especially in the fight of irregular immigration and most importantly transnational crime in drug trafficking, terrorism, and human trafficking. I think I have made my points, Mr Deputy Speaker, Sir. Thank you for your kind attention.

The Deputy Speaker: Thank you very much. Hon. Dr. Boolell!

(9.46 p.m.)

Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes): Thank you very much, Mr Deputy Speaker, Sir.

Before I come to the thrust of this legislation, let me extend my congratulations to hon. Léopold who has not only made a good speech but has been very factual.

Let us call a spade a spade, Mr Deputy Speaker, Sir. The new Immigration Bill has some merits, but the demerits far, far outweigh the merits. The new Immigration Bill is also a passport to big business and a trump card to those who have acquired citizenship, and if they do not obey the commands of he who has absolute power, the consequences can be very far-reaching.

Now, this legislation, I hope it is not an *ad hominem* which has come shortly after the survey for security by foreign technical team on the submarine cable landing station at Baie Jacotet. Let us ask the questions which our friends out there will be asking: is there a hidden agenda?

An hon. Member: No!

Dr. Boolell: And time will tell, and the last amendment to the Immigration Act was tailor-made to provoke the departure of a person declared ‘undesirable’ or ‘prohibited immigrant’ by the regime. The unfettered powers of the Minister overrides safeguard, checks and balances. As you say, the absolute discretion rules the waves. And hon. Uteem, in his intervention, did give some examples; for example, section 18(2). But who are those who have been naturalised Mauritians or have double nationalities? It is true that the United Nations do not allow a person to be Stateless, but there are cases, and let me give one example: the case of S. Begum was widely discussed as her citizenship and identity were violently reconfigured by the UK State. The regime can exploit any deliberate loophole or use unfettered powers to revoke one’s citizenship. And those who are at risk are those who have been naturalised or have dual nationalities. And I will not trust the regime at all.

One of the objectives, and if I may say the main purpose, is to put an end to marriage of convenience. But our deep-seated concern, Mr Deputy Speaker, Sir, is the wide powers extended to the Minister. Are these powers the best way to safeguard the interest of our country? The setting up of a National Security Committee comprising parliamentarians to address sensitive issues of security and deprivation of citizenship would have its *raison d'être* as currently prevails

in UK and many countries which are the bedrock of democracy. The Prime Minister must be maybe the first among the equals, but he has also to be fiercely independent.

Mr Deputy Speaker, Sir, of course, we have to protect our jurisdiction. And I agree no decent Mauritian citizen would like to see foreign labour entering with illegal drugs, aka smugglers or involved in *hawala* or money-laundering transactions or in terrorism. But it is equally true for all of us, born, naturalised citizens or those on temporary or permanent permit. The law is the law, but it should not be an excuse to give unfettered powers to a Minister. I agree that a civil marriage should not be a postal box, and criteria are clearly spelt out, but even then, the rights and obligations of the non-citizen under the Human Rights Convention have to be respected. And there are cases of inhuman degradation, and the solution is not to dump the victims to their countries of origin.

Mr Deputy Speaker, Sir, the MSM regime is very cruel, and I can refer to a battalion of cases to show it is impervious or insensitive to human rights issues. The case of a Belgian pilot married to a Mauritian citizen is a classic case of what it means to be a victim of unfettered powers conferred upon the Minister or Prime Minister. And on 16 April 2019, amendment to the Immigration Act of 1970 was passed to make the pilot, P. Hofman, a prohibited immigrant in virtue of section 8(1) (m). There was the case of a Sri Lankan lady who was more than seven months pregnant – ring a bell; she was dumped on a flight to Sri Lanka, and the decision was taken despite a favourable ruling given by the Supreme Court to stay action. That is the MSM culture, devoid of human feelings and indifferent to the rule of law. The MSM bends the rule to serve its purpose. Money talks indeed!

Mr Deputy Speaker, Sir, let me come to the marriage of convenience. The demarcation line between sham marriage and a broken up marriage has to be clear. The law is an ass but the holes have to be plugged. And I don't want to refer to specific cases, but the human drama which unfolds cannot be treated lightly; the Ombudsperson for Children and the Family Council should not plead ignorance. The hon. Mrs Koonjoo-Shah, the Minister responsible for family welfare should focus on relevant matters.

Let me highlight the case of a Norwegian lady who has been denied the right to visit her daughter. The State is driving her crazy and I was appalled and shocked of the treatment meted out to her by the Police; the indifference of the Office of the Ombudsperson for Children and the

Ministry of Gender Equality and Family Welfare. I took up the matter with the Ombudsperson who promised to address the matter, and the lady, unfortunately, is still waiting to obtain redress.

Mr Deputy Speaker, Sir, when one compares existing legislation and the new Bill, there is certainly a world of difference. There are many safeguards in the existing legislation where the procedure to serve notice before a decision is taken. There should be no room for arbitrariness. Let me give an example: if the application of a taxi driver to have a license to operate has been rejected, then, he has a legitimate right to appeal to the Minister. The latter can either consider the appeal favourably or reject it.

Under the provisions of the new Immigration Bill, the Minister, that is, the Prime Minister, rules the waves and the Minister or the Prime Minister arrogates himself unfettered powers. The Mauritian citizenship is being amended to add a new subsection 8 to section 11 of the Bill. Is it constitutional to give absolute discretion to a Prime Minister? He does not have to give any reason to any person whose citizenship has been revoked. The Minister will always justify the arbitrariness on alleged reliable information and is satisfied if his action is in the interest of public order, public defence, and public safety.

As the legislation stands, section 11 already provides a course of action for the deprivation of citizenship. It allows for that person to be informed of the reason for the deprivation as well as protective steps to both the person and the Government to ensure that this deprivation is not done in a bias or abusive manner. The introduction of section 11(8) to the Mauritian Citizenship Act has no rationale, and is a Damocles sword hanging over the head of the citizens to be wielded as and when required by the Minister.

Then, Mr Deputy Speaker, Sir, we have to know what is the definition of public safety, public order, public defence, and there is no provision in our law for absolute discretionary power. The purpose of this Bill is not only to put an end to marriage of convenience, but should not be a passport for abusive practices. I agree it is not a one size fits all, but there is a call for differential treatment for non-citizens marrying Mauritian citizens who choose Mauritius as a wedding destination and will leave after less than a month to settle overseas. The Civil Status Act should remain as it is, that is, to allow the marriage to be celebrated within 10 days of publication of the marriage. Section 6 of the Explanatory Memorandum is practiced in many countries.

Let me come to the marriage of convenience. It certainly has a different narrative and there should be no retreat, no surrender, but it should not be used as a mere excuse to violate rights, and actions taken should be based on evidence. Let me highlight a specific case. An Indian lady born in India married to a citizen of Mauritius, born and bred in Mauritius, and after a few years, the marriage was annulled. She was asked to go back to her country just as she was about to settle down with another Mauritian. The Immigration sent her packing home; she is desperate to come back to get married, and it is not a sham marriage or a marriage of convenience. But she was asked to go back because they did not want to hear her story.

Mr Deputy Speaker, Sir, the Ministry of Interior is not favourable, for no good reasons I have said. The presence of a sizable number of Bangladeshis, and to a lesser extent, other foreign nationals has become a concern for practical reasons. They work hard, but some have overstayed. The application of the law is inevitable. Overstay is certainly an offence, and offenders have to be punished. But we have an ageing workforce and we have to attract investors, employees, retired persons, those who have the skills to make up for shortfall in scarcity areas of our economy. The migration is circular, but when it comes to widening the circle for immigration to grant permanent residence permit and then citizenship, any responsible Government has to act diligently.

Some countries like Gibraltar and Malta, Members of the European Union, were taken to task because it was cash for passport and nationality. On the other hand, UK is proposing punitive measures when it comes to immigration policies. The Rwandan plan which UK wants to extend to Turkey is a forefront issue in the leadership contest of who would be the next Prime Minister. Mr Deputy Speaker, Sir, there was a time when UK was the destination for sham marriages, but the doors have been bolted and it is a criminal offence.

Mauritius, unfortunately, is caught between anvil and hammer over demographic changes since 1968 in relation to an ageing population, and maintaining the social balance without any violent disruption of the ethnic composition of the country is essential. A tough and delicate battle to wage, but can be done in total respect of human rights and obligations. Who is the versatile workforce? Bangladeshis, Indians, Malagasy, in pecking order, notwithstanding our Mauritian workforce. And as of now, we do not have an exact number of foreign workers, the

number who have settled in Mauritius in relation to due process of immigration law, and those who are moonlighting.

I am sure our friends from MSM should know because they have a register to mobilise some of them for political rally and to impress upon them to cast their votes after stay of two years! Some of them are exploited for basic political reasons. The right to vote in General Elections is bestowed upon Commonwealth citizens who have lived for two years in Mauritius.

Mr Deputy Speaker, Sir, we are all human beings trying to eke out a living. Rights are universal and we all have obligations. Mobility is a way of life, circular migration is inevitable, but contracts to be fulfilled, and citizens of the world have to know that the world is rule-based. But leaders have to remember that unfettered power can lead to downfall.

Thank you very much.

The Deputy Speaker: Thank you very much. Hon. Ms Jutton, please!

(10.02 p.m.)

Ms T. Jutton (Second Member for Vieux Grand Port & Rose Belle): Thank you, Mr Deputy Speaker, Sir. It is with a deep sense of honour that I seek to bring my humble contribution to the debates on the Immigration Bill brought forward by the hon. Prime Minister, Minister of Defence, Home Affairs and External Communications, the hon. Pravind Kumar Jugnauth.

But, Mr Deputy Speaker, Sir, before dwelling into the main aspects of the Bill, I would like to take the specific aspects of the legislations as hon. Uteem and hon. Dr. Boolell have been raising. This concerns section 8 and section 11 of the Mauritian Citizenship Act to which, I believe, they have been giving serious misgivings both outside and within this House with regard to the power of the hon. Prime Minister to withdraw the citizenship status in cases where internal security is at risk without having to supply explanation.

Actually, they are arguing on the question of absolute discretionary power of the Minister, and as hon. Dr. Boolell said ‘unfettered powers’, well, a lot is being said, Mr Deputy Speaker, Sir. But let me please quote what that clause says.

The Clause 11 states that –

“The Prime Minister shall have the powers to deprive a person of his citizenship (...),”

But yes, it continues and states –

“(...) if he has reliable information and is satisfied that it is in the interest of defence, public safety and public order.”

So, there is a given rationale and the hon. Prime Minister has always acted in a responsible and serious way and he will in no way haphazardly take away the citizenship of any righteous citizen, as some hon. Members are claiming or like hon. Uteem questioned earlier on even the citizenship of spouses of some hon. MPs. This is *vraiment du ridicule*.

Mr Deputy Speaker, Sir, this whole campaign marshalling onto social media to make believe that this Government has sinister motives or hidden agendas are absolutely not true. All Governments over the world have such proviso that gives power to the Head of the Executive to solely decide on the course of action to be taken, should he be privy to sensitive information that if not attended to, as it should be, may put the security of a State into great jeopardy.

Mr Deputy Speaker, Sir, in such a circumstance, do we expect the hon. Prime Minister, who is Head of Executive, to hold council to reveal internal State security matters with all the series of risks that we know?

M. le président, l'hypocrisie a une limite ; la malhonnêteté intellectuelle a une limite ; l'insulte à l'intelligence humaine a une limite. Mais pour ceux qui se trouvent de l'autre côté de la Chambre et qui souffrent d'une amnésie sélective, je dois peut être les rappelés que le gouvernement Travailliste avait accordé des pouvoirs presqu'illimité à son Premier ministre d'alors, Sir Seewoosagur Ramgoolam, lorsqu'en 1970 il avait promulgué pour la première fois la loi relative à l'immigration. Et qu'en 1999, quand son fils avait pris le pouvoir avec le PMSD, pourquoi n'avait-il pas revu ces pouvoirs accrus dont disposait le Premier ministre et dont martèle aujourd'hui l'honorable Dr. Boolell ? Donc, quand ils sont au gouvernement, tout va bien parce que vous pensez qu'il y a un certain ‘Roi Lion’. C'est lui-même qui a voulu aller à Réduit avec tous les pouvoirs qui existaient dans le monde. Ah, là ce n'était pas *unfettered powers* ?

I think, Mr Deputy Speaker, Sir, as responsible lawmakers, we need to show a minimum of seriousness, of purpose when it comes to internal security instead of trying to garner cheap

political mileage. Hon. Members from both sides of the House should know and understand all the implications when it comes to safeguarding national security.

M. le président, si le Premier ministre reçoit des informations sur un ressortissant étranger qui est un escroc international mais qui n'a jamais été poursuivi parce qu'il arrive à échapper à la loi du pays, est-ce que nous, à Maurice, on va le laisser venir cibler nos enfants, par exemple, pour le mariage blanc ? En tant que gouvernement responsable, comme l'a si bien dit l'honorable Premier ministre, *as a caring Gouvernement and a compassionate Government*, nous avons la responsabilité envers nos citoyens, envers nos enfants et envers notre peuple. Et l'honorable Dr. Boolell, le *MSM culture* dont vous parlez, c'est une culture justement où est votre *care and compassion* et non pas la cruauté dont vous, vous mentionnez.

Mr Toussaint: *Nou pena culture kotomili nou !*

Ms Jutton: There was a time, Mr Deputy Speaker, Sir, maybe a few decades ago, where there was an exodus of Mauritian migration towards other countries, mostly Western ones because of their high income and flourishing economy. In fact, in 1980s, a leading French TV channel had even produced a news feature known as '*Roman d'Amour*', non pas *romantique mais roman* because there was a county in Switzerland called '*Roman*'. And actually, today there is a complete reversal of the situation.

Do you know, Mr Deputy Speaker, Sir, that our passport, the Mauritian passport is one of the most prized in the world? It ranks 31st on the Henley Passport Index 2022, which is actually the original and authoritative ranking of all the world's passports according to the number of destinations that their holders can access without a prior visa. And for this year, we have only two African countries which feature on the top 50, being Seychelles and Mauritius, respectively. Our land, our passport is our pride.

Our country has paved its way to become today a high income society as testified by international agencies. This is because Mauritius has known an unprecedented economic upturn. This is because Mauritius is a stable and safe haven that people from almost all parts of the world are using all types of means and ploys to come and try to settle here for good. Well, if there is a need to gage, to measure the unprecedented progress achieved by our country, then, the Immigration Bill, as tabled today, is it.

In his speech earlier today, the hon. Prime Minister mentioned the numerous complaints, both formal and anonymous, with respect to sham marriages, whereby many of our citizens were unfortunately misled by some unscrupulous individuals with bad intents. There are also cases of African students having recourse to bogus marriages and some European nationals who have recourses to these marriages only to enjoy the fiscal advantages and taxes here which are only of 15% compared to their home country which may be twice or three times higher. We know and it will be sheer intellectual dishonesty not to recognise the fact that people of different nationalities are trying to come to Mauritius and to circumvent the law with glaring existing loopholes. And this evening, the hon. Prime Minister, through this piece of legislation, is precisely plugging these loopholes.

Mr Deputy Speaker, Sir, as a result of illegal immigrants pouring in from some Eldorados, our Government, under the leadership of the hon. Prime Minister, has deemed it necessary to introduce tighter legislations through this Bill and, just as many developed countries did in the past, to be able to exercise stricter control on immigration. Of course, the new Bill today should not be treated in isolation as it entails a series of amendments to several other legislations, such as the Civil Status Act, the Deportation Act, the Passport Act, the Non-Citizens Act, the Economic Development Board Act, amongst many others. *C'est ce genre de loi qui va ainsi aider à redresser la situation même si nous découvrons les mauvais caractères peut-être des individus à un stade ultérieur, comme ça nous pouvons prendre les décisions nécessaires.*

Mr Deputy Speaker, Sir, I have also made it a duty to go through the speeches made in 2019, in Hansard, while revisions were brought to the law. Of course, I will not dwell into it, but I would like to mention that, of course, while the aim of the Bill was to protect our citizens, again today, this comes to reinforce and I will explain how and why.

Allow me to refer to some recent publications from local newspapers –

- Le 10 mai 2022, ‘Le Matinal’, le titre: ‘Peter Uricek A Essayé De Se Marier En Pleine Procédure D’extradition’.
- ‘Top FM’, le titre : ‘Alors que la procédure d’extradition était devant les tribunaux : Peter Uricek a tenté de se marier avec une Mauricienne pour obtenir le statut de résident’.

M. le président, rappelons-nous, ici, de ce cas-ci. Alors que la procédure d'extradition était en cours et l'audience était fixée au 11 mai 2022, le bureau d'État Civil informe le bureau du Premier ministre du projet de mariage civil entre un certain M. Peter Uricek et une Mauricienne. Et c'est justement grâce aux informations collectées que le Secrétaire aux Affaires intérieurs s'est opposé au mariage au motif que le slovaque tentait d'épouser une citoyenne Mauricienne dans le seul but d'acquérir le statut de résident. M. le président, ça c'est juste un cas.

(Interruptions)

Well, Mr Deputy Speaker, Sir, today, this new Act...

An hon. Member: *Inn gagn nouveau avoka aster!*

(Interruptions)

An hon. Member: *La honte!*

(Interruptions)

The Deputy Speaker: Order! Continue! Continue!

(Interruptions)

Order!

Ms Jutton: This new Act takes into consideration the fact that there have been many several cases when non-citizens have been trying to get married or trying to lure our citizens with the only aim of getting a residence permit. To prevent this, the law comes with the following new provision; first, the wedding has to be a civil marriage and evidence with proper documentation such as a marriage certificate, affidavit or other such valid document and the non-citizen spouse will not outright be eligible for a residence permit. The latter will only get a temporary residency permit for two years after which that non-citizen spouse will be able to apply for a residence permit. The Act will allow the immigration department to be empowered to look into the instances of marriage and to establish whether a marriage between a citizen and a non-citizen is that of convenience only.

Well, Mr Deputy Speaker, Sir, I am also tempted to share a personal anecdote here that when I was travelling during a private visit recently and post the transit to fly to my destination,

on the plane, I was actually seated to a gentleman who tried to initiate conversation with me, asking me from which country I was and I replied politely - Mauritius and ended the conversation. However, the moment I said Mauritius, I could sense the sudden excitement of the gentleman who explained...

(Interruptions)

He said 'wow Mauritius' and he kept trying to talk again, saying that he always heard people saying that Mauritius is a real paradise and that he was so impressed by how Mauritius grew to become a high income economy over the years and about the fiscal regime which he said was unbelievable. Well, Mr Deputy Speaker, Sir, I was happy to hear that people of other nations knew about our country and I did feel proud about my country but Mr Deputy Speaker, Sir, it turned out that the gentleman in question now started telling me that he wanted to marry a Mauritian lady and settle down in Mauritius.

(Interruptions)

Funny thing is, as soon as the plane landed, I had to run away as I felt he was going to follow me all the way but well, it was not funny. I was worried and even had to hide in Duty Free Shops so that he loses track of me.

Well, Mr Deputy Speaker, Sir, the intent of the person in question was clear but we don't know how many like these may be out there trying to lure our young girls who sometimes may be naïve and victims of people's ploys.

(Interruptions)

Mr Deputy Speaker, Sir, we need to reckon to the fact that Mauritius is no longer that insignificant piece of rock about to be washed away by the waves nor an overcrowded barracoon as some foreign doomsday prophets and other self-style oracles try to predict. Through sheer vision, hard work and perseverance, we have made of this little island such a safe and peaceful heaven that it is pulling people from every nook and cranny of the world and this is why, Mr Deputy Speaker, Sir, it has become imperative to review the legal framework of our immigration policy. The Bill in itself has many new clauses on which I will not dwell because of lack of time and I will just like to mention that the Section on offences itself is really well detailed and anyone contravening the Act under Clause 36 will, on conviction, be liable to a fine up to Rs1 m.

and to imprisonment for a maximum of 5 years. Other bold measures relate to the obligations of the alliance and shipping lines which again, I will not dwell into.

Let me end now, Mr Deputy Speaker, Sir. Technological and demographic shifts, rising powers, new geographic theatres and balance of power politics are all moving with the velocity previously unknown to the world; climate change, internet governance, international terrorism, pandemics, human organ trafficking, wars and so many other challenges are issues that require international collaboration. However, new 21st century framework or any other historical point of reference give an adequate idea of how to go about this and this is why, at this conjuncture of time, it is so important that States and communities come together in this quest for trying to create a stable international order and in a way that is more and more interconnected and interdependent than ever, a new world order will be characterized by multiple competing and interacting orders as it will be at once multipolar and interdependent.

So, coming to the point of migration, hon. Deputy Speaker, Sir, let me quote from Hansard 2019 from the speech of the hon. Prime Minister,–

“At that time, my priority, Madam Speaker, is to protect my country and to protect the population first and foremost. I can understand that there are concerns, yes, I agree there are concerns, it is a bit like a knife, if you use it properly in the kitchen, he will probably have a good meal but if you take the knife and you try to harm somebody, then of course, you are doing harm to the country. So it is up to us and this is our responsibility.”

And Mr Deputy Speaker, Sir, the hon. Prime Minister has already made it his utmost duty to protect our country and the citizens of this country and I don't feel that he or the Government need to table evidence of the actions as being caring and compassionate as I mentioned earlier. *Mais pour conclure, j'aimerais dire que tant qu'on a un Premier ministre comme l'honorable Pravind Kumar Jugnauth, nos enfants et les générations à venir n'ont rien à craindre.*

Merci.

The Deputy Speaker: Thank you very much! Hon. Dr. Ramdhany!

Dr. Ramdhany: Mr Deputy Speaker, Sir, I move that the debate be now adjourned.

Mr Toussaint seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 26 July at 11.30 a.m.

The Deputy Prime Minister seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned! Adjournment matters! Hon. Osman Mahomed!

MATTERS RAISED

(10.21 p.m.)

FALSIFIED IDENTITY CARDS - FRAUD & IMPERSONATION

Mr Osman Mahomed (First Member for Port Louis Maritime & Port Louis East):

Thank you. Mr Speaker, Sir, I wish to address the hon. Prime Minister on a serious matter of public interest tonight regarding falsified identity cards. I am given to understand that these genuine-like looking identity cards, the latest version ones also known as the biometric cards, have been used to commit fraud and impersonation and obviously there have been victims. My attention on this has been drawn yesterday by a notary public who has filed a report at the police station of Pope Hennessy yesterday, bearing OB number 3793/2022. She has sent me certified copies of the two cards which bear the same name, same ID number, therefore same birth dates but which bear different photos. I am tabling the two certified true copies of the Identity Cards and I am asking the hon. Prime Minister to request the MNIC to have a look at their processes which maybe have gone flawed and also to ask the Commissioner of Police to inquire whether Identity Cards are not being illegally duplicated by other parties. Thank you.

The Deputy Speaker: Hon. Prime Minister!

The Prime Minister: Mr Deputy Speaker, Sir, first of all I am pleased to see that the matter has at least been reported to the police. And it is a case where the police will inquire, and I am sure that the police, apart from the fraud that has been committed before the notary, will also enquire into such aspects as to how there are two same Identity Cards bearing the same numbers,

but with different photographs, as stated by the hon. Member. This is the first time I am hearing of this case. Of course, I shall take a copy of those documents that have been tabled, and I shall certainly pass them on to the Commissioner of Police for him to ensure that the enquiry is being conducted on all aspects of any offence that has been committed. If there is any network - I repeat if there is any network – we, of course, have to see to it that the network is uncovered.

The Deputy Speaker: Thank you very much. In fact, hon. Member, at this time, it is not appropriate to table the document. It can be communicated to the Prime Minister. I am informed those documents cannot be tabled at this time. It can be communicated directly to the Prime Minister. Thank you very much.

Hon. Ms J. Tour!

(10.24 p.m.)

FOOGOOA LANE, LES MARIANNES - CROSS DRAINS - REINSTATEMENT

Ms J. Tour (Third member for Port Louis North & Montagne Longue): Thank you, Mr Deputy Speaker, Sir. My query is addressed to the Minister of Infrastructure and Community Development, hon. Bobby Hurreeram, regarding two cross drains on Foogooa Lane at Les Mariannes which are damaged and partially obstructed. I would ask the hon. Minister to use his good office to look into the reinstatement of those cross drains as the inhabitants are facing inconveniences whenever it rains, the road is completely flooded. Thank you.

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

The Minister of Infrastructure and Community Development (Mr M. Hurreeram): Mr Deputy Speaker, Sir, I thank the hon. Member for raising this matter. I will suggest the hon. Member to kindly lead a site visit with the Project Manager of the NDU to see what can be done and what has caused this damage so that it can be repaired. Thank you.

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

(10.25 p.m.)

LONG MOUNTAIN HOSPITAL – PHARMACY – CLOSING TIME

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you, Mr Deputy Speaker, Sir. My query is addressed to the hon. Minister of Health and

Wellness, Dr. Jagutpal, with regard to the Hospital of Long Mountain. It has been brought to the attention of the MPs, especially the elderly people who have informed us, that after a certain time, the pharmacy of the hospital is closed and they have to wait for the next day to get their medicines or they even have to go to the SSRN Hospital. So, I shall be grateful if the hon. Minister could look into the matter because it concerns mainly our elderly people. Thank you very much.

The Deputy Speaker: Thank you very much. Hon Minister!

The Minister of Health and Wellness (Dr. K. Jagutpal): Yes, Mr Deputy Speaker, Sir, the Montagne Longue Hospital's pharmacy is opened up to 8 p.m. Given that the number of patients attending the hospital after 8 p.m. is very limited, we have to see whether we can open the pharmacy because that is another cost of overtime. I will look into that.

The Deputy Speaker: Thank you very much. Hon. Uteem, please!

(10.27 p.m.)

TRANQUEBAR - FOOTBALL GROUND - LIGHTING

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): *Thank you, Mr Deputy Speaker, Sir. Je m'adresse aujourd'hui au ministre de la Jeunesse et des Sports et cela concerne le terrain de football à Tranquebar. Malheureusement, il n'y a plus de spots lumineux qui fonctionnent. Je crois que maintenant cela revient au ministre de Local Government. Si vous pouvez passer le message à l'honorable vice-Premier ministre qu'il n'y a plus de luminosité et comme on est en hiver et qu'il fait sombre assez tôt, les footballeurs ont un véritable problème à s'entraîner. Donc, si on peut se pencher là-dessus. Et comme vous êtes aussi le ministre des Sports, si finalement on peut faire la construction des toilettes et vestiaires sur ce terrain qui a été promis depuis des années maintenant.*

The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint): M. le président, c'est un terrain qui est géré par la municipalité. Donc, je vais passer le message au vice-Premier ministre, l'honorable Dr. Husnoo.

The Deputy Speaker: Thank you. Hon. Fabrice David!

(10.28 p.m.)

FLORIBUNDA STREET, POINTES AUX SABLES – ACCESS ROAD

Mr F. David (First Member for GRNW & Port Louis West): Merci, M. le président.

Ma requête de ce soir s'adresse au Premier ministre adjoint et plus particulièrement en sa qualité de ministre du Logement et de l'aménagement du territoire, et elle concerne 13 lots de terres de l'État à Pointe aux Sables alloués à bail à 13 familles en 2017 dans le cadre de leur relocalisation de la Rue Monseigneur Leen en raison de l'arrivée du *Metro Express*. Ces 13 lots se trouvent à la Rue Floribunda à Pointe aux Sables, ce que nous appelons communément la Cité Débarcadère. Et selon le plan du ministère du *Housing and Land Use Planning* du 22 septembre 2017, plan que je souhaite évidemment partager avec le Premier ministre adjoint pour lui faciliter la tâche, il était prévu en toute logique de voirie, une route d'accès à l'intérieur de ce petit lotissement pour permettre aux 13 familles d'accéder à leurs logements.

Malheureusement, à ce jour et j'y étais dimanche dernier, bientôt cinq ans après le projet de relocalisation, cette rue d'accès n'a toujours pas été aménagée et les familles avec femmes et enfants doivent traverser quotidiennement ce qui ressemble beaucoup plus à un champ abandonné de mauvaises herbes. Puis-je demander au Premier ministre adjoint de bien vouloir accorder une attention bienveillante et soutenue à cette demande d'aménagement par respect du projet initial et par respect de ces familles ? Merci.

The Deputy Speaker: Thank you. Hon. Deputy Prime Minister!

The Deputy Prime Minister: Très certainement, M. le président. J'ignore tout de cette question. Je serais gré au M. le député de me communiquer les renseignements qu'il a en sa possession.

The Deputy Speaker: Hon. Kenny Dhunoo, please!

(10.29 p.m.)

DUBREUIL - MOBILE POST OFFICE

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Deputy Speaker, Sir. My adjournment matter tonight is addressed to hon. Mr Darsanand Balgobin, Minister of Information Technology, Communication and Innovation. It concerns the village of Dubreuil where there is no Post Office and the post office users have to go either to St Pierre or Curepipe, and this is causing many inconveniences to the inhabitants. A representation has been

made to the Deputy Prime Minister, hon. Steven Obeegadoo and myself for a mobile post office. I would request hon. Darsanand Balgobin to use his good office to make necessary arrangements with the Mauritius Post Ltd so that we can remedy the situation for the benefit of the inhabitants. Thank you.

The Deputy Speaker: Thank you. Hon. Minister!

The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin): Mr Deputy Speaker, Sir, I have taken good note of the request of the hon. Member and I will surely convey the message to the Mauritius Post Ltd to look into the matter very soon. Thank you.

The Deputy Speaker: Hon. Dr. F. Aumeer!

(10.30 p.m.)

VALLÉE PITOT & TRANQUEBAR - STRAY DOGS

Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central): Thank you, Mr Deputy Speaker, Sir. My request is addressed to the Minister of Agro-Industry, but unfortunately, he is away, but if he could be passed on the message. My attention has been drawn by a lot of inhabitants in the region of Vallée Pitot and Tranquebar, particularly at Alma Street, Chalets Street and Langlois Street with regard to the increased number of stray dogs in those areas causing nuisance and health concerns to the passers-by and inhabitants. I would just request him whether any remedial measure can be taken to alleviate the concern of these people. Thank you.

The Deputy Speaker: Thank you. Who shall take this?

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): M. le président, je prendrai volontier la question avec mon collègue, le ministre de l'Agro-industrie.

The Deputy Speaker: I think we are done for tonight. Have a safe trip!

At 10.31 p.m., the Assembly was, on its rising, adjourned to Tuesday 26 July 2022 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

COPYRIGHT OWNERSHIP – LOCAL & FOREIGN MUSICAL WORK

(No. B/861) Mr F. David (First Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to breaches of the legal provisions protecting copyright ownership pertaining to local and foreign musical work since January 2020 to date, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of persons having been –

- (a) arrested in connection therewith, and
- (b) prosecuted and convicted therefor, respectively.

Reply: This Government is conscious of the need to support and protect the right of Artists so as to promote creativity and to make the creativity sector one of the pillars of our economy.

In 2017, the Copyright Act was amended so as to –

- (i) redefine and better safeguard the interest of copyright owners, and
- (ii) create a new regulatory framework for a better representation of the right holders.

The Commissioner of Police has informed that the Anti-Piracy Unit (APU) of the Police Department deals, *inter alia*, with offences under the Copyright Act.

The Anti-Piracy Unit (APU) works under the aegis of the Deputy Commissioner of Police (ADSU) and is responsible for the fight against offences relating, amongst others, to –

- (i) counterfeited goods in breach of the Patents, Industrial Designs and Trademark Act, the Protection Against Unfair Practice Act (PAUPA) and the Fair Trading Act, and
- (ii) breach of the Copyright Act.

This Unit works in close collaboration with the Ministry of Arts and Cultural Heritage and the Mauritius Society of Authors (MASA) to combat these illegal activities. It also works

jointly with the Film Classification Board (FCB) in cases involving musical piracy through CDs, DVDs, Audio Visuals and pen-drives.

With regard to both parts (a) and (b) of the question, the Commissioner of Police has also informed that since January 2020 to date, two (2) cases of breach of the legal provisions protecting copyright ownership pertaining to local and foreign musical work have been reported to the Police. In one of the cases, one (1) person has been arrested on 07 October 2020 and bailed out on 08 October 2020.

No arrest has been effected in the second case as the statement given by the complainant lacks certain information. The complainant has left the country on 19 July 2021 for Reunion Island and is still abroad.

Enquiry in both cases is proceeding.

BAIE JACOTET - SUBMARINE CABLE LANDING STATION – SURVEY

(No.B/862) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the survey for security carried out on 15 April 2022 by a foreign technical team on the Submarine Cable Landing Station at Baie Jacotet, he will state the reasons why same had not been an item on the agenda of the Board meeting of the Mauritius Telecom.

Reply: To the extent that this is a matter that is internal to the Board of the Mauritius Telecom, I have no personal knowledge of same and hence, I cannot answer for the Board.

If the former Chief Executive Officer of Mauritius Telecom had any qualms about the survey, it ought to have been his duty to bring them before the Board.

BAIE JACOTET - SUBMARINE CABLE LANDING STATION - ORANGE SA

(No. B/863) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the survey conducted on the Submarine Cable Landing Station of Baie Jacotet by a

foreign technical team on Friday 15 April 2022, he will, for the benefit of the House, obtain information as to if Government is in presence of any representations from Orange SA, the strategic partner of Mauritius Telecom, in relation thereto.

Reply: I am informed by the Mauritius Telecom that, as at date, Government is not in presence of any representations from Orange SA.

CHAGOS ARCHIPELAGO – SECOND VISIT

(No. B/864) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Chagos Archipelago, he will state when he proposes to schedule a second visit thereto.

(Withdrawn)

MR R. S. & MR B. S. – RESIDENCE VALLIJEE – POLICE BRUTALITY – ACTIONS TAKEN

(No. B/865) Mr F. David (First Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to alleged cases of Police brutality towards members of the S. family on 24 March 2020 in Residence Vallijee, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto, indicating the number of Police Officers involved therein and actions taken in relation thereto, if any.

Reply: Subsequent to a video clip shared on the social media showing some Police Officers using violence against Mr R. S. and Mr B. S., the then Commissioner of Police announced, during a Press Conference on 25 March 2020, that the Central Criminal Investigation Department had been entrusted with the responsibility to conduct an enquiry into the matter.

In the course of the investigation, on 26 March 2020, one Police Constable, Mr Y. M. was arrested. He was provisionally charged with the offence of 'Torture by Public Official in breach of Section 78 1(a) and (b) (ii) of the Criminal Code Act before the Magistrate of District Court of Port Louis and released on bail after furnishing a surety of Rs5,000/- and a recognizance of Rs20,000/-. On 27 March 2020, he was interdicted from duty.

As a Police Officer was involved in the matter, the Independent Police Complaints Commission (IPCC) was apprised of the case on Thursday 26 March 2020.

On Friday 22 May 2020, the IPCC had, by way of Summons, requested Police to produce a certified true copy of the case file and a full report regarding the case and the status of the Police enquiry, and on Monday 08 June 2020, these documents were handed over to the IPCC for investigation.

The IPCC has informed that it had initiated an investigation and four (4) Police Officers were positively identified. The enquiry has been completed and on 18 July 2022, the case has been referred to the Director of Public Prosecution for advice.

GUN LICENSES – HOLDERS – COMPETENCY CERTIFICATE

(No. B/866) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to gun licences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of holders thereof in Mauritius, indicating if –

- (a) applicants therefor are subjected to –
 - (i) training;
 - (ii) background checks, and
 - (iii) mental health examinations,
- (b) holders thereof are subjected to –
 - (i) unannounced visits to ascertain that the gun is secured in a safety cabinet and logbooks of ammunitions purchased are kept, and
 - (ii) mental health checks when applying for renewal thereof.

Reply: The Commissioner of Police has informed that, as at 14 July 2022, there are three thousand, four hundred and eleven (3,411) holders of firearm licences in Mauritius.

With regard to part (a) (i) of the question, the Commissioner of Police has informed that, pursuant to section 6 (1) (b) (i) of the Firearms Act, any person applying for a firearm licence should have a Competency Certificate issued by the Commissioner of Police after having successfully completed a training course and passed the tests dispensed by Police on the safe and efficient handling of firearms. The training course comprises both theoretical and practical modules including –

- (i) the ability to handle firearms and ammunition safely, and
- (ii) familiarization with the firearm and firing practice with live rounds.

Regarding part (a) (ii) of the question, the Commissioner of Police has informed that all applications for a firearm licence are subjected to Police enquiry. During the course of the enquiry, a background check is carried out on the applicants with a view to ascertaining whether they have any previous conviction for any offence as specified in Section 6 (2) of the Firearms Act or any other serious offence which indicates that they are inclined to violence or shows that they may make misuses of firearms.

With regard to part (a) (iii) of the question, the Commissioner of Police has also informed that applicants are required to produce a recent medical certificate issued by a registered medical practitioner as evidence that they are physically and mentally fit at the time of application. In the absence of such medical certificate, the application is not entertained.

With regard to part (b) (i) of the question, the Commissioner of Police has informed that, by virtue of Sections 8 (1A) and 12 (2A) of the Firearms Act, prior to issuing or renewing Firearm Licences, Police Officers not below the rank of Assistant Superintendent of Police, have to inspect the premises and place where the firearms or ammunition will be stored or have been kept in order, for example –

- (i) to ascertain that the premises and places including safes are adequately secured for the safe keeping of the firearms and ammunition.

Regarding part (b) (ii) of the question, the Commissioner of Police has also informed that Firearm licensees are not legally required to produce any medical certificate at the time they renew their licences. During the renewal exercise, if any abnormality regarding the physical or mental fitness of any licensee is observed, the licensee may be required to produce a medical certificate to certify his/her physical or mental fitness. At the time of the renewal of the firearm licences, all holders of firearms licences invariably produce their firearms for the purpose of inspection by the Police.

Moreover, holders of Competency Certificates are required to produce a medical certificate to show their physical and mental fitness at the time of renewal of their Competency Certificate which is valid for a period of five years from the date of issue.

**BAIE JACOTET – SUBMARINE CABLE LANDING STATION – SAFE CONSORTIUM
– PRIOR APPROVAL**

(No. B/867) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the survey conducted on the Submarine Cable Landing Station of Baie Jacotet by a foreign technical team on Friday 15 April 2022, he will state if the prior approval of the Safe Consortium was sought and obtained therefor.

(Withdrawn)

**GAMBLING REGULATORY AUTHORITY – PEOPLE'S TURF PLC – LEASE
AGREEMENT**

(No. B/884) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Champ de Mars, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the terms and conditions of the lease agreement with People's Turf PLC to use the grounds thereof, including –

- (a) the lease period;
- (b) the rental fee payable, and

(c) if People's Turf PLC can avail of all the grounds thereof for horseracing activities.

Reply (The Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity): It is the Côte d'Or International Racecourse and Entertainment Complex (COIREC) Ltd. and not the Gambling Regulatory Authority, which has signed a sub-letting agreement, on 01 June 2022 each with People's Turf PLC Ltd and MTC Sports and Leisure Ltd., for the organisation of horse racing activities at Champ de Mars.

With regard to part (a) of the question, the sub-letting has been made on a non-exclusive basis for the duration of the horse racing season 2022.

With regard to part (b) of the question, the fee payable by People's Turf PLC Ltd. in respect of the use of Champ de Mars is Rs250,000/- per race day meeting in accordance with the racing fixtures list and calendar fixed by the Horse Racing Division of the Gambling Regulatory Authority. It is to be noted that both People's Turf PLC Ltd. and MTC Sports and Leisure Ltd. have been granted the use of Champ de Mars on the same terms and conditions.

With regard to part (c) of the question, pursuant to the sub-letting agreement, COIREC Ltd. has for the racing season 2022, granted to both People's Turf PLC Ltd. and MTC Sports and Leisure Ltd. the use of 'Champ de Mars and all its existing race tracks and over all the existing race tracks and related moveable structures thereof', on an as is basis, to the two horse racing organisers for the organisation of horse race day meetings on alternate weekends. This also includes the use of Champ de Mars for the training of horses.

PUBLIC DEBT – 2014 TO JULY 2022 – REPAYMENT & INTEREST

(No. B/890) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to the repayment of the principal amount and interest of public debt, he will state, for each of the years 2014 to 2021 and for the period January 2022 to date, the quantum thereof, indicating the quantum thereof repaid in foreign currency.

Reply: Une déclaration fournissant les informations demandées par l'honorable membre a été déposée à la bibliothèque de l'Assemblée nationale.

MOLNUPIRAVIR – STOCK AVAILABILITY

(No. B/891) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of Health and Wellness whether, in regard to the Molnupiravir tablets purchased last year, he will state the stock thereof available as at to date.

(Withdrawn)

MATERNAL DEATHS - 2017 TO JUNE 2022 - PREVENTIVE MEASURES

(No. B/892) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to maternal death, he will state the -

- (a) number thereof since 2017 to date, and
- (b) preventive measures taken by his Ministry to avert the occurrence thereof pending the submission of the report of the Committee of Inquiry set up by Government to inquire thereinto.

Reply: The number of maternal deaths is as follows -

2017 -	10 cases
2018 -	5 cases
2019 -	8 cases
2020 -	7 cases
2021 -	7 cases

As at June 2022, there were 3 cases of maternal deaths.

With regard to measures taken to prevent maternal deaths, I wish to inform the House that the following measures have been implemented in the five regional hospitals -

- best clinical practices have been implemented for managing the care of high-risk pregnant women;
- high risk obstetric patients are reviewed at weekly clinical meetings and at multi-disciplinary levels;
- regular training of doctors, midwives and all associated staff in obstetric emergencies;

- harmonisation of clinical practice in all obstetric practices and reviewing of clinical guidelines.

CEB & SUBSIDIARIES – HARASSMENT & VICTIMISATION – REPORTED CASES

(No. B/893) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the Central Electricity Board and its subsidiaries, he will, for the benefit of the House, obtain information as to the number of reported cases of harassment and victimisation allegedly perpetrated thereat presently under investigation at the level of the CEB indicating in each case –

- (a) the nature thereof, and
- (b) when investigation was initiated and where matters stand.

(Withdrawn)

SAINT BARTHOLOMEW'S COLLEGE - INJURED STUDENT - INQUIRY

(No. B/894) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the incident which occurred at the Saint Bartholomew's College on Tuesday 28 June 2022 whereby a student was severely injured, she will state if an inquiry has been carried out thereinto and, if so, indicate the outcome thereof.

(Withdrawn)

COVID-19 - VACCINATION - CHILDREN - ADVERSE EFFECTS

(No. B/895) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state the percentage of children vaccinated to date with one and two doses respectively, indicating the percentage thereof reported with serious Adverse Events Following Immunisation directly related thereto.

Reply: The vaccination campaign for children aged 5 to 11 years old was launched on 23 May 2022 and as at 13 July 2022 –

- 12,649 children had already been administered a first dose of Paediatric Pfizer vaccine, representing 13.75% in this age group, and
- 3,763 children had already been administered a second dose of Paediatric Pfizer vaccine, representing 4.09%.

I am further informed that as at date, the National Pharmacovigilance Committee has reported no Adverse Events following Immunisation in children under 11 years old.

POLICE HEADQUARTERS, LINE BARRACKS, PORT LOUIS - FIRE OUTBREAK - TECHNICAL SURVEY

(No. B/896) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Arts and Cultural Heritage whether, in regard to the recent fire outbreak at the Police Headquarters, Line Barracks, in Port Louis, he will, for the benefit of the House, obtain from the National Heritage Fund Board, information as to if a technical survey of the damages sustained has been carried out and, if so, indicate the findings thereof and, if not, why not.

(Withdrawn)

SOCIAL CONTRIBUTION INCOME ALLOWANCE – APPLICATIONS

(No. B/897) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to the social contribution income allowance of Rs1,000 payable to self-employed individuals and employees, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the number of self-employed individuals and employees respectively having applied therefor, indicating the number of applications rejected and the reasons therefor in each case.

Reply: Le gouvernement accorde une allocation de revenu mensuelle directe de 1,000 roupies aux employés et aux travailleurs indépendants inscrits sous la CSG, âgés de 65 ans ou moins et gagnant un revenu brut mensuel de 50,000 roupies maximum.

La *Mauritius Revenue Authority* (MRA) dispose déjà des informations nécessaires provenant des déclarations faites par les employeurs et les travailleurs indépendants pour déterminer l'éligibilité au régime.

Par conséquent, aucune demande n'est requise de la part des travailleurs indépendants et des employés. Les bénéficiaires sont tenus de présenter leurs détails de compte bancaire à la *MRA* pour le paiement électronique.

J'ai été informé par la *Mauritius Revenue Authority* que pour le mois de juillet 2022, au 18 juillet 2022, 243,619 travailleurs ont reçu la CSG *Income Allowance*.

SIR GAËTAN TUG – CASUALTY AT SEA – INTER-MINISTERIAL COMMITTEE

(No. B/898) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the Inter-Ministerial Committee set up to look into the Report of the Court of Investigation about the casualty at sea of the Sir Gaëtan tug, he will state where matters stand as to the work thereof.

Reply: In my reply to PQ B/653 at the Sitting of 17 May 2022, I informed the House that an Inter-Ministerial Committee, chaired by the hon. Prime Minister, has been set up to look into the findings and recommendations of the Court of Investigation about the casualty at sea of the Sir Gaëtan tug and to come up with the way forward for the effective implementation of the recommendations.

The first Inter-Ministerial Committee meeting chaired by the hon. Prime Minister met on Thursday 19 May 2022 and took cognizance of the main findings and recommendations of the Report of the Court of Investigation.

The recommendations contained in the report concern mainly the Mauritius Ports Authority and my Ministry.

The Inter-Ministerial Committee decided on the setting up of two Technical Committees - one at the level of the Prime Minister's Office and one at the level of my Ministry to study the recommendations contained in the report and come up with an appropriate Action Plan for their implementation, taking into consideration actions already implemented.

I am informed that since then, the Technical Committee at the level of the Prime Minister's Office has met on three occasions while the one at the level of my Ministry has met only once. Work is still in progress.

Once both Technical Committees submit their respective recommendations, a decision will be taken at the level of the Inter-Ministerial Committee on the way forward regarding the implementation of their respective recommendations.

SPYWARE OR SIMILAR INTERCEPTION/MONITORING SOFTWARE – ACQUISITION

(No. B/899) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Information Technology, Communication and Innovation whether, in regard to spyware or similar interception/monitoring software, he will state if Government or any public authority /body has acquired same.

Reply (The Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity): The Information and Communication Technologies Authority has informed that neither the Government nor any public authority or body has acquired any spyware or similar interception/monitoring software.

LA NICOLIÈRE - WATER TREATMENT FACILITIES - REPAYMENT MECHANISM

(No. B/900) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of Energy and Public Utilities whether, in regard to the implementation of the water treatment facilities at La Nicolière under the Public Private Partnership (Build Operate Transfer), he will state the repayment mechanism envisaged by his Ministry for the private promoter.

Reply: In my reply to PQ B/783 at our Sitting of Tuesday 12 July 2022, I had informed the House that implementation of the project for the rehabilitation of La Nicolière Water Treatment Plant was being carried under the Build Operate Transfer (BOT) basis.

As I have already stated, the financial assistance of the Development Bank of Southern Africa (DBSA) to the tune of USD2,000,000 has been obtained for the appointment of a

Transaction Advisor for the BOT project. The Government of Mauritius on its part will contribute USD500,000 towards the development of the project. An amount of Rs22.5 m. has thus been provided in budget 2022/2023.

A Project Preparation Facility Agreement has been signed by DBSA and CWA on 24 November 2021.

The Transaction Advisory Bid Document is under preparation and same is expected to be launched in October 2022 for the recruitment of a Transaction Advisor.

The Transaction Advisor will carry out a feasibility study to structure the project before preparing the procurement documentation. The repayment mechanism for the private promoter will be determined after receiving the recommendation from the Transaction Advisor in the feasibility study.

COVID-19 CASES - MARCH TO JULY 2022 - PAXLOVID DRUG TREATMENT

(No. B/901) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, he will state –

- (a) the number of known cases thereof since March 2022 to date, indicating the number of patients thereof treated at the ENT Hospital, and
- (b) if the antiviral treatment drug PAXLOVID is being administered on patients thereof in Mauritius.

Reply: In reply to part (a) of the question, I am informed that since March 2022 to date, there was a total of 67,557 (PCR: 7,278, Imported: 1,073, RAT: 59,206) reported number of COVID-19 cases, out of which 388 were admitted and provided treatment at the New ENT Hospital in view of the severity of their symptoms.

Paxlovid is a medicine used for treating COVID-19 in adults who do not require supplemental oxygen. The World Health Organisation recommends the use of Paxlovid only in patients with COVID-19 at increased risk of the disease becoming severe to reduce the risk of hospitalisation or death.

In reply to part (b) of the question, I am informed that the antiviral treatment drug Paxlovid has not yet been administered to patients in Mauritius.

CEB (FIBERNET) CO. LTD

(No. B/902) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the Central Electricity Board (Fibernet) Company Ltd., he will, for the benefit of the House, obtain information as to if it is fully operational or has been scrapped.

(Withdrawn)

L'ASSOCIATION POUR LES HANDICAPES DE MALHERBES - TEENAGE PREGNANCY CASE

(No. B/903) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to an alleged case of teenage pregnancy at *l'Association Pour Les Handicapés de Malherbes* Shelter, she will state if her Ministry has carried out an inquiry thereinto and, if so, indicate the outcome thereof and the date of the last inspection carried out by officers of her Ministry at the said shelter.

Reply: My Ministry was made aware of a case of teenage pregnancy regarding a minor placed at shelter *l'Association Pour Les Handicapés de Malherbes* (APLHDM) on 03 June 2022.

On that day at around 15 30 hrs, officers of the Child Development Unit (CDU) of my Ministry were informed by the Shelter Manager that minor M.T.C.F, aged 16 years, had been admitted in Ward 9 of Victoria Hospital.

Officers of the Child Development Unit (CDU) of my Ministry attended the hospital immediately and the enquiry revealed that the minor was 10 weeks pregnant, but further examination revealed that the foetus had died. A ‘curettage’ was performed and necessary medical treatment and psychological support were provided to her. The case was then immediately reported at the Curepipe Police Station by *Brigade Pour la Protection de la Famille* in presence of officers of my Ministry.

Following enquiry by officers of my Ministry, the minor stated that she had been sexually abused by the Maintenance Officer of the shelter APLHDM, one Mr D.L. Further enquiries from other minors revealed that the perpetrator had also made indecent/sexual propositions to other minors residing at the shelter.

CDU officers and Psychologists of my Ministry provided the necessary assistance to the minors so that the *Brigade Pour la Protection de la Famille* could do the recording of their statements. Support by the Family Welfare Protection Officers and Psychologists of my Ministry was provided throughout the reconstruction exercise and the medical examination of the minor by Police Medical Officer.

I am informed by the Commissioner of Police that the perpetrator has been arrested on 23 June 2022. On Friday 24 June 2022, he was brought before the District Court of Curepipe where a provisional charge of rape was lodged against him and he was remanded to Police cell until 30 June 2022.

On 30 June 2022, accused was brought anew before the Curepipe District Court and was remanded to Police cell until 07 July 2022. On the 07 July 2022, he was brought anew before the District Court of Curepipe where he was granted bail upon furnishing a surety of Rs15,000 and a recognizance of Rs25,000 together with the condition to report to Camp Le Vieux Police Station every Sunday. Psychological support is being maintained on the minor M.T.C.F and she is faring well. Close follow-up is being maintained with all minors.

Inspections and visits are carried out by Enforcement Officers of my Ministry as well as the psychologists and CDU. The last inspection was carried out on 12 July 2022.

TERRAGEN LTD - ELECTRICITY PRODUCTION

(No. B/904) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to electricity production, he will state if his Ministry and/or, for the benefit of the House, obtain from the Central Electricity Board, information as to if negotiations have been resumed with Terragen Ltd. therefor.

(Withdrawn)

FY 2022/2023 – CLEANING AND EMBELLISHMENT OF PUBLIC SITES

(No. B/905) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the Cleaning and Embellishment of 120 Public Sites, including, places of worship, children's playgrounds and health tracks project, as announced in the Budget Speech 2022-2023, he will state the places concerned therewith, indicating in respect of each project, the –

- (a) quantum of funds allocated
- (b) beneficiaries of the contracts, and
- (c) status thereof.

Reply: For the Financial Year 2022/2023, an amount of Rs89 m. has been provided for ‘Cleaning and Embellishment of Public Sites’ under the National Environment and Climate Change Fund.

A list of 67 sites where upgrading works were being carried out, including places of worship, children’s playgrounds and health tracks projects, as announced in the Budget Speech 2022-2023 is being placed in the Library of the National Assembly. The list indicates the contract sum, the name of the contractor and the status for each project.

As regards the cleaning and embellishment of the remaining 53 sites, financial clearance had been sought from the Ministry of Finance, Economic Planning and Development. A list thereof is being placed in the Library of the National Assembly.

SSR HOSPITAL – PARKING FACILITIES

(No. B/906) Mr R. Woochit (Third Member for Pamplemousses & Triolet) asked the Minister of Health and Wellness whether, in regard to the Sir Seewoosagur Ramgoolam National Hospital, he will state the steps being envisaged, if any, to increase car parking facilities thereat for patients and visitors.

Reply: There are 464 parking slots at SSRN Hospital, including the ex-staff Quarters and the ex-Skin Diseases Infirmary (SDI)/Dialysis compound. Out of the 464 parking slots, 152 are meant for patients and visitors.

Due to space constraints at the hospital, it has not been possible to create additional parking areas, except for the area behind the Physiotherapy Department and the Mortuary.

My Ministry is envisaging to make provision for 50 additional parking slots. Tarring, excavation and drain works will be carried out accordingly.

A survey was carried out by the Engineer Section of the Ministry of National Infrastructure and Community Development, and a cost estimate is being worked out by MNICD in accordance with the Framework Agreement of March 2022.

Presently, patients and visitors are making use of the parking areas behind State Bank of Mauritius branch and also behind Wards (0-1 to 0-5). Some of them also park their vehicles in the compound of the ex-staff Quarters and the ex-Skin Diseases Infirmary (SDI).

DIEGO GARCIA – SRI LANKAN TAMIL REFUGEES – REPORTED DETENTION

(No. B/907) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Sri Lankan Tamil refugees recently intercepted and being detained in Diego Garcia, he will state the stand taken by the Government of Mauritius in relation thereto, if any.

Reply: Following news reports that the United Kingdom recently intercepted at least two vessels in the territorial sea and/or the Exclusive Economic Zone of Mauritius and has detained those onboard in Diego Garcia, Government has by way of a Note Verbale issued by the Ministry of Foreign Affairs, Regional Integration and International Trade on 13 June 2022 to the UK Foreign, Commonwealth and Development Office, expressed its deep concern at the alleged interception by the United Kingdom of vessels within the maritime zones of Mauritius and the reported detention of persons of Tamil origin from Sri Lanka in Diego Garcia.

Since Mauritius is the one and only coastal State in relation to the Chagos Archipelago within the meaning of the United Nations Convention on the Law of the Sea and the sole State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, including the territorial sea, it has also conveyed to the United Kingdom that the alleged interception of vessels within the territorial sea and/or Exclusive Economic Zone around the Chagos Archipelago would be a manifest violation of the United Nations Convention on the Law of the Sea.

Government has further indicated to the United Kingdom that if the veracity of the news reports is established, Mauritius would condemn, in the strongest possible terms, the United

Kingdom's treatment of detained persons in Diego Garcia. It has pointed out that prolonged detention under the reported conditions would likely fall within the definition of torture and other cruel, human and degrading treatment within the meaning of Articles 1 and 16 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Moreover, Government has called upon the UK Government to provide by 04 July 2022, a detailed report on –

- (i) the precise circumstances of the vessel interceptions, including the locations with the exact coordinates;
- (ii) the number, identity and circumstances of the detained persons;
- (iii) the conditions under which the detained persons are being held;
- (iv) the course of action that the United Kingdom will take to ensure that the detained persons are afforded all the rights and protections to which they are entitled to under Mauritian law and international law as applicable on the territory of Mauritius, and
- (v) the course of action the United Kingdom will take to ensure that it complies with its obligations under international law, including the United Nations Convention on the Law of the Sea and the Convention against Torture.

In its reply of 29 June 2022 to the Note Verbale from the Ministry of Foreign Affairs, Regional Integration and International Trade, the UK Foreign, Commonwealth and Development Office has contended that none of the persons from Sri Lanka are being detained in the Chagos Archipelago. It claims that the UK Government has rescued a number of persons in damaged fishing boats since last October and escorted them to the Chagos Archipelago in accordance with its international obligation to rescue those at sea whose vessels are unseaworthy and whose lives are at immediate risk. The United Kingdom also claims that it has been working tirelessly to find a long-term solution to their current situation and that it has at all times maintained their welfare and safety as its top priority.

Moreover, the United Kingdom has asserted that the areas where the Sri Lankans were rescued are the territorial seas and/or the Exclusive Economic Zone of the so-called “British Indian Ocean Territory.” Mauritius rejects this assertion as the Chagos Archipelago forms an

integral part of its territory, as authoritatively determined by the Advisory Opinion of the International Court of Justice of 25 February 2019 and confirmed by UN General Assembly Resolution 73/295, and the Judgment of the Special Chamber of the International Tribunal for the Law of the Sea of 28 January 2021.

The response of the United Kingdom is currently under consideration, and Government will take any action deemed appropriate.

CASINO DE MAURICE, CUREPIPE – MR D. N. - DISCIPLINARY ACTIONS

(No. B/908) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Finance, Economic Planning and Development whether, in regard to Mr D. N., Human Resource Director at the Casino de Maurice, Curepipe, he will, for the benefit of the House, obtain information as to if disciplinary proceedings have been initiated against him and, if so, give details thereof.

Reply: J'ai été informé par la société *SIC Management Services Co. Ltd* que le 25 janvier 2022, la compagnie a reçu une lettre de plainte concernant des allégations de harcèlement sexuel de Mme H.T., une employée du casino, contre M. D.N., *HR & Administrative Manager* de *SIC Management Services Co. Ltd*, la société de gestion de casinos *SIC*.

SIC Management Services Co. Ltd a pris des mesures immédiates pour enquêter sur l'affaire.

À la lumière de ses conclusions préliminaires, *SIC Management Services Co. Ltd*, le 28 février 2022, a retenu les services d'un avocat pour mener une enquête.

L'enquête n'ayant pas été concluante, la *SIC Management Services Co. Ltd* a émis un avertissement à M. D.N. le 17 mars 2022.

Le 8 avril 2022, la *SIC* a reçu un courriel de M. D.N. indiquant que Mme H.T. a porté plainte contre ce dernier et qu'une charge provisoire a été retenue contre lui.

A cet égard, la *SIC* a recherché un avis légal complémentaire. Sur la base de l'avis légal reçu, *SIC* a écrit aux autorités pour obtenir le détail de la charge provisoire pour évaluer la gravité du cas et les actions possibles qui pourraient être requises.

Lors de la réunion du conseil d'administration de la *SIC* du 15 avril 2022, la décision de suspension immédiate de M. D. N. a été prise.

PESTICIDES CODE OF PRACTICE

(No. B/909) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Attorney General, Minister of Agro-Industry and Food Security whether, in regard to the Pesticides Regulatory Office, he will, for the benefit of the House, obtain therefrom, information as to if it has devised a Pesticides Code of Practice and, if so, give details thereof and, if not, why not.

Reply: I wish to inform the House that even prior to the enactment of the Use of the Pesticides Act 2018, my Ministry has always promoted Good Agricultural Practices among the farming community. This includes an integrated pest management strategy whereby pests and diseases are controlled with the combination of several techniques, the use of pesticides being the last resort.

The components of Good Agricultural Practices which also includes the pesticides code of practice are as follows –

- (i) Handling and storage of pesticides;
- (ii) Information on pesticide label;
- (iii) Impact of pesticides on health and the environment;
- (iv) Field application of pesticides, and
- (v) Use of personal protective equipment.

My Ministry has continuously been promoting Good Agricultural Practices and judicious use of pesticides among farmers.

I am informed that as at date –

- (i) 8,700 planters have been trained on the rational use of pesticides;
- (ii) As from March 2018, 6,450 planters have been sensitised on the use of pesticides;

- (iii) More than 24,000 advisory field visits are conducted annually and planters are advised accordingly;
- (iv) Several radio programmes have been carried out;
- (v) A 30-minute video film on safe and judicious use of pesticides has been produced and broadcasted regularly;
- (vi) An interactive CD on Good Agricultural Practices has been produced with the assistance of the Commonwealth of Learning;
- (vii) A short video clip on the judicious use of pesticides has been produced in 2021 and is available on the social media;
- (viii) In addition to pesticide application, some 507 planters have been trained on Mauri Gap, and
- (ix) The topics covered under the Mauri Gap training include technical information on pesticide, such as safe handling and application, amongst others.

A separate Pesticides Code of Practice has been finalised and will be published shortly. The document is available on the website of my Ministry.

BARACHOIS – CRABS & SHRIMPS PRODUCTION

(No. B/910) Mr Richard Duval (Fourth Member for Mahebourg & Plaine Magnien)

asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the proposal for the implementation of six barachois for the production of crabs and shrimps in financial year 2022-2023, he will state –

- (a) the proposed locations thereof, and
- (b) if letters of intent have been awarded therefor and, if so, give the list of companies concerned therewith, indicating the quantum of investment proposed in each case.

(Withdrawn)

HOSPITALS (PUBLIC) - PAEDIATRIC INTENSIVE CARE UNITS - IMPLEMENTATION

(No. B/911) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to children, he will

state the number thereof admitted in the Intensive Care Unit in each hospital over the past two years, indicating where matters stand as to the proposed implementation of Paediatric Intensive Care Units in the public hospitals.

(Withdrawn)

ALCOHOL CONSUMPTION - NATIONAL ACTION PLAN

(No. B/912) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of Health and Wellness whether, in regard to alcohol, he will state the progress made in the National Action Plan against the consumption thereof in the Republic of Mauritius.

(Withdrawn)

WATER SUPPLY - MEASURES

(No. B/913) Mr R. Woochit (Third Member for Pamplemousses & Triolet) asked the Minister of Energy and Public Utilities whether, in regard to water supply, he will state the initiatives being envisaged by Government to avert a water crisis in the country.

Reply: Mauritius being a small island is faced with challenges due to the impacts of climate change and by extension impacting on the water resources of the island. Some of the main challenges that are being faced by Mauritius in achieving water security are –

- Prolonged dry spells;
- Floods and extreme events;
- Seasonal water scarcity;
- Water Quality and protection of water resources;
- Efficiency in water use.

I have been informed by the CWA that, as at date, around 68% of the population receive an average water supply of 12 to 24 hours daily. 30% of the population receive, on an average, 8 to 12 hours daily and 2% of the population receive less than 8 hours of water supply per day.

The Ministry and the CWA have been taking necessary measures to achieve water security including –

- (i) Infrastructure Development: Dam construction as well as rehabilitation of La Nicolière and La Ferme reservoir;
- (ii) Improvement in Pipe network to reduce non-revenue water;
- (iii) Implementation of dedicated water infrastructures such as river abstractions and installation of CPFs;
- (iv) Construction of service reservoirs;
- (v) Construction/Rehabilitations of water treatment plants;
- (vi) Drilling of new boreholes, duplicate boreholes and acquisition of private boreholes;
- (vii) Review of policy and legal frameworks, and
- (viii) Digitilisation and use of data for sound decision-making.

GRA – HORSE RACING DIVISION

(No. B/914) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Finance, Economic Planning and Development whether, in regard to the Horseracing Season 2022, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the cases of non-compliance in the decisions taken by the Horse Racing Division in connection therewith, indicating the remedial actions taken in relation thereto, if any and, if not, why not.

Reply: Je suis informé par la *Gambling Regulatory Authority* qu'à ce jour, il n'y a aucun cas de non-conformité dans les décisions prises par la *Horse Racing Division* de la *GRA*, qui ait été signalé que ce soit à la *Horse Racing Division* ou à la *Gambling Regulatory Authority*.

PSAC & NCE 2022 EXAMINATION – ALLEGED TAMPERING – INQUIRY

(No. B/915) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and

Technology whether, in regard to the alleged tampering with the Primary School Achievement Certificate and the National Certificate Examination 2022 examination papers, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the outcome of the internal inquiry carried out thereinto.

(Withdrawn)

CEB – 20 MW BATTERY ENERGY STORAGE SYSTEM - TENDER

(No. B/916) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Energy and Public Utilities whether, in regard to the tender for the Supply, Installation and Commissioning of a 20 MW Battery Energy Storage System, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to where matters stand.

Reply: I am informed by the CEB that the Central Procurement Board had launched a bidding exercise on 29 October 2021 for the Design, Manufacture, Supply, Installation, Testing and Commissioning of a 20 MW Battery Energy Storage System. The closing date was 08 February 2022.

The 20 MW of Battery Energy Storage System will be installed at Amaury and its key objectives are for peak shaving and strengthening its grid in terms of frequency regulation to support the integration of variable renewable energy projects. This will allow the integration of some 100 MW of variable Renewable Energy in the CEB's grid.

As at closing date, I am informed that, five bidders have submitted their proposals. During the procurement proceedings, one of the bidders had lodged a challenge on 22 April 2022 and same was set aside on 19 May 2022 by the Independent Review Panel (IRP).

Thus, on 26 May 2022, the CEB issued notification of award to the successful bidder and the unsuccessful bidders were informed accordingly. Subsequently and as per the Public Procurement Act, 2 bidders lodged a challenge on 31 May 2022 and 01 June 2022. Following the reply of the CEB on 06 June 2022 to the challenges, none of the bidders filed any application for review at the IRP.

I am informed by the Central Electricity Board that the Central Procurement Board has approved the award of the contract for the 20 MW of Battery Energy Storage System which has been awarded to Siemens SAS on 07 July 2022.

I wish to add that the CEB has already commissioned 18 MW of Battery Energy Storage System last year, which have been installed at Jin Fei, Anahita, Wooton, La Tour Koenig, Henrietta and Amaury.

**CASINO DE MAURICE – MR. D. N. – SEXUAL HARASSMENT –
REPRESENTATIONS**

(No. B/917) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the ladies' staff members who complained against Mr. D. N., Human Resource Director at the Casino de Maurice, Curepipe, for sexual harassment, he will state if he is in presence of representations to the effect that they are subjected to undue pressure, including insulting comments and foul language and, if so, indicate the actions taken, if any, by his Ministry in relation thereto and, if not, why not.

(Withdrawn)

PRICE OBSERVATORY COMMITTEE – PRICE LISTS – MOBILE APP

(No. B/918) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the Price Observatory Committee, he will, for the benefit of the House, obtain information as to –

- (a) the number of price lists published since the coming into operation thereof, and
- (b) if the mobile App in connection therewith is fully operational and, if not, why not.

(Withdrawn)

TERMINUS LALLMAN – MAIN ROAD – UPGRADING

(No. B/919) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Minister of National Infrastructure and Community Development whether, in regard to the upgrading of the main road project at the level of Terminus Lallman to Upper Crève Coeur, he will state if a geotechnical survey was carried out prior to the award of the contract therefor and, if not, why not.

(Withdrawn)

CWA – NEW WATER SUPPLY – APPLICATIONS

(No. B/920) Mr R. Woochit (Third Member for Pamplemousses & Triolet) asked the Minister of Energy and Public Utilities whether, in regard to water supply, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the number of applications therefor received from promoters of projects in the northern areas which are pending at the office of the CWA in Pamplemousses, since 2019 to date, indicating if consideration will be given for same to be expedited.

Reply: I am informed by the CWA that some 5,181 applications have been received for new water supply and are under process. It is expected that some additional 2,000 applications will be received by the end of this year in view of housing real estate development in the north.

There has been a considerable increase of water demand for the northern region coupled with the implementation of smart cities, IRS projects, hotels projects, Property Development Schemes, housing projects including villas, business and industrial parks, *morcellement* and others. Some 300 applications are received on a monthly basis inclusive of commercial, domestic and Property development projects.

Since 2019, a total of 8,991 applications have been received for new supply for domestic, agricultural, industrial, commercial and business purposes in the Northern Region. 6,453 applications have already been processed and connected to the CWA's service mains; 1,112 applications have been processed and awaiting applicants to carry out offsite works to allow the CWA to connect them to its service mains or to submit additional supportive documents in order for the CWA to process the applications; 793 applications have been rejected due to the following reasons: No CWA's network at the site, low water pressure in the regions concerned, payment arrears on existing supply account not settled by the applicant. A total of 633 applications are yet to be processed by the CWA.

Among the abovementioned 633 applications received from 2019 to date, some 22 applications pertaining to major development in the northern region are being processed by the CWA.

It is to be noted that the promoters have already been requested to explore the possibility of drilling new boreholes and handover to the CWA for chlorination and distribution. Abstraction from rivers and installation of CPF as well as desalination are also being explored.

COVID-19 VACCINES – STOCK, EXPIRY DATES & FUTURE CONSIGNMENT

(No. B/921) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the COVID-19 vaccines, he will state –

- (a) the number thereof currently in stock, indicating the number thereof due to expire by end July and August 2022, respectively, and
- (b) if any future consignment thereof is expected through the Covax Facility.

(Withdrawn)

EDIBLE OIL – LOCAL MONTHLY CONSUMPTION & IMPORTATION

(No. B/922) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to edible oil, he will –

- (a) state the approximate monthly consumption thereof locally, and
- (b) for the benefit of the House, obtain from the State Trading Corporation, information as to the date on which it placed an order for the importation of a consignment thereof and the expected delivery date thereof.

(Withdrawn)

LIVERPOOL FOOTBALL CLUB – CONTRACT

(No. B/923) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the contract of £7,500,000 (approximately Rs400 million) signed in 2020 with Liverpool Football Club (LFC) as an official tourism and economic development partner, he will, for the benefit of the House, obtain from the Mauritius Tourism Promotion Authority (MTPA), information as to the quantum thereof paid, as at date indicating –

- (a) when the contract will come to an end, and
- (b) if the MTPA is considering renewing the said contract and, if so, give the reasons therefor.

(Withdrawn)

LOW BIRTH RATE – STUDY

(No. B/924) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Minister of Finance, Economic Planning and Development whether, in regard to the pension scheme, he will state if consideration will be given for the carrying out of a study to assess the impact of a fall in the birth rate thereon.

Reply: Comme la Chambre le sait, le changement démographique des pays ayant connu un développement soutenu, caractérisé par une baisse du taux de natalité et une espérance de vie accrue, a un impact sur les fonds et les régimes de retraite dans le monde entier.

À Maurice également, ces évolutions auront un impact sur nos fonds et régimes de pension. Les projections réalisées par *Statistics Mauritius* montrent que le taux de dépendance, pour 1,000 habitants, devrait passer de 409 en 2020 à 531 en 2035, et 580 en 2050.

Je souhaite informer la Chambre que notre système de retraite est un système à trois niveaux qui comprend des régimes de retraite contributifs et non contributifs.

Ces fonds et régimes sont constamment évalués et contrôlés par les exercices de révision actuarielle qui sont effectués périodiquement ainsi que par des études menées par le gouvernement en collaboration avec des institutions internationales telles que la Banque mondiale et le FMI.

En outre, nous avons mis en place un comité technique sur les fonds de pension des organismes statutaires au niveau de mon ministère pour examiner la situation financière des fonds de pension et formuler des recommandations appropriées.

Le comité a mené des consultations approfondies avec les différentes parties prenantes et mettra en œuvre les recommandations appropriées.

En réponse aux conclusions de ces exercices et études actuarielles, un certain nombre de mesures ont été prises par le gouvernement, telles que :

- (a) l'introduction du régime de retraite à cotisations définies pour tous les employés du secteur public recrutés à partir du 1^{er} janvier 2013 ;

- (b) l'augmentation des taux de cotisation pour un certain nombre de fonds de pension ;
- (c) la fusion des fonds de pension pour certaines institutions qui ont été fermées ;
- (d) la mise en œuvre de la Contribution Sociale Généralisée ; et
- (e) la mise en œuvre d'un plan visant à injecter progressivement de l'argent dans les fonds de pension confrontés à des déficits de trésorerie et actuariels. En fait, un nouveau poste de dépense a été créé dans le budget 2022-2023 et un montant de 775 millions de roupies a été prévu à cet effet pour les 3 prochaines années.

CITE LA CURE/VALLÉE DES PRÉTRES POLICE STATION – CONSTRUCTION

(No. A/2) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the proposed construction of the Vallée des Prêtres Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand, indicating the expected start and completion dates thereof.

Reply: The Commissioner of Police has informed that he has initiated action for the construction of the Cité La Cure/Vallée des Prêtres Police Station. In this connection, a plot of State land of an extent of 500m² along Marjolin Road, Cité La Cure has been vested in the Prime Minister's Office in February 2020.

The proposed Police Station will be a one-storey building of a ground floor area of 135m² and first floor area of 123m². The estimated project value is Rs7 m. and funds have been provided for the Project in the budget of the Police Service for the Financial Year 2022/2023.

The Commissioner of Police has also informed that, on 27 May 2022, the tender for the construction of the Cité La Cure/Vallée des Prêtres Police Station was launched with the closing date on 21 June 2022. On 22 June 2022, before opening the bids received, he decided to cancel the tender exercise due to a revision in the scope of works as hereunder –

- (i) electrical wiring to be re-designed from concealed wiring to surface wiring for easy repair, maintenance and reducing the risk of electrocution, and

- (ii) water piping to be re-designed from concealed installation to surface installation for rapid fault finding and easy repairs.

The Commissioner of Police has informed that, the revised scope of works is being worked out by Police in consultation with the Ministry of National Infrastructure and Community Development. The Police will launch a fresh tender with the revised scope of works for the construction of the Cité La Cure/Vallée des Prêtres Police Station by mid-August 2022.

Subject to a successful bidding exercise, the construction of the Cité La Cure/Vallée des Prêtres Police Station is expected to start by November this year, to be completed by June 2023.

The Commissioner of Police has also informed that, pending the construction of the Cité La Cure/Vallée des Prêtres Police Station, a Police Post, made of pre-fabricated modular structure, was set up on the said plot of land at Cité La Cure and has been operational since December 2021. It is currently being manned by two Police Officers round the clock and is providing a '*service de proximité*' to the inhabitants. As the regions of Vallée des Prêtres and Cité La Cure fall under the jurisdiction of Abercrombie Police Station, complainants in the event of serious cases are referred thereto for action as appropriate.

The existing pre-fabricated modular structure at Cité La Cure would be removed once the construction of the Police Station is completed.

TROU FANFARON POLICE STATION – RELOCATION

(No. A/3) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the proposed relocation of the Trou Fanfaron Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand, indicating the –

- (a) site earmarked therefor, and
- (b) expected start and completion dates thereof.

Reply: In regard to the proposed relocation of the Trou Fanfaron Police Station, the Ministry of Local Government and Disaster Risk Management has informed that a space of at least 800m² on the ground and first floor of the Immigration Square Urban Terminal at Port Louis will be provided to accommodate a Police Station.

I have also been informed that, on 03 October 2018, a Notification of Award was issued to Yihai International Investment Management Ltd for the “Redevelopment, Modernisation and Operation of the Immigration Square Urban Terminal at Port Louis”. The project of the Immigration Square Urban Terminal is spearheaded by the Ministry of Local Government and Disaster Risk Management.

Since the Immigration Square Urban Terminal Project would be on the Buffer Zones of the Aapravasi Ghat World Heritage Property, the clearance of UNESCO World Heritage Centre is required.

The Ministry of Arts and Cultural Heritage has informed that it has enlisted a Consultant for an overarching Heritage Impact Assessment (HIA) and Visual Impact Assessment (VIA) Report for all development projects proposed in the Buffer Zones of Aapravasi Ghat World Heritage Property, including the Immigration Square Urban Terminal Project for the eventual submission to UNESCO World Heritage Centre.

The Consultant had several meetings and site visits with stakeholders concerned, and is yet to finalise the HIA/VIA Report.

The Immigration Square Urban Terminal Project including the Police Station would be implemented only after obtaining the necessary clearance from UNESCO World Heritage Centre.

BANYAN TREE BANK – ACQUISITION

(No. A/4) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Finance, Economic Planning and Development whether, in regard to the former Banyan Tree Bank, he will state where matters stand as to the recovery of funds invested therein by parastatal bodies, Government-owned companies and local authorities.

Reply: I have been informed by the Bank of Mauritius that Banyan Tree Bank has been acquired and recapitalised by a new shareholder on 15 October 2021.

Subsequently, a change of name was effected from Banyan Tree Bank Limited to Silver Bank Limited.

As stated in the notification issued on 11 November 2021 by the Bank of Mauritius, Silver Bank Limited started its operations on 16 November 2021.

I have also been informed that the management of this new bank has indicated to the Bank of Mauritius that it has held bilateral discussions with all its customers, including parastatal bodies, public enterprises and local authorities with a view to safeguarding their interests.

The Bank of Mauritius is required under Section 26 of the Bank of Mauritius Act 2004 to maintain the confidentiality of information obtained in the course of its duties.

Thus, any information pertaining to the accounts of the customers of Silver Bank Limited, formerly known as Banyan Tree Bank Limited, are confidential and cannot be disclosed by the Bank of Mauritius.

CONTRIBUTION SOCIALE GENERALISÉE – FUNDS

(No. A/5) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Finance, Economic Planning and Development whether, in regard to the *Contribution Sociale Generalisée*, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to quantum of funds –

- (a) disbursed therefrom as at to date, and
- (b) presently available therein.

Reply: Regarding part (a) of the question, I am informed by the Ministry of Social Integration, Social Security and National Solidarity that –

- (a) an amount of Rs169.9 m. has, so far, been disbursed as *CSG* retirement benefit for the month of July 2022, and
- (b) as at 15 July 2022, around Rs15.5 m. has been disbursed as industrial injury benefits as provided for under the Social Contribution and Social Benefits Act.

Regarding part (b) of the question, I am informed by the Mauritius Revenue Authority that since the introduction of the *Contribution Sociale Généralisée* up to 15 July 2022, an amount of some Rs13.65 billion has been collected and remitted to the Consolidated Fund.

Therefore, the net collection under the Social Contribution and Social Benefits Act, that is, after deducting the *CSG* retirement benefit and industrial injury benefits paid, amounts to some Rs13.46 billion.