



REPUBLIC OF MAURITIUS

**SEVENTH NATIONAL ASSEMBLY****PARLIAMENTARY****DEBATES****(HANSARD)****FIRST SESSION****FRIDAY 25 NOVEMBER 2022**

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### **(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. 30 of 2022****Sitting of Friday 25 November 2022**

The Assembly met in the Assembly House, Port Louis, at 4.00 p.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. Prime Minister's Office**

**Ministry of Defence, Home Affairs and External Communications**  
**Ministry for Rodrigues, Outer Islands and Territorial Integrity**

Certificate of Urgency in respect of the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Bill (No. XVIII of 2022). (In Original)

**B. Ministry of Housing and Land Use Planning**

**Ministry of Tourism**

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Tourism Promotion Authority for the year ended 30 June 2021.  
(In Original)
- (b) The Morcellement (Amendment of Schedule) Regulations 2022. (Government Notice No. 305 of 2022)

**C. Ministry of Education, Tertiary Education, Science and Technology**

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Rabindranath Tagore Institute for the year ended 30 June 2021.
- (b) The Annual Report and Report of the Director of Audit on the Financial Statements of the University of Mauritius for the year ended 30 June 2021.

**D. Ministry of Energy and Public Utilities**

The Annual Report and Report of the Director of Audit on the Financial Statements of the Central Electricity Board for the year ended 30 June 2021.

**E. Ministry of Financial Services and Good Governance**

The Insurance (Third-Party Administrators) Regulations 2022. (Government Notice No. 303 of 2022)

**F. Attorney General****Ministry of Agro Industry and Food Security**

The Judge in Chambers (Remote Hearing) Rules 2022. (Government Notice No. 304 of 2022)

**G. Ministry of Youth Empowerment, Sports and Recreation**

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Sports Council for the year ended 30 June 2020.
- (b) The Annual Report and Report of the Audited Financial Statements of the Trust Fund for Excellence in Sports for the Financial Year 2021/2022.

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

- (a) The Consumer Protection (Control of Imports) (Amendment No. 5) Regulations 2022. (Government Notice No. 301 of 2022)
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 30) Regulations 2022. (Government Notice No. 302 of 2022)

**I. Ministry of Arts and Cultural Heritage**

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Ramayana Centre for the year ended 30 June 2021.
- (b) The Annual Report and Report of the Director of Audit on the Financial Statements of the Hindu Speaking Union for the year ended 30 June 2021.

## ORAL ANSWER TO QUESTION

### **BASIC INVALIDITY PENSIONS – PAYMENT - ALLEGED MAJOR FRAUD**

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the case of alleged major fraud regarding the payment of Basic Invalidity Pensions in which Mr K., Mr J. and other individuals are allegedly involved, she will state –

- (a) when the matter was first reported;
- (b) the actions, if any, taken in relation thereto by her Ministry, and
- (c) the number of persons, if any, arrested in connection therewith as at to date.

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, a complaint letter, from R. R, dated 03 November 2020 was addressed to my Ministry, regarding one Mrs A. J who was benefitting from Invalid's Basic Pension despite being in good health.

On 02 December 2020, a National Pensions Officer of my Ministry appealed to the Medical Tribunal to re-examine and reassess Mrs A. J.

Mrs A. J. was convened several times by the Medical Tribunal, but never attended. She was convened on 02 February 2021, 03 March 2021, 18 May 2021 and 13 July 2021, respectively.

On 19 May 2021, the Chairperson of the Medical Tribunal requested the medical file of Mrs A. J. from Moka Eye Hospital. On 31 May 2021, the said Hospital informed that Mrs A. J. was not on the register of the Records Section of the hospital.

Subsequently, on 07 October 2021, Mrs A.J was reconvened before the Medical Tribunal, but did not turn up. The Chairperson of the Medical Tribunal therefore revoked the Invalid's Basic Pension of Mrs A. J. with immediate effect. The matter was referred to the Police on 08 October 2021 for an enquiry.

Dr. S-L., Director, Medical Unit of my Ministry, and Mrs G., also from the Medical Unit gave a statement to the Central CID on 26 October 2021.

My Ministry immediately initiated an internal enquiry into the matter and 13 suspicious cases were discovered. The 13 medical certificates were referred to Moka Eye Hospital on 28 October 2021 for verification purposes.

On 17 November 2021, the Superintendent of Moka Eye Hospital informed the Medical Unit of the Ministry that out of the 13 patients, only one patient had an authentic medical certificate.

With regard to part (b), I would like to highlight that this matter has been taken very seriously by my Ministry. The following actions have been taken –

- (i) All the 12 cases have been referred to the Police by my Ministry by means of a letter dated 02 December 2021.
- (ii) On 22 December 2021, my Ministry issued a letter to the Ministry of Health and Wellness requesting that all medical certificates from Moka Eye Hospital be issued solely by the Medical Superintendent.
- (iii) On 20 January 2022, the Ministry of Health and Wellness gave instructions to the Medical Superintendent of Moka Eye Hospital to endorse all medical certificates issued by the Hospital.
- (iv) All Medical Officers of my Ministry were instructed not to entertain any medical certificates which were not endorsed by the Medical Superintendent of Moka Eye Hospital.

Furthermore, on 08 October 2021 and 11 October 2021, ICAC made a request to the Ministry for information on some beneficiaries of pensions. On 07 March 2022, my Ministry received a letter from ICAC requesting information on 121 beneficiaries of pensions. ICAC called at the Medical Unit at Rose Hill on 08 March 2022 to gather information from Dr. S-L, Director, Medical Unit and Mrs G.

Following the visit from ICAC, decision was taken by my Ministry to refer the 121 cases to the Medical Tribunal for reassessment. Pending reassessment, their pensions were suspended.

Out of the 121 cases, 82 cases have already been convened before the Medical Tribunal. Out of these 82, 29 cases are under process at the Medical Tribunal. For the remaining cases, the pensions have been revoked by the Medical Tribunal.

As regards part (c), I am informed by the Commissioner of Police that as at 25 November 2022, 5 persons have been arrested.

Thank you.

**Mr X. L. Duval:** I thank the hon. Minister for her reply. Now, all the information that I have from the Police, from your Ministry is that, in fact, this does not relate to 100 cases or 10 cases but, in fact, we are talking about hundreds if not thousands of cases going back maybe ten years. So, this is the first question. The first question is: how are you going to weed out from the list of the 32,000 people who receive invalid benefits, the hundreds if not thousands of people who are using fake certificates or fraudulently claiming invalid pension?

**Mrs Jeewa-Daureeawoo:** Well, we have already asked the Medical Unit to do needful. We have no other alternative than to reassess the beneficiaries. It will be done by small batches but we will have to reassess the beneficiaries to make sure that the medical certificates that have been produced by the beneficiaries are not fake ones. I must also add that the medical certificates produced by the claimants with regard to the 121 cases have been duly signed in the name of an Eye Specialist registered with the Medical Council of Mauritius and the medical certificates even bear the official seal of Moka Eye Hospital. So, I think to make sure that pensions are being given to people who suffer from an invalidity of 60%, we will have to reassess all of them by small batches.

**Mr X. L. Duval:** Now, hon. Minister knows fully well that the issue is that thousands of people who genuinely ought to get some sort of benefit do not get a benefit and in my opinion, about 3000 or 4000 people who should not be getting any benefit are fraudulently claiming benefit from your Ministry and the main reason being the systemic failure, the failure of your system that you have in place to weed out fraud.

I am going to refer you to a case. Afterwards I will give you the exact name. One person, 22 years old, another person, 53 years old; both medical certificates had been accepted by the Medical Board and there is not even a stamp on that medical certificate. This shows the laxism or maybe even connivance of some Medical Boards in giving credence to these fake certificates. How can you explain that there is not even a stamp on a medical certificate?

**Mrs Jeewa-Daureeawoo:** Yes, I understand fully your question. I will ask the Leader of the Opposition to produce the document so that I can have a look at it and of course, I will ask the Medical Unit to investigate. But first of all, can you produce the document?

**Mr X. L. Duval:** I will produce but they come from your Ministry.

**Mrs Jeewa-Daureeawoo:** No, but I cannot, you know...

**Mr X. L. Duval:** So, I should not really be producing it to you. You had all day to find out yourself but I will give it to you.

**Mr Speaker:** No, but...

**Mr X. L. Duval:** Do not worry about it!

**Mrs Jeewa-Daureeawoo:** Hon...

**Mr X. L. Duval:** It comes from your Ministry...

**Mr Speaker:** Hon...

**Mr X. L. Duval:** ...and it is genuine.

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir...

**Mr X. L. Duval:** Now, let...

**Mr Speaker:** Wait a minute! The hon. Minister would like to have a look.

**Mr X. L. Duval:** Sure! I will give it. I will produce it.

**Mr Speaker:** No, but, if you said you will table, the Chair...

**Mr X. L. Duval:** I said I can table. I will table it; I will give it to the Ministry later. I never said I would table.

**Mr Speaker:** Oh, you changed now?

**Mr X. L. Duval:** I am sorry?

**Mr Speaker:** You can table it, you will not table it?

**Mr X. L. Duval:** I said I will give her after the session. I said so in English just now.

**Mr Speaker:** No, you cannot do this. You are imputing. You are saying things based on a medical certificate supposedly without stamp. So, the Minister would like to have a view.

**Mr X. L. Duval:** I will give her a copy if you insist. I will give her a copy and...

**Mr Speaker:** Okay then!

**Mr X. L. Duval:** ...she will see but really I am doing...

**Mr Speaker:** The Chair...

**Mr X. L. Duval:** ...her job and that is not my job to do her job but I will give her a copy.

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir...

**Mr X. L. Duval:** Now, let me continue...

**Mrs Jeewa-Daureeawoo:** Can you... Mr Speaker, Sir, can I...

**Mr X. L. Duval:** Let me continue with my question!

**Mr Speaker:** Wait!

**Mrs Jeewa-Daureeawoo:** Can I respond to this?

**Mr Speaker:** Is that a point of order?

**Mrs Jeewa-Daureeawoo:** *Non.* Can I respond to the...

**Mr X. L. Duval:** No, you cannot respond. I have a question...

**Mrs Jeewa-Daureeawoo:** No, you cannot...

**Mr X. L. Duval:** I am going to ask my question. You respond in your time, not in my time.

**Mrs Jeewa-Daureeawoo:** But you cannot...

*(Interruptions)*

Mr, Speaker, Sir...

*(Interruptions)*

**Mr Speaker:** No, I have to put some order in the House!

**Mr X. L. Duval:** Is it my turn to ask a question or not?

**Mr Speaker:** It is my turn! I am the Chair; I have to put order in the House!

**Mr X. L. Duval:** Very good!

**Mr Speaker:** And you do not talk like this to me!

**Mr X. L. Duval:** What is your problem?

**Mr Speaker:** I have no problem. You have a problem!

**Mr X. L. Duval:** I have a problem.

**Mr Speaker:** There is no problem; there is a Chair. What is your point?

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, the Leader of the Opposition cannot come in the House and make vague comments and say that he is doing my job and he does not want to produce the document he is referring to. So, I need to have – I think this is fair debate – a look at the document to which the Leader of the Opposition is referring so that I can respond. The Leader of the Opposition wants a response from me but he does not want to produce the document. How come?

**Mr X. L. Duval:** Okay, the only reason I am not tabling it is because it has the names of people on there and it is a medical certificate. I am not going to do like other people...

**Mr Speaker:** No.

**Mr X. L. Duval:** ...and give the details but I will give it privately or at least, I would not wish for this to be on public record but if you want to insist on a public record, I do not care! Alright? But this is the name of persons on a medical certificate and I think you do not have to be so intelligent to understand that this is not supposed to be given like this like the Prime Minister gave the name of persons last time.

*(Interruptions)*

Now, let me finish.

*(Interruptions)*

Shut up and let me finish!

**Mr Speaker:** No, are you going...

*(Interruptions)*

**Mr X. L. Duval:** Right!

(*Interruptions*)

**Mr Speaker:** Please!

(*Interruptions*)

Please, respect the Chair. Can you submit the papers?

**Mr X. L. Duval:** Yes!

(*Interruptions*)

*Ki to problem twa?*

**Mr Speaker:** No, come on!

(*Interruptions*)

**Mr X. L. Duval:** *Kalme do! Kalme, to tour pou vini. Kalme!*

(*Interruptions*)

Now, the issue is of the extent of the fact that the Medical Boards are laxist in their approach. And secondly, I will forget the issue of the specific cases at the moment; I would like the hon. Minister to do one thing and probably one thing only given that I maintain there are thousands of fraudulent cases and thousands of cases who merit, who should get and are not getting... I would like to ask the Minister whether she will now tell the House that given the fact that these cases – and she has admitted about a hundred cases herself – that she is going to review the whole system of allocation of invalid pensions. Basing yourself on a medical certificate which has no serial number, no stamp, which is not even on the IT system, which is never double checked by anyone, that is not 2022. It is 1950! So, the whole system needs to be relooked at and is the Minister going to tell us today in the House that given the widespread fraud that there is, that she is going to review the whole system of Medical Boards of allocation of invalid pensions?

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, the Medical Board and the Medical Tribunal have been set up in accordance with the law. So, section 34, subsection 2 makes provisions for the Medical Board. Section 36 subsection 2 provides for the Medical Tribunal. So, the Ministry

stands guided by the findings and assessment of the Medical Board and the Medical Tribunal. So, at this stage, I think as I have said, there are two inquiries ongoing: one by the Police and one by ICAC. So, let us wait for the outcome of the two investigations and then we will see because as I have said in my reply, we too, we have taken this incident very seriously. So, immediate actions have already been taken. Let us see the outcome of the report and if need be, we will bring additional measures; why not!

**Mr X. L. Duval:** You mentioned that you have reviewed, I think, the whole system to try and get the fraudulent cases. Out of the 32,000 beneficiaries, how many of these cases, the certificates, has your Ministry checked up-to-date? You have, apart from what you are saying yourself, been aware of this for about one year.

**Mr Speaker:** Leader...

**Mr X. L. Duval:** How many thousands have been checked to-date?

**Mrs Jeewa-Daureeawoo:** I have not...

**Mr Speaker:** Excuse me, Madam. Leader of the Opposition, may I read your question: 'Whether, in regard to the case of alleged major fraud regarding the payment of Basic Invalidity Pensions in which Mr K., Mr J. and other individuals are allegedly involved, she will state – (a), (b), (c).' This is the question.

**Mr X. L. Duval:** Exactly!

**Mr Speaker:** And now, you are expanding the question to 1,000 cases. I do not know if the Minister has all these information.

**Mr X. L. Duval:** If you look at the question, Mr Speaker, Sir, I asked – 'what has she done? What action has she taken, if any? I am asking her what action she has taken, if any, following the fact that she has seen widespread fraud. What is the problem with you? This is a basic question that I am asking.

*(Interruptions)*

**Mr Speaker:** 'in regard...'

*(Interruptions)*

The question reads...

**Mr X. L. Duval:** Read your question.

**Mr Speaker:** I read the question again...

**Mr X. L. Duval:** Read the question!

**Mr Speaker:** ‘... in regard to the case of alleged fraud regarding the payment of Basic - whatever - in which Mr J. and Mr K. and other individuals are allegedly involved, she will state – (a); (b); (c)’ It’s clear!

**Mr X. L. Duval:** What does it mean?

**Mr Speaker:** It’s clear!

**Mr X. L. Duval:** Tell us what this means!

**Mr Speaker:** Whatever it means, it’s clear!

**Mr X. L. Duval:** It says ‘actions you have taken’.

**Mr Speaker:** In regard to those cases!

**Mr X. L. Duval:** It says - what action to...

**Mr Speaker:** In regard to those cases! I am not going to discuss! You restrict your question to your main question! This is my ruling!

**Mr X. L. Duval:** My main question is –‘you have taken note of these widespread cases. What have you done, if any, to find out the extent of the problem?

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, it is a pity that the Leader of the Opposition is losing his temper. This is an opportunity...

*(Interruptions)*

There is no need for you to shout.

**Mr X. L. Duval:** I am not shouting!

*(Interruptions)*

**Mrs Jeewa-Daureeawoo:** There is no need to shout. So, you are putting questions and I am here to answer. We are not here to cover anybody. You have put the question. Give me time to respond. You are saying thousands of cases. I have said in my reply that we have detected 121

cases. Now, out of the 121 cases, 82 cases have already been convened before the Medical Tribunal. I have also said that the matter has been referred to the Police and the ICAC. So, we have to wait for the outcome, for the findings of both institutions.

**Mr X. L. Duval:** That would be very kind. Maybe I have not been clear enough in my question, hon. Minister. You have found 121 cases; out of them, how many have you checked? That is the question. You have found 121 out of 121 or you have found 121 out of 1,000 that you have checked; 2,000-3,000? That is the question.

**Mrs Jeewa-Daureeawoo:** Well, I do not have...

**Mr X. L. Duval:** Ah, you see!

**Mrs Jeewa-Daureeawoo:** No, but what is it: 'you see!' Let me check with the officers.

*(Interruptions)*

Hon. Leader of the Opposition, do you expect me to have all the answers?

*(Interruptions)*

Wait a minute! Let me check with the officers if they have the answer.

**Mr X. L. Duval:** I may be wrong but I expect a high level of competency from Ministers. I may be wrong. Now, Mr Speaker...

**Mrs Jeewa-Daureeawoo:** You are too competent!

*(Interruptions)*

**An hon. Member:** Shame on you!

**Mr Speaker:** Hon. Leader of the Opposition!

**An hon. Member:** It is such a shame!

*(Interruptions)*

**Mr Speaker:** Hon. Leader of the Opposition! Hon. Leader of the Opposition, I am on my feet!

*(Interruptions)*

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

**Mr Speaker:** I am not shouting! Don't take the volume of my voice to be an excuse! This is my voice!

*(Interruptions)*

If you want, I can close those mics!

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

**Mr Speaker:** Hon. Leader of the Opposition, you said, 'high level of competency' or whatever. We should encourage more ladies to be Ministers. Now, present your apologies for this.

**Mr X. L. Duval:** For what? If she finds the...

**Mr Speaker:** 'High-level of competency'; you are insinuating that the Minister has no competence.

**Mr X. L. Duval:** Well, Mr Speaker, Sir, I also expected high-level of competency from the Chair, but I will apologise.

*(Interruptions)*

I will apologise to the lady. There is no problem with that at all. Now, can I continue with my question? You cannot give two answers to one question.

**Mrs Jeewa-Daureeawoo:** Let me reply, Mr Speaker, Sir. In one sentence, I can say that we have treated this matter in the best possible way. So, we have done everything that needed to be done. We have to wait for the outcome of the Police and the ICAC.

**Mr X. L. Duval:** I apologise for the arithmetic question that I asked. Maybe it was complicated. 120 cases - out of how many thousands or hundreds that you have checked? We will take it that you are unable to provide this information. Let's now look...

**Mrs Jeewa-Daureeawoo:** Well, I have...

**Mr X. L. Duval:** Don't interrupt me. Come on, be polite, Madam! Now, the Medical Boards - you are aware that the Medical Boards, firstly, some sit in the car park at Astor Court, others sit in other regions. They are not equipped at all. They have no equipment to verify anything. There are two doctors sitting on each Medical Board. You have 13 Medical Boards and

there is no equipment, no support; they cannot refer the cases anywhere. So, I am going to ask you now, whether, given this issue involving thousands, I repeat, of people - which I have not checked - are you going to review the level of facilities given to Medical Boards to ensure that the people who ought to get the money, get the money and the people who are fraudulent do not get any money?

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, we have had meetings at the level of the Ministry since some months now to see in what ways we can improve the system. Yes, we do know that at the level of the Medical Board, they do not have sufficient equipment. We have only two medical practitioners at the level of the Medical Board and we are looking into all aspects and seeing in what ways we can improve the Medical Board.

**Mr X. L. Duval:** I am going to ask you also Madam Minister, the Medical Boards, if you look just here at Astor Court, it is in the underground parking, a little office, people are standing there all the time. There are not even proper chairs for those people who are sick. So perhaps, as from tomorrow, could you ensure that at least there is basic comfort for the people who are attending the Medical Boards? It is not a political question.

**Mrs Jeewa-Daureeawoo:** I have never been made aware that there are no chairs for the claimants who come to attend the Medical Tribunal. I will have to check and necessary actions will be taken, if need be.

**Mr X. L. Duval:** I would like to ask now, you have noted, I think, so many dozens at the moment of recipients who have, according to my information, conspired with this Mr J. and Mr K. and others; Mr Kasory and Mr Jeetoo and others...

**Mr Speaker:** No, you don't have...

**Mr X. L. Duval:** I remove the words.

**Mr Speaker:** Apologise first and remove these names!

**Mr X. L. Duval:** I apologise and I remove the words. Okay.

**Mr Speaker:** And don't do this trick! Very often you do this trick. Don't do this trick again!

*(Interruptions)*

I will be strict!

**Mr X. L. Duval:** You are only strict with the Opposition, that's your problem, Mr Speaker, Sir. Now...

**Mr Speaker:** No, you can't make comments against the Chair!

**Mr X. L. Duval:** I am removing this comment!

**Mr Speaker:** Everything is found there!

**Mr X. L. Duval:** I am removing it.

**Mr Speaker:** Everything is found there!

**Mr X. L. Duval:** Everybody will know that it is not true. I am removing it.

Now, Mr Speaker, Sir, I am going to ask the hon. Minister that those persons who have conspired; 'conspiracy' is a very famous word - these recipients, how many have been arrested? Of the recipients, who some have been receiving up to Rs1 m. over 10 years, how many have been arrested? How many?

**Mrs Jeewa-Daureeawoo:** I have said in my reply that five persons have been arrested so far.

**Mr X. L. Duval:** How many of the conspirators?

**Mrs Jeewa-Daureeawoo:** No, the claimants. Up to now, only five claimants have been arrested.

**Mr X. L. Duval:** Five claimants. Why only five?

**Mrs Jeewa-Daureeawoo:** You have to put this question to the Police, not to me!

**Mr X. L. Duval:** Okay.

**Mrs Jeewa-Daureeawoo:** How would I know why only five have been arrested?

*(Interruptions)*

**Mr X. L. Duval:** One issue that we have, it does not relate directly to you but it concerns you. It is the fact that the Medical Certificates are found everywhere. There is no serial number, no heading, no register of whichever Medical Certificates have been issued; so, they are just

everywhere. And, I understand that more than a hundred blank Medical Certificates have been found at one Mr J., we gave his name earlier. Now, this person has a hundred blank certificates. Have you spoken to your dear colleague, the Minister of Health, to tell him that this system is unacceptable and is leading to a lot of abuse? Do you understand?

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, it is a pity that this incident has happened. So there is, in fact, an alleged case of fraud. If we have to tighten the system, if we have to improve the system, the needful will be done and at the level of my Ministry, as I have said we have already started discussions with the Ministry of Health and Wellness. Immediate actions have been taken. We started discussions with the Ministry of Health and Wellness, that is why I have said that decision has been taken not to accept any medical certificate from the Eye Hospital until and unless it is being delivered by the Superintendent only. So, this action has been taken.

**Mr X. L. Duval:** Yes, okay. But the Minister should be aware that it is not only the Eye Hospital in Moka which is involved. There is at least one other hospital which is involved.

**Mrs Jeewa-Daureeawoo:** Yes.

**Mr X. L. Duval:** You know that?

**Mrs Jeewa-Daureeawoo:** Yes.

**Mr X. L. Duval:** Then why only restrict to Moka? You will no doubt be able to explain. What is clear, Mr Speaker, Sir, is that if you can forge one doctor's signature you can forge two doctors' signature. So, this is not going to solve your problem. The problem of the Ministry is the fact that we are in 2022, there are IT systems everywhere and we are still using paper, little pieces of paper, flying around and it is clear, Mr Speaker, Sir, that this requires complete and intelligent overhaul completely so that we are able to offer a fair and decent service to many thousands of invalids who are suffering daily in Mauritius, including giving them chairs to sit, Mr Speaker, Sir.

**Mrs Jeewa-Daureeawoo:** Why should you be sarcastic, hon. Leader of the Opposition? If you are saying that there are no sufficient chairs there, you should have told me and needful would have been done. Coming in this Chamber to say that there are no sufficient chairs; I am not aware of that.

Mr Speaker, Sir, we are presently working on an e-social security system. I think this is very important now. We are in the year 2022 and an e-social security system is very important because my Ministry is mostly concerned with the payment of all kinds of pensions - Basic Retirement Pension, Basic Invalidity Pension, Orphan's Pension, Widow's Pension. We are working on the e-social security system. I do hope that we will be able to implement this system as quickly as possible but at the same time, as I have said, I have had several meetings with the officers of my Ministry and we are working on a mechanism for the counter- verification of medical certificates issued by Doctors in public hospitals also. I think this is very important but however, at the same time, we realise that double verification of the certificates will make the whole process lengthier for the claimants. So, we are still discussing ways to ensure that the system is not too cumbersome and does not cause prejudice to our applicants. But at the same time, I think we need to have proper checks and balances.

**Mr X. L. Duval:** Mr Speaker, Sir, I have a last question for the hon. Minister. If I am irritated, it is not because of her. It is for other reasons obviously. Everyone will see. Now, I would like to ask the hon. Minister, I have given her two. She will verify them and if you find that in fact, the Medical Boards have accepted the certificates without even a stamp on them - they are the Plaine Magnien Medical Board and I think it is the Rose Belle Medical Board - will you tell me today that if that is the case, you will immediately dismiss members of those Medical Boards and change the whole team, if you do?

**Mrs Jeewa-Daureeawoo:** Yes, Mr Speaker, Sir, I think it is too early to pre-empt. Let me first verify the authenticity of the two documents that have been produced.

**Mr X. L. Duval:** You are not doubting my ...

**Mrs Jeewa-Daureeawoo:** No, I am not saying that I am doubting.

**Mr Speaker:** Now, be polite from your side.

**Mrs Jeewa-Daureeawoo:** So...

*(Interruptions)*

**Mr Speaker:** It is your turn to be polite, Leader of the Opposition!

**Mrs Jeewa-Daureeawoo:** So, allow me ...

*(Interruptions)*

**Mr Speaker:** It is your turn to be polite, Leader of the Opposition!

**Mr X. L. Duval:** I am always polite.

**Mr Speaker:** Be polite!

**Mr X. L. Duval:** I am polite. I am always polite.

**Mrs Jeewa-Daureeawoo:** So, now you are intervening and not allowing me time to respond. So, I was saying you have produced two documents; let me verify the authenticity of the two documents produced and then we will see. But rest assured that actions that need to be taken will be taken. Okay!

**Mr Speaker:** We move to the next item!

## **MOTION**

### **SUSPENSION OF S.O. 10(2)**

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

**Mr Ganoo seconded.**

*Question put and agreed to.*

(4.32 p.m.)

## **STATEMENTS BY MINISTERS**

### **PASSPORT IMMIGRATION OFFICE - MAURITIUS PASSPORT - ISSUANCE - DELAYS**

**The Prime Minister:** Mr Speaker, Sir, I have two Statements to make following matters raised on adjournment at the Sitting of the National Assembly on 15 November 2022.

The first Statement relates to a matter raised by the hon. Third Member for Port Louis Maritime & Port Louis East on the long delays in the issuance of Mauritius Passport by the Passport Immigration Office.

Mr Speaker, Sir, I am informed by the Director General of Immigration that, in fact, passports are normally issued within 4 days after payment. Recently, the time limit for issuance of passports has been temporarily revised to 10 working days. The reasons for the increase in processing time are, *inter alia* –

- (i) the considerable increase in the number of applications received daily, due to the worldwide opening of borders and waiver of sanitary restrictions;
- (ii) Mauritian citizens whose passport had expired during the closure of local and international borders, that is during the period 2020/2021, have opted to travel as from 2022;
- (iii) many University students who were following their courses online are now travelling abroad to continue their studies, and
- (iv) with promotional campaigns, more Mauritians are proceeding on holidays overseas.

Regarding applications for passports made through diplomatic missions, the processing time is inevitably longer.

Mr Speaker, Sir, as a result of this growing interest for overseas travel, the Passport and Immigration Office, which used to register about 200 applications for passport daily, is now receiving around 600 applications daily, the processing of which is logically impacting on the date of their issue.

Mr Speaker, Sir, I am also informed that no Mauritians are being penalised or deprived of travelling due to non-availability of passport. They are being issued with their passport prior to their travel, and, with regard to emergency cases, these are being processed on a fast track basis.

I am further informed that the current backlog of around 1,250 applications is expected to be cleared in a week's time.

Regarding the stock of blank passports, I am also informed that there are more than 29,000 available. The Passport and Immigration Office has already placed, for its stock, an order

for 120,000 blank passports. The first consignment is expected by the end of coming January 2023.

(4.35 p.m.)

### **VALLÉE PITOT POLICE STATION - ADDITIONAL POLICE OFFICERS**

**The Prime Minister:** Mr Speaker, Sir, my second Statement is in regard to a matter raised by the hon. Second Member for Port Louis South & Port Louis Central on the need for additional Police Officers at Vallée Pitot Police Station.

Mr Speaker, Sir, I am informed by the Commissioner of Police that, as at date, there are 42 Police Officers posted at Vallée Pitot Police Station. They are supported by the various Units from the Metropolitan North Division comprising, amongst others, the Divisional Support Unit, CID, ADSU and ERS at specific hours during day and night, in order to maintain constant visible patrol within the Station area. They are also assisted by the SMF, SSU and NCG.

Mr Speaker, Sir, I must also point out that 400 Trainee Police Constables, who have recently completed their training, will soon be posted to Police Divisions island-wide. Metropolitan Division North will be staffed accordingly, including Vallée Pitot Police Station.

Thank you.

**Mr Speaker:** Next Statement!

(4.37 p.m.)

### **COP 27 – MAURITIAN DELEGATION**

**The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano):** Mr Speaker, Sir, with your permission, I wish to make a Statement regarding the participation of the Mauritian delegation at the 27th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, COP27.

The 27<sup>th</sup> Session of the Conference of Parties to the United Nations Framework Convention on Climate Change (UNFCCC), COP27, was held in Sharm-El-Sheikh, Egypt from 06 November to 18 November 2022 under the theme “Together for Implementation”. The UNFCCC

sets out the basic legal framework and principles for international climate change cooperation with the aim of stabilising atmospheric concentrations of greenhouse gases (GHGs) to avoid “dangerous anthropogenic interference with the climate system.”

I led the Mauritian delegation from 13 November to 18 November 2022 while Ambassador Goburdhun based in Egypt led the delegation during the first week.

Mr Speaker, Sir, the COP27 session comprised various formal and informal meetings namely those under the Conference of Parties to the UNFCCC, the Conference of Parties serving as the meeting of Parties to the Kyoto Protocol and the Conference of Parties serving as the meeting of Parties to the Paris Agreement and the COP Subsidiary Bodies for Scientific and Technological Advice and the one for Implementation. Side events were also organised in parallel to highlight achievements on implementation of climate actions and to enable networking of participants.

Mr Speaker, Sir, it is to be recalled that at COP26 held in Glasgow last year, Parties agreed to –

- (a) limit the temperature rise to 1.5°C acknowledging that the 2 °C target would allow massive devastation to take place, and
- (b) raise their ambition in their Nationally Determined Contributions to reduce greenhouse gas emissions by 2030.

Developed countries also reaffirmed their pledge to provide 100 billion dollars annually.

Mr Speaker, Sir, COP 27 aimed at building on previous commitments, paves the way for future ambition and be an implementation COP. The biggest issues that parties were faced with were the gaps between developed countries’ climate finance pledges and actual mobilisation and emission cuts needed to keep the momentum gathered at COP 26 alive to limit temperature rise to 1.5°C. Global climate finance for 2019-2020 was noted as currently only 31-32% of the annual investment needed.

There were therefore high expectations that this African COP would deliver substantive progress and implementable climate actions on the priority issues, including adaptation, loss and damage and means of implementation support.

On 15 November 2022, at the second session of the High Level Segment, I delivered my statement to underscore the commitment of Mauritius to contribute to the global effort to curb down climate change by embarking on a low carbon emission pathway. I highlighted our initiatives towards adaptation to climate change and resilience building and our challenges in doing so as a SIDS, in particular with respect to loss and damage. I accordingly made a call for climate finance to be adequate, accessible and predictable as well as more support for capacity building and technology transfer.

With respect to innovative financing instruments such as Climate Debt Swaps, Green Bonds and Blue Bonds, I made a plea for support by development partners and also on the need for financial system transformation to support the transition and resilience needs of developing countries.

Mr Speaker, Sir, for the past thirty years, Small Island Developing States have been struggling for loss and damage to be recognised as a climate change induced issue. The inclusion of same as a sub item in the COP27 agenda was a major breakthrough. Remarkable diplomatic efforts led by the AOSIS, G77 and China resulted to this historic step forward: namely making provision for the setting up of a Transitional Committee to make recommendations on the operationalisation of the funding arrangement for loss and damage at COP28 next year. The agreement to have a committee to work on the establishment of such a funding arrangement is clearly a monumental outcome for developing countries most vulnerable to the effects of climate change at least responsible for it.

I have to say that despite numerous attempts by some parties to backslide or backtrack on agreed commitments, these were reaffirmed and strengthened mainly due to the stand taken by developing countries including Mauritius.

COP27, which was closed during the early morning of 20 November 2022, culminated into the following key outcomes namely –

- (i) the adoption of the Sharm El Sheikh Implementation Plan which highlights investments of at least USD4-6 trillion per year for shifting to a low carbon economy. The Plan urges Governments, central banks and the private sector to review existing financial system, structures and processes. The Plan also urges developed countries to meet the USD100 billion per year goal and called for multilateral development banks and international financial institutions to review their operations with a view to enhancing the mobilisation of climate finance;
- (ii) keeping the 1.5°C Celsius target alive and launching of a Mitigation Work Programme which aims at scaling up mitigation ambition and implementation;
- (iii) agreeing on the institutional arrangement for the operationalization of the Santiago Network for Loss and Damage with a view to catalyse technical assistance to vulnerable countries;
- (iv) pledging to add around USD230 m. to the Adaptation Fund to support additional vulnerable countries to access adaptation funding;
- (v) preparation of a report by the Standing Committee on Finance on doubling adaptation finance for consideration at COP28. Every fraction of a degree of warming will push current limits of adaptation. The request for a report on the commitment to double adaptation finance is a welcome boost of confidence around meeting that goal;
- (vi) announcement of a USD3.1 billion plan for a universal early warning systems coverage within the next five years, and
- (vii) calling for the intermediate review of the Gender Action Plan for more inclusive climate actions at all levels.

The UN Secretary General informed that he would convene a Climate Ambition Summit in 2023 to give the required impetus to Member States in the implementation of their national targets for a low carbon pathway. According to the COP27 Presidency, these outcomes have determined a way forward on decades-long conversation on funding for loss and damage and

deliberating over how to address the impacts on communities whose lives and livelihoods have been ruined by the very worst impacts of climate change.

Mr Speaker, Sir, following my participation of Mauritius at COP27 as well as bilateral meetings that I had in Egypt, different potential sources of funding and technical assistance were identified and will be further explored.

I wish to point out that prior to COP 27, my Ministry and the Ministry of Finance, Economic Planning and Development with the support of the Commonwealth National Climate Finance Advisor have already initiated a process for the formulation of bankable projects together with line Ministries. This will further pursue in the light of the discussions I had in the side line of the COP.

Furthermore, Mauritius has agreed to be one of the pioneer countries to trial a new approach, known as the Taskforce on Access to Climate Finance, set out by the United Kingdom. In this context, my Ministry would be holding consultations with the British High Commission and the Ministry of Finance, Economic Planning and Development to discuss the modalities for the way forward.

Mr Speaker, Sir, with respect to the ongoing negotiations to achieve an outcome on the key pending issues highlighted in the Sharm El Sheikh Implementation Plan, my Ministry would pursue consultations at national level with a view to provide inputs to the AOSIS and the African Group of Negotiators in finalising their submissions to the secretariat of the UNFCCC throughout the preparatory period leading to COP28. In this respect, Sub-Committees of the Climate Change Committee would be set up under the chair of the relevant Ministries in line with the provisions of the Climate Change Act 2020 to discuss, gather views and also agree on national position with regard to the unresolved issues at the COP27. These Sub-Committees would also be responsible for ensuring the implementation of climate actions at sectoral levels in line with the 2021 updated Nationally Determined Contributions.

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

## PUBLIC BILLS

### *First Reading*

*On motion made and seconded, the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Bill (No. XVIII of 2022) was read a first time.*

### *Second Reading*

## **THE MAURITIUS STANDARDS BUREAU (AMENDMENT) BILL**

### **(NO. XVI OF 2022)**

*Order read for resuming adjourned debate on the Mauritius Standards Bureau (Amendment) Bill (No. XVI of 2022).*

*Question again proposed.*

**Mr Speaker:** Hon. Léopold!

(4.49 p.m.)

**Mr J. Léopold (Second Member for Rodrigues):** Thank you, Mr Speaker, Sir.

As we all know, Mr Speaker, Sir, Mauritius does not have natural resources such as other African countries like Uganda, Zimbabwe, Botswana, and Mozambique. It is a small country but it provides free University education, free school transport, free health care, including organ transplant and heart surgery. This is because successive Governments since independence are elected through democratic political system, with free and fair election and peaceful transition of power. Mr Speaker, Sir, most of the successive Governments that Mauritius have had are of coalition government, with partners with diverse political views that represent all the segments which constitute our population, which have contributed therefore to the success story for good economic performance.

Mr Speaker, Sir, Mauritius is always cited as a success history in the continent of Africa for its economic growth and its social safety net. As I have mentioned earlier on, that there are so

many African countries with abundant number of natural resources such as gold, diamond, oil, and uranium. Despite that, even if Mauritius is not rich in comparison yet, it is very successful, as I said. The success as we all know based on the successful building of a diverse economy, democracy, good governance, social security and in addition a sound, flexible regulatory system.

Given the characteristic of Mauritius, Mr Speaker, Sir, we cannot produce all the good that we need. So, we must get access to goods which are not available domestically. Mauritius, therefore, needs to expand its market for that to happen. And every time when we talk about international trade, the first thing which comes up is competitiveness. Competitiveness also means bringing cheaper products home for the benefit of consumers and users. These products vary from construction products for building of roads and other infrastructures to food/consumable products, pharmaceutical products, to medical equipment, medical devices, clothes, in fact, everything. Those products have a direct impact on our life, health, and safety in terms of its standard and traceability.

As consumers, we are directly involved with trade of goods. Government needs to have sound policies therefore, to enhance standards. To control standard of goods through inspection, verification and certification, as this amendment provides, we need a state-of-the-art laboratory to maintain the highest standard and to be able to measure and set the required standard to quality, compatibility and innovation in the transitional world in terms of climate change and the high demand of energy.

These radical changes that are happening in our world, in regard to the objectives of this Bill, will also have an effect in enhancing innovation on products, innovation on marketing, innovation on processing, and innovation on organisation in term of production and its delivery method. All these measures will play an important role in facilitating trade and lower or eliminate barriers. This Bill, Mr Speaker, Sir, is also about, in its amendment, the elimination of non-tariff barriers, which are so-called technical barriers.

With the process of globalisation, climate change, food insecurity and diseases, declining crop yielding are urging Government to take sustainable measures to protect consumers and enhance trade and to protect our species, our soil quality and water quality. This can only be

achieved, Mr Speaker, Sir, by standardising standards to eliminate the negative impact of variation in foreign technical regulations and standards.

The harmonisation of this law must help in preventing trade dispute, especially across the continent of Africa, as this may affect our country as well. With all the crisis that are happening in the world and with the enormous potential of our continent, this law together with the international standard must help to the manufacturing revolution that our region is hoping for. With what is happening in the world, it will be no longer sustainable that our region be just a place to get raw resources. All the processing must be done in the region to add value to the raw products with the set standard.

This law will help in changing the regional business model and enable to absorb the shock of global recession. Agricultural products, chocolate, refine oil and other products can be produced in our region and standardisation must play a part in allowing that to happen by providing all the conditions needed for the end products of the natural resources of our region to be sold in any part of the world with the highest quality.

This will end hunger, promoting environmentally sustainable development, competitiveness which will certainly bring more products with good quality at an affordable price. This law therefore will help in increasing our manufacturing capacity as it is equalising standard to what is expected by international organs.

So, what we are doing tonight, Mr Speaker, Sir, with this amendment is harmonising our domestic law to avoid unnecessary obstacles to trade and make the law equivalent to a common international standard on monitoring and certification. As we will be called to trade more and more within our continent, this law will be in conformity to the African standards harmonisation model of the African organisation for standardisation in the objective of one standard, one market.

Therefore, I am in support of the amendment as it is eliminating barriers that national standards bureau may cause, if harmonisation is not done. This measure will certainly be beneficial at the end to consumers and to our planet as this measure is sustainable.

So, this is my contribution to this debate, Mr Speaker, Sir, I thank you for your attention.

(4.58 p.m.)

**Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes):** Thank you very much, Mr Speaker, Sir.

Hon. Léopold has stated some hard facts and it is for this reason that I will humbly tender sound advice to the hon. Minister who is a very likeable person. Sack the General Manager of the Mauritius Standards Bureau! A breath of fresh air would be ushered in and confidence will slit diffidence, its survival, revival and consolidation. I lay the blame fairly and squarely on the autocratic regime which has arbitrarily chosen the wrong person for the job where professionalism, integrity and accountability are the prerequisites.

The regime has deliberately put the post of Director on the back burner. The post of Director of the Mauritius Standards Bureau suits the profile of a person who has technical and management competence. Where is the provision in the Mauritius Standards Bureau Act for a political nominee to head the quasi autonomous Government body? The incumbent was thrust on the MSB by the Chairman of the Board by devious means. It was a recipe to undermine an institution of repute and to sap the moral of the dignified staff. This undignified appointment created an uproar. My good friend, hon. Lobine was the first to denounce the sham recruitment exercise, both in Parliament and outside Parliament.

The lady has run down the MSB. It used to be a model Bureau, a source of inspiration to many developing countries. SADC and COMESA cited MSB as a reference.

Mr Speaker, Sir, the General Manager and the Rubber Stamp Board have been entitled following the findings of an internal enquiry and external audit conducted by officers of MAURITAS. Take corrective measures Minister; stop the rot! There is still time to reverse the process, and the risk is too big for the General Manager to stay in office. There is no need for further setback. Out there and beyond our frontiers, it is cut-throat competition, and you know it better. No one owes us a living. The days of free lunch are over, even for rent seekers, Mr Speaker, Sir.

Comply or lose competitiveness, adapt or perish, and as Minister of Industrial Development, SMEs and Cooperatives, you have an ethical, moral and legal obligation to

safeguard and consolidate Micro, Small and Medium Economies, the backbone of economic democratisation. The keyword is levelling up. How can MSB level up? I am not going to repeat the arguments put across by hon. Uteem, but I will reinforce some of the salient features. There are indeed many loopholes to be plugged and a plethora of recommendations have been made by MAURITAS.

Mr Tengur, Director of APEC, took the Government to task and flagged the shortcomings of sampling and testing of bottle drinking water and non-compliance of MSB to the sampling plan as detailed in Section 9(1) of the MS 84. Water is the elixir of life. Make it safe whilst it is a vector of many infectious and responsible for non-infectious diseases, but, unfortunately, Government does not care.

Hon. Léopold was right to talk on substandard products which are increasingly being commercialised in our markets and they will jeopardise the health and safety of our citizens and in some cases may be life threatening. Since we are almost on the threshold of Christmas, let us put a simple question: are the toys safe, especially those powered by batteries and electricity? How many have lead paint? It is a legitimate expectation that Mauritius Standards Bureau should set up a mechanism to ensure that the products on our markets are fit for its purpose. There is no provision or mechanism in this legislation. It is only through market surveillance that this objective can be achieved. It is a major omission in this new Bill. The Minister has missed a lost opportunity; Mauritius Standards Bureau is revised after almost three decades. I say a missed opportunity because I would have expected him to come with a comprehensive Bill to do justice to the plea he has made and the plea made by others in relation to conformity assessment in a fast changing world where competition is fierce and preferences for Micro and Small Islands Developing States are being phased out.

However, this legislation missed an opportunity not to modernise the Mauritius Standards Bureau and to enable it to play a prominent role in the socio-economic development of the country. Any new legislation should consolidate and strengthen the role of the organisation. It is sad to say that most of the amendments brought to the legislation are but cosmetic and do not fulfil the needs and aspiration of a modern and vibrant natural standards body of a new industrialised country like Mauritius, aiming to be an upper middle income status.

As member of the World Trade Organisation and signatory to the International Standard Organisation, we are bound to align; if not, we will be unduly penalised. Either we commit or pay the price of technical barriers to trade and there is no retreat, no surrender and no differential or special treatment to LDC or Small Island Developing States in relation to technical barriers to trade. On standards and assessment, there is no derogation, even on a list of sensitive products. Obey the rules, rule-based first and foremost, and the benchmark is a blanket cover or a threshold for all Member States.

Free trade is fair trade, not unfair trade practices, and best endeavours are applied for protection of consumers. The MSB certification mark indeed should be the hallmark. However, nothing bars a member to raise the threshold above established benchmark if, and only if, it is not discriminatory or perceived as a technical barrier to other members. That is why I would like to impress upon the Minister that this is something that needs to be considered.

Therefore, MSB, as the enquiry point, will reply to queries from Member States, but the focal point remains the Ministry of Foreign Affairs, Regional Integration and International Trade. Does it deserve to be the enquiry point when the post of Director is yet to be fulfilled? That is why I say: don't forget we are under the constant gaze of multilateral institution.

International trade remains the focal point and it is appropriate that international trade is fully apprised. Besides, both World Trade Organisation and ISO will have to go through the focal points. Similarly, Department of Agriculture, the enquiry point for phytosanitary measures; contrary to the MSB, it has a Director of Agricultural Services. Since 1993, there was no provision for a representative of international trade and Ministry of Health to sit on the Standards Council. Yet, international trade is the focal point. The Council has to level up on principles of professionalism, integrity and accountability. It is there to serve the interest of the country and its citizens.

Mr Speaker, Sir, even if we do not domesticate our legislation, rights and obligations to World Trade Organisation as signatory to trade agreements are binding. The dispute settlement body or appellate body has a wake-up call. The United States cannot continue to block the functions of the appellate body. Let us hope the forthcoming meeting between US and Chinese Presidents will resolve the issue, amongst other pressing matters.

The MSB should be the powerhouse of the economic sectors for calibration, metrology and standardisation. The key word is ‘conformity assessment’, and the seven basic units of *Système international d'unités* that have to be met through traceability from goods to finished products and ideas, as we say, matured through research and development and innovation and turned into a marketable product, is worth its ounce of gold. The MSB becomes its life blood. Therefore, we have to strive towards zero error. This is the question!

Quality assurance for conformity assessment is our assessment for lap of honour, but, as we say, there are miles to go before we are a brand. Our products have to be tested and certified by accredited laboratories. The buzz word remains the brand name. The success of Italy's manufacturing sector rests on its cluster and quality produced; market is there to tap. Regional market, as hon. Léopold has stated, will continue to grow exponentially in the coming years more so with the advent of the Continental Free Trade Area. No doubt regional standards will assume new dimension in the evolving environment and Mauritius Standards Bureau should wake up to the new reality.

Consequently, it should be proactive in the regional and international standard settings process. The MSB should, in fact, lead regional standards development and seek recognition of Mauritius standards in the region. The legislation, unfortunately, has overlooked this crucial area of activity. When there is no captain, it is too risky to put the technical body on an automatic piloting or in the hands of a political nominee who lacks the acumen. You recall, Mr Speaker, Sir, that in the debates on the Food Standards Agency, I referred to a DNA equipment which was purchased by the MSB to control sale of look-alike basmati rice. Unfortunately, the equipment was discarded after two years. Indeed, who cares? It's taxpayers' money!

Notwithstanding its functions, the Bureau has been given unfettered powers as spelt out in section 48 of the main Act. MSB certification, as stated earlier, the mark should be the brand name; the object is to turn MSB into a body of reference.

The Bill provides for the MSB to be the Government agency for conformity assessment services. I believe the organisation is seeking to chew more than it can swallow. First and foremost, the organisation does not possess the competence, the expertise and experience. We have to build up its human capital. The levelling up has to start. Furthermore, there are several

governmental bodies in Mauritius which provide conformity assessment services in diverse sectors and these bodies are performing well. The MSB cannot, thus, be designated as the Government agency for conformity assessment. Notwithstanding conformity assessment services is part of the be-all and the end-all, these services should be accredited and recognised. Consequently, it should be mentioned in the Bill that the MSB should provide accredited conformity assessment services and not simply conformity assessment services.

As regards standards development, efforts need to be stepped up to establish indigenous, that is, local standards; both of the standards established by the MSB, adoption of the ISO standards which may not be relevant in the local context. As we say, think globally and act locally. Consequently, the MSB should set up a mechanism to seek the views of stakeholders as regards the standards to be developed, and the Standards Council should have the mandate to approve the list of standards to be developed as well as to monitor project completion. This will keep the relevancy of the standards being developed. In addition, the Standards Council should not only declare new standards but should also notify the withdrawal of standards which are not included in the present Bill.

Mr Speaker, Sir, let me conclude by saying that it is reasonable that the Bureau has copyrights on the Mauritian standard, but it is not fair to prohibit an individual from making a copy of the standard for personal use. The Bill should make provision for such cases. I understand that the MSB generates substantial revenue from the sale of Mauritian standards and international standards. Consequently, the sale of standards has to be included in the function of the organisation. The price of standards is very high and deters stakeholders from purchasing these standards. A fair pricing mechanism for the sale of standards should be determined and authorised by the Council. These initiatives promote the use of standards in Mauritius. As I said earlier, there are miles to go before we run the lap of honour. Certainly, there is no such thing as an effortless sense of supremacy or superiority.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Mrs Luchmun Roy!

(5.13 p.m.)

**Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue):**

Thank you, Mr Speaker, Sir.

Pitiful *et aberrant*! Yet, again, Mr Speaker, Sir, a missed opportunity on behalf of the Members of the Opposition to show that they are for the wellbeing of our motherland. But *fidèles à leurs habitudes*, instead of addressing the technical issues in this amendment Bill, they try to focus all the attention upon petty matters.

Mr Speaker, Sir, this Bill is related to all the technical changes being brought, all the amendments being brought to the MSB and this Bill concerns the international trade and surpasses cheap politics. We, on this of the House, yes, we, this regime of MSM under the leadership of hon. Pravind Jugnauth, we have no lesson to learn from Members of the other side.

Mr Speaker, Sir, I am very pleased to take a call on this Bill, the Mauritius Standards Bureau (Amendment) Bill, brought to this House by hon. Soomilduth Bholah, Minister of Industrial Development, SMEs and cooperatives.

The Minister has given an excellent speech about how we reached to this point and what are the changes being brought through these amendments. Let me just go back to some very important dates that he mentioned. The MSB was created since 1975. In 1996, the Bureau gained the first accreditation for its certification services from the Dutch Council of Accreditation in 1996. Since 1995, the MSB is a member solely representing Mauritius to the International Organisation for Standardisation (ISO) and since 2010, associate members of the *Bureau international des poids et mesures*. But the Members of the Opposition choose to focus only on people, on the Director, instead of showing the way that MSB has come so far.

And at this very point, Mr Speaker, Sir, I think and I humbly believe that it is very important for us to acknowledge the commendable job being done by the Ministers of this Government under the leadership of the hon. Prime Minister. These amendments being brought are definitely logical steps following the Food Standards Agency Bill debated in this House, in October 2022.

The amendments, Mr Speaker, Sir, have a noble intent, that is, to –

“provide for the formalisation of activities such as formulation of the Mauritian Standards, Metrology and Calibration”

activities which are already undertaken by the MSB. This Bill aligns itself to the requirements of the Article 10 of the World Trade Organisation’s Technical Barriers to Trade (TBT) Agreement, that is, formalities connected with importation, exportation and transit. Section 3: Use of International Standards, 3.1, which states as follows –

“Members are encouraged to use relevant international standards or parts thereof as a basis for their import, export, or transit formalities and procedures, except as otherwise provided for in this Agreement.”

Mr Speaker, Sir, in this era of globalisation and the growing importance of ensuring conformity with standards in global trade, the MSB (Amendment) Bill is part of an ongoing evolution, providing the MSB with huge significance and responsibility and allow me here to refer to new sections being added to this amendment. Section 26A., Conformity Assessment –

“(1) For the purpose of this Act, the Bureau shall provide conformity assessment services which shall include, but not be limited to, visual inspection, testing, verification of certificates of conformity or test reports.

(2) The Bureau shall issue a conformity report in respect any conformity assessment service provided under this section.”

And here, Mr Speaker, Sir, the conformity assessment procedures hold an increasing importance in the modern day. And hence, by adding this new clause, the MSB gets to play a critical role in strengthening the trade and exports.

In the same vein, Mr Speaker, Sir, Section 26B, Inspection –

“(1) The Bureau may establish, maintain and provide inspection services to the public and private sectors.”

Mr Speaker, Sir, the amendments being debated in this House today enable the country to boost its image as a reliable trade partner and thus becoming a privileged player the world

market. When it comes to international trade, standards that are international, transparent and consensus-based, become allusions rather than obstacles. If used effectively, such standards and conformity assessments have the capacity to remove barriers to trade, spur innovation and fuel business and economic growth. Things like facilitating exports and economic development, developing a qualified workforce or improving basic infrastructure, strengthening supply chain, improving consumers' safety as well as protecting the environment are all key elements that need to be part of international trade.

Facilitating trade in this way allows for key protections and improvements while not compromising on economic growth and innovation, and also development. Improving the national quality infrastructure to support firms' ability to better conform to international standards are therefore an important and growing area of MSB's engagement in the area of trade and competitiveness.

The MSB (Amendment) Bill presented in this House will further empower the MSB to develop systems that enhance the quality and safety of products, improve the flow of information for all stakeholders and prepare the country to take advantage of trade opportunities under existing and new trade agreements. And here, Mr Speaker, Sir, it is very, very important for us to shed light on an important amendment which relates to the setting up of a National Enquiry Point at the MSB, which is stipulated at Clause 4 of the Bill. Mauritius has always been striving in bringing improvement in the evolving dynamics of standardisation. It became a member of the World Trade Organisation (WTO) on 01 January 1995, when it also signed WTO's Technical Barriers Trade Agreement. This agreement aims to ensure that technical regulations are respected and there is conformity and there are regular assessment and procedures also which are non-discriminatory and do not create unnecessary obstacles to trade.

The Agreement, Mr Speaker, Sir, requires that each member country sets up an Enquiry Point to reply to all the enquiries from different stakeholders from different countries. And, in Mauritius, the national focal point of the WTO is the International Trade Division of the Ministry of Foreign Affairs, as stated by the hon. Minister in his speech, while the MSB is operating as a National Enquiry Point as it is an internationally recognised standard body by the International Organisation for Standardisation. The Bill therefore, Mr Speaker, Sir, makes the necessary

provisions to empower the MSB to operate as a National Enquiry Point in consultation with other Ministries.

To conclude, Mr Speaker, Sir, in an ever changing competitive landscape, this is an urgent reform required to the process of making MSB a focal point at international level to respond to the enquiries and to get into discussion with global stakeholders regarding standardisation procedures. Through the MSB, the Government is enabling local farms to connect to global value chains. We believe that this is a highly relevant agenda for developing countries and one that will definitely help Mauritius to grow in importance in the future. This is my humble contribution to this Bill, Mr Speaker, Sir. Once again, I support the hon. Minister in bringing this amendment bill to the House.

Thank you for your attention.

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

*At 5.23 p.m., the Sitting was suspended.*

*On resuming at 6.21 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please be seated! Hon. Mrs Mayotte!

**Mrs S. Mayotte (Second Member for Savanne & Black River):** Merci, M. le président, de me donner l'opportunité de participer au débat sur le *Mauritius Standards Bureau (Amendment) Bill* aujourd'hui.

Permettez-moi de partager ce sentiment de tristesse avec vous, M. le président. Oui, c'est triste quand on regarde les membres de l'Opposition, on ressent un sentiment de tristesse. Il y a tellement de négativité, rien n'est bon et on fait feu de tout bois du côté de l'Opposition. *Nanye pa bon*, M. le président ! Et cela frise - on va dire - une situation pathétique car je pense que dans tout ce qui n'est pas bon, il y a du bon et ce n'est pas possible que les membres de l'Opposition ne voient que du noir ou ne voient le verre qu'à moitié vide à chaque fois, même quand on vient dans cette auguste Assemblée pour débattre sur un projet de loi qui va définitivement révolutionner le monde de la production à Maurice. On parle là de l'avenir, de l'économie, du développement de notre pays. Alors, aujourd'hui voir le Leader de l'Opposition s'en prendre à

notre ministre de la Sécurité sociale et de la solidarité nationale sur ce ton, M. le président, j'ai été vraiment choquée alors que nous savons tous qu'à un moment donné, ils ont travaillé côté à côté. Souvenez-vous entre 2014 et 2017 si je ne me trompe pas, où il était le vice-Premier ministre et ministre du Tourisme et l'honorable Fazila Jeewa-Daureeawoo, ministre de la Sécurité sociale et de la solidarité nationale ? Comme quoi on peut faire feu de tout bois jusqu'à agresser quelqu'un qui est venu juste dans l'intention de vous apporter des éléments de réponses à une question posée au Parlement.

Permettez-moi, M. le président, de saluer notre collègue l'honorable Soomilduth Bholah qui à travers ce projet de loi nous confirme aujourd'hui l'engagement de ce gouvernement dans l'évolution et dans l'amélioration du dynamisme et de la compétitivité dans le monde de la production.

Le *Mauritius Standards Bureau*, organisme parapublic créé en 1975 avec pour mandat d'élaborer des normes nationales et de fournir des services d'évaluation à la conformité, est devenu un *corporate body* en vertu de la loi de 1993 avec le *Mauritius Standard Council* au pouvoir des décisions.

Le changement de statut a apporté dans son sillage un nouveau dynamisme. La structure organisationnelle a été remaniée pour accompagner les nouvelles intentions stratégiques du *Mauritius Standards Bureau*.

M. le président, actuellement, il existe cinq unités techniques séparées et distinctes, à savoir l'unité de développement pour l'élaboration des normes, l'unité d'ingénierie et l'unité chimique pour les tests d'une large gamme de produits, l'unité d'assurance qualité et de formation pour la certification des produits et des systèmes de gestion et l'organisation de cours de formation sur la normalisation, l'assurance qualité et les systèmes connexes et l'unité de métrologie pour l'étalonnage des équipements dans l'industrie et pour la garde des étalons de mesures nationaux. De plus, l'Unité de développement des affaires, le Centre de documentation et de formation, la Division des finances, la Division des ressources humaines et la Division administrative apportent leur soutien à ces unités techniques.

L'économie mauricienne s'ouvre progressivement à la concurrence internationale apportant dans son sillage de nouvelles opportunités et de nouveaux défis. De nombreux secteurs

économiques font l'objet d'un examen minutieux pour réorganiser leur compétitivité grâce à des améliorations de qualité en vue de débloquer de nouveaux marchés étrangers et d'établir leur position sur le marché intérieur.

M. le président, il est largement reconnu que l'un des fondements favorisant la compétitivité internationale et le commerce international, c'est un système de mesure fiable et traçable, une structure d'évaluation de la conformité accréditée, une infrastructure de normalisation transparente et consensuelle et un système d'accréditation largement reconnu. Ce sont là les quatre piliers de ce que l'on appelle communément l'infrastructure qualité. Le *Mauritius Standards Bureau* fait partie intégrante de l'infrastructure qualité de notre pays.

M. le président, la pandémie de Covid-19 a été avant tout une crise sanitaire mondiale mais elle a également eu des conséquences économiques considérables. Dans le monde entier, il a perturbé déjà les moyens de subsistance de millions de personnes avec un impact disproportionné sur les pauvres, compromettant ainsi la réussite de l'Agenda 2030 des Nations Unies pour le développement durable.

La qualité et les normes jouent un rôle particulièrement important dans l'atténuation des effets négatifs de cette pandémie. Une infrastructure de qualité adéquate garantit l'identification et la diffusion des normes pertinentes, une mesure précise et fournit une accréditation de résultats de test fiables dans tous les domaines.

M. le président, l'objectif principal du *Mauritius Standards Bureau* est d'être le fer de lance du développement industriel et de la croissance économique à Maurice grâce à la fourniture en temps voulu de services de métrologie, de normalisation, d'essais et d'assurance qualité.

Le *Mauritius Standards Bureau* fournit également, par le biais de ses activités, un soutien technique aux organisations privées et publiques dans l'amélioration de la qualité des produits et des services, la mise à niveau de la sécurité publique, l'amélioration de la santé et de la sécurité au travail, la garantie de la sécurité alimentaire et l'atténuation des impacts environnementaux.

Le *Mauritius Standards Bureau* s'est fait un nom dans les forums régionaux et internationaux, plus particulièrement dans les domaines de la normalisation et de l'évaluation de

la conformité. Le *Mauritius Standards Bureau* est membre à part entière de l'Organisation internationale de normalisation (ISO), qui est une fédération mondiale d'organismes nationaux de normalisation dont l'objectif est de promouvoir le développement de normes à travers le monde.

Le Bureau est représenté également à Maurice au sein de l'Organisation africaine de normalisation (ARSO) qui est une organisation intergouvernementale africaine dont le but est de promouvoir les activités de normalisation en Afrique. Il participe également activement à des forums régionaux tels que la coopération en matière de normalisation (SADCSTAN) de la Communauté de développement de l'Afrique australe (SADC), la coopération en matière de mesure de la SADC (SADCMET) et le marché commun des normes d'Afrique orientale et sud-africaine, d'assurance qualité, de métrologie et de Structure de test (COMESA-SQMT).

M. le président, la standardisation est un ensemble de procédures validées et acceptées, qui définit les pratiques les meilleures et plus fiables, ainsi que les étapes de chaque processus et les tâches de chaque employé. La standardisation utilise l'expertise et les connaissances locales et internationales disponibles pour garantir que les produits et services répondent aux exigences de qualité, de sécurité et de performance.

M. le président, l'objectif principal de ce projet de loi est de modifier le *Mauritius Standards Bureau Act* qui date de 1993, en vue de l'aligner aux normes internationales. Au fil des ans, l'environnement de normalisation et d'évaluation à la conformité a énormément évolué et il est aujourd'hui nécessaire que le *MSB* prenne une nouvelle orientation stratégique en accord avec le développement socio-économique rapide de notre pays. Il faut dire, M. le président, que ce projet de loi prévoit d'abord que le *Mauritius Standards Bureau* agit, conformément à la clause 10 de l'Accord sur les techniques de la charte de l'Organisation mondiale du commerce, en tant que point d'information pour Maurice bien sûr dans le but de répondre aux demandes des autres États membres. Ceci en tenant compte de toute réglementation technique adoptée ou proposée, en rapport avec les normes et les procédures d'évaluation de la conformité actuelle.

Deuxièmement, M. le président, ce projet de loi prône la formalisation des activités déjà entreprises par le *Mauritius Standards Bureau*, telles que l'élaboration de normes mauriciennes, la métrologie et l'étalonnage. De plus, ce projet de loi permettra au *Mauritius Standards Bureau*

de mener d'autres activités, telles que la certification et l'inspection. Si nous nous référons à la Section 2 du *Principal Act*, nous pouvons lire ceci –

*“Section 2 of the principal Act is amended –*

*(a) in the definition of “applicant” by deleting the words “a licence” and replacing them by the words “an MSB Certification Mark”.*

M. le président, les marques de certification sont des marques de commerce qui indiquent aux consommateurs qu'un produit ou un service utilise des normes définies pour distinguer sa marque de celle des autres. Bien qu'une marque puisse être enregistrée en tant que marque, toutes les marques ne peuvent pas être enregistrées en tant que marques de certification. Le *Mauritius Standards Bureau* est actuellement le seul organisme de certification de produits à Maurice. La certification *MSB* permet aux entreprises d'utiliser la marque *MSB* pour démontrer que leurs produits et processus répondent aux normes mauriciennes. La Section 17 du *principal Act* sera également amendée. La *subsection 1* passera de *Quality Assurance* à *Conformity Assessment*.

M. le président, l'évaluation de la conformité sera donc associée à la qualité et pourra être utilisée pour évaluer la qualité s'il existe des exigences explicites pour la qualité du produit. L'objectif de cet article est d'analyser et d'évaluer la relation entre l'évaluation et la conformité et la gestion de la qualité. La recherche se fait en étudiant et en évaluant chaque composante de la gestion de la qualité, tout en identifiant les actions à entreprendre dans chacune d'elles. Après avoir évalué les éléments de la gestion de la qualité, les activités menées dans son cadre et les avoir comparées aux activités d'évaluation dans la conformité du produit, on pourra alors prouver que l'évaluation de la conformité est étroitement liée à la gestion de la qualité, garantissant la mise sur le marché de produits conformes et fiables, livrés pour l'utilisation ou utiliser.

D'ailleurs, M. le président, l'article 4 de ce projet de loi nous donne plus de détails sur la fonction du bureau, telle que l'établissement, la publication, la modification et la révision de la norme mauricienne en relation avec tout bien, article, système, processus ou service. J'arrive à la partie où il est question de traçabilité.

M. le président, la traçabilité, c'est la capacité de suivre un produit tout au long de la chaîne, de l'approvisionnement en matière premières à la mise au rebut, en passant par la

production et la consommation, afin de clarifier quand, où et par qui le produit a été fabriqué. Dans un monde où qualité et sécurité sont les maîtres mots, la traçabilité revêt une importance capitale et gagne de nombreuses industries, notamment l'industrie automobile, les composants électroniques, l'industrie alimentaire ou pharmaceutique par exemple. Cette Section décrit clairement les principes de base de ce concept en plein essor.

Et, à propos de traçabilité, M. le président, j'aimerai prendre l'exemple de la Côte d'Ivoire. La Côte d'Ivoire est le premier pays producteur mondial de cacao avec deux millions de tonnes produites par un million d'habitants, de paysans et la Côte d'Ivoire fournit 43% de l'offre globale dans la production de cacao chaque année. Le cacao qui représente donc 15% du PIB et 40% des recettes d'exportation du pays. Eh bien, figurez-vous que dans le pays, les impacts de la filière sur les forêts du pays restent une source de préoccupation, M. le président, autant sur le plan national que du côté de l'ensemble des acteurs de la chaîne de valeur mondiale de cacao. Eh bien, en Côte d'Ivoire, M. le président, tout le cacao produit, sera, à partir de l'année prochaine traçable depuis le champ d'exploitation jusqu'à l'usine des exportateurs dès la saison 2023/2024.

Comprendre le concept de qualité, M. le président, n'est pas ambigu ; presque chaque individu le perçoit subjectivement et le décrit différemment. Les exigences générales fixées pour une partie des produits garantissant leur sécurité et leur fiabilité. Cependant, elles peuvent différer des exigences liées à la qualité. La gestion de la qualité joue un rôle primordial dans la fabrication de tout produit. Lors de la planification, de l'action, de la surveillance et de l'évaluation, le fabricant exécute un ensemble de procédures afin de produire des produits de qualité spécifique, car la qualité des produits peut être un facteur décisif pour les consommateurs qui prennent une décision d'achat.

L'un des fondateurs de la gestion moderne de la qualité, Taylor, qui a activement travaillé au développement de techniques d'amélioration de l'efficacité de la production à l'ère de l'industrialisation. C'est lui, M. le président, qui a proposé de séparer la planification de la fabrication et la fabrication de l'inspection afin de systématiser et de structurer les activités à réaliser, ainsi que d'effectuer leur mesurage. Ainsi, il a indirectement proposé de diviser la gestion de la qualité en éléments plus petits. L'idée des inspections de produits s'est répandue

dans le monde entier et a été considérée comme l'un des principaux moyens d'assurer la qualité des produits.

De nos jours, M. le président, il est également utilisé comme l'une des activités d'évaluation à la conformité. Au début de l'industrialisation et de la production de masse, le rôle du contrôle s'est accru. Différents types de mesures standard étaient souvent utilisés pour les inspections et sur la base de l'idée de Taylor sur l'inspection, l'idée de l'échantillonnage est apparue parce que le contrôle de la gamme complète de produits dans une grande installation devient très difficile. L'échantillonnage qui, lui a ses racines en Angleterre au XIIe siècle, lorsqu'un ou plusieurs échantillons d'un lot de production particulier étaient testés et sur la base des résultats des tests, l'ensemble du lot de production avait été déclaré approprié ou inapproprié.

M. le président, tous ces faits indiquent clairement les relations de sciences de gestion avec les questions de gestion de la qualité et d'évaluation de la conformité et confirment l'importance des activités d'évaluation de la conformité.

M. le président, si nous jetons un œil sur le rapport sur la compétitivité en Afrique nous pouvons dire que ce rapport a été publié à un moment où cette région connaît effectivement une évolution prometteuse.

En effet, la croissance vigoureuse, supérieure à 5 % en moyenne que l'Afrique a enregistrée au cours des 15 dernières années, témoigne d'un potentiel économique impressionnant. Nombreux sont les états africains, une main-d'œuvre de plus en plus abondante et qui vivent l'émergence d'un vaste marché de consommation et une demande de main d'œuvre de plus en plus abondante offrant ainsi des opportunités de croissance supplémentaires. Néanmoins, M. le président, nous devrons surmonter de multiples obstacles pour mettre à profit ce potentiel. La croissance pourrait ainsi être plus équitable et bénéficier à un plus large pan de la population. Il est temps que notre pays passe à des activités à plus forte valeur ajoutée, qui créeront des emplois de qualité pour notre population, de plus en plus nombreuse, et qui jettent les bases d'une croissance soutenue. Notre pays dispose de tous les ingrédients nécessaires à cette fin et les décisions prises et les actions engagées, aujourd'hui dans cette auguste Assemblée détermineront sa capacité à atteindre un niveau de prospérité plus élevé.

Donc, M. le président, il est évident que le temps est venu de revoir et d'apporter les amendements nécessaires aux lois existantes du *Mauritius Standards Bureau*. Alors, je conclurai en félicitant mon collègue le ministre du Développement industriel, des petites et moyennes entreprises et des coopératives, l'honorable Sunil Bholah, et je commande ce projet de loi à la Chambre.

Je vous remercie, M. le président.

**Mr Speaker:** Hon. Hurdoyal!

(6.37 p.m.)

**The Minister of Public Service, Administrative and Institutional Reforms (Mr T. Hurdoyal):** Mr Speaker, Sir, I would like to congratulate my colleague, the Minister of Industrial Development, SMEs and Cooperatives, for introducing amendments to the Mauritius Standards Bureau Act of 1993, to bring it in line with the requirements of the World Trade Organisation.

The Bureau became a corporate body under the Mauritius Standards Bureau Act 1993. Today, the Mauritius Standards Bureau can boast of having a –

- traceable and scientifically-based comprehensive measurement system, and
- an efficient and effective standards development process.

It offers premium certification, inspection and testing services through a single window according to international norms and standards.

Mr Speaker, Sir, the proposed amendments will empower the Mauritius Standards Bureau to engage activities such as testing, certification and inspection over and above its traditional role as the custodian of Mauritian standard.

The amendments proposed in this Bill are long overdue, particularly with the advent of globalisation and the phasing out of trade preferences, which have given rise to a new trading environment characterised by fierce competition. In such an environment, only products and

services that meet international standards, norms and requirements can penetrate international markets and attract buyers.

Mr Speaker, Sir, it is very unfortunate that many business people, particularly SMEs, do not realise that standards and the methods used to assess conformity to standards are critical. They are essential components vital to industry and commerce, crucial to the health and safety of citizens, and a pre-requisite for economic growth and development. These amendments are most opportune as today around 80% of global merchandise trade is affected by standards and by regulations that embody standards.

Mr Speaker, Sir, in today's hyper-competitive world, it is critical for our products and services to be of the highest quality to meet and exceed customer satisfaction. This is the only way for our industries and SMEs to gain a competitive edge and tap new markets for growth.

In this context, accreditation to international standards and conformity assessment is the way forward, especially for manufacturers and service providers who wish to identify themselves with best practices and stay ahead of the curve.

Mr Speaker, Sir, it is widely acknowledged that the adoption of international standards and best practices generate multiple benefits for business, the government, consumers, and employees.

For business, standards improve systems and processes. They reduce waste, cut costs, and ensure consistency, improve customer satisfaction, build trust and improve sales while also eliminating technical trade barriers.

As for government, Mr Speaker, Sir, standards support the development of policies and legislation to protect consumers from fake and inferior quality products and also help government to procure genuine goods and services and obtain value for money. Moreover, they may also enhance cooperation at the international level to facilitate the movement of goods and promote the free flow of trade between countries.

Mr Speaker, Sir, as for consumers, standards boost confidence as products evolve to become safer, more reliable and of better quality. Products that have a negative effect on the

environment are made obsolete as international standards increasingly become more eco-friendly. For example, a customer purchasing an electronic product from a company certified by ISO 14001, an internationally agreed standard, can reasonably expect the supply and manufacture of the product to contain more recycled raw material, hence increasing customer satisfaction and confidence in the product.

For employees, Mr Speaker, Sir, the standards improve employees' morale as they are trained to work in an organised framework and to operate at the required level, thereby eliminating confusion and increasing productivity. The employees are hence provided the necessary tools, resources and training to do their job better. For instance, employees working in ISO 45001 certified organisations may have greater job satisfaction, trust and involvement since such standard demonstrates the organisation's commitment in providing a workplace where the risk of illness or injury is eliminated or minimalised.

Mr Speaker, Sir, standards promote innovation and creativity. The development of standards can help an innovative technology to enter the market and provide assurance of health and safety to consumers by setting the framework for its development, establishing the essential characteristics of the product and identifying the best practice that will ensure successful outcomes.

Mr Speaker, Sir, Benjamin Franklin rightly stated; I quote –

“By failing to prepare, you are preparing to fail.”

The Amendments proposed in this Bill will greatly contribute to enhancing the competitiveness of Mauritian products and services on the International markets and encourage the business community to embrace international standards and best practices to foster and grow.

Section 4 of the existing act has been repealed and replaced by a new section whereby the objects and the functions of the Bureau have been clearly defined and segregated for more clarity and to empower the Bureau to carry conformity assessment functions namely, testing, verification, inspection and certification to determine that the relevant requirements in technical regulations and standards are fulfilled.

This amendment enlarges the scope of activities of the Mauritius Standard Bureau pursuant to Article 10 of the World Trade Organisation Technical Barriers to Trade Agreement. The main objective of the TBT Agreement is to ensure that technical regulations, standards, testing and certification procedures do not constitute unnecessary barriers to international trade. It also provides member states with the opportunities to implement measures to achieve legitimate policy objectives, such as the protection of human health and safety or the environment.

Moreover, Mr Speaker, Sir, as the Enquiry Point for Mauritius, the MSB will be legally empowered to respond to reasonable enquiries from other member states to the agreement. The Bureau, being the focal point for the WTO, could assist business operators to meet the required standards of a particular country for the export of its goods and services to that country.

Mr Speaker, Sir, Section 26 of the Act has been replaced by a new section to authorise the Bureau to provide conformity assessment and inspection services which includes visual inspection, testing, verification of certificate of conformity or test reports to the public and private sectors. This amendment will mandate the Bureau to issue conformity reports to business operators on request after carrying a conformity assessment so that the products of the company are duly recognised and accepted on the international markets.

Mr Speaker, Sir, the amendments being proposed today in this House will not only enhance the compliance of Mauritius to the WTO Technical barriers to Trade Agreement but also facilitate business and broaden the circle of opportunities for our business operators.

On the other hand, the Bureau will gain a new impetus and widen its ranges of services to the public and private sectors.

Mr Speaker, Sir, I have much pleasure in supporting The Mauritius Standards Bureau (Amendment) Bill, which I believe is very important.

Thank you for your attention, Mr Speaker, Sir.

**Mr Speaker:** Hon. Bholah!

(6.51 p.m.)

**The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah):** Mr Speaker, Sir, allow me to thank all the Members from this side of the House who have participated in this debate. There are two Members from the other side of the House namely hon. Uteem and hon. Dr. Boolell to whom I also extend my appreciation and my thanks although the focus of their discourse was the actual General Manager on whom they have hit hard.

I would like to highlight that this Bill is providing the much required legitimacy to the Mauritius Standards Bureau to be at par with the international benchmarks related to standardisation and conformity assessment. It reiterates the commitment of Mauritius to maintain its reputation with regard to standardisation by having institutions such as the MSB which ensures that its population enjoys high quality products while at the same time assisting organisations to set up and to adhere to internationally recognised quality management systems.

Mr Speaker, Sir, in my introductory speech last week, I was covering the achievements of the Mauritius Standards Bureau since its inception and unfortunately hon. Uteem stated that I was bragging. MSB has developed 911 Mauritian standards; it has certified 95 organisations for various management systems. It has also certified 52 farmers under the MauriGap ISO 9001. This is not the General Manager. *Il faut cesser de faire une fixation sur Madame B.* At least we have to commend the work of the men and women who have been involved as I said since inception of this institution and to bring this institution where it is today.

Mr Speaker, Sir, there are some other points that I would like to comment on regarding the confidentiality clause. Hon. Uteem stated that this Bill purports to muzzle the Standards Council and the staff of the MSB in respect of disclosure of the affairs of the Bureau. This is not the case, Mr Speaker, Sir. We have to differentiate between leakages of confidential documents to unauthorised parties with harmful consequences as opposed to disclosure of information to competent authorities within legal parameters for remedial action.

So, what happens in practice is that whenever a client reports to Mauritius Standards Bureau either for certification or some other works, there is a contract between the MSB and the client and the client needs to preserve its information because there are competitors, other competitors coming to the MSB as well and here we have to protect the client with confidential

information. Otherwise, the client will sue the MSB and MSB will have to pay damages and this is in consonance with the legislative provisions governing confidentiality in the public service.

With regard to whistle blowers, I wish to inform the House that I am a firm advocate of promoting good ethics with a view to eliminating malpractices at the level of public institutions. In no means whatsoever does this Bill contravenes the protection afforded to informers and witnesses under the Prevention of Corruption Act (POCA) of 2002.

Regarding the entry point, let me comment and set the records right on the proposal for the National Enquiry Point as required by the World Trade Organisation, Technical Barriers to Trade Agreement be untrusted to the International Trade Division (ITD) of the Ministry of Foreign Affairs, Regional Integration and International Trade instead of the MSB, as stated by hon. Uteem.

The ITD is responsible for the formulation and development of trade policies in Mauritius and is a national focal point for WTO whereas a national enquiry point response, *inter alia*, to enquiries on standards, technical regulations and conformity assessment procedures, which the House will agree, can only be addressed by an internationally recognised standards and conformity assessment body, that is, the Mauritius Standards Bureau. Let me remind the House that the Mauritius Standards Bureau is the sole member representing Mauritius to the International Organisation of Standardisation (ISO) since 1995.

Hon. Uteem also brandished a letter which was, in fact, sent by my Permanent Secretary to the MSB. This is true. This letter highlights the weaknesses and the areas that have to be addressed immediately by the MSB and this letter itself is a result of two reports following an inquiry that we have conducted at the MSB and this inquiry was carried out at my behest. Let me inform the House that the MSB is in a process of reengineering. Hon. Uteem mentioned and rightly so that, there are anonymous letters flopping from the MSB, from different quarters, even to my office. I have received anonymous letters well before the appointment of the present General Manager. As I said, we are in the process of reengineering, and also, this Bill comes within the ambit of this reengineering process and we will do whatever it takes to address all the weaknesses presently at the MSB.

Hon. Uteem also commented on the composition of the Council. It is a known fact that parastatals and government bodies in the executive branch of government generally operate under the purview of a parent Ministry. The responsible Minister who is accountable to this House and the public in general has *de facto* a *droit de regard* to ensure that such organisations are managed according to established rules and regulations and principles of good governance.

Mr Speaker, Sir, I wish to underscore that standardisation constitutes a key element in facilitating trade. This is so because its benefits are of many forms. First of all, it contributes to the elimination of technical barriers to trade, increases market access and international trade and enhances cooperation at the international level. In fact, since the creation of the World Trade Organisation, it became important for countries to develop an adequate institutional infrastructure related to standards, metrology, testing and quality assurance. With the advent of the World Trade Organisation (WTO), tariff barriers have been largely eliminated. Having a national standardisation body recognised at international level allows exporters to trade in a multilateral trading system by reducing the incidents of technical barriers to trade. The amendments being brought in the MSB Bill therefore, give due formal recognition to the Bureau, to a National Enquiry Point. I have no doubt that this important function will contribute positively to enhancing our export endeavours.

Mr Speaker, Sir, the critical role of the Bureau rests in its testing services that it provides to ensure that a range of essential consumer goods such as rice, flour, steel bars and cement are in conformity to the relevant Mauritian standards. This Bill, therefore, gives legal force to the MSB to undertake activities such as metrology and calibration. The conferring of the custody of National Measurements Standards under this Bill will give due authority to the MSB to calibrate measuring instruments and provide measurement traceability.

With the coming into force of this Bill, Mr Speaker, Sir, the Mauritius Standards Bureau is now duly empowered to broaden its scope of activities to include inspection services. Previously, the Mauritius Standards Bureau was constrained to only sampling and testing activities in its laboratories. It will now have the latitude to verify on site processes and products for testing purposes in conformity with internationally recognised standards.

To conclude, Mr Speaker, Sir, allow me to thank the officers of MSB, the officers of my Ministry and the Attorney-General and his officers in elaborating and drafting this piece of legislation.

With this, Mr Speaker, Sir, I now commend the Bill to the House.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **COMMITTEE STAGE**

*(Mr Speaker in the Chair)*

### **THE MAURITIUS STANDARDS BUREAU (AMENDMENT) BILL**

**(NO. XVI OF 2022)**

*The Mauritius Standards Bureau (Amendment) Bill (No. XVI of 2022) was considered and agreed to.*

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

*Third Reading*

*On motion made and seconded, the Mauritius Standards Bureau (Amendment) Bill (No. XVI of 2022) was read a third time and passed.*

*Second Reading*

### **THE OCCUPATIONAL SAFETY AND HEALTH (AMENDMENT) BILL**

**(NO. XVII OF 2022)**

*Order for Second Reading read.*

(7.08 p.m.)

**The Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection (Mr S. Callichurn):** Mr Speaker, Sir, I move that the Occupational Safety and Health (Amendment) Bill (No. XVII of 2022) be read a second time.

Mr Speaker, Sir, let me first of all situate the context of the Bill that I have the honour and privilege to present today. One of the priority areas of this Government has been and remains the protection of the rights to safety and health of all workers who are the most valuable asset of our country. The Occupational Safety and Health Act 2005 which was proclaimed in 2007 required a review after a period of 15 years, being given that the world of work has known considerable changes as a result of the introduction of new technologies, the effect of climate change and the implementation of new pattern of work, amongst others. All these are giving rise to new occupational safety and health risks and challenges, which, if left unaddressed, would put workers' life at risk.

Mr Speaker, Sir, we should concede that technological developments, use of heavy machinery and equipment such as cranes, lifts, steam boilers as well as new chemicals is an ongoing process at the level of enterprises. A new mode of transport is now being used in Mauritius. I am here referring to the Light-Rail Transit System. We should also acknowledge that all these come with their own risks and hazards, necessitating appropriate measures to further protect workers. A caring Government cannot thus sit on its laurel and expect things to happen automatically – it has to act responsibly, especially when it concerns the safety and health of workers.

Mr Speaker, Sir, I would like to inform the House that the Promotional Framework for Occupational Safety and Health Convention (C187) and the Occupational Safety and Health Convention (C155), already ratified by Mauritius, which are in force since 19 November 2013 and 25 July 2015, respectively, have been upgraded to fundamental conventions by the International Labour Organisation at its 110<sup>th</sup> International Labour Conference held in June this year. Mauritius is therefore bound to take appropriate steps to address gaps identified in the Occupational Safety and Health Act 2005 with a view to be compliant with the Safety and Health standards prescribed in these conventions.

Mr Speaker, Sir, it is worth highlighting that in its report on the occasion of the World Day for Safety and Health at Work 2022, the International Labour Organisation estimates that 5.4% of the annual global gross domestic product is lost every year due to occupational accidents and diseases. In this era of economic uncertainty, it is therefore crucial that the human capital of our country be given the necessary protection. By so doing, the socio-economic development of our country will be assured.

I personally believe that we should not compromise on safety and health as investment thereon contributes to increase the national competitiveness and brings prosperity for the citizen at large.

Mr Speaker, Sir, our approach towards strengthening safety and health standards has been holistic. While reviewing the different sections of the OSHA 2005, we have also looked into how best we could improve monitoring safety and health in enterprises. In this regard, I am proud to announce that the activities of the Occupational Safety and Health Division of my Ministry are being computerised and I am also pleased to announce that the project is at its final stage of completion. The computerised system will indeed be a valuable tool that will help to capture relevant data and information to assist in the decision making process and assure a new unmatched level of service in the interest of workers and stakeholders.

The whole exercise has therefore necessitated a review of the different schedules to the OSHA 2005, as detailed at Clauses 27 to 38 and provisions of the new schedules as per Clauses 21 and 43 to also cater for developments that have taken place in the world of work.

Mr Speaker, Sir, another bold measure which we are taking through this Bill and which is worth highlighting, relates to the setting up of a National Occupational Safety and Health Department with defined objectives and functions. Emphasis is being laid on the fact that this Department will be the sole competent authority to deal with safety and health issues at national level, as detailed at Clause 10 of the Bill. At the same time, this also serves to send a strong signal to all those who fail to comply with prescribed safety and health standards at the workplace.

Mr Speaker, Sir, the proposals contained in the Bill has been subject to lengthy discussions and consultations with relevant stakeholders, including representatives of Employees and Employers who form part of the Advisory Council for Occupational Safety and Health, set up under Section 28 of the OSHA. Here, I would like to seize this opportunity to express my thanks and gratitude to all of them for their valuable contributions made during the drafting of this Bill.

Mr Speaker, Sir, the objective of the Bill, as stated in the explanatory memorandum, is, *inter alia*, to –

- a) ensure conformity with the fundamental conventions on occupational safety and health of the International Labour Organisation;
- b) set up the National Occupational Safety and Health Department to better manage occupational safety and health at national level, and
- c) cater for changes associated with the computerisation of the services of the National Occupational Safety and Health Department of my Ministry.

Allow me, now, to briefly introduce to the House the main provisions of the Bill –

- (a) Clause 3 provides for new definitions for –
  - (i) “Health” and “Insurer” so as to be in line with Occupational Safety and Health Convention, 1981 (No. 155);
  - (ii) “Occupational Health Physician” so as to be in line with the Occupational Health Services Convention, 1985 (No. 161) in order to ensure that only medical practitioners competent in the field of occupational health or occupational medicine conduct health surveillance and medical examination of workers.
- (b) Clause 4 makes provision for the employer to consult, where a Safety and Health Committee is established, the representative of the employees who sit on the Committee, and where no Committee is established, the representative of the employees in the undertaking so as to be compliant with Article 20 of the

Occupational Safety and Health Convention, 1981 (No. 155) and to ensure effective cooperation between the employer and his employees.

- (c) Under Clause 5, a registered professional engineer, in general charge of machinery, would henceforth be required to register with my Ministry to ensure that professionals who provide their services to employers are more accountable for the service they are providing.
- (d) To be in line with the provisions of Article 19 of the Occupational Safety and Health Convention, 1981 Clause 6 requires an employer to submit the findings of the relevant part of a risk assessment report to the employees, upon a written request being made by the latter, and for the employers to review their risk assessment following an accident or a dangerous occurrence or a case of occupational disease at their workplace.

These provisions will ensure that employees are aware of the risks to which they are exposed whilst at work and risk assessments that are required to be reviewed.

- (e) Clause 7 provides that no civil or criminal action should lie, or no disciplinary proceedings, should be instituted against any employee or representative of employees who sits on a Safety and Health Committee, as a result of a complaint made in good faith against his or her employer.
- (f) Clause 8 ensures that a Safety and Health Officer does not perform secretarial duties in the Safety and Health Committee but act as a Technical Advisor and that employee is appointed to act as secretary to the Committee.
- (g) Clause 9 lays the responsibility of notifying and holding of safety and health committees on the employer for better enforcement of the law.
- (h) Clause 11 makes provision for either an employee or a Safety and Health Officer who is already employed on a full-time basis not to be employed to practice as Safety and Health Officer on a part-time basis by another employer. This amendment is being brought to further improve the standard of safety and health at workplaces and avoid lip service being provided to Occupational Safety and

Health Officers.

- (i) Clause 12 imposes a duty on every employer who offers employment to a Safety and Health Officer to ensure that the latter is registered with my Ministry before practicing at his workplace. In the past, employers were not aware whether their Safety and Health Officers were registered for their work place.
- (j) Clause 13 makes provision for a reviewed composition of the Boiler and Machinery Inspectors Board with a view to eliminating the perceived conflict of interest and to be in line with recommendations made by the Independent Commission Against Corruption to my Ministry. Henceforth, the Board will consist of the following members –
  - (i) a Chairperson having wide experience in the field of boiler and machinery inspection;
  - (ii) a Vice-Chairperson with similar experience;
  - (iii) a Registered Professional Engineer with at least 5 years of experience in the field of boiler or machinery inspection;
  - (iv) a representative of the Ministry responsible for the National Infrastructure and Community Development, who also shall be a Registered Professional Mechanical Engineer with 5 years' post-registration experience in the field of mechanical engineering;
  - (v) a representative from the Institution of Engineers Mauritius, who is a Registered Professional Engineer with at least 5 years' post-registration experience in mechanical engineering or related field, and
  - (vi) the Director of the National Occupational Safety and Health Department or his representative.

It is to be noted that the Board may also call any other person, with relevant knowledge or experience in the appropriate field, to provide assistance as it may require.

- (k) Clause 14 reviews the process for registration of Boiler and Machinery Inspectors and also establishes a procedure for renewal of registration of Boiler and Machinery Inspectors so as to ensure availability of an updated list of Boiler and Machinery Inspectors and sanction those Inspectors who flout the law.
- (l) Clause 15 makes provision for employers to provide adequate sanitary conveniences for employees who are not working in a building, in line with Article 19 of the Safety and Health in Agriculture Convention 2001 and Article 32 of the Safety and Health in the Construction Convention, 1988.
- (m) Clause 16 imposes a duty on the owner, who ceases to use a registered steam boiler, to inform the Permanent Secretary of my Ministry in writing within 28 days from the date he ceases to use same. This measure will ensure the availability of an updated list of steam boilers in use.
- (n) Clauses 19 and 20 make provision for an insurer to report cases of occupational accidents and occupational diseases to the Director of the National Occupational Safety and Health Department, within 7 days from the date of receiving such notification. This provision is in line with Article 11 of the Occupational Safety and Health Convention, 1981.
- (o) Clause 20, in addition, imposes a duty on an Occupational Health Physician to notify the Director of the National Occupational Safety and Health Department, within 28 days of the date he suspects or finds any person suffering from an occupational disease.
- (p) Clause 22 provides for the extension of the validity of certificates of registration of factories from a period of 12 months presently to a period not exceeding 24 months against payment of a revised fee.
- (q) Clause 23 is being amended to extend the right of appeal to Registered Professional Engineers in general charge of machinery, Registered Safety and Health Officers, and Registered Boiler Inspectors/Registered Machinery Inspectors as well.

- (r) Clause 24 reviews the existing penalty structure as follows –
  - (i) Any employee who commits an offence will be liable to a fine not exceeding 10,000 rupees;
  - (ii) A fine of not less than 25,000 rupees and not exceeding 150,000 rupees as well as imprisonment not exceeding 2 years will be imposed in case an employer contravenes the provision of the Act leading to occupational accident or occupational disease, or a dangerous occurrence; or in case of failure to notify the Director of same, and
  - (iii) In any other case, an employer found to be in contravention of law will be liable to a fine not exceeding 100,000 rupees and to an imprisonment for a term not exceeding 2 years, as compared to 75,000 rupees and one year imprisonment previously.

Mr Speaker, Sir, with a view to providing reasonable time to employers and relevant stakeholders to make appropriate arrangements to comply with the Occupational Safety and Health (Amendment) Act, once it is in force, provision for savings and transitional periods have been made at Clause 26 of the Bill as indicated therein, that is –

- (i) 6 months to allow practicing Registered Professional Engineers in general charge of machinery to be registered with my Ministry;
- (ii) 12 months for currently registered full-time Safety and Health Officers or full-time employees to cease part-time employment as Safety and Health Officer with another employer;
- (iii) 6 months for Registered Boiler Inspectors or Registered Machinery Inspectors to be registered, and
- (iv) 3 months for employers to provide adequate sanitary conveniences to their employees who are not working in a building.

Mr Speaker, Sir, I now have the honour to commend the Bill to the House.

**Mr Ganoo seconded.**

**Mr Speaker:** Hon. Mohamed!

(7.26 p.m.)

**Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):** Thank you, Mr Speaker, Sir. I thank the Minister for his presentation. I must share with Members of the House that earlier on, I did have a conversation with the hon. Minister as to the technicality of the piece of legislation that is presented and I must admit that it is true and where I totally agree with the hon. Minister that there is the need to update the piece of legislation in order to comply with the changes in the law. There is the need to update in order to ensure that we are in line with conventions that we have entered into.

I think it is necessary to complete – if I may say – his intervention by referring to the various important documents that are on the website of the International Labour Organisation and those documents remind us of the comments that each and every time Mauritius has been subjected to and I here refer to the direct request adopted in 2014, published in the 104<sup>th</sup> International Labour Convention session of 2015 and this should be one of the conferences that the hon. Minister of Labour Callichurn had attended back in 2015 after there was a change in Government in 2014.

From that very moment onwards, various articles of the convention that the hon. Minister made reference to, there were questions on it, for instance, article 2(3) of the convention that refers to measures that could be taken in consultation with social partners to ratify relevant OSH conventions, the committee had requested the Government to continue to provide information on the periodic consideration of measures that could be taken to ratify relevant OSH conventions. There are various articles upon which Mauritius was questioned by the committee and each and every time the committee had been reminding the Government of the need to ensure that the newly updated OSH legislation be communicated to the committee, this is what the representative, the Government had agreed to do. For instance, article 5(1) and 2(c) of the convention which refers to evaluation and periodical review of the National Programme on OSH in consultation with the most representative organisations of employers and workers. As far as that particular article of the convention is concerned, the committee asked the Government representative, the Government of Mauritius, to provide further information on the evaluation

and periodical review of the National OSH Programme in light of the progressive implementation of the OSH related measures in the 2012-2014 Decent Work Country Programme and to provide information on the outcome of the consultations held in this regard.

Now, not only in 2015 but in 2016, 2017 and 2022, there have been each and every time remarks made with regard to the need to update the committee with regard to changes that the Government promised it would bring and lo and behold, I am happy to note that those changes are now here and I am sure the Minister will agree with me that even the committee of experts at the ILO would indeed be happy to note that many of those issues that were red flagged at some point in time have been addressed indeed by the hon. Minister of Labour in the presentation of this piece of legislation, as I said, are very technical indeed.

I note, however, that it is important for those members of the public who are trying to understand what exactly is happening but it is also important to know what are the statistics that show whether or not action of Government; any Government for that matter, it has nothing to do with any political party, but whether action of Government is really helping, the policies of Government as far as occupational safety and health. Is it really helping reduce the number of fatal accidents or non-fatal accidents?

I see here that according to the statistics provided for by my good friend, the Minister of Labour, on the website of the Ministry of Labour on Occupational Safety and Health Division, the Annual Report 2003-2019, that is the latest report that is available on the website of the Ministry and it shows here that indeed, there has been quite a small increase in the number of accidents. There has also been an increase in the number of non-fatal accidents but what is also a problem that he should be facing today, that previous Governments also faced is, unfortunately - maybe I will do the dirty job for him - to be able to convince the Minister of Finance that it is necessary not only for him to amend the law in order to be in line with conventions but to give the Ministry and the Minister of Labour, the necessary tools in order to ensure that the number of inspections that they can follow suit, they can keep up with the development in the world of work. It would not be really feasible to simply come up with changes in legislation if at the same time you do not have the financial ability to recruit more officers, not only symbolical amounts, but, enough in order to ensure that inspections are carried out and enforcement of the sections of

the law happen. Without that, there is only a beautiful piece of literature that is black on white and nothing more than that.

So, I see here that there is also an effort on the part of the Ministry to computerise the system as he has put in the opening part of his remarks. Yes, it is important to be able to live with this digital age but once again, there would be no point and I am sure he will agree with me in having a computerised system if, in fact, *sur le terrain*, the employees are not as protected because he will also agree with me I am sure, is that in spite of all the seminars that are carried out in order to inform all members of the public, workers and employers of their duties and responsibilities in the field of Occupational Safety and Health (OSH) to ensure that workers also understand their duties and responsibilities for their own protection of their life and that of their colleagues in the workplace.

Unfortunately, a lot is not really done in practice and this where *le bât blesse* and I believe it is therefore the responsibility of one and all and it does not have anything political boundaries here - to be able to ensure that the workplace is safe and let me also say that it reminds even here in Parliament, our work place, the Speaker is ensured that we are safe. By putting a good distance between me and my friend next to me, you have ensured that we are safe. So, this is the responsibility of one and all and there are no political boundaries there.

So, let me also, since I believe it is an apt occasion, to remind our friends on both of the House that the good thing about the staff of the Ministry of Labour when it comes specifically today of the Occupational Safety and Health Department, not only are they professional, not only are they well trained but they are a department that does a fantastic job with the little amount of resources that are put at their disposal and for that, I would like to place on record, that they deserve all our congratulations because they are the ones who are ensuring that the workers of Mauritius, the men and women leaving their homes, working out on construction sites and other factories, on other sites, that they are safe and they deserve all our thanks and congratulations.

I would like also for the record, maybe it is an apt moment, to remind friends on both sides of the House that, back in the days between 2012 and 2014 - and a lot of people do not know that, Mr Speaker, Sir - since now we are talking about the World Cup in Qatar, the hon. Minister would maybe remember that it were officers from the Ministry of Labour from the OSH

Department in Mauritius, whose services were retained by the Government of Qatar to advise on occupational safety and health issues in the construction industry and various other factories. Officers from the Ministry of Labour, specifically the OSH Department left Mauritius, went to Qatar, posted there with a view to ensuring that not only whether workers in Qatar are protected with the changes in legislation there, but also ensuring that migrant workers in Qatar were also catered for, taken care of as far as their accommodation was concerned.

Qatar would never have knocked at the door of Mauritius had the ILO not recommended Mauritius. The reason why it was done is not because of me as Minister. And the reason why it will be done as well in the future is not necessarily because of our good friend, the Minister of Labour today. It is because those officers of the Ministry of Labour, come what may, whatever the Government that there may be there, they do a good job. And today, with the World Cup going on, a lot of people have been criticising the situation of migrant workers there but the effort that the Government of Qatar has put in in order to ensure that the migrant workers are taken care of, their health and safety are catered for. I am happy and proud to note that our countrymen, those officers of the Ministry of Labour, the OSH Department have contributed positively and they were heartedly thanked by the Government of Qatar.

So, those are my comments and I thank the hon. Minister for continuing the work and the good work that had already started by other Ministers even before me in that particular Department.

Thank you very much.

**Mr Speaker:** Hon. Nuckcheddy!

(7.38 p.m.)

**Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil):** Thank you, Mr Speaker, Sir. We are called today to vote on the amendments to the Occupational Safety and Health Bill. Occupational safety and health is a matter which concerns us all. It concerns the individual, the firm, the government, the society, and the family.

So, before I move to the amendments, Mr Speaker, Sir, let me say a few words on occupational safety and health itself. Occupational safety and health are concerned with preserving and protecting human being in the workplace. We all have the duty to try to prevent needless deaths and injuries to workers. It involves more than first aid activities. Occupational safety and health involve helping people by preventing them from being injured or becoming ill due to hazards in their workplaces.

You know, Mr Speaker, Sir, every family has at least one bread earner who leaves his house in the morning to go to his place of work and as a caring Government, it is our duty to see to it that every individual is working in a safe environment at his place of work. We must assure that the person who leaves his house in the morning also returns home safely and it is not his dead body that returns home or when the person does return home, he does not return with any part of his body missing nor that the family has to go and see him lying on a bed in hospital. This is our objective!

As long as you have a job, there is the risk of sustaining an injury at work. It can happen in an office, shop or a warehouse. Being a professional in the construction industry myself, I am very much concern with the amendments as it is a worldwide known fact that it is the construction industry which has the most accidents at the place of work.

Construction projects concentrate on, what we call, the success triangle where the success of a project is determined if it is completed within time, within the budget and at the required quality. However, there are certain people who are insisting on a success square instead of a triangle, with one corner for safety and health and I agree fully with them. If a project is completed within time, within the cost and with the required quality, it cannot be considered as a successful project if even one person has lost his life there.

Just imagine, Mr Speaker, Sir, the child who is watching TV and he sees a building being inaugurated but what the child has in his mind is that he lost his dad there or when he passes by that building, even after several years, the slight sight of that building reminds him of his father that he has lost when he needed him the most, a father that he has not cuddled enough.

Mr Speaker, Sir, these are real stories that I have unfortunately witnessed. Mr Speaker, Sir, I am happy that I am here today and having the opportunity to debate on this Bill. I have several stories to say, but don't worry I am not going to narrate all the stories, and let us for a moment put all these dark memories aside and look at the brighter side.

Mr Speaker, Sir, I had the opportunity in the past to work with a South African Construction Company and when I first visited their Head Office in Sandton, I was really amazed by what I saw on a board at the reception. They do not publish their financial performance to show how much profit they are making or what projects they have bagged as they normally do in construction firms. But what that company showed, Mr Speaker, Sir, is for how long they have been working on different sites in different cities of South Africa, in different countries in Africa and Middle East without any major accidents. The number of hours was quite striking and it shows the commitment of the company on the safety and health of its employees.

So, it is with a great pleasure that I am intervening on this Bill as it has the objective of improving the occupational safety and health in our country by ensuring conformity with the fundamental conventions on occupational safety and health of the International Labour Organisation.

Mr Speaker, Sir, the Constitution of our country provides for the rights of the citizens to be safeguarded. Therefore, this Government is committed to regulate all activities so that the safety and health of workers have a positive impact on productivity and economic and social development.

High safety and health standard at work is as important as good business performance. At a point of time where the challenge is to boost up the economy and bring the required GDP, the Government firmly believes that without safe, clean environment as well as healthy working conditions, social justice and economic growth cannot be achieved and that safe and healthy working environment is recognised as a fundamental human right.

Now, Mr Speaker, Sir, to fully understand the amendments and the conventions on occupational safety and health, let me elaborate on what is happening or where the world is heading concerning the work culture.

Mr Speaker, Sir, if you go through the proposed amendments, you then realise that the changing job patterns and working relationships, the rise in self-employment, greater sub-contracting, outsourcing of work, work from home, and the increasing number of employees working away from their establishment, pose problems to management and implementation of occupational safety and health risks at workplaces.

New safety hazards and health risks will be appearing along with the transfer and adoption of new technologies. In addition, many of the well-known conventional hazards will continue to be present at the workplace till the risks arising from exposure to these hazards are brought under adequate control. While advancements in technology have minimized or eliminated some hazards at workplace, new risks can emerge in their place which needs to be addressed.

The increasing use of chemicals, exposure to physical, chemical and biological agents with hazard potential unknown to people; the indiscriminate use of agro-chemicals including pesticides, agricultural machineries and equipment; industries with major accident risks; effects of computer controlled technologies and alarming influence of stress at work in many modern jobs pose serious occupational safety and health risks.

The fundamental purpose of our commitment on occupational safety and health at workplace, is not only to eliminate the incidence of work related injuries, diseases, fatalities, disaster and loss of national assets and ensuring achievement of a high level of occupational safety and health performance through proactive approaches but also to enhance the well-being of the employee and society at large. The necessary changes in this area have to be based on a co-ordinated national effort focused on clear national goals and objectives.

I mentioned about construction industry earlier. However, occupational safety and health is relevant to all branches of industry, business and commerce including traditional industries, information technology companies, the Health Service, care homes, schools, universities, leisure facilities and offices and with the COVID-19, we all saw that.

The amendment to the Bill, Mr Speaker, Sir, is the need of the hour as it has the main objective of addressing new and emerging occupational safety and health risks due to major changes in the world of work. The amendments also propose the setting up of the National Occupational Safety and Health Department to better manage occupational safety and health at national level. The amendments to subsection 3 of Section 7, Mr Speaker, Sir, is a laudable one as the case is. At the moment, the Ministry is not aware about the machinery that the Professional Engineer is in charge.

Now with the proposed amendments, the Registered professional engineer employed under subsection (1) of Section 7 –

“shall, not later than 14 days after accepting an offer of employment, make an application for registration to be in general charge of machinery to the Permanent Secretary in the form set out in the Twenty-First Schedule.”

There is another new subsection 8 which is being introduced to the Section 7 which makes it mandatory for a –

“Registered Professional Engineer in general charge of machinery when ceases to practise as a Registered Professional Engineer in general charge of machinery, he shall notify in writing the Permanent Secretary of the fact and surrender the certificate of registration within 14 days of ceasing to practice as registered professional engineer”

and failing to do so will be an offence as stated in the new subsection 11.

The Risk assessment Mr Speaker, Sir, is another important aspect of occupational safety and health. I would like to take the example of construction industry again. I mentioned earlier that construction industry encounters the most accidents. Now, Mr Speaker, Sir, let me add that the most common cause of accidents on construction sites is from falling making 35% of all construction accidents and this is confirmed by OSHA, the Occupational Safety and Health Administration. The same report of OSHA mentions that 65% persons of the construction industry work while on scaffolding.

So, the actual provisions lay stress on the review of risk assessment at time intervals. However, the amendments propose that the employer will now be compelled to review the

assessment prior to the 24 months if there has been a substantial change in the matters to which it relates, and matters concerning scaffolding, changes every hour. What is certified as safe scaffolding in the morning may no longer be safe after a slight rainfall. So, this amendment makes review of risk assessment on the prevailing condition rather than on time interval.

Furthermore, a new subsection 4 is added to Section 10 where the risk assessment will no longer be for the sole use of the management but if –

- “an employee; or
- a representative of the employees, who sits on a Safety and Health Committee; or
- a representative of the employees where no Safety and Health Committee is established”,

the Employer shall communicate to the employee or the representative, as the case may be, the relevant parts of the report of the risk assessment as requested.

Subsection 2 of Section 15 is also amended to indemnify not just an employee as it is in the current situation but also representative of employees who sits on a Safety and Health Committee where a Safety and Health Committee is established or any representative of employees in the undertaking where no Safety and Health Committee is established, from disciplinary proceedings for complaints made under this Act.

Mr Speaker, Sir, anyone who possesses some good faith, who is sincere to himself shall recognize that this Government is determined to provide a dignity to workers. You may recall, it is this Government which provided a dignity to those workers who were earning a mere sum of Rs1,500 per month by increasing their salary to Rs13,500. It is this Government that brought the Workers Right Act where several such measures were brought in favour of our workers, for example, the Portable Retirement Gratuity Fund, Negative Income Tax etc. and Mr Speaker, Sir, at the time hon. Shakeel Mohamed, who just intervened before me, was the Minister of labour had nothing better to propose better than asking the youth to leave the country and settle elsewhere.

Now this Amendment is amending the subsection 5 of Section 21 to allow for one of the employees to act as the secretary of the Safety and Health Committee. As a consequence, the

subsection 6 is repealed which only provided for an employee to act as the secretary where the employer does not employ a registered Safety and Health Officer. This Government is once again empowering our workers.

I also acclaim the New Section 23A which will establish a National Occupational Safety and Health Department which will have the task of controlling, operating and managing the day to day business of the Department. Most important, Mr Speaker, Sir, the Department shall have only public officers and for once our honourable friends on the other side of the House will not yell that we are creating departments to appoint people who are close to us.

Mr Speaker, Sir, this Department will have the duty not only to promote safety and health at place of work but also to educate the workers on the importance of safety and health. This Bill, Mr Speaker, Sir, bears testimony of our commitment and especially that of our Prime Minister to care for the welfare of our citizens. I seize this opportunity to thank the hon. Minister, Soodesh Callichurn, for bringing this Bill to the House as this Bill is providing for what needs to be done for an inclusive and modern society and a new work culture.

Mr Speaker, Sir, I have much pleasure to provide my support to this piece of legislation which I believe is a real need of the hour for a safe island.

Long Live Mauritius! Thank You.

**Mr Speaker:** Hon. Members I will suspend the Sitting for one hour.

*At 7.56 p.m., the Sitting was suspended.*

*On resuming at 9.11 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please be seated! Hon. Abbas Mamode!

(9.10 p.m.)

**Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East):** Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, I would like first to thank the hon. Minister of Labour, Human Resource Development and Training for bringing the Occupational Safety and Health (Amendment) Bill to

this House. This Government, Mr Speaker, Sir, recognises that workers are the most valuable asset and that health and safety is one of their fundamental rights and this is why, today amendment is being brought to ensure conformity of occupational safety and health with fundamental convention of the International Labour Organisation.

Mr Speaker, Sir, let me put it on record also. I would like to thank also hon. Shakeel Mohamed who has surprised me as his speech shows his appreciation of the amendment being brought in this Bill and by doing so, he has shown that the interest of the people of Mauritius is more important than mere political gain.

There is no denial that for any workplace to be qualified as respectable it should be safe; there is no other way. As a country and Government who has the well-being of the people at the centre of our concern, this Bill is a pledge to proving safer workplaces and spaces to employees and also employers. The aim here is to amend the Occupational Safety and Health Act in order to cater for the changes in workplaces. When there are changes in the world of work, it is more than obvious that the risks associated to same will be new. The fact that the Occupational Safety and Health (Amendment) Bill goes into detail of different workplaces, different situations and providing a platform whereby qualified professionals are assigned and duty-bounded to find solutions in case of any incidence and more importantly, sensitise employers and employees about risk at work and how to avoid them is commendable.

The amendment of section 9 of this Bill which repeals subsection 23(1) of the principal Act to include, I quote –

“An employer shall hold meetings of the Safety and Health Committee during normal working hours –

(a) at least once every 2 months (...)"

Of course, employers should be more involved with the health and safety of their employees and also, they should meet with the Health and Safety Officers at regular intervals to re-evaluate the risk factors arising from work activities.

Furthermore, Mr Speaker, Sir, the establishment of the National Occupational Safety and Health Department is the highlight in this Bill. Among the objectives of this Department, they are –

- (i) promoting continuous improvement of occupational safety and health through enforcement of an up to date legislative framework, in line with international standards;
- (ii) promoting through appropriate initiative and activities, the prevalence of a national safety and health culture;
- (iii) promoting education, training, research and development in occupational safety and health, and
- (iv) cooperating and coordinating with international organisations and other appropriate authorities on occupational safety and health matters, that we need, Mr Speaker, Sir.

There must be standards set and follow-ups on to whether guidelines are being followed and respected so as employees can feel and be safe at their workplaces. Safety at work should not be an option. On the other hand it should form an integral part of all the work places.

The Department, by taking initiatives such as –

- (i) educating employees – and not to forget employers also;
- (ii) organising trainings sessions about the importance of a safe environment at work which eventually results in respecting health and security guidelines becoming the norm in every workplace.

In the same line, Mr Speaker, Sir, by conducting sensitisation programme with stakeholders, publishing information and disseminating information, we are aiming at making safety at work the norm and nothing else.

Mr Speaker, Sir, the amendment made in the Fourteenth Schedule of this Act, shows the importance given not only to the physical health but also to mental health. It is as important for the overall employee's well-being to consider both his physical and mental health. And I am sure the hon. Minister of Health will agree with what I have just stated. Employees who struggle with their mental health are less likely to be engaged and productive. Depression and anxiety – two mental health issues that are commonly linked to the workplace – cost a lot to the economy annually due to loss of productivity.

Let me take this opportunity to congratulate my colleague, the hon. Minister of Labour, Human Resource Development who is doing a marvellous job and training for his initiative to amend the Occupational Safety and Health Act so as to adapt to the evolving working environment and hazard faced by both workers and employers, Mr Speaker, Sir.

Thank you for your attention, Mr Speaker, Sir.

**Mr Speaker:** Hon. J. Bérenger!

**Ms J. Bérenger (First Member for Vacoas & Floréal):** Avec la pandémie, l'évolution des technologies, des sociétés, nous pouvons dire que le monde a changé et par conséquent le rapport au travail a changé. Ce qui n'a pas changé par contre est le fait que nos ressources humaines et par extension, notre main-d'œuvre et notre savoir-faire local restent nos atouts les plus précieux. Il nous faut donc mettre en place les conditions nécessaires pour les préserver.

En lisant l'*Amendment Bill*, je concède que le gouvernement veuille apporter des changements positifs mais mon discours se concentrera aujourd'hui sur les points à améliorer puisqu'il s'agit ici de la sécurité tant physique que psychologique des travailleurs de notre pays.

La Section 3 du projet de loi que nous avons devant nous vient modifier la Section 2 de la loi actuelle à travers de nouvelles définitions. Je regrette que n'y figure pas les *hazardous works*. On parle de la sécurité au travail et le gouvernement avait là l'occasion de protéger davantage les employés. En venant définir les *hazardous works* et en venant préciser qu'il s'agit de tâches nécessitant des formations spécifiques, la pratique d'employer des travailleurs journaliers pour faire des travaux dangereux, pour manipuler des matériaux dangereux aurait enfin cessé. À la *CWA* par exemple, ce sont les *casual workers*, les travailleurs occasionnels qui sont employés

par les sous contracteurs pour faire la maintenance des *water pipes* qui contiennent de l'amiante ; ce n'est pas acceptable !

Le rapport John Addison sur l'amiante le dit d'ailleurs très bien : pour manipuler l'amiante, il faut des personnes qui ont la formation requise pour cela. Il y a actuellement environ 834 tuyaux qui contiennent de l'amiante et qui datent d'avant 1960. Le *hazardous works* auraient dû donc être définis dans la Section 2 de la loi actuelle comme un travail nécessitant une formation spécifique.

Par ailleurs je pense qu'il faut soulever aussi que les deux seules fois que le mot *hazardous* est mentionné, c'est dans le *Third Schedule* et le *Twenty Sixth Schedule* et concerne les formulaires à remplir pour ceux qui veulent construire une usine et l'enregistrer. Aucune mention n'est faite du mot *hazardous* dans l'actuel projet de loi mais on demande à ceux qui remplissent des formulaires de nommer des *hazardous substances*, ce qui n'est donc pas logique et je pense qu'il y a un manquement à ce niveau également.

Toujours dans cette même section, je ne vois rien concernant les conditions climatiques pouvant mettre à mal la sécurité des employés. Le gouvernement parle souvent de l'économie bleue mais est-ce que ce n'était pas là l'occasion de mieux protéger également les employés travaillant en mer surtout face à l'impératif du changement climatique ? La loi ne reconnaît que la classe III en temps cyclonique. Les employés sont donc souvent obligés d'aller en mer malgré les conditions difficiles mettant ainsi leur vie en danger souvent parce que ce n'est pas classe III. On se souvient encore très bien du triste événement du Sir Gaëtan qui a coûté la vie à plusieurs personnes ; je renouvelle mes sympathies à leurs familles. Cet évènement n'aurait jamais dû avoir lieu et il faut absolument empêcher que cela ne se renouvelle en venant donc définir les conditions climatiques dans lesquelles un travailleur peut aller en mer en toute sécurité.

Mais, plus généralement avec le réchauffement climatique, les événements aussi tel que les *flash floods* deviendront de plus en plus fréquent. Donc, c'est pour cette raison également que des dispositions doivent être prises dans cette section concernant les conditions climatiques qui peuvent mettre en péril la vie des employés.

Toujours dans cette même section, la Section 3 du projet de loi qui vient modifier la Section 2 de la loi actuelle, je ne vois nulle part la définition pouvant prendre en considération les aspects psychosociaux reliés au travail. Avec la pandémie, le bien-être mental au travail a été propulsé en avant ; le projet de loi a pour ambition d'ailleurs de se conformer aux conventions fondamentales de l'Organisation internationale du travail en ce qui concerne la sécurité et la santé au travail et on sait que ce projet de loi arrive aujourd'hui, comme l'a dit le ministre, parce que les conventions 155 et 187 deviendront des *fundamental conventions* cette année. Mais il aurait fallu voir bien plus loin que cela. Les *risk assessments*, mentionnés par le ministre, de l'Organisation internationale du travail incluent les risques psychosociaux qui peuvent être déterminés par plusieurs critères y compris par des conditions de travail, il aurait dû donc être pris en considération dans ce projet de loi.

Sur le site internet de l'Organisation internationale du travail, on peut lire, je cite :

*“In Europe where regional figures are available, stress is the second most frequently reported work-related health problem; 50-60% of all lost working days are attributed to work-related stress and the number of people suffering from stress-related conditions caused or made worse by work is likely to increase. This represents a huge cost in terms of both human distress and impaired economic performance.”*

Est-ce que des études ont été faites ici sur les risques psychosociaux et le stress relié au travail ? Est-ce que nous avons des données dessus ? Si oui, ces données ont-elles été analysées ? Définitivement, je ne pense pas que ce travail ait été fait sinon les retombées auraient été connues et on aurait vite constaté l'ampleur du problème. C'est d'autant plus regrettable que le problème reste donc anecdotique alors qu'avec des données, des analyses, cela aurait pu avoir un impact sur les *public policies*.

Par exemple, quel est l'impact du *work-from-home* sur la santé mentale ? Quel est l'impact de la surveillance électronique sur la santé mentale des travailleurs ? Il n'existe d'ailleurs pas de loi actuellement pour régir cela. Concernant le data, oui, mais pas concernant l'utilisation de ces caméras. Il y a eu des comités disciplinaires, par exemple où la charge était basée sur le *footage* de *spy cameras* où on entend ce que dit la personne mais comment savoir si

c'était bien l'enregistrement original ? Cette pratique va à l'encontre de l'article 11 de la Charte internationale des droits humains et les employés travaillent donc avec la peur au ventre.

Si je dois donner un autre exemple des risques psychosociaux reliés au travail, les transferts par exemple. Si une plainte est faite par l'employé contre l'employeur, ce dernier peut le transférer de manière punitive sur un autre site. Est-ce que l'impact psychosocial, psychologique est pris en compte ? Non. Ce projet de loi, j'insiste, aurait dû prendre en compte les risques psychosociaux reliés au travail. Plusieurs lettres d'ailleurs ont été envoyées par les syndicats pour demander cela et malheureusement ce projet de loi fait totalement l'impasse dessus. Et aussi en lisant les débats sur le projet de loi OSHA en 2005, j'ai pu voir que des mesures avaient été prises pour des *industrial psychologists* dans le budget de l'époque mais au jour d'aujourd'hui, il semblerait qu'il n'y ait aucun *industrial psychologists* au sein du ministère selon mes informations. Nous demandons donc à ce que les amendements soient apportés pour que ce soit le cas et pour que ce projet de loi inclue les risques psychosociaux liés au travail. Ce serait un premier pas vers un changement plus profond.

En parlant de changement profond, j'arrive à la section 10 du projet de loi, qui est un exemple de changement que j'appellerai cosmétique. On voit la création d'un *National Occupational Safety and Health Department* pour s'aligner donc sur la convention 187 de l'Organisation internationale du Travail. Un changement cosmétique pourquoi ? Parce que l'Organisation internationale du Travail demande à ce qu'il y ait un *independent body*. Mais ce qui est prévu dans ce projet de loi à travers ce département est tout sauf indépendant puisqu'il tombera sous la responsabilité du ministère. Le ministre est en train de simplement donner un nom à la section du ministère qui s'occupait de la santé et de la sécurité au travail en lui attribuant celui de *National Occupational Safety and Health Department* mais en réalité, les fonctionnaires, par exemple, ne pourront pas poursuivre l'État pour violation de leurs droits en ce qui concerne leur santé et leur sécurité au travail. De manière générale nous parlons également de plus de 500,000 travailleurs. Donc, nous insistons sur le fait que ce département aurait dû être un *independent body*.

Aussi en ce qu'il s'agit de la section actuelle du ministère s'occupant de la sécurité et de la santé au travail, il n'y a aucune structure d'une part pour recevoir et d'autre part pour

entretenir les plaintes des travailleurs et des syndicats. Actuellement *l'Occupational Health and Safety Inspectorate* n'a aucune obligation de faire avancer, de *entertain* les plaintes. Il n'a qu'une obligation d'inspection. Donc, les droits à la santé et à la sécurité des employés au travail sont forcément mis à mal. Ils ne sont même pas dans l'obligation d'envoyer une lettre pour accuser réception d'une plainte, par exemple. Et il semble malheureusement que rien ne change à ce niveau sous les amendements puisque dans les fonctions du département on peut lire : *promoting, coorperating, advising, sensitise, publish*, mais ce n'est toujours pas une *enforcing authority*.

Ce serait intéressant que le ministre d'ailleurs vienne nous donner les chiffres concernant les accidents. Combien d'accidents il y a eu, mais surtout combien de compagnies ont été *convicted*. Je pense que ce chiffre là en dira déjà long.

Par ailleurs, toujours en ce qui concerne la structure de ce département, les travailleurs étrangers par exemple ne peuvent venir faire une plainte puisque personne au ministère ne comprendra leur langue. On parle de sécurité au travail mais qui va pouvoir les écouter ? Il y a quelques temps dans une usine dont je ne mentionnerai pas le nom qui comprend de nombreux travailleurs étrangers, l'un d'eux était souffrant et demandait à se rendre à l'hôpital pendant une semaine. Lorsqu'il y est allé au bout d'une semaine, il est malheureusement décédé. Le syndicat a souhaité mettre un cas en cours pour poursuivre le ministère et ça leur a pris deux mois pour avoir un traducteur avec la Cour suprême. Le ministère aurait dû avoir une liste de traducteurs à disposition au sein de ce nouveau département.

Et comme nous parlons de la sécurité des travailleurs étrangers au travail et nous savons que les *safety classes* sont obligatoires sous la loi actuelle, mais ce projet de loi aurait dû amender la loi pour inclure l'obligation que ces cours soient délivrés dans langue maternelle des travailleurs étrangers pour s'assurer que ce soit bien compris. Cette obligation figure dans le guide des travailleurs étrangers fourni par le ministère mais il n'a pas de valeur légale et au final, il ne fixe aucune pénalité. Les *safety classes must be the priority of any preventive policy* mais si ce n'est pas fait dans la langue des destinataires, ça ne servira à rien puisqu'on ne pourra pas s'assurer que ce soit bien compris, d'où encore une fois la nécessité que le ministère du Travail ait une liste de traducteurs à disposition. C'était l'occasion donc de mettre en place une

meilleure structure incluant une réelle efficacité de ce département et une meilleure écoute des travailleurs incluant les travailleurs étrangers d'autant plus que ce gouvernement semble persister dans sa politique d'importation de travailleurs étrangers puisqu'un accord vient d'être signé avec le Népal. Mais le ministre, peut-il nous dire s'il y a actuellement quelqu'un au sein du *National Health and Safety Department* qui parle le népalais ?

J'arrive à la section 12 qui vient amender la section 30 de l'actuelle loi et qui encadrent l'emploi des *Safety and Health Officers*. Cette section n'amende pas malheureusement la sous-section 8 qui prévoit que, je cite –

*“Every Safety and Health Officer employed on a part-time basis shall work for each employer not less than 8 hours per week (...)”*

Hors, dans la pratique nous savons qu'il y a des employeurs qui font les *Safety and Health Officers* travailler sur plusieurs sites, pour plusieurs *bargaining units*, ce qui est au détriment des travailleurs eux-mêmes forcément qui ne sont pas protégés comme il le faudrait et qui n'ont pas l'attention qu'il faudrait. Les *Safety and Health Officers*, sans ces changements, pourront donc toujours travailler pour cinq compagnies différentes même si une compagnie leur donne la responsabilité des 10 sites de travail, cela comptera toujours comme huit heures de travail pour une seule compagnie. Il aurait fallu définir un nombre maximum de sites sur lesquels les *Safety and Health Officers* peuvent travailler.

Toujours en ce qu'il s'agit de l'encadrement de l'emploi des *Safety and Health Officers* à la section 12, j'aimerais suggérer que pour que ces derniers puissent travailler en toute tranquillité et surtout en toute indépendance, il aurait fallu l'accord du syndicat ou d'une majorité des travailleurs quand il n'y a pas de syndicats pour résilier le contrat d'un *Safety and Health Officer* ou d'un *Occupational Health Physician*. C'est la seule façon de s'assurer qu'ils puissent travailler en toute indépendance sans peur de représailles s'ils dénoncent les manquements de l'employeur.

Par ailleurs, au-dessus des *Safety and Health Officers* dans la pratique, on sait qu'il y a les *Safety and Health Managers* qui ne sont nullement réglementés par la loi. Encore une fois je pense que c'était ici l'occasion de le faire. Donc, ici, nous demandons à ce que la section 12 soit

amendée pour définir un nombre maximum de sites sur lesquels un *Safety and Health Officer* peut travailler, que l'accord du syndicat ou de la majorité des employés soit nécessaire pour révoquer un *Safety and Health Officer* ou un *Occupational Health Physician* et que le statut de *Safety and Health Manager* soit réglementé.

J'en arrive à la section 15 du *Bill*, mon avant-dernier point, qui vient amender la section 39 de la loi actuelle qui concerne les *sanitary conveniences*. Je note sous la section (a) de la sous-section (1), je cite –

*“In any building where work is carried out, sufficient and suitable sanitary conveniences shall be provided for any employee (...).”*

Ce que je veux dire là va sûrement faire rigoler quelques-uns mais c'est est un sujet très sérieux. J'aimerais rappeler qu'en avril de cette année même, le département de *procurement* du ministère de la Santé avait notifié les fonctionnaires qu'ils doivent acheter leur propre papier toilette et que cette commodité pourtant essentielle ne serait plus fournie – une décision prise dans l'optique de réduire les coûts encourus par le ministère. Heureusement, le ministère a vite fait marche arrière face à la levée de boucliers mais la preuve est là : le gouvernement lui-même n'a pas fourni le *suitable and sufficient sanitary conveniences* comme le veut la loi. Donc, peut-être qu'il faudrait préciser que le papier toilette – je dis bien *papie twalet, pa ti papie* – doit être fourni sur le lieu de travail.

Et lorsqu'on parle de la santé au travail, je pense qu'en 2022, si on veut créer des conditions favorables à l'épanouissement des femmes sur le plan professionnel, les serviettes hygiéniques également devraient être fournies sur le lieu de travail. Et ici je tiens à préciser que ce projet de loi nous amène à parler des femmes qui ont un travail mais la précarité menstruelle touche les plus démunis avant tout, ne l'oublions pas.

La Convention 190 sur le *Gender-Based Violence at work* de l'Organisation internationale du travail a été ratifiée par Maurice depuis juillet 2021. Je dois rappeler, la Convention 190, elle dit quoi ? Elle demande au gouvernement de mettre en place les lois et les mesures nécessaires pour prévenir la violence au travail basée sur le genre. Le gouvernement a donc doublement l'obligation d'inclure de telles dispositions dans la loi et d'obliger les

compagnies à procurer les serviettes hygiéniques pour les femmes afin de prévenir la violence au travail basée sur le genre.

Mais, je suis certainement trop naïve de croire que le gouvernement respectera cette convention en apportant un tel amendement quand il n'a lui-même pas respecté sa propre loi en ne fournissant plus de papier toilette aux fonctionnaires pendant un certain moment. Le gouvernement est pourtant supposé donner le bon exemple et en parlant de donner le bon exemple et toujours en ce qui concerne la sécurité au travail, je souhaiterais rappeler rapidement qu'à novembre 2022, 715 bâtiments dont le gouvernement est lui-même propriétaire, ne bénéficiaient pas de *fire certificates*. Pareil pour les *scavengers* qui ne sont pas équipés comme il faut pour faire leur travail. Nous sommes champions dans la signature des Conventions internationales en tous genres mais dans la pratique, malheureusement, ce gouvernement est aussi champion dans la violation de ces mêmes conventions.

M. le président, je voudrais conclure en disant que ce projet de loi dans un contexte social politique et économique qui est en mutation n'aborde pas les points qui sont cruciaux pour les employés dans la pratique. À l'heure où l'on parle de booster la productivité, où l'on parle de remettre l'homme au centre des préoccupations, ce projet de loi, si important, devrait prendre en considération les amendements cités.

Je vous remercie.

**Mr Speaker:** Hon. Ramchurrun!

(9.38 p.m.)

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

Mr Speaker, Sir, contemporary provision prevention focus occupational safety and health system is an essential pre-requisite for the preservation and enhancement of safety and health as well as the improvement of employability. It makes significant contributions to boosting business competitiveness, economic growth that is sustainable and social security systems stability. Hence, it is with great satisfaction that I welcome the Occupational Safety and Health

(Amendment) Bill being presented tonight in this august Assembly and I thank the hon. Minister of Labour, hon. Soodesh Callichurn, for this piece of legislation.

Mr Speaker, Sir, occupational safety and health is a human right and an integral part of a people-centred agenda for development and safe work is a human tragedy.

Mr Speaker, Sir, I would like to join my hon. friend, Abbas Mamode, to thank the hon. Shakeel Mohamed for congratulating the staff, the Minister and the Ministry of Labour and the OSH department particularly for the excellent work performance in this department ensuring the safety and health risk due to major changes in the world of work. We have heard interventions of two hon. Members of the other side, the first one which I just mentioned and, Mr Speaker, Sir, on the other side, there was another Member who just spoke before me, the First Member for Vacoas & Floréal, who made a show through her intervention as she being the sole *défenseur des droits des travailleurs*.

(*Interruptions*)

**Mr Speaker:** Quiet!

**An hon. Member:** *Avocat twa?*

**Mr Speaker:** You are not the First Member of Vacoas & Floréal!

(*Interruptions*)

Of course!

(*Interruptions*)

Please! Please!

**Dr. Boolell:** There is a policy...

**Mr Speaker:** Please!

**Mr Ramchurrun:** Mr Speaker, Sir, I cannot help...

(*Interruptions*)

**Mr Speaker:** Please!

**Mr Ramchurrun:** ...myself for noticing that...

**Dr. Boolell:** ...an elected Member!

**Mr Speaker:** Please! Please!

**Dr. Boolell:** Which you are not!

*(Interruptions)*

**Mr Speaker:** Can you please leave the House?

**Dr. Boolell:** I stand as an elected Member...

**Mr Speaker:** Can you please leave the House?

**Dr. Boolell:** ...as obviously the case.

**Mr Speaker:** Can you please leave the House?

**An hon. Member:** Why?

**Dr. Boolell:** Under whose instruction?

**Mr Speaker:** My instruction!

**Dr. Boolell:** Your instruction does not have any weight!

*(Interruptions)*

**Mr Speaker:** Sergeant-at-Arms!

*(Interruptions)*

**Dr. Boolell:** Yes!

**Mr Speaker:** Carry forward my instruction!

*(Interruptions)*

Leave the House and if you insist, I will name you! You choose!

**Dr. Boolell:** It is an abuse of your power!

**Mr Speaker:** Whatever you say, if you insist, I will name you!

**Dr. Boolell:** You are not dignified to be a Speaker.

**Mr Speaker:** Then I name you!

**An hon. Member:** *Alle!*

**Mr Speaker:** I name you, and I will take care of that!

**Dr. Boolell:** Shame!

**Mr Speaker:** I name you!

*(Interruptions)*

I name you!

**Dr. Boolell:** Shame!

**Mr Speaker:** I name you!

**Dr. Boolell:** You are a shame to Parliament!

**Mr Speaker:** Sergeant-at-Arms!

**Dr. Boolell:** You are a shame to Parliament!

**Mr Speaker:** Sergeant-at-Arms, take him out!

*(Interruptions)*

**Dr. Boolell:** Take who out?

**Mr Speaker:** Take you out! Sergeant-at-Arms!

**Dr. Boolell:** Who?

*(Interruptions)*

**Mr Speaker:** Sergeant-at-Arms, do your work!

**Dr. Boolell:** You are a shame! Shame to democracy!

**Mr Speaker:** Do your work Sergeant-at-Arms!

**Dr. Boolell:** Under whose instruction?

**Mr Speaker:** Do your work Sergeant-at-Arms!

**Dr. Boolell:** You are a shame to this country!

**Mr Speaker:** Do your work Sergeant-at-Arms!

**Dr. Boolell:** Shame!

*(Interruptions)*

**Mr Speaker:** Do your work!

**Dr. Boolell:** Should I go to sue you in Court?

*(Interruptions)*

**Mr Speaker:** Go out from here!

**Dr. Boolell:** If you like, I will see you in Court ...

**Mr Speaker:** Go out from here!

**Dr. Boolell:** Get the hell out from here!

**Mr Speaker:** You are expelled! Go out from here!

Now you continue!

*(Interruptions)*

**Dr. Boolell:** *Batiara!*

(*Interruptions*)

**Mr Ramchurrun:** Mr Speaker, Sir, we have seen a second show.

(*Interruptions*)

That was a show!

**Mr Speaker:** You continue!

**Mr Ramchurrun:** Mr Speaker, Sir, so, after the intervention of the hon. Member of Vacoas & Floréal, after mentioning *papier toilettes* in such an important Bill, well, we are talking about occupational safety and health and we have heard *papier toilettes* and she even mentioned *ti papie*. This is just not acceptable while intervening on this Bill.

I cannot help myself, Mr Speaker, Sir, from noticing that in her own party, the MMM, the only three Members who are present now, there is only one present and who showed concern in listening to her.

(*Interruptions*)

**Mr Speaker:** Order!

**Mr Ramchurrun:** There was Bérenger and Bérenger, well now there is only Bérenger. Anyways, as the MMM cherishes its *plus fort que jamais* era, we have seen that. I would the *papa piti* era but it is *plus fort que jamais* era. We, on this side of the Government, cherish the safety, health and real well-being of our workers and we do not only talk but act.

Mr Speaker, Sir, undeniably our country's occupational safety and health system can only progress if it responds to the fundamental changes that the industry and the society are undergoing. These changes which go beyond technological ones include in particular, the transformation of the workplace with new job profiles, nature of work as well as demographic changes related to the aging of the working population and economic globalisation. Hence, the priority of Government, Mr Speaker, Sir, is to anchor a law which guarantees a safe, caring and healthy working environment. However, our role as legislators is also to ensure that both employers and employees are not hindered by excessive red tape and regulation.

Mr Speaker, Sir, I firmly believe that this law strikes a balance between the fact that no safety measure is cost-free and the fact that when we make decisions about public policy, we must choose between reasonable alternatives. In my opinion, the proposed amendments to the legislation underwent a difficult process of making those trade-offs and I believe it has achieved the correct balance.

Mr Speaker, Sir, the most important aspect of this legislation is that it aims to transform how people think about and carry out safe work practices. This legislation will not be seen as a success until there is a fundamental change in how everyone in company approaches health and safety. It is crucial that there be a cultural shift. The question then becomes how to effect a cultural transformation.

The main point is that instead of just trying to codify a compliance framework, we should be working to develop practical and effective health and safety regulations in the workplace. The greatest method to accomplish this is for managers, directors and employees to collaborate on the best approach. Contrary to press reports and some of the interventions of the Opposition benches, this legislation does not eliminate the responsibility of those running a business to interact meaningfully with their employees or the requirement to develop appropriate health and safety procedures. For instance, a major amendment being brought about this legislation is the requirement for Health and Educational Safety Medical Practitioners to possess an occupational safety qualification which has been approved by the Medical Council.

Mr Speaker, Sir, to make sure we are doing our best to protect workers; we need to look at reliable data to help us. In order to prevent future problems, we need to set goals and figure out what we need to do to help achieve them. We also need to look at what has already been done and use that information to help create new goals. Sound data sources can be used as a basis for determining objectives and as reference values in evaluations. In order to get accurate information about occupational accidents and surveys, a lot of data has to be collected and organised systematically. Hence, it is essential that the newly set up National Occupational Safety and Health Department as a robust and up to date computerised platform to enable its data gathering, processing and analysis.

I thus, welcome the legislation's provisions to cater for the changes associated with the computerisation of the services of the National Occupational Safety and Health Department which is essential in our current era. The National Occupational Safety and Health Department will have to take into account both past data about safety and health hazards and future predictions about potential risks. This helps to ensure that the Department's occupational safety and health objectives are updated and adapted as needed to keep workers safe. These forecasts are based on information from experts who study risk in the future. Experts need to use appropriate strategies when conducting surveys. This means things like finding a way to make the survey easy to understand and carry out.

Mr Speaker, Sir, this legislation takes into accounts both formal and informal employment in all economic sectors. Through the promotion of a culture of prevention and ongoing occupational health and safety improvement, its main goal is to decrease the number of work-related accidents and illnesses as well as the cost of compensation and rehabilitation for both men and women injured while being at work.

The active participation of all social partners including the government, businesses, employers and the stakeholders is essential for the successful implementation of this policy. To guarantee that the recommended strategies and actions are successfully implemented for the benefit of the nation, the National Occupational Safety and Health Department as the custodian of this legislation should consider creating a coordination and implementation framework with clearly defined rules for key stakeholders.

I, therefore, sincerely thank the hon. Soodesh Callichurn, Minister of Labour, Human Resources and Training, for this determination in improving the safety and health standards of the thousands of workers across our country. Undoubtedly, they will all remember how firmly the Minister has stood on their side to preserve their overall well-being.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Members, I suspend the Sitting for a while.

*At 9.52 p.m., the Sitting was suspended.*

*On resuming at 10.12 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please be seated.

## **MOTIONS**

### **S.O. 17(3) & S.O 29(1)**

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, in view of your decision, earlier today, to name the hon. First Member for Constituency No. 18, Belle Rose and Quatre Bornes (Dr. Boolell), I beg under Standing Order 17(3) to take the time of the House for urgent business.

**Mr Hurreeram seconded.**

*The motion was, on question put, agreed to.*

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, having obtained your permission, I beg to move under Standing Order 29(1) to present a motion without notice.

**Mr Hurreeram seconded.**

*The motion was, on question put, agreed to.*

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (D. A. Husnoo):** Mr Speaker, in view of your decision to name the hon. First Member for Constituency No. 18, Belle Rose and Quatre Bornes (Dr. Boolell), I beg to move that the hon. First Member for Constituency No. 18, Belle Rose and Quatre Bornes (Dr. Boolell), be suspended from the service of the Assembly for today's and the next four Sittings.

**Mr Hurreeram seconded.**

*The motion was, on question put, agreed to.*

**Mr Speaker:** Hon. Ms Jutton!

**Ms Jutton:** Mr Speaker, Sir, I move that the debate be now adjourned.

**Mr Nuckcheddy seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

## **ADJOURNMENT**

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I beg to move that this Assembly do now adjourned to Tuesday 29 November 2022 at 11.30 a.m.

**Mr Hurreeram seconded.**

*Question put and agreed to.*

**Mr Speaker:** The House stands adjourned. Adjournment matters!

## **MATTERS RAISED**

(10.14 p.m.)

### **MARE CHICOSE LANDFILL – FIRE OUTBREAK**

**Mr D. Ramful (First Member for Mahebourg & Plaine Magnien):** Thank you, Mr Speaker, Sir. I have one issue which concerns three Ministries: Ministry of Environment, Health and the Ministry responsible for Fire Services. It concerns the Mare Chicose landfill which has been on fire since a few days now and the situation is becoming unbearable day by day especially for the residents in the region namely, Union Park, Plaine Magnien and Rose Belle. The residents speak of unbreathable smoke and nauseating smell and they fear for their health. The fire fighters are struggling with the situation and are also undermanned. May I, therefore, call upon those relevant ministries to kindly look into the matter and bring the situation under control. Thank you, Mr Speaker, Sir.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, we are very much aware of the situation at Mare Chicose; the fire as we know started on Tuesday and at that time, it involved an area of 200 x 300 metres, roughly, and the fire services and other stakeholders have been working hard for the last three days and nights and now the fire has kind of circumscribed to 135 x 225 metres roughly and there is not so much flame as before. There are some white fumes obviously because the fire is still going underneath the rubbish, but it is much less now than before. As such, as far as the fire is concerned, we are getting the help of the fire services, Sotravic and other stakeholders to help control the situation, and now it is better than before.

Now, as far as the environment is concerned, the Ministry of Environment is checking the air quality and the water quality as well. For the air quality, it is okay, we have some ashes but nothing severe such that can affect the health of the inhabitants in the surrounding villages.

We have staff from the Ministry of Health going round the villages to check on people who are not well. So, the situation is improving and the different Ministries, be it Environment, Health and my Ministry through the National Disaster, we are keeping a close watch on the situation.

**Mr Speaker:** Hon. Ms Tour!

(10.17 p.m.)

#### **VALTON, LONG MOUNTAIN – FOOTBALL PITCH – FENCE**

**Ms J. Tour (Third Member for Port Louis North & Montagne Longue):** Merci, M. le président, ma requête s'adresse au ministre des Collectivités locales, le Dr. Husnoo, concernant la clôture du terrain de foot à Valton, Montagne Longue. La clôture est tombée pendant le cyclone Batsirai et je demanderais donc au Dr. Husnoo de bien vouloir voir auprès du conseil de district de Pamplemousses, qu'ils érigent une autre clôture pour le terrain de foot. Merci.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Yes, Mr Speaker, Sir, I will inform the District Council of Pamplemousses to look into that situation.

(10.17 p.m.)

### **FLACQ MARKET– IMPLEMENTATION OF VENTILATION SYSTEM**

**Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil):** Thank you, Mr Speaker, Sir. My request tonight is addressed to the hon. Vice Prime Minister, Dr. Anwar Husnoo, the Minister of Local Government and Disaster Risk Management. It concerns the market fair of Flacq. At the time it was built, there had been some construction norms which had not been respected by the then Labour Party Government and this is a blunder that this Government has inherited. During the summer, it is really very hot and it is not comfortable for the public and the vegetable sellers. So, as we are in the summer period, may I request the hon. Vice-Prime Minister to see with the District Council of Flacq if he can arrange for some ventilation system to be implemented so that we can bring some relief to those who use the market – the vegetable sellers and the members of the public? Thank you.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I am aware of the problem. I have discussed it with the Chairman of the District Council of Flacq and the other members as well. I knew the District Council of Flacq is working on this issue and there are some other issues as well in that market. So they are working on that, but anyway, I am going to talk to the Chairman and try to see how we can help the customers and the people who are working in the fair as well.

(10.19 p.m.)

### **KITCHIN ROAD, NOTRE DAME – PAVEMENT**

**Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue):** Thank you, Mr Speaker, Sir. My address tonight goes to the hon. Minister Hurreeram, Minister of National Infrastructure and Community Development. My request mainly concerns the RDA (Road Development Authority) which falls under the purview of his Ministry. The inhabitants of Kitchin Road, Notre Dame, are requesting for pavement alongside the Kitchin Road, that is, from the Government School to the church alongside that road because there are many students using that road. So, I would request the hon. Minister to use his good office to look into the matter. Thank you very much.

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** I take note and I will convey to the RDA, Mr Speaker, Sir.

**Mr Speaker:** Try one!

The House is adjourned!

*At 10.20 p.m., the Assembly was, on its rising, adjourned for Tuesday, 29 November 2022 at 11.30 a.m.*