



REPUBLIC OF MAURITIUS

**SEVENTH NATIONAL ASSEMBLY****PARLIAMENTARY****DEBATES****(HANSARD)****FIRST SESSION****TUESDAY 15 NOVEMBER 2022**

## CONTENTS

**PAPERS LAID**

**QUESTIONS (*Oral*)**

**MOTION**

**STATEMENT BY MINISTER**

**BILLS (*Public*)**

**ADJOURNMENT**

**QUESTIONS (*Written*)**

## THE CABINET

### **(Formed by Hon. Pravind Kumar Jugnauth)**

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

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

Hon. Mrs Kalpana Devi Koonjoo-Shah

Minister of Gender Equality and Family Welfare

Hon. Avinash Teeluck

Minister of Arts and Cultural Heritage

Hon. Teeruthraj Hurdoyal

Minister of Public Service, Administrative and Institutional Reforms

**PRINCIPAL OFFICERS AND OFFICIALS**

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**MAURITIUS****Seventh National Assembly****FIRST SESSION****Debate No. 29 of 2022****Sitting of Tuesday 15 November 2022**

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

**The National Anthem was played**

*(Mr Speaker in the Chair)*

**PAPERS LAID**

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

**A. 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 Occupational Safety and Health (Amendment) Bill (No. XVII of 2022). (In Original)

**B. Ministry of Land Transport and Light Rail**

**Ministry of Foreign Affairs, Regional Integration and International Trade**

(a) The Light Rail (COVID-19 Sanitary Measures) (Revocation) Regulations 2022. (Government Notice No. 299 of 2022)

(b) The Road Traffic (COVID-19 Sanitary Measures) (Revocation) Regulations 2022. (Government Notice No. 300 of 2022)

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

The Waste Water (Miscellaneous Waste Water Services) (Fees) (Amendment) Regulations 2022. (Government Notice No. 295 of 2022)

**D. Ministry of Labour, Human Resource Development and Training**

**Ministry of Commerce and Consumer Protection**

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 29) Regulations 2022. (Government Notice No. 297 of 2022)

**E. Ministry of Health and Wellness**

The Quarantine (COVID-19 Restrictions) (Amendment No. 3) Regulations 2022. (Government Notice No. 298 of 2022)

**F. Ministry of Blue Economy, Marine Resources, Fisheries and Shipping**

The Fisheries and Marine Resources (Exploratory Fishing) Regulations 2022. (Government Notice No. 296 of 2022)

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

The Financial Statements and Reports of the Director of Audit on the Financial Statements of the Malcolm De Chazal Trust Fund for the following years/period:

- (i) 01 July 2004 – 30 June 2005;
- (ii) 01 July 2005 – 30 June 2006;
- (iii) 01 July 2006 – 30 June 2007;
- (iv) 01 July 2007 – 30 June 2008;
- (v) 01 July 2008 – 30 June 2009;
- (vi) 01 July 2009 – 31 December 2010;
- (vii) 01 January 2011 – 31 December 2011;
- (viii) 01 January 2012 – 31 December 2012;
- (ix) 01 January 2013 – 31 December 2013;
- (x) 01 January 2014 – 31 December 2014; and
- (xi) 01 January 2015 – 31 December 2015.

## ORAL ANSWERS TO QUESTIONS

### NHDC – 12,000 RESIDENTIAL UNITS – PROJECT COST & SUBSIDY

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the proposed construction of 12,000 residential units, he will, for the benefit of the House, obtain from the National Social Living Development Limited, information as to –

- (a) the total estimated project cost, now that bids have been opened;
- (b) the proposed subsidy to be given to households, and
- (c) how the project will be financed.

**The Deputy Prime Minister:** Mr Speaker, Sir, allow me to bid good morning to the Leader of the Opposition and thank him for this rare opportunity to provide information to Members of the House concerning the mega social housing project, unprecedented, initiated by the Prime Minister and our Government two years ago.

Mr Speaker, Sir, the question relates to the project for construction of 12,000 residential housing units in response to growing demand. The House will recall, Mr Speaker, Sir, that in his Budget Speech in June 2020, the Minister of Finance announced an exceptional effort of Government to build 12,000 residential units for families with a monthly income of up to Rs60,000. So, there was a revision of the ceiling for entitlement to social housing announced by the Minister of Finance, and this was on top of the normal housing construction project of the NHDC.

Now, to meet the needs of the most vulnerable families as well as middle- income families, Government announced that –

- (a) For families earning monthly income of up to Rs10,000, Government would build 1,800 housing units and subsidise 80% of the cost.
- (b) For families earning monthly income between Rs10,000 and Rs30,000, Government would build 5,200 housing units and subsidise 67% of the cost.
- (c) For families earning monthly income between Rs30,000 and Rs45,000, Government would build 3,500 housing units and subsidise 40% of the cost.

(d) And finally, for families having monthly income ranging from Rs45,000 to Rs60,000 per month, Government would build 1,500 housing units and would subsidise some 30% of the cost.

So, these were in response to part (b) of the question; the proposed subsidy already announced in the Budget Speech of June 2020.

Now, following the Budget Speech and after appropriate consultations, it was proposed that the New Social Living Development Ltd (NSLD) would be the implementing agency for the construction. And it will be recalled that the NSLD was incorporated as a wholly owned company of the NHDC, as an SPV, a Special Purpose Vehicle.

From July to October 2020, my Ministry together with the NHDC and the Ministry of Finance, Economic Planning and Development worked on a project proposal whereby we would have 18 to 28 *arpents* of land in each Constituency, excluding Rodrigues, for the construction of some 600 residential units per Constituency. The sites would have to be easily accessible, high-rise buildings given the scarcity of land - high-rise as far as possible if the nature of the soil allows - and there would be enhanced onsite social amenities. There would be a new ecological dimension, green construction in terms of rain water harvesting, energy generation, energy efficiency and waste disposal, and access to social services within the community.

As from 2020, my Ministry, in collaboration with the NSLD, began the complex exercise of identifying land that would be both suitable and buildable. I would pray the Leader of the Opposition to bear with me; I need to provide the information so that he is fully aware and understands my response concerning project cost. Now, where it has been possible, we have opted, we have given priority to State land or land vested in State-owned companies to diminish the pressure on public finance. Where it has not been possible to secure such land, the NSLD has had either to buy or to compulsorily acquire private land. This exercise is still ongoing.

From November 2020 to January 2021, the NSLD prepared the Request for Proposals (RFP) for the Project Management Consultants for Construction (PMCCs). In July 2021, the RFP for the PMCCs was launched, and then, we were hit by COVID in March 2021. Despite that, from April to July 2021, the bids for PMMCs were evaluated, and out of 10 bids, only 3 were technically and financially responsive. In August 2021, the procurement exercise had to be

cancelled and a new reformulated RFP launched, which eventually meant that between November 2021 and early 2022, 8 PMCCs, Project Management Consultants, were appointed.

As from December 2021, we began the geotechnical investigations by geotechnical Consultant firms appointed by the PMCCs (following relevant procurement procedures). This was done on identified sites, which is still continuing until now, as a function of site identification and availability of these geotechnical consultancy firms.

As from April of this year onwards, the NSLD with its PMCCs prepared concept designs, architectural drawings, detailed structural designs and thereafter preparation of tender documents in respect of construction.

As from August of this year, bids were launched in batches for construction. In September, the initial bids were opened; 5 out of a total of some 62 - this may vary. And what was noted was that the figures submitted went beyond the 30% increase in construction costs as per Statistics Mauritius. So, this has, obviously, significant implications both for the total project cost and the eventual selling price of these units.

So, we did three things, with the approval of Government –

- (i) The NSLD reviewed its specifications for the housing units to align strictly with NHDC's specifications because they had tried as a first step to offer more comfortable surroundings - even more comfortable. So, we have now aligned strictly with the NHDC;
- (ii) the contractual conditions were reviewed to ensure that there was an increased response from eventual bidders, giving building in more flexibility, and
- (iii) accordingly, the bids that had already been closed and the bids that had in the meantime been launched had to be cancelled to allow for a relaunching of the call for tenders on the basis of modified tender documents.

Now, we expect this exercise, the new launching of bids to begin right now, this week, and proceed by phases thereafter. So, all in all, this project of unprecedented magnitude has been severely hampered by COVID restrictions over 20 months, including 2 lockdowns that entailed inevitable and significant delays. The major constraints have been unavailability of land, unsuitability of some sites identified, the limited number of available geotechnical contractors and equipment, and the limited absorptive capacity of the construction industry as a whole.

To respond directly to part (a) of the question, now that I have laid the background, the Leader of the Opposition will recall that in the Budget Speech of June 2020, my colleague, the Minister of Finance, announced that Rs12 billion had been earmarked by Government for the construction of 12,000 housing units. He also announced that the household income eligibility ceiling was being raised to Rs60,000 maximum, and he gave the details of the subsidy component, which I read out earlier.

Thereafter, I remember there was a Parliamentary Question from hon. David and I had the opportunity to explain that the whole construction cost would not be Rs12 billion. Rs12 billion was what Government was putting in, then we would have to privately raise the balance, and which would be repaid when the houses are sold. When the RFP was launched for PMCCs, the construction cost per house was mentioned as per the construction cost then of NHDC houses, between Rs1.5 to 1.9 m.

The opening of bids, as I explained, has shown that the construction costs have increased by more than 30%, and so, we have brought a number of amendments to our bids. Let me also explain that we are now excluding a number of sites where the infrastructural works, substructure, and earth works represent abnormally high costs. So, the final project cost can only be determined when we receive the new bids. That will depend, at the time the bids come in, on revised construction sites, revised construction specifications, contractual amendments and evolution of construction costs. As we know, we have a lot of imported inflation there.

The subsidy has already been announced in June 2020 and that formula is being maintained for the time being subject, of course, to amendments that may be brought in the light of the total financial costs. As for the financing of the project, I have already explained that the balance of the Rs12 billion will be privately raised. I hope I have provided the Leader of the Opposition the information he was seeking.

**Mr X. L. Duval:** Thank you, Deputy Prime Minister. I think it is, after looking at the file, unprecedented amateurism, but I will come to that in a moment. Mr Speaker, Sir, the Deputy Prime Minister, the Government, have promised on repeated occasions that they would supply to the long waiting public, 12,000 houses by 2024 at a cost to the purchaser of Rs700,000.

Now, I want firstly to ask the Deputy Prime Minister...

**The Deputy Prime Minister:** I am sorry, I missed the last part.

**Mr X. L. Duval:** You missed the important one! At a cost of Rs700,000. You remember you said that yourself in July? I can circulate it if your memory has played with you at this stage. You said: '12,000 houses, March 2024; Rs700,000 to the purchaser.' Are you maintaining this promise that you made? You also made the promise that it would be quality housing. Are you maintaining the four prongs of your promise to the people of Mauritius? That is my first question. Yes or no?

**The Deputy Prime Minister:** Mr Speaker, Sir, the...

**Mr X. L. Duval:** Maybe! No! What is it?

**The Deputy Prime Minister:** I am sorry, I will...

**Mr X. L. Duval:** Yes or no?

(*Interruptions*)

**The Deputy Prime Minister:** When you finish, I will answer.

**Mr X. L. Duval:** *A se fer zez!* Yes or no?

(*Interruptions*)

**The Deputy Prime Minister:** *Non, mo pas fer zez!* I go by parliamentary tradition. When you speak, I do not interrupt. I will wait until you finish and then I will answer.

**An hon. Member:** *Bien élevé !*

**The Deputy Prime Minister:** Mr Speaker, Sir, the hon. gentleman speaks of unprecedented amateurism. Now, I would like to point out that - let us forget the NSLD - just for the NHDC, we have already delivered, since the last elections, some 2,200 houses. That is more than the Labour Party and PMSD delivered between the whole period of 2006 to 2014 in terms of houses built and nearly the amount in terms of houses delivered.

(*Interruptions*)

So, speaking of amateurism, Mr Speaker, Sir, let me again say this is unprecedented. It shows the commitment of Government as the first major social project announced in June 2020. And despite COVID, despite the worst recession this country has known in its economic history, Government has maintained its objective, and my colleague, the hon. Minister of Finance has reaffirmed this commitment in June 2021 and in June 2022. So, yes, Mr Speaker, Sir, we have only one word. That is a sacred commitment taken; we will build the 12,000 houses for the people of Mauritius.

**Mr X. L. Duval:** The first element.

**The Deputy Prime Minister:** Now, as regards the issue of unit cost, I have never stated that at whatever date the 12,000 units will be ready, whatever the size, whatever the location, it will be Rs700,000. What I have had the opportunity of stating in this House is the actual cost of NHDC houses, how much subsidy Government brings in and what is the balance that is to be repaid by prospective buyers, and Government has extended the repayment period to 35 years now. So, if the hon. gentleman wants to lay on the Table of the House an answer I gave here, I am quite willing to comment thereupon.

**Mr X. L. Duval:** Mr Speaker, Sir, I certainly will lay a rendition of his speech on 11 June 2020. And we can do simple subtraction; we are not that stupid. And it says : « *le DPM a souligné que le coût pour la construction de chaque unité équivaut à R 1.9 million. Le gouvernement allouant un subside de R 1.2 million sur chacune d'elle* ». Hon. Rutnah is no longer here. So, we can all calculate that it is going to be Rs700,000. I will also tell...

(*Interruptions*)

**The Deputy Prime Minister:** Mr Speaker, Sir, on a point of order!

**Mr X. L. Duval:** I have not finished this time!

**The Deputy Prime Minister:** On a point of order!

**Mr X. L. Duval:** I have not finished!

**The Deputy Prime Minister:** If I may, on a point of order. The Leader of the Opposition has categorically stated that I communicated such information. The document being quoted from clearly is not Hansard, and it is, therefore, misleading the House to say that I would have stated here that all these houses would cost Rs700,000.

(*Interruptions*)

**Mr X. L. Duval:** Oh, he is misleading things! I am surprised! Since 2020, he has been talking about Rs700,000. You will look stupid Mr Minister in front of people! And I will produce! Since 2020, you have been producing that figure. So, I understand now that the cost of Rs700,000 per purchaser is no longer on the cards for you. The Press will take up the rest, Mr Speaker, Sir.

(*Interruptions*)

I am going to ask the hon. Deputy Prime Minister. He has said that he wants to be transparent. And my problem is not with NHDC! I accept that they have constructed some 2,000 houses on a waiting list of 35,000. So, people will understand.

Now, Mr Speaker, Sir, why doesn't he tell us that the average cost - as per the tenders received, the 4-5 tenders that you have opened - per house is something like Rs6 m., including project management costs, etc. Rs6 m. for a house that you were mentioning in June 2020 was supposed to cost in 2022. A few months ago, he went all over the place to say that the cost will be...

**Mr Speaker:** Put your question!

**Mr X. L. Duval:** Wait a minute!

**Mr Speaker:** Put your question!

**Mr X. L. Duval:** Wait a minute!

**Mr Speaker:** ... don't have to wait!

**Mr X. L. Duval:** Wait a minute!

**Mr Speaker:** Put your question!

**Mr X. L. Duval:** I am saying, wait a minute! Will cost...

**Mr Speaker:** I am on my feet! You are not putting your question!

**Mr X. L. Duval:** I am saying ...

**Mr Speaker:** I disallow this question!

**Mr X. L. Duval:** You have said everywhere that the cost would be Rs1.9 m. Why don't you tell this House, since you have said that you are going to be transparent, what were the bids received and whether or not the bids were to the average value of Rs6 m. per unit, per the design that you have yourself approved? That is my question. Is that alright, Mr Speaker?

**The Deputy Prime Minister:** Mr Speaker, Sir, let me thank the Leader of the Opposition who seems to be worried that I may look stupid. Let me assure him, at the end of this mandate, he will be judged on his words. We, on this side of the House, will be judged on our deeds, and we are confident that we will have deeds to show the public.

I maintain that I have never stated when NSLD houses will be built and delivered, and I cannot say exactly when that will be. I hope that they will all be delivered in 2024, but I am no magician. And building houses throughout history has never been child's play.

Now, I have never mentioned Rs700,000. What I have stated, when delivering NHDC houses in the past, is that those units have cost Rs1.9 m., depending on which site we delivered houses. We do not know, and I maintain, where global inflation is going. We do not know if there will be a recession in the Western countries. We do not know when the war in Ukraine will

end. We cannot foresee what imported inflation will be. Nobody, Mr Speaker, Sir, and certainly not the Leader of the Opposition, can foresee what the final costs of construction will be.

Now, I do not design houses, and I do not approve designs of houses. This is the responsibility of the NSLD. Government lays down broad policy directives. We are building high-rise as far as possible to make optimal use of the scarce land that we have and of the public funds that we have at our disposal.

I have not also, Mr Speaker, Sir - let me make that clear - looked at tender documents or looked at bids that have been submitted. If the Leader of the Opposition knows that in these bids, in all the bids, invariably, the price quoted is Rs6 m., I do not know that. What I do know for a fact is that the price of these houses quoted in the first tender exercise, which has now been cancelled, was more than 30% the present increase in construction cost of NHDC houses. We are changing the specifications because we want all these 12,000 houses to be affordable. We are building for the poorer sections of the community and the middle classes. The litmus test of our endeavours will be the ability to build and deliver and sell at affordable prices. And this is a constant concern that I discuss regularly with the Prime Minister, my colleagues of Government, and especially the Minister of Finance. We will do our utmost to make these houses affordable to those who are in need of housing.

**Mr X. L. Duval:** Just perhaps ...

**Mr Speaker:** Let me announce that the documents tendered by the Leader of the Opposition have been declared unauthenticated, and I instruct the Clerk to return them to the Leader of the Opposition.

**Mr X. L. Duval:** As usual, thank you! But I just want to say one thing to the hon. Deputy Prime Minister. Firstly, he has not denied that the average cost of the house per the opening bids is Rs6 m. Secondly, is he aware that it is good practice for bids, when they are opened, to be published so that it is transparent? And, therefore, I will ask the Deputy Prime Minister today to take the commitment that he will publish and table on the Table of this House the list of all the open bids and the tenders that have been made by NSLD, since he is saying September. Will he, in the name of transparency, table the list of the bids that have been received? Because that is standard practice; transparency, nothing to hide! Thank you.

**The Deputy Prime Minister:** Thank you. Mr Speaker, Sir, let me again make it clear. I have neither confirmed nor denied the figure of 6 million because I simply do not know. They

may be 4 million, 5 million, 6, 7, 8, 9 million; I do not know! I do not open tenders; I do not verify tenders. What we do know is that it was more than a 30% increase and, therefore, it was decided that we should start a new exercise because we need to ensure that these houses are affordable. I do not mind, the Government does not mind the delay of 1, 2, 3, 4 months. What matters is that these houses are built and that they are affordable, and we will certainly go down in history as the Government that managed to implement the largest social housing project in history, and I hope that my good friend, the Leader of the Opposition, will also go down in history as a Leader of the Opposition who supported this project and who did not question and criticise it.

Now, as regards procurement, Mr Speaker, Sir, what I understand is that the NSLD as a special purpose vehicle does not fall under the purview of the Public Procurement Act...

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

**The Deputy Prime Minister:** I think that is clear and I explained it...

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

**Mr Speaker:** Wait!

**An hon. Member:** *Laisse li kozer do!*

**Mr Speaker:** Wait! You wait! He is replying! You wait! You are in a parliamentary democracy.

**An hon. Member:** *Twa dir shame après kan to micro alimer!*

**The Deputy Prime Minister:** Did I say ‘shame’ when the Leader of the Opposition spoke? Did I utter a word? *Ai-je eu un geste déplacé?* I think we should be polite and courteous in this Parliament.

*(Interruptions)*

So, I have nothing to hide and I answered my good friend hon. Osman Mahomed when this matter was raised, explaining why we had created an SPV and what the SPV is. Nevertheless, I am informed that the Board of the NSLD has approved the implementation of a Procurement Policy Framework to be applied for the procurement of goods, works, consultancy services and other services with the aim to ensure a transparent, efficient, fair, ethical process, with good governance practices and equitable procurement process so as to achieve maximum value for public money. So, the NSLD has adopted the open advertised bidding policy in the appointment

of PMCCs and building constructors for the construction of housing units, and that is for everybody to see, and this month, the bids will be going out again.

**Mr X. L. Duval:** So, my question again was: is the hon. Deputy Prime Minister willing to table all the bids that have been opened so far in the name of transparency? And I should also warn the Deputy Prime Minister that since he is taking so long to answer, and I have a lot of questions, he may come back to the House, as often as necessary, to prove to the House and to the people at large that all these are, unfortunately, false promises being made to thousands and thousands of poor Mauritians in Mauritius. And that is the point! Now, tell us whether you will publish the bids that have been received so far?

**The Deputy Prime Minister:** Mr Speaker, Sir, I do not know whether it is normal practice to publish bids. I am quite happy to go and inquire. If that has been the practice of the PMSD when it was in Government, then we shall do so! If it was the practice of the PMSD, we shall do so! Now, we are being accused of making promises. The promises have yielded nearly 2,200 houses since the last elections, and we are building.

Now, the Leader of the Opposition says that he will continue asking questions. Let me tell him that my door is open. He can call on me at any time and we will provide him with all the information. So, we can meet whether outside the House, and I shall be only too happy to answer any Parliamentary Question from the Leader of the Opposition or from any of my good friends on the other side of the House. We have absolutely nothing to hide. I have noted that the Leader of the Opposition has not alluded to any impropriety whatsoever, and if he thinks there is an impropriety, I would invite him to come and say so in the House. In the meantime, Mr Speaker, Sir, whatever opponents may say, we will go on with our work and Government will deliver on its commitments.

**Mr X. L. Duval:** I have not mentioned purposely any impropriety, and if I hear, I will do so certainly.

**The Deputy Prime Minister:** Thank you.

**Mr X. L. Duval:** And I will look for it, but I have not seen any so far. I will ask the hon. Deputy Prime Minister now. He has experience; he is going to build 900 units of social housing in Coromandel on a high-rise basis. Is that right? Now, has he spoken to people? Does he understand what the concentration of such huge numbers of units in one area means for the quality of life in that development? Has he not considered experience overseas? High-rise units,

four, five storeys! 900 in one piece means what? Four-five thousand people on a small plot of land? Does he not consider that instead of quality, he is going to give even worse quality than the NHDC is doing at the moment, where they are constructing small developments, individual houses on individual plots?

**The Deputy Prime Minister:** I thank the hon. Leader of the Opposition for his concern. Let me recall, Mr Speaker, Sir, that we have organised at least two workshops to explain the design, the project, and everything we are doing. All the Members on the other side of the House, not all, I think all those who ask PQs, who show some interest in housing, were invited. Two or three said they would. One hour before the workshop, they phoned to say they could not. So, all these questions were openly debated and I would have welcomed constructive suggestions from the Opposition, and we still have an open mind. So, instead of criticising, if they have any constructive proposals, we are here to listen to them.

Now, as regards Coromandel, let me explain what is happening. Firstly, for inhabitants of Constituency No. 20, this was the only plot of land available. We have several constituencies where there is no land available. In Constituency No. 20, we are building close to 600 houses on 28 *arpents* of land - 28 *arpents* for these houses! And as regards Constituency No. 1, where again we have very limited land available, we have some land in Pointe aux Sables, and that is all. We have allocated another 13 *arpents* at Coromandel for approximately 300 houses. The site at Coromandel is exceptional. We are building indeed 900 houses over a total of 13 plus 28, *ça fait* 41. 41 *arpents* of land! The project is exceptional.

The Leader of the Opposition has a point. We are as far as possible limiting housing project on any one site to 300 because we are very aware of what it means to settle a large number of families in terms of public transport, social amenities and so on and so forth. In some places, that is not possible, and that is precisely one of the reasons why previous Governments have not been able to build that many houses. So, let me tell the Opposition that if they have constructive proposals, we are again open to listen.

**Mr Speaker:** Time over! Let me announce, for Prime Minister's Question Time, that PQs B/1081 and B/1087 have been withdrawn.

Hon. Ms Anquetil!

### **BABY S.' MOTHER – ARRESTATION & CHARGES**

**(No. B/1071) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the mother of Baby S. who was arrested and detained in Police Cell, on or about 07 November 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the charges levelled against her.

**The Prime Minister:** Mr Speaker, Sir, I refer the hon. Member to the reply made to the PNQ at the Sitting of the National Assembly on Thursday 27 October 2022 by the hon. Minister of Gender Equality and Family Welfare on the regrettable case of Baby S. who is, as at date, still in the Neo-natal Intensive Care Unit of the SSRN hospital. The House was, in that reply, made aware that, in view of the seriousness of the matter, the hon. Minister of Gender Equality and Family Welfare has set up a Fact-Finding Committee to assess whether all required protocols have been adhered to in this case.

As regards the mother of Baby S., Mrs S.J.M., aged 27, residing at B6, Robert Scott Street, Cité la Cure, I am informed by the Commissioner of Police that, two declarations had been made at the Abercrombie Police Station on Thursday 15 September 2022 and at the Line Barracks Police Station on Thursday 03 November 2022, respectively, by officers of the Child Development Unit.

To specify, the first declaration was a ‘preamble’ requesting the Police to trace out Mrs S.J.M. Despite all efforts of the CDU and the Police, the mother was still untraceable, while in the second declaration, a case of child abandonment was lodged against the mother by the CDU on Thursday 03 November 2022 at the Line Barracks Police Station.

Mr Speaker, Sir, I am also informed by the Ministry of Gender Equality and Family Welfare, that on Thursday 03 November 2022, the CDU contacted the maternal grandmother of Baby S. to enquire about the whereabouts of Mrs S.J.M. and requested her to bring her to the Ministry for the necessary procedures to declare the baby.

On Friday 04 November 2022, the maternal grandmother accompanied her daughter, Mrs S.J.M., to the Tardy Declaration of Birth Office of the Ministry. On the same day, needful was

done by CDU officers to draw the affidavit and petition for the mother to lodge a case at the Port Louis District Court with respect to the tardy declaration of the child. However, Mrs S.J.M. hastily left the premises of the Court when questioned about two other minors still under her care. As at date, the procedures for tardy declaration of birth have not been completed, and the advice of the Attorney General's Office has been sought on the way forward.

Mr Speaker, Sir, I am also informed by the Commissioner of Police that, on Monday 07 November 2022, during the course of investigation, Police arrested Mrs S.J.M. After enquiry, she was provisionally charged with the offence of 'Family Abandonment' in breach of section 260(3) of the Criminal Code before Port Louis District Court on Tuesday 08 November 2022. Police objected to her release on bail and she was remanded to Police Cell up to Tuesday 15 November 2022. On Friday 11 November 2022, Mrs S.J.M. was released on bail after furnishing a surety of Rs3,000 and entering into a recognizance of Rs20,000. She will appear Court on Wednesday 18 January 2023. The enquiry into the case is proceeding.

**Mr Speaker:** Hon. Nuckcheddy!

**Mr Nuckcheddy:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister provide information...

*(Interruptions)*

**Mr Speaker:** You have to raise your hand!

*(Interruptions)*

You have to raise your hand! It is not as of right!

*(Interruptions)*

Read your Standing Orders!

*(Interruptions)*

**An hon. Member:** She did! She did!

**An hon. Member:** Shame!

*(Interruptions)*

**Mr Nuckcheddy:** Thank you again, Mr Speaker, Sir. Can the hon. Prime Minister provide information on the number of cases of child abandonment ...

*(Interruptions)*

**Mr Speaker:** Please, be careful!

**Mr Nuckcheddy:** ... yearly from 2010 to date?

*(Interruptions)*

**Mr Speaker:** Be careful!

**Mr Bérenger:** I have not said anything!

**Mr Speaker:** Be careful!

**Mr Bérenger:** *Ki* careful?

*(Interruptions)*

**Mr Speaker:** Please, walk out from here for the rest of the day!

**An hon. Member:** *Zis pou perdi letem sa!*

**Mr Speaker:** For the rest of the day!

*(Interruptions)*

**Mr Bérenger:** Shame! *Enn Speaker sa?*

**Mr Speaker:** For the rest of the day! God bless you! You are a great man! For the rest of the day, walk out.

**Mr Bérenger:** *Laisse bondie deor!*

**Mr Speaker:** Yes!

**Mr Bérenger:** Shame on you!

**Mr Speaker:** What?

**Mr Nuckcheddy:** Thank you again, Mr Speaker, Sir. Can the hon. Prime Minister provide information on the number of cases of child abandonment yearly from 2010 to date? Thank you.

**The Prime Minister:** Mr Speaker, Sir, the information that I have is the following –

- (i) 2010 – 141 cases;
- (ii) 2011 – 162 cases;
- (iii) 2012 – 128 cases;
- (iv) 2013 – 137 cases;
- (v) 2014 – 63 cases;
- (vi) 2015 – 54 cases;
- (vii) 2016 – 79 cases;
- (viii) 2017 – 68 cases;
- (ix) 2018 – 75 cases;
- (x) 2019 – 58 cases;
- (xi) 2020 – 46 cases;
- (xii) 2021 – 55 cases, and
- (xiii) 2022, that is, as at September – 34 cases.

What we can note from these figures is that from 2010 to 2013, there has been quite a number of cases, but, as from 2014, the number of cases has reduced. We shall have to study these figures, and try to draw conclusions from them.

**Ms Anquetil:** Merci, M. le président. La charge provisoire retenue contre la maman, nous comprenons que c'est l'abandon. Le *Children's Act*, à la page 512, section (b), décrit qu'un place of *safety* comprend –

- (a) un *foster home* ;
- (b) un couvent ;
- (c) un *shelter* ;
- (d) une institution charitable, ou
- (e) un hôpital.

Et surtout, M. le Premier ministre, que c'est une pratique habituelle du ministère de l'Égalité des genres de laisser les enfants qui ont été retirés dans leurs familles pendant des mois et des mois dans les hôpitaux, sans surveillance. Expliquez-nous comment ce cas est considéré comme un abandon, mais quand le ministère laisse des centaines d'enfants dans les hôpitaux, il ne s'agit pas d'abandon. Merci.

**The Prime Minister:** You are totally out of order because your question does not relate to the question that you have yourself put! I think you have to go for a refresher course.

*(Interruptions)*

You have to! Iznogoud! *Toi, Iznogoud!*

*(Interruptions)*

**Mr Speaker:** Order!

**The Prime Minister:** You are raising issues which are totally outside the limits of this very question that you yourself have put!

**Ms Anquetil:** M. le Premier ministre, souvent, dans vos discours, vous dites que vous êtes un grand défenseur des droits de la femme.

*(Interruptions)*

**Ms Anquetil:** Attendez! Il n'y a rien de mal dedans !

**Mr Speaker:** Now, listen! Excuse me! You have the right to put a supplementary question. A supplementary question is not a statement or an argument or a debate or whatever. Put your question straightforward!

**Ms Anquetil:** M. le Premier ministre, vous êtes un grand défenseur des droits de la femme. Vous avez l'occasion ce matin de le prouver. Ne pensez-vous pas que cette maman vulnérable, issue d'un milieu défavorisé, ne mérite-t-elle pas plutôt le soutien de l'Etat mauricien ? Ne pensez-vous pas qu'il aurait fallu une approche plus humaine comme, par exemple, un soutien à la parentalité, le *parenting* comme on dit en anglais, et un programme de réhabilitation et d'insertion ? Je vous remercie, M. le président.

**The Prime Minister:** Let me provide some information to the House, and, especially, to the hon. Member. Probably she is not aware. Mr Speaker, Sir, since 05 September, several home visits were conducted by authorised officers at B6, Sir Robert Scott Street, Cité La Cure, for an assessment of the family conditions to decide on the nature of support...

**Mr X. L. Duval:** On a point of order.

**Mr Speaker:** Yes.

**Mr X. L. Duval:** The Prime Minister should not give the address of the lady in question. This is surely not right.

**Mr Speaker:** Okay.

**Mr X. L. Duval:** If that is what you have done, I regret that you are doing so.

**Mr Speaker:** Okay. I listened to your point of order.

**Mr X. L. Duval:** You do not give the address; this is not correct.

**Mr Speaker:** Okay.

**The Prime Minister:** You want me to provide information to the hon. Member who does not understand?

**Mr X. L. Duval:** Accept it! To provide the address of this vulnerable lady here in this House! She has not asked for her address to be published. I think you should, in all humility, say that you will not do so again.

**Mr Speaker:** Continue!

**The Prime Minister:** The officers paid several visits to her home to make an assessment of the family conditions to decide on the nature of support to be provided to Mrs S.J.M. and her family to enable eventual proper upkeep of her children.

*(Interruptions)*

Yes, you can listen to the answer also, please?

**Mr X. L. Duval:** I am sorry, I am shocked!

**The Prime Minister:** You are shocked?

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

**The Prime Minister:** No. Maybe you have to take some Xanax then.

**Mr Speaker:** I see the House in good mood. You continue!

**The Prime Minister:** Regrettably, the latter did not want to cooperate, Mr Speaker, Sir. On 07 September 2022, the matter was reported to the Police to secure as early as possible two

more siblings of Mrs S.J.M., deemed to be at risk in the custody of the mother. A DB entry 97/22, in respect of the need to locate the minor siblings with their mother, and to explain the importance of child protection generally, was recorded at the Abercrombie Police Station, after several calls and visits, and I do not want to take the time of the House to mention the dates on which the officers had been calling at the residence of the mother. On 04 November 2022, the grandmother and the mother of the baby attended, as I stated in my reply, the Tardy Declaration section of the CDU. However, after completing the procedures for tardy declaration, and when requested to come back to CDU for an assessment regarding the two minors in the custody of the grandmother, both grandmother and the mother left the Court premises hastily, stating that they had other important tasks to attend to. The Police was again requested to locate the mother so that a proper assessment of the latter's capacity to look after her children could be made and of the support to be provided accordingly.

Subsequently, on 07 November, the Police arrested the mother. Notwithstanding this, after the release of the mother on bail on 11 November 2022, officers of the Ministry of Gender Equality and Family Welfare and of *La Brigade pour la Protection de la Famille* visited her on 12 November 2022 to assess her needs for support.

On 14 November 2022, a psychologist of the Ministry of Gender Equality and Family Welfare attended her place to provide her with psychological support, but she stated that she was too tired and that she would attend the child protection services of Port Louis on the next day, that is, today 15 November 2022, for psychological support.

Thus, Mr Speaker, Sir, from what I have said, so far, I must specify that it is clear that all the assistance that can be provided to this lady and to the children has been offered by officers, social workers of the Ministry, and it is regrettable, to say the least, that this person is not cooperating; I repeat she is not cooperating at all.

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

**Mrs Luchmun Roy:** Thank you, Mr Speaker, Sir. In his answer, the Prime Minister mentioned about the tardy declaration and also about the two minors. Can the hon. Prime Minister provide the ages of those two minors and confirm to the House that the three children of the mother of Baby S. are not declared to the Civil Status Office? Thank you.

**The Prime Minister:** I have the information. Mrs S.J.M. is the mother of three other children, namely –

- minor G.E.C., aged 4 ;
- minor M.E.L.C., aged 2, and
- minor K.C., aged 1.

And I am informed that the births of the first two children was duly declared whereas the birth of minor K.C. was not declared within the prescribed period of three months, and the case was referred to the Tardy Declaration of Birth Office of the Ministry of Gender Equality and Family Welfare. I can also inform the House that minor M.E.L.C. has been placed in a foster family while the other two minors are under the care and responsibility of their maternal grandmother.

**Dr. Aumeer:** Thank you. Can I ask the hon. Prime Minister whether he has any information as to whether, during the time the mother of Baby S. was under the custody of the Police, she was subjected to any medical and psychiatric evaluation since she has other two minors close to her responsibility? Thank you.

**The Prime Minister:** I do not have this information. I need to find out from the Police and then I can obviously provide this information to the House.

**Mr Speaker:** Hon. Abbas Mamode!

**Mr Abbas Mamode:** Thank you, Mr Speaker, Sir. In his reply, the Prime Minister has talked about tardy declaration of birth. Can the hon. Prime Minister inform the House on the current procedures regarding tardy declaration of birth?

*(Interruptions)*

*Mo pa gagn drwa poz kestion? To tousel gagn drwa ?*

*(Interruptions)*

**Mr Speaker:** What is happening now? Continue!

**The Prime Minister:** Mr Speaker, Sir, let me be concise. The tardy declaration process starts only after three months of the child's birth. It comprises as many as 17 steps from the time preliminary enquiry is held to gather required documents and information till, finally, the parents attend the Civil Status Office accompanied by a CDU officer for registration of birth and issue of Birth Certificate. It involves preparation and filing of affidavits, Court procedures, Police enquiries and Magistrate's Orders.

**Ms Anquetil:** Je vous remercie, M. le président. J'ai aussi parlé à la grand-mère et il n'a pas été question d'abandon, mais la maman a pris peur lorsque la CDU a commencé à la

chercher puisque ce n'est un secret pour personne que la *CDU* retire les enfants de manière brutale.

**Mr Speaker:** You have to put a question! The Members are waiting!

**Ms Anquetil:** M. le Premier ministre, au lieu d'aider cette maman vulnérable, pourquoi sommes-nous allés chercher une loi - la loi 260, section 3 - sur les mœurs pour attaquer une mère vulnérable ? Pourquoi ?

**An hon. Member:** *Pena respe pou dimounn !*

**The Prime Minister:** En tout cas, M. le président, j'ai dit à la Chambre, que le ministère a tout fait pour assister cette dame par l'entremise des officiers, et des *social workers*. J'ai ample détails concernant les visites, et l'assistance de la police pour retracer cette personne. Les officiers et la police ont été au domicile de la dame, et à plusieurs reprises ont rencontré la grand-mère qui – je dirais, pour conclure – n'a pas du tout coopéré avec la police et les officiers pour indiquer où se trouvait la dame. Et dans un cas pareil, la députée est en train de venir dire à la Chambre aujourd'hui – elle a pu, dit-elle, parler à la grand-mère ; donc, elle aurait dû peut-être donner de meilleurs conseils à la grand-mère, parce que l'abandonnement d'un bébé, croyez-vous que c'est quelque chose qui est correct ? Et maintenant, la faute est à qui ? Ce n'est pas à la dame ! Ce n'est pas à la maman ! La faute est au gouvernement ! C'est la faute du ministère de *Gender Equality* ! C'est notre faute maintenant ! La faute, c'est à moi !

**Ms Anquetil:** C'est au ministère !

**The Prime Minister:** Voilà quel genre de principe est en train d'être *advocated by this hon. Member* !

Elle parle de loi – je ne sais pas quelle loi elle a été voir ! La loi est la loi ! Il faut respecter la loi. Alors, on ne parle pas de la responsabilité et l'obligation d'une mère ou d'un père de famille ? Vous oubliez tout ça ? Et tout ce que vous avez à faire, c'est de venir critiquer - alors que nous, nous avons notre responsabilité - on est en train de *discharge our responsibility*. *But there is also the responsibility of a mother, of a father! So, I hope, when you will meet the family next time*, vous allez lui donner de meilleurs conseils.

**Mr Speaker:** Before we proceed, let me announce that PQs B/1072, B/1084, B/1079, B/1091, B/1077, B/1083, B/1076 have been withdrawn.

Hon. Ms Tour!

**Ms Tour:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister state how it was established that Mrs S.J.M. was a drug addict?

**The Prime Minister:** Well, I do not really want to dwell on this aspect, though I have been provided with the information. But let me only refer - because this is already in Hansard - to what my colleague, Minister Koonjoo-Shah stated in her reply to the PNQ of the hon. Leader of the Opposition. I quote one part of it –

“The mother has a history of repeated termination of pregnancies. She had also been consuming alcohol, smoking cannabis and injecting hard and illicit substances throughout her pregnancy and had not followed antenatal care (ANC) treatment at all”.

I am only quoting from what has already been stated in this House because I do not want to dwell further on this aspect. I have been provided with other information, but I think it would not be appropriate for me to provide it to the House.

**Mr Speaker:** Hon. Doolub!

**Mr Doolub:** Thank you, Mr Speaker, Sir. I wish to come back to the arrest of Mrs S.J.M...

*(Interruptions)*

**Mr Speaker:** Silence!

**Mr Doolub:** Can the hon. Prime Minister state the reasons as to why the Police objected to the bail of Mrs S.J.M. in the first instance and also inform on the conditions of her bail granted on 11 November? Thank you.

**The Prime Minister:** Mr Speaker, Sir, from information that I have been provided by the Commissioner of Police, the Police objected to the bail of Mrs S.J.M., in the first instance, for the following reasons –

- (i) the risk of absconding, and
- (ii) interfering with witness.

But on Friday 11 November 2022, the Police waived the objection to the bail of Mrs S.J.M. and she was released after furnishing a surety of Rs3,000 and entering into a recognizance of Rs20,000. I understand that she will appear in Court on Wednesday 18 January 2023.

**Mr Speaker:** You have finished?

**The Prime Minister:** Yes, I finished.

**Mr Speaker:** Hon. Mrs Mayotte!

*(Interruptions)*

**Mrs Mayotte:** Merci M. le président...

**Mr Speaker:** Give me one minute! Nobody is raising their hands here! And so, what are you ha ha ha ha?

*(Interruptions)*

Order! Follow the principle of Parliament! Order! You have to raise your hand if you have a question!

*(Interruptions)*

You have to catch my eyes, not my heart!

**Mrs Mayotte:** Merci, M. le président. Je suis d'accord avec l'honorable Stéphanie Anquetil qui reconnaît que le Premier ministre est un grand défenseur des droits de la femme et je ne voudrais pas porter de jugement sur S.J.M. car nous ne connaissons pas vraiment les raisons de tout ce qui entoure sa vie, mais ne faisons pas non plus de politique sur ce pauvre bébé qui a été abandonné à l'hôpital. Suite à cela, je voudrais demander au Premier ministre si madame S.J.M. a pris des nouvelles pour demander quelconque information sur le bébé qui est

resté abandonné à l'hôpital depuis la naissance, c'est-à-dire depuis le 27 juillet 2022. Merci, M. le président.

**The Prime Minister:** Mr Speaker, Sir, I am informed that, after Mrs S.J.M. left Dr. Jeetoo Hospital following her delivery, she neither sought any information on her baby nor did she turn up to visit and take care of her baby. From Thursday 15 September 2022, when the CDU personnel filed a 'preamble' declaration at Abercrombie Police Station requesting Police to trace out Mrs S.J.M., to 04 November 2022, when the latter called at the Tardy Declaration of Birth Office accompanied by her mother, she did not enquire on her baby a single instance.

**Mr Speaker:** Dernière question pour vous !

**Ms Anquetil:** Je vous remercie.

**Mr Speaker:** Dernière question !

**Mr Dhunoo:** Thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House about the measures that have been taken since 2019 to cater and attend to emergency cases in situations regarding children in distress, as is the case in the matter that is attracting our attention today in the House?

**An hon. Member:** *Lot coup bizin précis!*

**The Prime Minister:** Mr Speaker, Sir, in 2019, an Integrated Service Centre was set up in Phoenix and provided with four trained personnel to cater and attend to emergency hotline reporting of child abuse on a 24/7 basis. In 2020, a Child Rehabilitative Services was set up with a component of 'Back to Home' and in 2022, three additional Child Protection Service Offices were set up in Moka, Rose Hill and Plaine Magnien. A fourth one in Triolet is forthcoming.

I must emphasise that the CDU is doing its job to attend to cases where children are in distress, and I believe we need to see how to improve the law and procedures to further empower the CDU. Of course, I have already given instructions to see what necessary improvements are required following the difficulties that have been encountered by the CDU officers.

**Ms Anquetil:** Je vous remercie, M. le président. Est-ce que le Premier ministre pourrait confirmer à la Chambre que juste après la décharge de la mère de l'hôpital, elle a visité son nourrisson régulièrement ? Il y avait des va-et-vient entre la mère et l'hôpital. Merci.

**The Prime Minister:** Je n'ai pas cette information, M. le président. J'ai donné suffisamment d'éléments qui m'ont été donné par les autorités concernées pour que je puisse répondre à toutes ces questions.

**Mr Speaker:** Time over! Parliamentary Questions! Hon. Armance!

### **RODRIGUES & AGALEGA ISLANDS – CARGO SHIPMENT**

**(No. B/1092) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the shipment of cargo to Rodrigues and Agalega Islands, he will state the measures taken, if any, to avoid shortages of basic commodities thereat given that only the MV Mauritius Trochetia is operational.

**Mr Maudhoo:** Mr Speaker, Sir, I wish to inform the House that the Mauritius Shipping Corporation Ltd falls under the purview of my Ministry. It is the shipping arm of the Government to service the interisland trade, thus, ensuring shipping connection between Rodrigues, Agalega and the mainland Mauritius.

The Charter Party Agreement of the MV Black Rhino expired on 30 September 2022. However, I am informed that while proceeding to a month for its planned dry docking, the MV Black Rhino left Port Louis on 08 October 2022 to reach Rodrigues on 10 October 2022 for one last voyage with 164 containers of commodities to Rodrigues.

Subsequently, pending the chartering of a replacement vessel to service Rodrigues, the MV Mauritius Trochetia took over the service for shipment of commodities to both Rodrigues and Agalega. In light of the forgoing, the MSCL has taken all necessary measures to ensure that there is continuity of normal service delivery of all commodities, not only basic commodities to Rodrigues as well as to Agalega so as there is no shortage.

Mr Speaker, Sir, since October 2022, the MV Mauritius Trochetia has already performed 4 back to back voyages to Rodrigues and 1 to Agalega, representing 507 and 68 of containers respectively which have already been shipped to these islands. Another voyage to Rodrigues has

been planned for tomorrow, comprising 80 containers of commodities and 60 containers carrying 48,000 pockets of cement to satisfy demand in Rodrigues. In a lapse of one month, more than 700 containers have already been shipped to Rodrigues, which is more than the normal consignments delivered to Rodrigues during similar periods last year.

I am informed that up to 31 December 2022, the MSCL has scheduled the Mauritius Trochetia to effect 4 additional voyages to Rodrigues and 2 voyages to Agalega. In this respect, some 400 additional containers will be shipped to Rodrigues. I am further informed that a new Charter Party Agreement would be signed by MSCL for the chartering of a vessel to service Rodrigues before the end of this month. Thus, the MSCL would have 2 vessels at its disposal to better service Rodrigues and Agalega islands.

Mr Speaker, Sir, I wish to reassure the House that my Ministry has taken all necessary measures to ensure availability of all commodities for both Rodrigues and Agalega.

**Mr Speaker:** Before we proceed, let me announce that PQ B/1103 will be replied by the hon. Minister Finance, Economic Planning and Development; B/1132 will be replied by hon. Vice-Prime Minister, Minister of Local Government and Disaster Risk Management; B/1147 will be replied by the hon. Ag. Minister of Environment, Solid Waste Management and Climate Change, PQs B/1133, B/1127, B/1140 have been withdrawn. Also, PQs B/1146, B/1139, B/1115, B/1141, B/1148, B/1124, B/1130 have been withdrawn.

Please, continue.

**Mr Armance:** M. le ministre, pouvez-vous nous confirmer qu'au mois de novembre, il y a eu trois voyages pour Rodrigues, dont un sans container – je parle du 16, du 23 et prochainement du 30 novembre – et qu'en décembre, il n'y a pas de voyage prévu par la *Mauritius Trochetia* pour Rodrigues.

**Mr Maudhoo:** I have just answered, Mr Speaker, Sir, that I am informed that four additional voyages have already been planned for Rodrigues up to 31 December. But anyway, as I informed, a new Charter Party Agreement is on the way before the end of this month. I think the problem, if any, will be solved.

**Mr Armance:** M. le ministre, pouvez-vous confirmer à la Chambre que le *Mauritius Trochetia* va être en *servicing/maintenance* du 11 au 13 et que la société AFCON a été favorisée

le 6 décembre pour effectuer un voyage à Agalega ? Je maintiens qu'il n'y a pas de voyage prévu pour Rodrigues d'après le *schedule* de la MSC publié officiellement sur le site ?

**Mr Maudhoo:** Mr Speaker, Sir, because we have only 1 vessel right now, maybe there is a timetable which has been changing with regard to the demand. But anyway, I just mentioned that a Charter Party Agreement is on before the end of this month, all these will obviously be changed.

(*Interruptions*)

**Mr Speaker:** Attendez!

**Mr Léopold:** Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House where matters stand with the procurement of the new shipping vessels for the serving of interislands of the Republic of Mauritius?

**Mr Maudhoo:** Mr Speaker, Sir, with regard to the new multipurpose cargo vessel being procured by the MSL which was initially scheduled to be delivered in China in May 2023, unfortunately, in view of the prevailing sanitary restrictions due to COVID-19 pandemic considered as a *force majeure*, construction works have experienced significant delays. The shipyard has apprised MSL that the vessel is now expected to be delivered in China on or before September 2023, all going well, of course.

**Mr Armance:** Hon. Minister, the Black Rhino has been off hired since mid of October and you had the tender to hire a new charter on 22 October. Can you please let us know why is it that there was no replacement plan to serve Rodrigues while you are putting the Black Rhino off hired, because, now, you will understand that having the new charter at the end of the month and the demand for Rodrigues is very high for the months of November and October.

So, do I take it that there has not been any replacement plan, as I maintain as well, that the tender has been changed twice? We do not know what is the rate of the new charter, whether it is going to be more expensive, less expensive, what is the capacity of the new vessel to serve Rodrigues, whether it is going to be more than the Black Rhino or less?

**Mr Maudhoo:** Mr Speaker, Sir, I am informed that prior to the expiry of the Charter Party Agreement of the MV Black Rhino, MSCL did launch several Expression of Interest seeking offers from shipping companies for chartering of a multipurpose dry cargo vessel to

service Rodrigues. Unfortunately, they all have been unsuccessful as none were found to be technically responsive.

I am also informed that bidding exercise has been unsuccessful due to the fact that bidders have not been able to meet the key requirements that are essential to allow the vessel to enter the harbour of Rodrigues safely.

Unfortunately, I think the Member is aware that due to the specificity of the required cargo vessel being less than 115 metres to get access to the Rodrigues harbour, the 6.4 metres of draft, and also to be able to carry the heavy fuel oil for CEB; these are all the key requirements. Such types of vessels are very rare. We have been having so many unresponsive bids. So, that has been the issue for the delay.

**Mr Speaker:** Hon. Abbas Mamode, next question!

#### **PROTECTION FROM DOMESTIC VIOLENCE ACT – AMENDMENTS**

**(No. B/1093) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the proposed introduction of amendments to the Protection from Domestic Violence Act, she will state where matters stand.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I wish to inform the House that extensive consultations have been held since 2021 with all key stakeholders regarding the proposed amendments to be brought to the Protection from Domestic Violence Act (PDVA). Subsequently, following those consultations, Mr Speaker, Sir, that were held with the various Ministries and Departments, in respect of those amendments, Government approval was obtained on 21 October this year for drafting instructions to be conveyed to the Attorney General's Office. Thank you.

**Mr Abbas Mamode:** Thank you, Mr Speaker, Sir. Since this Government is very caring about domestic violence, can the Minister inform the House about the time frame for Bill to be brought to the House?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, as I have just replied, drafting instructions were conveyed to the Attorney General's Office on 21 October of this year. So, the House will appreciate that the Bill, being at the level of SLO, is imminently going to be presented at the

level of the National Assembly. But, before that, it has to obtain the approval of Cabinet. Thank you.

**Mr Abbas Mamode:** Thank you, Mr Speaker, Sir. Can the Minister inform the House whether there are any schedules for meeting with other stakeholders and NGOs?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, as I stated in my reply, there have been extensive consultations that have been held prior to Cabinet approving drafting instructions to be sent to the Attorney General's Office. And I can reassure the hon. Member and the House that, yes, there have been consultations with all sectors and all stakeholders including NGOs and civil society organisations.

**Mr Speaker:** Next question!

#### **NATIONAL GENDER POLICY 2022-2030 - IMPLEMENTATION**

**(No. B/1094) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the implementation of the National Gender Policy 2022-2030 launched on 08 March 2022 by the Honourable Prime Minister, she will state where matters stand as to the implementation thereof.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the National Gender Policy 2022-2030 was launched on 08 March this year by the hon. Prime Minister.

This policy, Mr Speaker, Sir, has as objectives to, among others, ensure an effective and sustainable implementation of the gender equality principles in the development agenda as well as to offer an empowering environment with strengthening institutional frameworks to support gender mainstreaming and implement gender equality principles in all sectors.

Mr Speaker, Sir, the first meeting of the National Steering Committee on Gender Mainstreaming was chaired by myself and it was held on 16 August this year, with the Supervising Officers of other line Ministries and Departments. The aim and objective of that Committee is to ensure that gender mainstreaming is permeated in all their policies and their programmes. Thank you.

**Mr Abbas Mamode:** Can the hon. Minister provide information as to the specific objective and the *modus operandi* of the Committee?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, there is quite a range of objectives to be covered so, I will cite a few important, salient ones. Like I said, it is to ensure that all gender equality perspectives are taken on board in all policy and when programmes are being devised. There are, Mr Speaker, Sir, like I said, the Inter-Ministerial Gender Technical Working Committee as well, and again, the main objective is to ensure that the recommendations of the National Gender Policy is being adhered to by all stakeholders.

**Ms Anquetil:** *Je vous remercie, M. le président.* Due to the volume of work and high implications in the implementation of such a policy, can the Minister state whether her Ministry has high calibre officers as gender experts to carry out the work?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, allow me to reassure the House that the Ministry of Gender Equality and Family Welfare in its capacity as a national gender machinery and as a lead agency for gender mainstreaming will be devoting the requisite financial and human capital in order for the policy paper to be implemented. Should we require or feel the need to look further for help, consultations or any other assistance, we shall do so.

**Mr Speaker:** Next question!

#### **MRIC – NANOSATELLITE PROJECT – COST**

**(No. B/1095) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Information Technology, Communication and Innovation whether, in regard to the Nanosatellite Project of the Mauritius Research and Innovation Council, he will, for the benefit of the House, obtain information as to the –

- (a) total project cost as at to date, giving a breakdown thereof, and
- (b) status report thereof.

**Mr Balgobin:** Mr Speaker, Sir, with your permission, I shall reply to Parliamentary Questions B/1095 and B/1109 at the same time as they both relate to the same subject.

The first Mauritian Nanosatellite, namely the Mauritius Imagery & Radio Communications Satellite 1 (MIR-SAT1) was launched from the Kennedy Space Centre, in Florida, USA, to the International Space Station (ISS) on 03 June 2021. It was subsequently deployed from the ISS to space by a Japanese astronaut under the responsibility of the Japan Aerospace Exploration Agency (JAXA) on 22 June 2021.

Mr Speaker, Sir, the total amount spent by the Mauritius Research and Innovation Council on the Nanosatellite Project was Rs28,999,787. From July 2018 to June 2022, that is over a period of four years, which includes design and built of satellite, capability building and setting up of the ground station.

I am hereby tabling the detailed cost of the Nanosatellite for information.

The House may also note that the project benefited from the additional support of AAC Clyde of UK in terms of training for designing and building of both the satellite and the ground station at no additional cost.

Over and above that, Mauritius benefited from the support of Japan Aerospace Exploration Agency for the transportation of the Nanosatellite from AAC Clyde in UK to Japan and from there to Kennedy Space Centre, in Florida, USA. The satellite was carried on board a rocket from Kennedy Space Centre to ISS and from there it was launched into space, again at no cost.

Mr Speaker, Sir, the MRIC team controlled and operated the Nanosatellite each time it was within the reach of the MRIC antenna on top of its ground station situated in Ebène. Thus, the MRIC team has managed to capture some 50 images with the camera on-board the satellite, which was orbiting in space at around 400 km from Earth at a speed of 27,000 km/h.

The House will also note that the Nanosatellite was of a size of only 10 cm<sup>3</sup> with a weight of 1kg. Due to the size and weight restrictions, the first Mauritian Nanosatellite had limited capabilities.

Mr Speaker, Sir, with regard to the status of the Nanosatellite, it is to be highlighted that the lifespan of such a very small satellite is usually short, approximately 9-12 months. Accordingly, as predicted by calculations and simulations, the Nanosatellite orbited the Earth for about 10 months and on 19 April 2022, it re-entered into the Earth atmosphere and started to disintegrate.

The MIR-SAT1 has enabled the MRIC team to acquire skills and knowledge on satellite design, development, testing and verification as well as controlling, operating and troubleshooting a satellite in space. I must mention here, Mr Speaker, Sir, that this is the first

time our team is doing that. Most importantly, Mr Speaker, Sir, it has enabled the setting up of an operation of a ground station in Mauritius.

Mr Speaker, Sir, I take one more minute because of two questions combined together. I wish to stress that the first Mauritian Satellite was indeed a laudable initiative, an achievement. Mauritius is among the very few small island developing states which has a space presence and propel our country into the league of space-faring nation as NASA declare us. This achievement was widely recognised by the United Nations Office for outer space affairs in its various communications and workshops following the deployment of the first satellite in space.

The main objective of this first mission was to build capacity in space and satellite technology. This project was driven by local engineers, Mauritian Engineers of MRIC under the supervision of the Ministry. This project has opened avenues for new collaboration in space industry and harnessing satellite data. Furthermore, Mr Speaker, Sir, my Ministry and MRIC has already initiated actions to collaborate with ISRO, Indian Space Research Organisation of India and Mohammed Bin Rashid Space Centre of Dubai for more capacity building, satellite data sharing amongst others in the space sector and the satellite sector.

Thank you.

**Ms J. Bérenger:** Je vous remercie. Dans le communiqué datant du 08 juin 2021 du ministère en question, on peut lire –

*“The data will be used for various purposes including maritime surveillance, climate change adaptation, weather forecasting and road traffic management.”*

Sauf qu'aujourd'hui, nous entendons dans la réponse du ministre que le nano satellite avait un *limited capacity*. Donc, j'aurais aimé des éclaircissements sur ces deux données contradictoires et j'aimerais savoir justement en terme de data capturé par le nano satellite, l'honorable ministre peut-il nous dire où est-ce qu'il est sauvégarde et est-ce que ce data sera rendu publique et en quoi cela aura été utile ?

**Mr Balgobin:** Mr Speaker, Sir, if the hon. Member may share the communiqué she is referring to, I think she mentioned June last year, I can have a look at it. I do not have it in my file here. Concerning the second part of the question - where the data is being captured; the data is being captured at the ground station of MRIC at Ebène. The data is public because everybody,

Mr Speaker, Sir, who has knowledge on radio communications, for example, the associations of *radio amateurs*; those data can be captured and those data can be of various types. They are very technical. It can take some time to explain but all those data can be captured if you have the antenna and you know how to manage satellite data in your computer.

**Mr David:** Thank you, Mr Speaker, Sir. Now that the Nanosatellite is no longer operational, may I know from the hon. Minister what will happen to the ground station and its associated staff?

**Mr Balgobin:** Mr Speaker, Sir, as mentioned in my reply that the space technology, the space sector is indeed a very interesting one for our youth and the ground station is here so that now my Ministry and MRIC is collaborating with other high profile institutions like I mentioned, ISRO of India and MBRSC of Dubai so that there could be more development in that sector so that tomorrow those young Mauritian Engineers that have been trained into this field could also use the ground station if we have another satellite in the future. Of course, it does cost a lot of money to our satellite; that is why we are collaborating with international and foreign countries to be able to do more for the future.

**Ms J. Bérenger:** Merci. Justement le ministre parlait de formation. Qu'en est-il du *capacity building* ? Dans sa réponse au député l'honorable Patrice Armance en avril, il était fait mention du AAC-Clyde Space et que ce AAC-Clyde Space avait *assisted the MRIC in designing and building of the satellite both through online communications and onsite training*. L'honorable ministre peut-il nous dire combien de personnes exactement ont été formées ?

**Mr Balgobin:** Mr Speaker, Sir, we have two Mauritian Engineers who were trained and had cross exposure from AAC-Clyde Space but not only AAC-Clyde Space; we had had good collaboration and training facilities from Japan, that is the JAXA and also from ISRO in India. For the past few years, these young engineers have been provided continuous training with all those international institutions.

**Mr David:** Dans la réponse du ministre, il nous a mentionné un chiffre. Si j'ai bien entendu, 50 images qui ont été capturées pendant ces 10 mois. Puis-je demander au ministre de faire de sorte que ces 50 images soient publiées ? Alors j'ai vérifié, il y a quelques heures probablement ce matin, le *website* spacemauritius.com a publié huit images qui n'étaient pas

encore sur le site hier soir. Donc, puis-je demander au ministre de faire le nécessaire pour que la totalité des images puisse être partagée publiquement ? Merci.

**Mr Balgobin:** Avec plaisir, M. le président.

**Mr Speaker :** Last question!

**Ms J. Bérenger:** M. le président, je suis un peu choquée d'apprendre qu'uniquement deux ingénieurs ont été formés dans ce domaine pour un montant de 15 millions. Selon la dernière réponse de l'honorable ministre en avril 2022, ce *on-site training* tournait autour de 15 millions mais je vais passer à une autre question. J'aimerais savoir de l'honorable ministre s'il existe un deuxième projet d'envoyer un satellite dans l'espace.

**Mr Balgobin:** Mr Speaker, Sir, we are talking about space technology. Space technology is a very complicated and technical one and I should refer the hon. Member to the same reply of 19 of April 2022 where I said that the MRIC Engineers benefited from training worth of 15 million. They did not pay for that training. They have received it by our good collaboration and good relationship we have with other institutions and I refer the hon. Member to the second paragraph, fourth line of my answer saying that MRIC had benefited from the collaboration we had and the engineers were trained in various aspects of that technology, be it the building, the design; be it how to manipulate it, how to capture images over the past few years and that training worth around 300,000 pounds over the four years.

**Ms J. Bérenger:** Only two!

**Mr Balgobin:** Il y a que deux.

**Mr Speaker:** The Table has been advised that PQs B/1128, B/1137, B/1126, B/1136, B/1147 have been withdrawn.

I will now suspend the Sitting for one hour.

*At 1.04 p.m., the Sitting was suspended.*

*On resuming at 2.29 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please be seated! Hon. Léopold!

**RENAL TRANSPLANT - ORGAN & TISSUE DONATION**

**(No. B/1096) Mr J. Léopold (Second Member for Rodrigues)** asked the Minister of Health and Wellness whether, in regard to renal transplant, he will state the progress made for organ and tissue donation after death for transplant in mainland Mauritius.

**Dr. Jagutpal:** Mr Speaker, Sir, on 19 October 2022, one month back, local live donor kidney transplantation has resumed in Mauritius with the visit of Dr. Rajasekhar Perumalla, Organ Transplant Specialist from India. A Transplant Unit has been up at Victoria Hospital. The organisation, staffing and activities of this transplant Unit will be developed until the new Transplant Unit building is ready at Jawaharlal Nehru Hospital. Moreover, there are donor-recipient pairs which are being prepared in all regional hospitals.

Mr Speaker, Sir, as regards progress made for organ and tissue donation, the Tissue Donation, Removal and Transplant Board has prepared four regulations for the removal, preservation and transplant of organs, namely –

- (a) The Human Tissue (Removal, Preservation and Transplant) Regulations 2022;
- (b) The Human Tissue (Removal, Preservation and Transplant) (Prescribed Forms) Regulations 2022;
- (c) The Human Tissue (Removal, Preservation and Transplant) (Amendment of Schedule) Regulations 2022, and
- (d) The Human Tissue (Removal, Preservation and Transplant) (Approved Health Institutions) Regulations 2022.

The Human Tissue (Removal, Preservation and Transplant) (Prescribed Forms) Regulations 2022 prescribe the various forms for the donation of tissue. Different Schedules would be attached to the regulations to provide for the application form for the donation of tissue, namely –

- (a) an authorisation for the donation of regenerative tissue by living minor;
- (b) an application form for the donation of tissue by a person effective after his death;
- (c) an objection for donation of tissue by a deceased person, and

- (d) an application form for the donation of tissue from the body of a deceased person or a deceased minor by those who lawfully exercise parental authority over the deceased minor.

Application forms for the objection to the donation of tissue and the revocation of the decision to the donation of tissue would also be prescribed.

Mr Speaker, Sir, on 17 October 2022, a workshop was organised regarding the Human Tissue (Removal, Preservation and Transplant) Act 2018, where a wide range of specialists from my Ministry including a representative from the Attorney General's Office and Non-Government Organisations were present. Discussions were held regarding the diagnosis of brain death which is the principal pre-requisite for the donation of organ by a deceased person for transplantation and other issues regarding deceased kidney donors.

Mr Speaker, Sir, furthermore, my Ministry has appointed Professor Nizam Mamode, Professor of Transplant Surgery from Guy's and St Thomas' NHS Foundation Trust, as Adviser in Renal Transplant for a period of six months. Professor Nizam Mamode has a solid track record other than helping other countries (Armenia and Serbia) to set up a deceased donor kidney transplant programme. One of the tasks of Professor Fatehmamode is to advise on the setting up of a deceased donor programme for kidney transplantation in Mauritius and prepare for a modern transplant service with an up-to-date clinical guidelines and pathways.

Multiple meetings have been held between the Nephrology Unit, the Central Health Laboratories at Victoria Hospital and Guy's and St Thomas Immunology and Histopathology Laboratories to develop the diagnostic services necessary for such a deceased donor programme. The aim is to allow the transfer of knowledge and skills so that the new programme becomes free standing within a few years.

In addition to training new transplant surgeons, the team has offered to train theatre nurses, laboratory technicians and histopathologists in Mauritius itself. This would enable training of local staff at a lower cost.

Mr Speaker, Sir, a Transplant Surgical Team from the Guy's Hospital, London will be in Mauritius as from 19 November 2022 for renal transplant. In this context, it has been planned that a workshop would be organised in November 2022 where Dr. Benedict Phillips, Specialist

Registrar in Transplant Surgery, from the Department of Nephrology and Transplantation, Guy's and St Thomas' NHS Foundation Trust, London, UK, will advise on the setting up of a deceased donor kidney transplant programme in Mauritius.

Worldwide, kidney transplantation is recognised as the gold standard in care for kidney failure patients.

**Mr Assirvaden:** M. le ministre, dans le passé à Rose Belle, on faisait déjà le *renal transplant*. Ceux qui ont vécu à ce drame savent comment c'est douloureux quand on est mis sur la dialyse. Est-ce qu'il y a un nouveau protocole en vigueur à partir de ces opérations qui seront mises en place ? Parce que le rejet est un des facteurs du drame en ce qui concerne le *renal transplant*. Est-ce qu'il y a un nouveau protocole postopératoire en vigueur à partir de ce que vous dites ?

**Dr. Jagutpal:** Mr Speaker, Sir, that is why Professor Fatehmamode, who is an expert in transplantation, is with us and is appointed by the Ministry to work out guidelines, protocols and to see how we will implement this service. Yes, in the past, depending upon the tests that were available, especially when it concerns the rejection of organs, it is very important to have a proper established protocol right from the beginning.

**Mr Léopold:** Thank you, Mr Speaker, Sir. Can I ask the hon. Minister of Health and Wellness whether at the level of his Ministry, they have already established a register for people who are interested to donate their organs after death, and if yes, how many?

**Dr. Jagutpal:** So, it will all depend. Once the regulations for the organ transplant donation is in force and after these regulations have been gazetted, we can start by having a proper guideline about those who wish to donate any organ. So, it is all in the process. What the Ministry is doing is, first, getting the information about the Act itself, that all the stakeholders involved in the organ donation and transplant be fully aware so that they speak the same language. So, once we have crossed this step, we are going to get these regulations on. So, we are proceeding stepwise.

**Mrs Luchmun Roy:** Thank you, Mr Speaker, Sir. Can the hon. Minister give us an indication of the number of kidney transplant so far carried out in Mauritius and the number of

patients sent overseas and if he can also share with us the costs incurred by his Ministry? Thank you.

**Dr. Jagutpal:** Dr. Rajasekhar Perumalla performed three successful live laparoscopic kidney transplants in Mauritius. It is important to mention this laparoscopic transplant because we don't, in fact, do a long incision and operation. The kidney is removed through laparoscopy. And the last operation of this kind in the public hospital dates back to 2017 because the specialists who were doing the transplant retired. Now, we started that programme again and since 2017. Following the retirement of those transplant surgeons, about 40 patients have benefitted overseas treatment for transplantation of kidney. It makes around eight patients yearly and the cost is around Rs800,000 for each patient.

**Mr Speaker:** Next question!

#### **DATA PROTECTION OFFICE – COMPLAINTS**

**(No. B/1097) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Information Technology, Communication and Innovation whether, in regard to the Data Protection Office, he will, for the benefit of the House, obtain therefrom, information as to the established procedures and time frame for the resolution of complaints received thereat, indicating the number of complaints received since January 2021 to date and the number thereof resolved.

**Mr Balgobin:** Mr Speaker, Sir, I am informed by the Data Protection Office that the established procedures for handling of complaints received are spelt out at Section 6 of the Data Protection Act 2017 which deals with investigation of complaints made to the Commissioner. The procedures are such that all complaints are examined by the Commissioner who thereafter initiates an investigation or causes an officer from my office to investigate unless she is of the opinion that the complaint is frivolous or vexatious. She may also request the Commissioner of Police to designate a Police Officer to investigate into the complaint.

Mr Speaker, Sir, with regard to the time frame for the resolution of complaints received at the Data Protection Office, I am informed that all complaints received are dealt with as expeditiously as possible depending of course on the complexity of each case although the Data Protection Act does not impose any specific time frame for the resolution thereof.

Mr Speaker, Sir, with regard to the number of complaints received, I am informed that 135 complaints have been filed at the DPO from January 2021 to date and out of which 34 complaints have already been resolved. Thank you.

**Mr Doolub:** Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House about the various complaints received at the DPO?

**Mr Balgobin:** Mr Speaker, Sir, I cannot give details of those persons' complaints at the DPO because the Data Protection Act protect them. However, I can give a general nature of complaint that we receive, if that may help the hon. Member. Most of those complaints, Mr Speaker, Sir, relate to CCTV cameras, for example, between two neighbours who have put cameras and the angle of the camera is overlooking their boundary and so on. Most of those complaints, I would say 90% plus of those complaints received from January as at date concern CCTV cameras.

**Mr Uteem:** Thank you, Mr Speaker, Sir. May I know from the hon. Minister whether out of the 135 complaints received by the DPO there is any complaint relating to any alleged breach of Data Protection Act following the survey carried out at the Baie Jacotet Landing Station?

**Mr Balgobin:** Mr Speaker, Sir, as I said, I cannot give details of those complaints. However, I am not so sure that there is any complaint received regarding the Landing Station.

**Mr Doolub:** Thank you, Mr Speaker, Sir. Can I know from the hon. Minister if the complaint process is done manually or is it automated?

**Mr Balgobin:** Mr Speaker, Sir, for the moment, the handling of the complaints is done manually.

**Mr Doolub:** Thank you, Mr Speaker, Sir. Would not the Minister think that it is advisable to automate this process for the ease of our citizens?

**Mr Balgobin:** Yes, Mr Speaker, Sir, I agree with the hon. Member. In fact, we have started the computerisation of the Data Protection Office and not only the whole process but the full computerisation of the Office. And also, that computerisation and digitalisation will include a complaint module where everything could be done online and we expect to finish the digitalisation of the Data Protection Office hopefully by December of this year so that all those complaints and certificates could be done online.

**Mr Speaker:** Next question!

### **CULTURAL PROPERTY – REPORT**

**(No. B/1098) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Arts and Cultural Heritage whether, in regard to cultural property, he will, for the benefit of the House, table copy of the –

- (a) evaluation report to be submitted by Mauritius in relation to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and
- (b) periodic report to be submitted by Mauritius on the Convention on the fight against the illicit trafficking on cultural property.

**Mr Teeluck:** Mr Speaker, Sir, in relation to cultural property and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict as well as the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, I am informed that State parties are required to submit their National Reports on the implementation of these Conventions every four years.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed that the National Report on the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict were submitted to UNESCO by my Ministry in July 2021 for the four-year cycle 2017 to 2020. The next National Report is due for submission in 2025 and will cover the period 2021 to 2024.

With regard to part (b) of the question, I am also informed that the National Report on the implementation of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property were submitted by my Ministry to UNESCO in 2019. The next National Report is due for submission in December 2022 and my Ministry is in the process of finalising same for onwards transmission to UNESCO by the due date.

**Ms J. Bérenger:** Can the hon. Minister state why the national reports for Mauritius concerning illicit trafficking on cultural property are not available on the website of the

UNESCO for years 2015 and 2019 as he has just mentioned? There is only the report for 2011 and will he table a copy, please?

**Mr Teeluck:** Mr Speaker, Sir, no problem for me to table the copy of the report. The hon. Member will appreciate that I will not be able to answer on the publication of the UNESCO's website but given that the report is public, so there is no problem in tabling a copy.

**Ms J. Bérenger:** Merci. Comme le ministre le sait, le trafic illicite de pierres taillées et autre objet d'importance culturel et historique a pris beaucoup d'ampleur. Il y a vraisemblablement un marché parallèle, un marché noir pour ces objets d'importance et c'est devenu une source de business très lucratif. *Can the hon. Minister indicate as to where matters stand in regard to a request made to the Prime Minister's Office for the setting up of a Commission of Enquiry on the issue of illicit trafficking on cultural property? The request has been referred to his Ministry by the PMO since May 2022. I can share the request if you want.*

**Mr Teeluck:** Mr Speaker, Sir, what I can confirm to the hon. Member is that illicit trafficking especially when we talk about heritage items, including stones of certain value, this is being worked on the new draft National Heritage Act which is currently being worked out at the level of the Ministry. And so, these are things that will need to be addressed in this new legislation and of course, this new legislation will also include the setting up of a team that will be able to supervise and follow up on such trafficking.

**Mr Speaker:** Next question!

**Ms J. Bérenger:** Can the hon. Minister state where matters stand in regard to the measures announced in his reply to PQ B/349 in regard to theft of *pierres taillées*? He mentioned GPS tracking, Smart Water Technology and collaboration with the Ministry of Commerce as well. Thank you.

**Mr Teeluck:** It is still under study, Mr Speaker, Sir. We are working on it.

**Mr Speaker:** Next question!

#### **MAHEBOURG WATERFRONT – MAINTENANCE WORKS**

**(No. B/1099) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Mahebourg Waterfront, he will, for the benefit of the House, obtain

from the Grand-Port District Council, information as to if consideration will be given for a complete renovation thereof and, if so, give details thereof, including the estimated project cost and the expected start and completion dates thereof and, if not, why not.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, on 24 October 2017, Landscape Mauritius Ltd informed the Ministry of Housing and Land Use Planning that it had no immediate plan to develop the Mahebourg waterfront and as a result, it was returning the Esplanade and its auxiliaries to that Ministry.

On 14 March 2018, the Esplanade and its auxiliaries, including the public toilet were vested by the Minister of Housing and Land Use Planning in my Ministry for management and maintenance by the District Council of Grand-Port. Since then, the Council has been carrying out maintenance work at the waterfront as follows –

- a) renovation of the kiosk and the jetty;
- b) removal of waste from seafront;
- c) provision of security services;
- d) cleaning and maintenance, and
- e) reinstatement and upgrading of the lighting system.

**Mr R. Duval:** Je ne sais pas si le ministre est au courant que le nombre de vols à l'arraché et la sécurité laisse à désirer dans cet espace qui est dans un état déplorable. Il n'y a pas de lumière, les rambardes sont dans un état déplorable ce qui représente un danger pour les membres du public. Le vieux kiosque est en état de décrépitude. Le ministre ne pense-t-il pas qu'il est important de remédier cette situation au plus vite?

**Dr. Husnoo:** I have been informed by the Council that some major works need to be done as well. It is a major renovation work but as I mentioned, we have been given the right for just the maintenance and not for any other work because the site does not belong to the local authority. Anyway, I appreciate the problem and in this respect, we will try to make a case to the Ministry of Finance and Economic Planning and Development if we can get some further fund so that the Council can carry out extra work to sort out the issues mentioned by the hon. Member.

**Mr R. Duval:** Et un autre kiosque qui avait été construit par le ministère de l’Environnement durant la période du Wakashio est aujourd’hui utilisé par les habitants de Mahébourg comme un lieu de rencontre mais ce kiosk n’a ni de lumière, ni d’accès approprié pour les handicapés. Le ministre peut-il veiller à ce que les fonds nécessaires sont alloués pour que les infrastructures appropriées soient aménagées ?

**Dr. Husnoo:** Mr Speaker, Sir, I will talk to the District Council of Grand-Port and see how they can try to do these remedial works on their cost and for the lighting as well.

**Mr Speaker:** Next question!

#### **METHADONE DISTRIBUTION – BENEFICIARIES – SAFETY MEASURES**

**(No. B/1100) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to methadone distribution, he will state the –

- (a) number of patients in receipt thereof, indicating the eligibility criteria therefor;
- (b) location of the sites therefor, and
- (c) safety measures taken in relation thereto.

**Dr. Jagutpal:** Mr Speaker, Sir, in reply to part (a) of the question, as at end of October 2022, there were 7,098 methadone beneficiaries, including 6,785 males and 313 females.

An adult of 18 years and above who has a substance use disorder due to opioids is eligible for the Methadone Substitution Therapy (MST) Programme, for which he has to give his consent to undergo. The patient is assessed and examined by a doctor from the Harm Reduction Unit of my Ministry and has to undergo a urine test to show the presence of opioids and a series of blood tests, including for example, screening for HIV, Syphilis and Hepatitis. There are existing guidelines for doctors to use for the prescription of methadone. In Mauritius, the main opioid drug of concern is heroin.

Mr Speaker, Sir, as regards part (b) of the question, currently there are 48 methadone dispensing sites across the country. These include 24 Police Station sites, 13 Health Centres (namely 5 MediClinics, 4 Area Health Centres, 4 Community Health Centres), 3 Methadone Day

Care Centres, 1 Community Hospital, 3 Community sites and 4 Prison sites to cater for 7,114 beneficiaries daily.

Mr Speaker, Sir, with regard to part (c) of the question, you may wish to note that in order to curb, as far as possible and altogether stop methadone diversion which can pose safety issues to non-methadone beneficiaries, the following safety measures are currently in place –

- (i) Directly Observed Therapy whereby a Nursing Officer should ensure the identity of the methadone beneficiary prior to dispensing the prescribed dose of methadone to the concerned patient. The latter has to consume the methadone in front of the Nursing staff and leave the container of methadone at the container dispensing site under the care of the staff of the Ministry of Health and Wellness.
- (ii) Since October 2021, methadone dispensing in cups has been introduced at a number of methadone dispensing sites. The sealed container of methadone is opened by the Nursing Officer in front of the identified methadone beneficiary and poured in a paper cup. The beneficiary has to ingest his methadone dose at the dispensing site itself under the supervision of the Nursing Officer.

Mr Speaker, Sir, this measure has been implemented at 11 sites and this method of methadone dispensing will be extended to all the methadone dispensing sites.

- (iii) Furthermore, Police escort from the site of methadone preparation to the site of methadone distribution and back forms part of the methadone dispensing procedure since methadone is a Drug Schedule substance. In addition, police presence at the site of methadone dispensing is also part of the methadone distribution process. Through the support of law enforcement officers, safety is ensured for staff involved in the methadone dispensing as well as the beneficiaries and the public at large. Regular and ongoing meetings are carried out with all stakeholders at the level of Regional Hospitals and Police Stations to ensure safety at the different levels in the Methadone Substitution Therapy Programme, including Methadone dispensing.

Mr Speaker, Sir,

- (iv) More than 10 methadone dispensing caravans and vehicles are fitted with Close Circuit Tele Vision (CCTV) camera for safety of staff and beneficiaries. Wherever possible, methadone is distributed in front of the CCTV cameras at certain Police Station sites.
- (v) You may wish to note that an international expert, Dr. David Mété, chef de service d'addictologie du CHU de la Réunion, was on visit in Mauritius and has conducted consultations with stakeholders involved in the Methadone Substitution Therapy Programme in order to revamp the programme in the current context with due consideration to methadone distribution in view to strengthen it further. It is expected to have a first draft report by end of this year.

**Mr Uteem:** I listened carefully to the answer of the hon. Minister and all the safety precautions taken. Has his Ministry undertaken an inquiry to ascertain how is it that despite all these safety measures which he has mentioned, a four year old boy was found dead after drinking methadone which was dispensed by his Ministry to one of the patients?

**Dr. Jagutpal:** Yes, Mr Speaker, Sir. In fact, as I pointed out, for the 7,000 methadone beneficiaries, the methadone is being dispensed with a contract to the beneficiaries so that they have their methadone on site. But I agree with you that this is not respected in all sites. When this is not respected, it means this methadone may have gone in the diversion process and where, unfortunately, we have seen this child having the methadone.

Now, the Police are doing an inquiry. I do not have the report of the Police, but I am sure this methadone has gone through the diversion process and has unfortunately landed up with this child.

**Mr Uteem:** I understand there is a Police inquiry going on, but my question was specifically with respect to inquiry internally carried out at the level of his Ministry because it is very easy to identify where the grandfather of that child was taking the methadone, at which dispensing site, and what action has been taken against people who were supposed to ensure that methadone is consumed on the site and not taken away?

**Dr. Jagutpal:** Mr Speaker, Sir, I understand his concern, but at the same time, I do not know if he has ever visited a site of methadone dispensing? It is not so easy. At that particular

time, you have more than 100 beneficiaries coming to two or three officers working for the dispensing of methadone very early in the morning and these beneficiaries are going to insist to have this methadone. It is not easy at all. If you do not give them the methadone, this would mean that these beneficiaries may land up again in taking drugs or have other issues.

At the same time, it is a contract. You are supposed to take your methadone there. I agree that it is not possible for those two or three or four officers working at that particular time, especially when you have a crowd of people surrounding those officers.

At times, yes, it happens that beneficiaries take the methadone and finally they do not take it for their personal consumption and this lands up as you have seen. But, this is also the responsibility of the beneficiary. I believe that in such particular cases, you have to be responsible. Methadone Substitution Therapy is meant for that purpose and not meant to be carried out at home.

So far, what I have from the doctors who have been carrying out the treatment is that, in the methadone containers, there were other cocktails of drugs. I understand your point, but at same time, it is not easy to deal with methadone beneficiaries. At the same time, we are trying our utmost best to enforce what is the contract so that they take their methadone right.

**Mr Speaker:** Question has been sufficiently canvassed. Next question!

#### **REPO RATE INCREASE – PUBLIC & SOCIAL IMPACT**

**(No. B/1101) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Finance, Economic Planning and Development whether, in regard to recent increases in the key repo rate by the Bank of Mauritius, he will state the expected impact thereof on –

- (a) public debt repayment;
- (b) household debt, and
- (c) economic growth.

**Dr. Padayachy:** M. le président, je remercie l'honorable membre pour sa question. Depuis 2021, l'inflation est en hausse dans le monde entier en raison de la pandémie de la Covid-19 et de la guerre entre la Russie et l'Ukraine.

De nombreux pays enregistrent des niveaux record d'inflation.

Le taux d'inflation moyen sur 12 mois aux États-Unis a atteint un pic de 9,1 % en juin 2022, soit le plus élevé depuis quatre décennies.

De même, le taux d'inflation au Royaume-Uni a atteint son plus haut niveau depuis quatre décennies en juillet 2022, à 10,1 %.

En Allemagne, le taux d'inflation en glissement annuel a atteint 10 % en septembre 2022, soit le plus haut niveau depuis le début des années 1950.

Pour freiner les pressions inflationnistes, les pays du monde entier ont augmenté leurs taux d'intérêt directeurs. Par exemple, la Réserve fédérale américaine a, à six reprises, relevé son taux directeur pour le porter à 4 % actuellement contre 0,25 % en mars 2020.

La Banque d'Angleterre a également relevé son taux à huit reprises, le faisant passer de 0,1 % à 3 % en novembre 2022.

La Banque centrale européenne a elle augmenté son taux directeur à trois reprises depuis juillet 2022.

M. le président, compte tenu de l'ouverture de notre économie, nous n'avons pas été épargnés par la tendance à la hausse de l'inflation mondiale.

Le taux d'inflation globale est passé de 2,5 % en 2020 à 4 % en 2021. Il a continué à augmenter pour atteindre 9,9 % pour la période de 12 mois se terminant en octobre 2022.

Compte tenu de l'évolution de la situation internationale et de la reprise économique locale, la Banque de Maurice a commencé le processus de normalisation de la politique monétaire et a relevé le taux directeur à quatre reprises depuis le début de l'année passant ainsi de 1,85% à 4 %.

Selon les informations que j'ai reçues, l'objectif est double. D'une part, contenir le taux d'inflation en dessous d'un chiffre à deux chiffres à environ 9,5 % pour cette année.

Pour 2023, l'autorité monétaire prévoit un taux d'inflation de l'ordre de 5 à 6 %.

D'autre part, combler les écarts de taux d'intérêt sur le marché et de s'attaquer à la volatilité excessive sur le marché des changes.

M. le président, en ce qui concerne la partie (a) de la question, je tiens à souligner que la récente augmentation du taux directeur n'aura aucun impact sur le remboursement de capital.

En ce qui concerne les paiements d'intérêts, il convient de noter que sur les 13,1 milliards de roupies prévues dans le budget 2022–2023, environ 600 millions de roupies sont destinées au service de la dette extérieure.

Ceux-ci ne seront pas directement affectés par l'augmentation du taux directeur.

Sur les 12,5 milliards de roupies restant, quelques 10 milliards de roupies sont destinés au service de la dette existante qui est pour la plupart à taux d'intérêt fixe. Elles ne seront donc pas non plus affectées par l'augmentation du taux d'intérêt.

Ainsi, seuls 2,5 milliards de roupies qui représentent les intérêts payables sur les nouveaux titres seront émis au cours de cet exercice, pourraient être affectés par la hausse du taux directeur.

Cependant, je tiens à souligner qu'à ce stade, il est difficile de déterminer l'impact total de l'augmentation du taux directeur, d'autant plus que le taux d'intérêt sur la dette publique est déterminé par les conditions de l'offre et de la demande sur le marché.

En ce qui concerne la partie (b) de la question, je suis informé que le coût moyen du service de la dette des ménages par rapport à leurs revenus est estimé à 16,4 % pour l'année se terminant en juin 2022, ce qui représente une amélioration par rapport aux 16,8 % estimés pour l'année se terminant en décembre 2021.

Ce ratio était plus élevé en 2019, environ 18 %.

L'augmentation de 175 points de base des taux d'intérêt au second semestre 2022, associée à la croissance du PIB et des revenus, ne devrait pas entraîner une détérioration significative de ces indicateurs.

Toutefois, l'impact variera d'un ménage à l'autre en fonction du montant de leurs dettes respectives et de leurs revenus.

Et de notre côté, au niveau du ministère, on est en train de suivre ce processus et suivre qu'est-ce qui se passe pour prendre les mesures appropriées si besoin.

M. le président, en ce qui concerne la partie (c) de la question, après avoir affronté la pire crise de notre histoire, les perspectives économiques nationales sont encourageantes.

Selon les derniers chiffres de *Statistics Mauritius*, la croissance économique s'établira à 7,2 % en 2022 et au-delà des 5 % en 2023 avec un PIB dépassant la barre historique de 550 milliards de roupies en 2022. Les investissements dépasseront les 105 milliards de roupies en

2022, soit une augmentation de 13 % par rapport à 2021. Et enfin, les exports de biens et services seront de 292 milliards de roupies, une hausse de plus de 80 milliards de roupies par rapport aux chiffres de 2021.

Enfin pour terminer, les mesures prises pour contenir l'inflation et l'excès de volatilité sur le marché des changes contribueront de manière significative à améliorer le climat d'investissement et à stimuler l'investissement privé et la croissance économique. Merci, M. le président.

**Mr Uteem:** Prior to June 2022, as the hon. Minister of Finance just mentioned, the key Repo Rate was less than 2%. It is now 4%, more than 100% increase in interest rate. Is the hon. Minister aware that many households, mostly poor people, who are already heavily indebted with housing loans and credit purchases, are now finding it increasingly impossible to repay all their appliances and housing loans as a result of this 100% increase in interest rate?

**Dr. Padayachy:** M. le président, comme je l'ai dit dans ma réponse, bien sûr nous sommes au courant de ce qui se passe. Cette mesure a été importante, nous devions recommencer le processus de normalisation de part ce qui se passe au niveau international. C'est vrai que ce processus est en accélération avec ce qui se passe par rapport avec la FED. À Maurice, certains ménages vont peut-être - je dis bien peut-être - souffrir mais nous de notre côté, j'ai bien dit dans ma réponse, que nous sommes en train d'évaluer la situation au jour le jour pour voir ce qui se passe. L'importance pour nous ce n'est pas qu'il y ait une augmentation des *non-performing loans*. Nous allons travailler pour venir avec des mesures appropriées si besoin est. Merci.

**Mr Uteem:** The hon. Minister mentioned a likely increase, around Rs2.5 billion in interest repayment of public debt. Public debt will cost Rs2.5 billion more. Isn't the hon. Minister of Finance afraid that this increased interest rate may result in a further downgrading by Moody's as it will affect the capability of Government to repay public debt?

**Dr. Padayachy:** M. le président, je remercie l'honorable membre pour cette question. J'ai bien précisé c'est sur les 2,5 milliards de roupies d'intérêts qu'on paye qu'il y aura une hausse. Ce n'est pas une hausse de 2,5 milliards. Il y aura une hausse peut-être de 200 millions ; il faut calculer.

Mais nous, de notre côté, ce qu'on est en train de voir c'est comment baisser les intérêts. Nous avons des dettes que nous avons contractées depuis longtemps et qui nous coûtent très, très chères, je parle ici des taux allant jusqu'à 10 %. Donc, nous sommes en train de voir comment rééchelonner ces dettes pour qu'on arrive à un moment donné à baisser les services de la dette. Comment on va faire cela ? C'est simplement de prendre des nouveaux emprunts à des taux inférieurs et rembourser les anciens qui nous coûtaient plus chers. Mais pour cela il nous faut vraiment respecter les contrats parce que dans certains cas on ne peut pas rembourser en avance, donc, on est en train de voir là-dessus.

Pour revenir sur les critères concernant Moody's, nous sommes en train de travailler dessus. Non, l'augmentation de ces intérêts ne va pas avoir une répercussion énorme sur le déficit. De toute façon, encore une fois, nous sommes en train de suivre cette situation. Vous savez avec ce qui se passe au niveau mondial, après la grande crise de 2020, là, actuellement, nous sommes en train de regarder réellement avec la normalisation de l'économie. Le taux réel étant toujours négatif nous devons poursuivre l'accélération de la reprise économique. C'est le seul moyen pour nous de baisser notre dette et de baisser aussi les déficits. Merci.

**Mr Speaker:** Sufficiently canvassed! Next question!

#### **HIV/AIDS – MAURITIUS & RODRIGUES – PROTOCOL**

**(No. B/1102) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to HIV/AIDS, he will state –

- (a) the number of persons living therewith as at date in mainland Mauritius and Rodrigues, respectively, indicating the number –
  - (i) thereof being treated in regional hospitals and health centres, respectively, and the protocol applicable, and
  - (ii) of medical staff trained to work with positive HIV/AIDS persons, and
- (b) if his Ministry has any policy regarding "*la prise en charge*" of HIV/AIDS positive persons and, if so, give details thereof and, if not, why not.

**Dr. Jagutpal:** Mr Speaker, Sir, with regard to part (a) of the question, as at date, there are 6,572 identified persons living with HIV in Mauritius and 148 in Rodrigues.

Out of the 6,572 persons living with HIV, 5,162 are being followed up at the eight Day Care Centres for the Immunosuppressed (DCCIs) and at eight prison settings. There is also one HIV Clinic at Queen Elizabeth Hospital in Rodrigues. The protocol applicable is the '*Protocole National de prise en charge des personnes vivant avec le VIH à Maurice*' which dates back to April 2018. This protocol has just been reviewed on 13 October 2022 to include better tolerated Anti-Retroviral Treatment, including for paediatric cases and earlier infant diagnosis of newborns to HIV positive mothers, amongst others.

In regard to part (ii) of the question, there are nine medical doctors currently posted at the different Day Care Centres of the AIDS Unit who followed a training programme in HIV and AIDS. Moreover, the 14 Specialised Nurses and 11 Nursing Officers posted at the centres have received on-the-job training and three of the Specialised Nurses have a Diploma in HIV and AIDS and three of the Nursing Officers possess a Diploma in HIV and Family Education.

Mr Speaker, Sir, in reply to part (b) of the question, as stated earlier in my reply, my Ministry has a policy regarding '*La prise en charge*' of HIV positive persons. A holistic person-centred and rights-based approach is adopted to ensure Universal Health Coverage.

Integrated HIV services are already being implemented with the Hepatitis C treatment being provided at the HIV Clinics. Same will apply for treatment, for sexually transmitted infections and addictions, if necessary.

HIV treatment, medications to prevent and treat HIV-related opportunistic infections, diagnostic and support services are free of user-costs. Public transportation fees are reimbursed to those on appointments at the HIV clinics.

Since August 2017, the people who are tested positive for HIV are initiated on treatment irrespective of their immuno deficiency, in line with the WHO Guidelines.

All pregnant women living with HIV attending the public and private health institutions have access to all services provided as per the Prevention of Mother-to-Child Transmission Programme. Infant formula milk is provided for babies born to HIV positive mothers up to the age of two.

Psychosocial support is being provided through the services of a dedicated psychologist.

A collaborative work is carried out during clinical sessions with the support of NGOs Peer Educators and social workers present at the AIDS Unit. The Peer Educators through exchange of Information and their own experience in life alleviate patients' apprehension with regard to HIV. The Peer Educators also facilitates access to social aids and other facilities provided by the Ministry.

The HIV doctors and nursing officers of the AIDS Unit carry out treatment literacy to reinforce patients' understanding of the importance as well as the impact of regular intake of HIV medications to assure better health outcomes and quality of life.

**Mr Quirin:** Merci, M. le président, et merci à l'honorable ministre pour sa réponse. Malgré le protocole qui est appliqué et la formation du personnel médical, je dirais que la stigmatisation des personnes vivant avec le VIH/Sida est toujours d'actualité. D'ailleurs, il y en a beaucoup qui sont mécontents de la façon qu'ils sont reçus dans les hôpitaux où le personnel médical devrait adopter une approche, une attitude beaucoup plus humaine vis-à-vis de ces personnes. L'honorable ministre ne pense-t-il pas qu'il serait bon qu'il fasse appel à ses officiers, au personnel médical qui sont souvent en contact avec les personnes vivant avec le VIH pour qu'ils aient une attitude beaucoup plus humaine?

**Dr. Jagutpal:** Yes, Mr Speaker, Sir, so far what we have been able to do is to have a WHO expert who has come to Mauritius, visit the different sites and also take into account the stigmatization of the HIV patients. So, we will be expecting a new action plan on HIV to come soon and with that also, to amend the HIV and Aids Act dated 2006 and hopefully, the Act and the new action plan will be able to cater especially for the stigmatization even inside and outside the hospital premises.

**Mr Quirin:** M. le président, la PrEP est un des médicaments qui est utilisée pour contrôler justement la propagation du sida. Le ministre a récemment indiqué que 200 personnes seulement en font usage. Eu égard des chiffres qu'il vient de communiquer à la Chambre dans sa réponse, peut-il nous dire s'il compte revoir toute la politique de communication de son ministère par rapport à l'utilisation de la PrEP de façon à ce que ce médicament soit plus accessible ?

**Dr. Jagutpal:** Yes, Mr Speaker, Sir. Hon. Member, I do not know whether you have taken note that recently, some 6-7 weeks back, we had again launched a campaign on PrEP and with this campaign on PrEP to get the PrEP treatment to be available not only in these Aids and HIV

Units but across the board in all the Health Institutions. Even for the testing also, we have democratised the testing policy because you have got to make the testing also available. It's not only that you have to turn up in an AIDS Unit, in an AIDS setting to be tested; you can get it tested in a Community Health Centre. The PrEP as well has been included into that. So, in the coming months, we are expecting to have people understand why PrEP is important and how this can help us combat HIV AIDS in the near future.

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

**Ms Tour:** Mr Speaker, Sir, can the hon. Minister advice what is the policy in regard to HIV Screening?

**Dr. Jagutpal:** So, it is a mixed testing services used for HIV Screening purposes. It is carried out under consent, confidentiality and counselling, pre and post-test as per HIV and Aids Act. So you have to ensure that confidentiality aspect. Now, what I have with me is that the minors who are sexually active can undergo HIV testing without his legal administrator or guardians as provided in the HIV and Aids Act 2006, all individuals who are sexually active or have risky behaviours are encouraged to screen for HIV. So, the policy is to get access to testing as far as possible and recently, we introduced the testing even for private pharmacies to be able to sell the testing kits. With this, people can get access to testing and obviously, if they are tested positive, we have got all the confidentiality issues to maintain so that they get their treatment as per their needs.

**Mr Speaker:** Last supplementary!

**Mr Quirin:** Donc, M. le président, par rapport aux aides et soutiens qui sont alloués aux personnes vivant avec le VIH sida, le ministre peut-il nous dire comment et à quel niveau interviennent les ONG qui sont engagés dans la lutte contre cette maladie ?

**Dr. Jagutpal:** Mr Speaker, Sir, the NGOs are engaged basically, especially for the psychosocial support. So the Ministry of Health provides the screening services, the medication, the testing and so on. So, the medical side has been provided by the Ministry of Health and the NGOs, they do provide this psychosocial aspect of anyone suffering from HIV. Now, the collaboration of the NGOs is also important, especially for those who are the last to follow up.

So you have got patients who start their treatment and eventually we lose these patients. So the NGOs are also engaged to *récupérer* those who lost their follow-ups in the hospital.

**Mr Speaker:** Next question!

### **OECD – APPLICATION OF RULES & REGULATIONS**

**(No. B/1103) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Minister of Financial Services and Good Governance whether, in regard to the Organisation for Economic Cooperation and Development, he will state if affiliation therewith implies that all the rules and regulation imposed by the Organisation on the member countries thereof will equally apply to Mauritius.

**The Minister of Finance, Economic Planning and Development (Dr. R. Padayachy):**  
 M. le président, je remercie l'honorables membres pour sa question. Comme l'a souligné notre honorable Premier ministre dans son discours lors de la Conférence internationale sur l'Économie Numérique et la Banque Digitale qui s'est tenue récemment à Maurice, le développement de la coopération avec les institutions internationales a toujours été une priorité dans l'agenda de ce gouvernement. L'honorable Premier ministre a ainsi réitéré le vif intérêt de Maurice à devenir membre de l'OCDE et son engagement adhéré aux standards et normes internationaux les plus élevés.

À cet égard, comme l'Assemblée le sait peut-être, Maurice a mis en œuvre diverses réformes pour se conformer aux normes internationales de l'OCDE et ainsi partie prenante de plusieurs de ses instruments et organes. Maurice suit de près les travaux de l'OCDE dans divers domaines tels que la fiscalité, l'investissement, les services financiers, la corruption entre autres. En termes de fiscalité internationale, Maurice est déjà signataire des conventions, instruments et accords suivants de l'OCDE –

- La Convention *on Mutual Administrative Assistance in Tax Matters (CMAA)*
- Le *Multilateral Competent Authority Agreement (MCAA) on Exchange of Financial Account Information under the Common Reporting Standards of the OECD*
- Le *Multilateral Competent Authority Agreement on the Exchange of Country-by-Country Reports (CBC MCAA)*

- La *Multilateral Convention to Implement Tax Treaty Related Measures To Prevent Base Erosion and Profit Shifting*.

En 2016, Maurice a rejoint L'*Inclusive Framework* qui réunit tous les pays et juridictions engagés au sein des Comités des affaires fiscales et de tous ses organes subsidiaires. Afin d'en suivre les derniers développements, Maurice a adhéré à la déclaration de l'OCDE sur une solution à deux piliers pour relever les défis fiscaux découlant de la numérisation de l'économie en octobre 2021 qui définit les règles d'adoption d'un impôt minimum mondial. Maurice participe également activement au Forum de l'OCDE sur les pratiques fiscales dommageables et au Forum mondial sur la transparence et l'échange de renseignements à des fins fiscales.

M. le président, en vue d'améliorer la transparence de nos régimes d'investissement et de promouvoir davantage Maurice en tant que centre investissement sûr et compétitif, nous avons officiellement soumis une demande à l'OCDE pour adhérer à la déclaration de l'OCDE sur l'investissement international et les entreprises multinationales. Cette demande a été acceptée par l'OCDE le mois dernier. Cela permettra à Maurice de participer aux travaux du Comité de l'Investissement de l'OCDE, de rejoindre le réseau d'investissement de l'OCDE et à terme, de devenir le premier pays d'Afrique subsaharienne à adhérer à la déclaration.

Afin de renforcer davantage nos efforts de lutte contre la corruption d'agents publics étrangers dans les transactions commerciales internationales, Maurice a l'intention de signer la convention de l'OCDE sur la lutte contre la corruption d'agents publics étrangers dans les transactions commerciales internationales et fera une demande pour devenir un membre à part entière du groupe de travail de l'OCDE sur la corruption dans la transaction commerciale internationale. Ce sera un signal fort à l'attention de la communauté internationale démontrant une fois encore, l'engagement de Maurice à combattre la corruption et à fournir un environnement commercial sûr pour nos investisseurs.

En outre, l'OCDE est un temple du savoir. Cette institution dispose de ressources et d'expertise qui peuvent aider Maurice à poursuivre sa transformation économique et sociale. Ainsi, notre pays, en tant que membre du Centre de développement de l'OCDE, a pu et pourra profiter de diverses opportunités de renforcement des capacités.

Une assistance continue est ainsi fournie à la MRA en ce qui concerne l'administration fiscale. Le *Regional Centre of Excellence* est un autre exemple des bénéfices de cette

coopération. Je rappelle qu'en mars 2019, le Centre régional d'Excellence, en partenariat avec l'OCDE, a été inauguré à Maurice avec comme objectif de fournir des programmes de renforcement de capacités, de mener des recherches sur des domaines d'actualités, et de trouver des conseils sur les normes minimales qui doivent être introduites au niveau régional.

M. le président, de nombreux pays non-membres de l'OCDE, dans le but de bénéficier de son expertise et de ses conseils en matière de formulation de politique public, ont exprimés leurs intérêts pour les travaux de l'OCDE. Actuellement, l'OCDE est engagée dans les discussions avec six pays, à savoir l'Argentine, le Brazil, la Bulgarie, la Croatie et le Pérou, en vue de leurs adhésions.

Je saisir cette question pour rappeler que devenir membre de l'OCDE n'est pas une tâche aisée et qu'elle implique un processus d'examen rigoureux comme suit –

- (a) le conseil de l'OCDE, qui comprend tous les membres de l'organisation, décide de l'ouverture des discussions d'adhésions après réception d'une demande écrite d'un pays candidat à l'adhésion ;
- (b) une feuille de route pour l'adhésion est alors adoptée par le conseil qui définit les termes et conditions et le processus d'adhésions conformément à son cadre pour l'examen des pays candidats ;
- (c) la feuille de route d'adhésion énumère les examens techniques que les comités de l'OCDE doivent entreprendre dans divers domaines d'actions afin d'évaluer la volonté et la capacité du pays candidat à mettre en œuvre les instruments juridiques pertinents de l'OCDE, ainsi que ses politiques et pratiques par rapport aux meilleures politiques et pratiques de l'OCDE dans le domaine d'actions correspondant. Il en résulte une série de recommandations pour aligner davantage le pays candidat sur les normes et les meilleures pratiques de l'OCDE ;
- (d) une fois le processus technique achevée, le conseil de l'OCDE décide d'inviter, oui ou non, le pays candidat à devenir membre ;
- (e) un accord d'adhésion est signé et le pays candidat prend les mesures nationales nécessaires et dépose un instrument d'adhésion à la convention de l'OCDE auprès du dépositaire.

(f) à la date du dépôt, le pays devient officiellement membre de l'OCDE.

À ce jour, beaucoup a été fait et beaucoup est fait en terme d'alignement de nos lois et règlements sur les meilleures pratique de l'OCDE. Cela devrait peser positivement dans l'évaluation par l'OCDE de notre aptitude à devenir membre de l'OCDE un jour.

Il est important de souligner que tous les instruments de l'OCDE ne sont pas juridiquement contrariants. Pour les instruments qui sont juridiquement contrariants, c'est lorsque les divergences existent entre les politiques et les lois nationales des pays membres et les principes contrariants de l'OCDE. Il existe des mécanismes de consultation auxquels les pays membres peuvent recourir pour sauvegarder leurs intérêts nationaux. Merci.

**Dr. Boolell:** Mr Speaker, Sir, I thank the hon. Minister for his extensive statement. Can I ask him what are the benefits that are going to accrue to Mauritius and whether there has been an in-depth study conducted, and if yes, will he circulate the study?

**Dr. Padayachy:** M. le président, au vu de ce qui se passe au niveau international depuis de longues années, Maurice a fait le choix d'adhérer aux normes internationales de l'OCDE, que ce soit pour notre secteur financier, que ce soit pour notre système fiscale, et que ce soit pour notre système de développement sociale. Oui, cela apporte énormément de bénéfices à un pays qui se conforme à ses normes parce que, comme je le répète souvent, vaut mieux faire les transactions lorsqu'il y avait 99.99% de travaux ou d'échanges conformes aux lois que d'aller vers les 0.001 % où on ne respecte pas les lois.

Donc, oui, ce sera bénéfique. Nous avons fait un travail, mais vous savez très bien que ce genre d'étude empirique va nous apporter une réponse claire et précise des avantages qu'on peut avoir. Mais c'est sûr aussi que cela demande un travail régulier et robuste de notre côté pour respecter les normes. Et c'est ce qu'on est en train de faire.

**Dr. Boolell:** Access to information is a right, not a privilege. That is why I asked the hon. Minister whether there has been an in-depth study conducted, and if yes, whether the study will be circulated? Make it available to one and all, especially to the operators.

**Dr. Padayachy:** M. le président, je pense savoir que l'honorable membre est en train de parler pour le secteur financier en particulier. L'honorable membre, nous avons eu presque tous les ans, - en tout cas quand j'étais à la FSC, et je crois que cela continue actuellement - des

délégués de l'OCDE qui viennent à Maurice pour expliquer les bienfaits de respecter les normes et les standards. Récemment, au vu de ce qui s'est passé pour l'inclusion de Maurice sur la liste de FATF, comme vous le savez, FATF est un organe qui est en dessus de l'OCDE, vaut mieux respecter toutes les normes parce que cela crée moins de problèmes pour le secteur financier que d'aller à l'encontre.

Il y aura toujours – et là, je le dis bien, il y aura toujours – quelques entreprises et quelques entrepreneurs qui seront contre cette idée d'aller – je le rappelle bien – dans le bon sens, mais nous, en tant que gouvernement responsable, nous devons regarder les 99, encore une fois, 99.99 % d'entreprises, qui veulent travailler avec les normes internationales pour améliorer leurs résultats.

Donc, encore une fois, vous êtes en train de me demander s'il y a une étude empirique pour démontrer les bienfaits de l'OCDE. Je vous le dis, non, il n'y a pas d'étude empirique, l'honorable député. Pourquoi il n'y a pas d'étude empirique ? Parce que c'est le bon sens de respecter les normes et les standards internationaux.

**Dr. Boolell:** If I subscribe to what our good friend has said, the hon. Minister, I take it for granted that there will be no Angliotti, no Álvaro coming into our jurisdiction. No?

**Dr. Padayachy:** M. le président, permettez-moi de répondre à cette question, l'objectif, bien sûr, c'est tout le temps d'améliorer le système et d'améliorer l'environnement économique à Maurice. Merci.

**Mr Speaker:** Next question!

#### **‘SMATCH’ OIL, MILK & BASIC COMMODITIES – DISTRIBUTORS**

**(No. B/1104) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the supply of oil, milk and other basic commodities imported under the name of Smatch, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the criteria used for the selection of the distributors and table the list thereof.

**Mr Speaker:** Hon. Minister Callichurn!

**Mr Callichurn:** Mr Speaker, Sir, as the trading arm of the Government of Mauritius, one of the strategic objectives of the State Trading Corporation is to ensure a wide distribution of essential products in order to make it accessible to the entire population, especially to the most vulnerable groups.

At present, the STC is commercialising soya bean oil, milk powder and other basic commodities such as basmati rice, red kidney beans, white kidney beans, *chana dal*, and lima beans under its brand name ‘Smatch.’

Mr Speaker, Sir, with regard to the criteria used for the selection of its distributors, I am informed that the STC ensures that the distributor meets the following criteria –

- (a) a valid wholesale trade licence;
- (b) appropriate logistics for distribution, and
- (c) an established distribution network.

Mr Speaker, Sir, it is to be highlighted that out of all these products being commercialised by STC, only soya bean oil is being sold at a subsidised price. I am informed that the distributors of ‘Smatch’ soya bean oil are therefore required to enter into an agreement with STC.

Mr Speaker, Sir, I am tabling the consolidated list of the 103 distributors of essential commodities of ‘Smatch’ brand and the list of 20 registered distributors entrusted with the distribution of ‘Smatch’ soya bean oil.

**Mr Armance:** *Merci, M. le président.* There have been many complaints regarding the product not available throughout the island. I mean, in some regions, they are available but in some supermarkets, they are not available. So, will the Minister ensure the House now that there is a marketing and distribution plan so that the Smatch product is available around the island?

**Mr Callichurn:** Mr Speaker, Sir, we are well aware of the problem and I am confirming that there are distribution points of Smatch products and they are across the island. Obviously, our products are being sold like *petits pâtés*. So, the risk of it being run out at the distribution points does exist.

*(Interruptions)*

**Mr Armance:** So, you said *petits papiers* or what?

**Mr Callichurn:** *Petits pâtés.*

**Mr Armance:** I wanted to confirm. So, Mr Speaker, Sir, I just want to know about the price control mechanism. You mentioned that the oil is subsidised but for the rest of the product, there is a free price system. So, again, I have been receiving complaints about the price mechanism that many supermarkets and shops practice their own price. So, does the Ministry have a price control mechanism on the product under the brand of Smatch?

**Mr Callichurn:** Mr Speaker, Sir, this is not true. The price that has been fixed for the sale of soya bean oil is at Rs75. So, if there is any complaint regarding higher prices being practised by any commerce, they should report it to my Ministry.

**Mr Armance:** Mr Speaker, Sir, the hon. Minister himself mentioned that the product is being sold like *ti papie* or *ti pate*. So, has he got enough stock for the months of November and December to serve the whole island?

**Mr Callichurn:** Mr Speaker, Sir, unfortunately, we did not take over the market. We are putting on sale 600,000 litres of soya bean oil regularly and there are other makes as well. Recently, the Moroil company has also reduced its price and I understand Rani Oil Company which is commercialising Rani Oil also is reviewing its prices downward.

**Mr Armance:** My question is very specific. Your MD, Mr Rajiv Servansingh mentioned that there is going to be a big demand for oil in November and December due to the festive season. Has the STC made enough provision of stock for the period of November and December?

**Mr Callichurn:** We will continue to supply regularly the market with the quantity that we have been supplying so far.

**Mr Speaker:** Next question!

#### **VACOAS & PHOENIX – DRAINS – CONSTRUCTION & REHABILITATION**

**(No. B/1105) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the construction and rehabilitation of drains under the National Flood Management Programme earmarked for financial years 2021-2022 to 2023-2024 within the township of Vacoas and Phoenix, he will, for the benefit of the House, obtain from the Municipal Council of

Vacoas and Phoenix, information as to where matters stand, indicating the number of projects completed since November 2021 to date and the costs thereof.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, with regard to the number of drain projects which have been completed by the Municipal Council of Vacoas Phoenix since November 2021, I am informed by the Council that it has completed 9 projects at the cost of Rs16,876,900.

The status of other drain projects earmarked for the Municipal Council of Vacoas Phoenix is as follows -

(a)	Construction Stage	-	1
(b)	Consultancy Stage	-	2
(c)	Tender Stage	-	18
(d)	Design Stage	-	15

Making a total of 36 projects still in the process now, apart from the 9 projects which have been completed.

Mr Speaker, Sir, I am tabling the list of the remaining 36 projects being implemented, as I have just mentioned above, by the Municipal Council.

Moreover, I am informed by the LDA that there are 71 other drain projects which are being implemented by other agencies in the town of Vacoas and Phoenix, as follows –

- (a) 65 drain projects by National Development Unit;
- (b) 5 drain projects by the Road Development Authority, and
- (c) 1 drain project by the Drain Infrastructure Company Limited.

**Mr Lobine:** Mr Speaker, Sir, may I ask the hon. Vice-Prime Minister whether there is any protocol in place with the Land Drainage Authority and the Municipal Council of Vacoas-Phoenix with regard to the ongoing process of cleaning and maintaining of drains but also as to the types of drains to be designed and constructed in the near future in the township of Vacoas-Phoenix?

**Dr. Husnoo:** Yes, Mr Speaker, Sir, there is definitely collaboration between the LDA and all the Municipal Councils. It is the LDA that gives the specification for the different types of drains and this is applied by the different local authorities. So, there is a good collaboration going on for drain construction and even for the cleaning as well.

**Mr Lobine:** Is the hon. Vice-Prime Minister aware that as at date the Municipal Council of Vacoas-Phoenix has not yet started the cleaning of drains especially with regard to the heavy rainy season starting very soon and the cyclonic season also starting? Can the hon. Vice-Prime Minister look into the matter?

**Dr. Husnoo:** I can assure the hon. Member that I have already contacted all local authorities because we are going to get the rainy season coming in January or February to start cleaning the drains even a couple of months ago. I have already given the instruction that the drains need to be cleaned in anticipation of the rainy weather coming, but I will contact the Vacoas-Phoenix local authority to make sure that the work is being done.

**Mr Speaker:** Next question!

### **ENERGY PRODUCTION - SHORTFALL**

**(No. B/1106) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Energy and Public Utilities whether, in regard to energy production, he will –

- (a) state the shortfall therein attributed to the closure of Terragen Ltd since March to 31 October 2022, and
- (b) for the benefit of the House, obtain information as to the measures taken by the Central Electricity Board to compensate the shortfall therein.

**Mr Lesjongard:** Mr Speaker, Sir, I wish to inform the House that the Central Electricity Board (CEB) and Terragen Ltd (ex. CTBV) had signed a Power Purchase Agreement (PPA) on 24 June 1998 in respect of a coal/bagasse fired steam power plant at Mapou. The installed capacity of the plant was 71.2 MW and the minimum power guarantees under the Power Purchase Agreement were 46 MW during crop season and 62 MW during intercrop season. The Power Purchase Agreement was extended by both parties, on the same terms and conditions, for a first additional term of 30 months starting from 01 July 2020 to 31 December 2022 and a second additional term of 30 months starting on 01 January 2023 to 30 June 2025.

On 04 March 2022, Terragen Ltd had issued to the Central Electricity Board a Notice of Occurrence of Force Majeure Event due to the act of war by Russia causing the price of coal to rise sharply. Thereafter several meetings were held, including between myself and colleague Ministers, with representatives of Terragen Ltd with a view to reaching a solution. Several meetings were also held at the level of the Central Electricity Board. The request of Terragen Ltd was to revise the indexation formula under the Power Purchase Agreement while the Central Electricity Board had proposed a burden-sharing formula between the two parties in a spirit of collaboration given the long-standing commercial relations between the IPP and the Central Electricity Board.

Mr Speaker, Sir, the House would recall that Terragen Ltd had ceased its operations on 29 April 2022, while the hearing of the Application for Injunction lodged by the Central Electricity Board was ongoing at the level of the Supreme Court.

The Central Electricity Board has reacted promptly and since that date and until now, the Central Electricity Board has been successful in satisfying electricity demand to the population without disruption.

Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the CEB that, since Terragen Ltd has disconnected from the grid up to 31 October 2022, the shortfall in energy generation attributed to Terragen Ltd amounts to 158.3 GWh. This contribution of Terragen represents around 5.73% of the forecast energy demand for 2022.

Mr Speaker, Sir, as regards part (b) of the question, as I have already informed the House, since the ceasing of operations of Terragen Ltd, the CEB has been successful in compensating the shortfall in energy that the Independent Power Producer used to export to the grid.

I had also informed the House in reply to PQ B/649 at our Sitting of 17 May 2022 of the demand supply balance worked out by CEB to meet electricity demand in 2022 and after.

Mr Speaker, Sir, the CEB has prepared itself to face the demand for electricity in the coming months, especially with the recovery of economic activities. To ensure availability of adequate generation capacity and compensate the shortfall from Terragen Ltd, which represents around 5.73% of forecast energy generation for 2022, I will list a few main measures that have been taken by the CEB, namely –

- (a) maintenance of CEB power plants have been carried out in the winter months when demand is relatively low while ensuring the health and state of all generating units;
- (b) allowance on operating (spinning) reserve is equivalent to the largest unit on the system;
- (c) the Battery Energy Storage System (BESS) is used as spinning reserve;
- (d) internationally acceptable reserve capacity margins have been maintained, and
- (e) better energy efficiency management through sensitisation campaigns on energy conservation and saving.

I wish here, Mr Speaker, Sir, to reassure the House that CEB has taken the necessary measures to ensure a stable and undisrupted supply of electricity to the population in the coming months.

I thank you, Mr Speaker, Sir.

**Mr Assirvaden:** M. le président, le ministre confirme que Terragen représente 62 MW en moins sur le réseau du CEB. Il faut bien préciser que l'affaire de Terragen, c'est depuis octobre 2021 et non pas en 2022. Ajouté à cela, M. le ministre, nous approchons malheureusement l'été à partir de décembre ; donc la demande va augmenter. A part les 62MW que vous préconisez dans votre réponse en ce qui concerne Terragen, il y a aussi, il faut bien ajouter, les 13 MW de l'alternateur de St Louis qui en panne, qui vous fait 75 MW en moins sur le réseau du CEB. Comment avec ce que vous avez en *spinning reserve*, en réserve, comment pensez-vous M. le ministre que le CEB va pouvoir *cope* avec la demande à partir de décembre jusqu'à l'année prochaine alors que nous savons très bien qu'une nouvelle centrale prend deux ans à deux ans et demi pour être sur le réseau ?

**Mr Lesjongard:** Mr Speaker, Sir, first of all, let me again correct something, that is, the energy generated by Terragen represents only 5.73% of forecast energy demand for 2022. As I have stated in my reply, Mr Speaker, Sir, since Terragen has stopped operation, the Central Electricity Board has been able to supply the country the electricity required and measures have already been taken. I repeated it again in this answer, I said it again in a previous question put to me by the same hon. Member that CEB has taken all the necessary measures to be able to face the coming summer period but also beyond that, that is, for the year 2023 and onwards. There are

a series of projects in the pipeline that are being implemented and will be commissioned by the year 2024.

So, we are a very comfortable, Mr Speaker, Sir, in supplying electricity to the country taking into consideration the growth for next year and year onwards but at the same time, Mr Speaker, Sir, we have tried to discuss and we are still discussing with Terragen on the way forward with regard to their power plant operation.

Thank you, Mr Speaker, Sir.

**Mr Assirvaden:** M. le ministre, puisque Terragen, d'après vos réponses et votre raisonnement, n'est pas nécessaire sur le réseau de *CEB*, et nous parlons ici du charbon, est-ce qu'on peut savoir de vous que dans les mesures prises par le *CEB*, il consiste aussi à ce que le *CEB* a demandé aux *IPPs* d'augmenter leur production – je dis bien d'augmenter leur production, les *IPPs* – pour compenser la perte de ce que Terragen allait emmener sur le réseau du *CEB* ? Est-ce-que cela forme partie des mesures prises par le *CEB* pour compenser Terragen ? Donc ces *IPPs* fournissant plus d'électricité, donc payant plus du *CEB* au *IPPs*.

**Mr Lesjongard:** Mr Speaker, Sir, the CEB has increased their production; this in order to cope with the situation and also to produce electricity at a very competitive cost. This is the answer, Mr Speaker, Sir. It is the CEB that has increased production capacity.

**Mr Osman Mahomed:** Will CEB increasing its production entail mobilisation of power station like Nicolay which uses jet fuel and the unit cost of electricity there is way more expensive than the normal cost paid to IPP, normally Rs15-Rs16 per kilowatt hour?

**Mr Lesjongard:** Mr Speaker, Sir, again, this was a question that was put to me some time back whether we will need to have recourse to Nicolay Power Station. Yes, when we feel it is necessary. Let me give you an example, for the past nine months, we have had recourse to the Nicolay Gas Turbine on two occasions only but then, if you have a power plant, you need to run that power plant also. You cannot have a power plant and leave the power plant idle in the system. So, when there is need to run the Nicolay Gas Turbine, we will run the Nicolay Gas Turbine together with other power plants of the Central Electricity Board.

**Mr Speaker:** Last supplementary!

**Mr Assirvaden:** Je voudrais revenir à ma seconde question, M. le président, simplement pour avoir un éclaircissement du ministre. M. le ministre, ce n'est pas que je demande que le *CEB* roule ses propres *plants* pour compenser la perte de *Terra*, ma question elle est claire : est-ce que le *CEB* a demandé aux autres *IPPs* d'augmenter leurs productions pour mettre sur le réseau du *CEB*, pour compenser la perte de *Terra* ? Est-ce que le *CEB* a demandé et cela a été obtenu des *IPPs* que les *IPPs* produisent plus d'électricité ? C'est oui ou c'est non ?

**Mr Lesjongard:** Mr Speaker, Sir, the production of electricity by IPPs is governed the Power Purchase Agreement that they have signed with the Central Electricity Board. Whatever energy they will have to produce, will be within the ambit of the Power Purchase Agreement.

**Mr Speaker:** The Table has been advised that the following PQs have been withdrawn: B/1134, B/1145, B/1135, B/1142. Next question!

#### **MEDICAL BOARD – DISABILITY ALLOWANCE – APPLICATIONS**

**(No. B/1107) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to persons living with disabilities, she will state the number of applications rejected by the Medical Board for failing to meet the 60 per cent disability requirement since January 2021 to date, indicating if the CSG Disability Allowance for persons living with 40 to 59 per cent disability, as announced in the Budget Speech 2022-23, has been introduced and, if so, indicate the –

- (a) number of persons currently benefitting therefrom and since when;
- (b) conditions attached thereto, and
- (c) total quantum of funds disbursed per person and, if not, why not.

**Mrs Jeewa-Daureeawoo:** By virtue of Section 8 of the National Pension Act 1976, a person is entitled to the invalid basic pension if he is below the age of 60 years and is found to be suffering from a disability of at least 60% for a period of at least one year following an assessment by the Medical Board.

I am informed that since January 2021 to 14 November 2022, 28,155 persons have been assessed by the Medical Board for invalid basic pensions. Out of 28,155, 16,424 persons have been found to be suffering from an incapacity of at least 60% and have been granted the invalid basic pension. 10,634 have not been found to be suffering from an incapacity of at least 60% and

thus, not eligible for the invalid basic pension. Out of the 10,634 who have not been found eligible for the invalid basic pension, 4,690 have appealed to the medical tribunal out of which 1,132 appeals have been allowed and 2,383 have been set aside.

In a spirit to help more persons suffering from certain specific disabilities, in the Budget 2022-2023, a new measure was introduced where a person is under the age of 60 and is found to be suffering from a disability between 40 and 59%, he is entitled to a disability allowance of 2,500 monthly. The House may also wish to know that the Finance Act 2022 which was promulgated on 02 August 2022 brought amendments to the Social Contributions and Social Benefits Act 2021. The eligibility criteria for the disability allowance are set out under Section 38A and the Sixth Schedule of the Social Contributions and Social Benefits Act (2021).

Part I of the Sixth Schedule of the Social Contributions and Social Benefits Act 2021 provides for the list of medical conditions for which an applicant is entitled to a disability allowance on a permanent basis, and they are as follows –

- (i) loss of arm at elbow;
- (ii) loss of arm between wrist and elbow;
- (iii) loss of hand at wrist;
- (iv) loss of four fingers and thumb of one hand;
- (v) loss of leg between knee and hip,
- (vi) loss of leg between knee.

Part II of the Sixth Schedule provides for the list of medical conditions for which an applicant is entitled to a disability allowance for a renewable period of not less than two years, and they are as follows –

- (i) paralysis of a whole limb with some movements;
- (ii) paraplegia;
- (iii) hemiplegia with some movements;
- (iv) grand mal epilepsy.

I am informed that from 03 August 2022 to 09 November 2022, 9,319 applications for the invalid basic pensions have been assessed by the Medical Board. 2,819 applicants have been found eligible for the invalid basic pension and 1,903 persons have not been found to be suffering from a disability of at least 60% by the Medical Board, hence, not eligible for the pension. Out of the 1,903 cases, 30 applicants have been recommended for the disability allowance as they meet the criteria set out in the sixth schedule of the Social Contributions and Social Benefits Act (2022). So, payments are currently being processed at the level of my Ministry.

**Mr Quirin:** Merci, M. le président. L'honorable ministre va certainement être d'accord qu'il est très difficile de pouvoir faire la différence entre une personne tombant dans la catégorie 40 à 59 % et une autre à partir de 60 % des capacités. Donc, sans oublier que l'écart entre les deux catégories est quand même important ; 3,500, et l'autre à 10,000.

Donc, est-ce que la ministre a une idée de comment le *Medical Board* arrive à s'en sortir pour pouvoir justement savoir situer une personne qui est invalide à 59 % et une autre qui devrait bénéficier de la somme qui est allouée dans la catégorie des 60 % à monter ?

**Mrs Jeewa-Daureeawoo:** Well, Mr Speaker, it is all about a question of incapacity. That is why we have the Medical Board and the Medical Tribunal. The Medical Board comprises of two general medical practitioners and the Medical Tribunal consists of two specialist doctors in the relevant field and one Chairperson from the State Law Office. So, they are qualified persons, they are medical practitioners. I stand guided. This is the whole purpose of having the Medical Board and the Medical Tribunal because on those two Boards, we have specialised persons to look into the incapacity of the applicants.

**Ms Tour:** Thank you, Mr Speaker. Can the hon. Minister advise when were the medical guideline last amended and whether they are in the process of being reviewed?

**Mrs Jeewa-Daureeawoo:** Well, Mr Speaker, the medical guidelines – I speak of memory – were reviewed, if I am not mistaken, in 2016 by the Ministry of Health and Wellness in collaboration with my Ministry. Here, we are speaking of medical guidelines. We all agree that medical guidelines need to be reviewed regularly. That is why I have given instructions for the medical guidelines to be reviewed. So, we are talking of 2016, and I can assure the House

that the medical guidelines are being reviewed by the Ministry of Health and Wellness in collaboration with my Ministry.

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

**Mrs Luchmun Roy:** Thank you, Mr Speaker, Sir. With regard to the disability allowance, can the hon. Minister inform the House of whether the invalid person needs to go for application? What are the procedures for the disability allowance? Thank you.

**Mrs Jeewa-Daureeawoo:** As the law stands, if a person thinks that he is suffering from an incapacity and he needs the basic invalidity pension or the disability allowance, of course, he will have to make an application to the Social Security Office nearest to his house.

**Mr Speaker:** Last supplementary!

**Mr Quirin:** Merci, M. le président. L'honorabile ministre est probablement informée de certaines aberrations par rapport aux personnes qui ont vu leurs pensions d'invalidité être supprimées par le *Medical Board*, alors que ces mêmes personnes sont invalides, soit depuis leurs naissances ou bien suite à un grave accident. La ministre peut-elle nous dire justement comment faire pour mettre fin à ces décisions qui paraissent quand même pas tout à fait normal dans le sens qu'une personne qui est handicapée qu'on peut considérer à vie, et qui subitement voit sa pension d'invalidité être supprimée, donc maintenant, avoir recours à des interminables appels devant le *Medical Board*? L'honorabile ministre ne pense-t-elle pas que ce n'est quand même pas tout à fait normale, même une aberration?

**Mrs Jeewa-Daureeawoo:** Well, Mr Speaker, there is a proper structure that has been set up for a person to be examined. As I have said earlier, we have the Medical Board, the Medical Tribunal and I stand guided by the findings of the Medical Board and the Medical Tribunal. I cannot question their findings. I think we need to trust the findings of the Medical Board and the Medical Tribunal. As I explained, on these two Boards, we have qualified medical practitioners.

Furthermore, I can say that there are avenues in case they are dissatisfied with the decision of the Medical Board. The applicant can appeal. The applicant has 30 days to appeal against the decision of the Medical Board. If the appeal is set aside, there is another avenue; the applicant can make a fresh application after some 6 months, if the medical condition of the person has deteriorated. He can therefore make a fresh application attaching the new Medical

Certificate. Well, I do know that these applications are treated as most urgent and the medical practitioners will do the needful.

**Mr Speaker:** Questions B/1111 and B/1114 have been withdrawn. Motion!

**MOTION**

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

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

**Mr Toussaint seconded.**

*Question put and agreed to.*

(4.08 p.m.)

**STATEMENT BY MINISTER**

**G20 MEETINGS - INDIA - MAURITIUS PARTICIPATION**

**The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo):** Mr Speaker, Sir, I have a statement to make.

I wish to inform the House that Mauritius has been invited by India, in its capacity as G-20 Chair, to participate as a Guest Country in all the G20 meetings from 01 December 2022 to 30 November 2023.

India's gesture, Mr Speaker, Sir, is a testimony of the special and privileged relations between our two countries, and the close relations between the hon. Pravind Kumar Jugnauth and the Prime Minister Narendra Modi. And we thank the Indian Prime Minister for this noble gesture.

In preparation of our active participation, on 10 November 2022, I have chaired the first meeting with high-level senior officials from various Ministries to brief them on the G20 process in preparation of our participation in the various meetings.

Prime Minister Narendra Modi officially launched the Indian Presidency of G20 under the theme “*Vasudhaiva Kutumbakam*” meaning “*One Earth, One Family, One Future*”

Essentially, the theme affirms the value of all forms of life – human, animal and plant – and their interconnection on the planet Earth and in the wider universe.

The theme also spotlights LiFE (Lifestyle for Environment), with its associated, environmentally sustainable and responsible choices, both at the level of individual lifestyles as well as national development, leading to a cleaner, greener and bluer future.

In the context of our participation, the Government of India has requested the Government of Mauritius to nominate –

- (i) a Sherpa;
- (ii) a Sous-Sherpa, and
- (iii) a Head of Delegation and nodal officers for each of the thematic working Groups.

The Government has decided to nominate Ambassador H. Dillum, the Secretary for Foreign Affairs, as the G20 Sherpa for Mauritius, and Mr Acharaz, the Deputy Financial Secretary, as the Sous-Sherpa. The Sherpa and the Sous-Sherpa will coordinate the participation of Mauritius in the G20 process.

Mauritius had the opportunity to participate in the first virtual briefing meeting for G-20 Sherpas of Guest Countries along with seven others, namely Bangladesh, Egypt, the Netherlands, Nigeria, Oman, Singapore and the UAE.

The meeting was chaired by Ambassador Abhay Thakur, G-20 Sous-Sherpa for India on 02 November 2022, who the House would recall, was the High Commissioner of India in Mauritius recently.

The G-20 processes are basically divided into a Sherpa Track and a Finance Track.

Under the Sherpa Track, about 100 official meetings are organised in the areas of agriculture, anti-corruption, culture, development, digital economy, disaster risk reduction, education, employment, energy transitions, environment and climate sustainability, health, tourism, trade and investment.

Under the Finance track, Mr Speaker, Sir, about 40 meetings are expected to be organised including in the areas of international financial architecture, financial inclusion and sustainable finance, financing for infrastructure, climate finance and tax matters.

Under its presidency, India has also proposed an additional track known as Engagement Groups involving civil society and private sector. The modalities of their participation are still awaited.

The challenge is immense as we are talking about more than 150 meetings at technical levels which will be hosted by India within a span of one year.

This invitation is a first in our diplomatic history and provides us with a unique opportunity to further our national agenda and issues of vital interests for our country, in the realm of global governance.

Mr Speaker, Sir, through this innovative and powerful platform, our contribution on critical issues, such as climate change, access to finance and technology, as well as the inherent vulnerabilities of Small Island States, will be given due consideration, thus propelling Mauritius in the forefront of the global arena.

Moreover, our participation in the G20 process is especially opportune at a time when Mauritius, like the rest of the world, is grappling with the enduring effects of the pandemic, the Russia-Ukraine conflict, and the global economic downturn.

While the Government has responded with social and budgetary measures, the resulting pressure on our public finances is unprecedented as we resolutely continue to chart our developmental agenda.

As such, the G20 will provide Mauritius with a unique platform to make our voice heard in what is effectively a forum of the biggest and most important economies of the world. It will also serve to reinforce the leadership role that Mauritius has consistently played in pushing the Small Island States agenda on the global arena.

Our participation, Sir, will also provide us an opportunity to diversify bilateral relationship with other G20 Member States.

Mr Speaker, Sir, the Government will ensure that we make the most of this opportunity that Mauritius has to be at the main table in one of the most important strategic multilateral platforms that connects the world's major developed and emerging economies.

It goes without saying that is a matter of pride for Mauritius to participate in the G20 process and, therefore, I rely on the collaboration of one and all to support this endeavour.

I am done. I thank you, Mr Speaker, Sir.

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded, the Occupational Safety and Health (Amendment) Bill (No. XVII of 2022) was read a first time.*

### *Second Reading*

## **THE DANGEROUS DRUGS (AMENDMENT) BILL**

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

*Order read for resuming adjourned debate on the Dangerous Drugs (Amendment) Bill (No. XV of 2022).*

*Question again proposed.*

**Mr Speaker:** Resumption of debates. Hon. Gobin!

(4.16 p.m.)

**The Attorney General, Minister of Agro-Industry and Food Security (Mr M. Gobin):**

Yes, thank you, Mr Speaker, Sir. Thank you for giving me the floor to land my voice and my vote in favour of the Dangerous Drugs (Amendment) Bill.

Mr Speaker, Sir, I propose to be quite brief in my address this afternoon. I wish to highlight certain provisions of the Bill which I believe constitute major changes at the level of policy in the fight against drug trafficking and in the second part of my address, I will address some points raised only by the other side of the House. I wish to highlight three provisions of the Bill which constitute major changes.

First of all, what will become the powers of a police officer under Section 57A of the Dangerous Drugs Act once this Amendment Bill is passed. Under the new Section 57A, powers given to police officers to have the power for the lawful use by a police officer of Dangerous Drugs for the purpose of detecting an offence. This power had always been in the law, for example, we know that a police officer could have in his possession a certain amount of dangerous drugs when he is in the performance of his functions for the purpose of detecting an

offence. For example, offering to buy, that is where he then arrests the suspect and takes him to Court for an offence under the Dangerous Drugs Act. That has always been the case. What is now being changed is at the level of supervision of the exercise of that power by a police officer.

In fact, in argument in the previous Sittings, some Members on the other side of the House were saying that this is an unchecked power that is being given to a police officer. I beg to disagree. It was perhaps unchecked before. Now, a supervision, a control is being put on the exercise of such a power and I will say why. Henceforth, a police officer, in the discharge of his functions, for the detection of an offence under the Dangerous Drugs Act, will be able to transport, dispatch, possess, purchase or offer to purchase any dangerous drug. We have no quarrel with that. It has always been in our law. What is now being changed is that a police officer, in the exercise of such a power, has to be authorised in writing. That's number one. He will need an authority in writing. Secondly, that authority should come from a police officer, not below the rank of Superintendent of Police. Therefore, the control comes by this authority given in writing so that at any point later, whether during inquiry or during a trial, if questions are put as to whether, this officer was authorised, the writing will be there. So, this is a measure of control and supervision under a lawful use for the purpose of detection of offences under the new Section 57A of the Dangerous Drugs Act once the Amendment Bill is passed. That was the point I wanted to highlight.

The second point I want to raise is a new offence is being created in this Amendment Bill and that is, if I may call it “a special conspiracy”. We all know of the offence of conspiracy as it has always existed in our law – lies in the Criminal Code Supplementary Act that is, Section 109 of the Criminal Code Supplementary Act. What is being enacted in this Amendment Bill will be a new section in the Dangerous Drugs Act and that new section will be Section 39A with the short title ‘Conspiracy to Commit Drug Offence’.

Now, why the Assembly is called upon to vote on such a provision is because a conspiracy to commit an offence under the Dangerous Drugs Act should be severely punished in the sense that it should be a harsher punishment for a conspiracy under the Dangerous Drugs Act as compared to a conspiracy under the criminal code. This is what we are achieving with the creation of this new offence of conspiracy under the Dangerous Drugs Act and as we all know,

the penalties provided for the offences under the Dangerous Drugs Act are way higher than those we find in other legislations. That's for my second point.

My third point concerns a major shift in policy. It concerns the destruction of exhibits. So far, whenever an exhibit is seized, that exhibit is, of course sent for analysis to the FSL and then until trial which can happen sometimes, not often fortunately but sometimes, some years later; those exhibits have to be kept in custody and with the passage of time, sometimes the weight can alter. The composition can be altered because with the passage of time as these are chemical compounds. So, when we look at what obtains in other jurisdictions, the major shift is instead of a policy of storage of exhibit, the change is to document and destroy. It is not a simple destruction. It is to document it first and then to destroy it and I will explain what the meaning of to document and destroy is.

First, let us look at other jurisdictions. I have gone to check in India, disposal of seized narcotic drug and psychotropic substances. In the jurisdiction of India, Government Agencies are authorised to destroy. However, it should be on an application made before a magistrate and the magistrate allows or not, depending on the application, the destruction. The same obtains in Madagascar; when we look at the Section of '*Remise et destruction des substances saisies*' - the same policy, that is, to document the seizure, the amount, the quantity and then destroy it. In Australia, it is the same policy. In Philippines, the same policy and like that, in so many other jurisdictions. So, what are we therefore doing here in adopting this new policy of document and destroying?

That would be found when the Bill is passed in a new section of the Dangerous Drugs Act, namely section 58A - Destruction of dangerous drugs. What will happen with the new regime of document and destruction? Exhibits, of course, would be in the custody of the Police. The Police Officer in charge of the investigation will be given a direction in writing once again. He will be directed in writing by a Police Officer not below the rank of Superintendent of Police.

What will that direction in writing contain? The Superintendent will give a direction in writing to the Police Officer in charge of the investigation directing him to do what? He will be directed to make an application before the District Court. Which District Court? The District Court where the accused is charged, I hasten to add, it will be the District Court where the accused is provisionally charged because we are not yet at the stage of trial. We are still at

investigations stage. So, the accused will be provisionally charged before a District Court as is invariably the case. That Police Officer in charge of the investigation will make the application before the District Court where the accused is provisionally charged to ask for what? To ask the Magistrate for an order for the destruction of the dangerous drugs.

So, therefore, the destruction comes under the scrutiny and supervision of a judicial officer, namely the Magistrate. That application before the District Court will therefore become the record of where the drugs have been seized, the quantity, the weight and everything else. It will be made in a prescribed form. Thereafter, will come the order for destruction.

Therefore at the stage of trial, the record will still be there for production at trial stage, but there will be no need to keep that exhibit for months and sometimes, years. This is a major change in policy and I am all for it, Mr Speaker, Sir. These were the three provisions I wanted to highlight.

Before ending, I wish to comment on some arguments that were put forward by Members of the other side. Much was said about the existing power in the law as it is now of the Magistrate to order rehabilitation. I have heard what you were saying: 'there is nothing new, we are going to order rehabilitation.' The Magistrate nowadays already has this power to order rehab. I humbly beg to differ. As the law stands, the power of the Magistrate to order rehab comes after conviction, that is, at the stage of sentencing, whereas what we are introducing in the law is there will not even be a trial.

Before the drug user is sent for trial, there will be a recommendation depending on the case to send him before the Drug Users Administrative Panel: Where he goes to Panel and he accepts the terms and conditions of his rehab, he is not even going to Court. So, there are two separate regimes here. Actually, it is a criminal justice system whereas the Drug Users Administrative Panel is outside the criminal justice system. We are diverting him away from the criminal justice system. This is exactly what Commissioner Lam Shang Leen recommended: to divert the drug user away from the criminal justice system. Otherwise, he gets entangled in the criminal justice system and life changes dramatically once you are in a criminal justice system. So, therefore, this is what we have to understand clearly.

Another argument that was put forward by some Members of the other side is with this Dangerous Drugs (Amendment) Bill, there was therefore a need to also amend the Certificate of

Character Act. No, there is no need because the question does not even arise. A person being diverted from the criminal justice system to the Drug Users Administrative Panel will not even be convicted. He is not going to Court. So, the question of the Certificate of Character does not arise. We should be clear about that.

One final point, unfortunately, my learned friend at the bar, hon. Uteem is not in the House. I heard him last Thursday say that he was the proud Member of the MMM who has never defended a drug trafficker. Granted he has not defended a drug trafficker in Court, he has not defended in Court, granted! Because I know offshore business is keeping him very busy. But who objected? Who was so vociferous when Mr Uricek was removed from this jurisdiction? Who?

**An hon. Member: Li mem!**

**Mr Gobin:** He will go down history as the only barrister in the MMM who objected to the removal of Mr Uricek! That is on record in this House and outside this House. I know people outside have understood that very clearly. If you want to play semantics, I have not defended before this forum nor have I defended before that forum. The people have understood very clearly who objected to the removal of Mr Uricek who is now behind bars and facing justice in his country.

I am done, Mr Speaker, Sir. Thank you very much.

**Mr Speaker:** Hon. Ganoo!

(4.33 p.m.)

**The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo):** Merci. M. le président. M. le président, permettez-moi de contribuer au débat sur ce projet de loi, le *Dangerous Drugs (Amendment) Bill* qui est devant la Chambre.

M. le président, j'ai suivi le dossier de la lutte contre la toxicomanie de très près depuis plusieurs décennies dans cette Chambre. À plusieurs reprises, j'ai participé aux débats apportés aux *DDA* dans le passé et j'avais interpellé à plusieurs reprises des ministres responsables du dossier concernant la drogue sur plusieurs aspects spécifique alors que j'étais dans l'opposition.

M. le président, le combat pour l'élimination de la drogue à travers le monde a été toujours un rude et difficile exercice malgré la Convention internationale de 1961 qui fut amendée par le protocole de 1972, la Convention de 1971, et finalement de la Convention de 1988, celle qui est la plus rapprochée de nous, le *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*.

En effet, M. le président, les autorités onusiennes et les États membres du monde ont toujours eu du fil à retordre et à faire face à d'innombrables défis, d'égard, la résilience, la résistance et l'ingéniosité de la mafia et des barons de la drogue. C'est ainsi que nous notons que l'accent et l'emphase ont été constamment mises sur la répression en particulier pas le biais des interventions législatives sévères, des nouvelles lois furent régulièrement formulées, les nouvelles sanctions furent imposées, des propositions législatives prétendent à saisir les biens des trafiquants furent introduites. Des pays dépendent de leurs spécificités régulièrement ajustent leurs législations domestiques à de nouvelles situations qu'ils n'avaient jamais contemplés face à ces barons de la drogue.

À Maurice même, M. le président, je me souviens dans les années 90, quand j'étais ministre de la Justice, au sein du gouvernement dirigé par feu SAJ, nous avons durcis nos lois d'avantage face à une recrudescence inquiétante de la drogue. Par exemple, nous avons légiférés pour même refuser le droit à la liberté provisoire aux usagers ayant été condamnés dans le passé pour un délit de possession de drogue. La loi fut amendée pour sanctionner les prévenus en cas où ils changeaient leurs dépositions à la police. Certains priviléges furent refusés aux prévenus condamnés pour l'affaire de drogue. Et plus tard, vous vous souvenez la constitution fut également amendée pour introduire le concept de détention *incommunicado*.

Mais malgré tout cet arsenal de mesures répressives déployées, les autorités internationales et locales, hélas, M. le président, durent se rendre compte que la bataille était loin d'être gagnée. Très souvent, on entendit parler dans les hautes sphères au niveau des organisations onusiennes d'un *lost battle*. C'est ainsi qu'au fil des décennies, les autorités se rendirent compte que la répression seule ne suffisait pas. La répression, hélas, n'était pas la seule solution.

En parcourant la convention de Vienne en 1988, on réalise que des mesures alternatives ayant trait au traitement, à l'éducation, à l'*aftercare*, la réhabilitation ou la réintégration sociale,

quoique mentionnées n'étaient pas vraiment valorisées et en vérité, elles ne sont que mentionnées sous la rubrique de *offences and sanctions*. Je lis *the relevant clause* –

« *The Parties may provide, either as an alternative to conviction or punishment, or in addition to conviction or punishment of an offence established in accordance with paragraph 2 of this article, measures for the treatment, education, aftercare, rehabilitation or social reintegration of the offender.* »

M. le président, il coule de source que la législation mauricienne s'alignait donc sous ce principe. Des recours au traitement et à la réhabilitation de l'usager ne furent que très timide. Il n'était point l'époque où l'utilisation de la drogue était considérée comme un *public health issue* ou encore moins *a legal issue*. Ce n'est qu'en 2003, sous le gouvernement MSM-MMM, qu'un amendement élaboré au DDA de l'année 2000 fut adopté pour permettre aux cours de justice de donner une chance à l'accusé en lui offrant la possibilité de se faire traiter ou réhabiliter au lieu d'aller servir une peine d'emprisonnement et la section pertinente disait –

« *(...) that the Court shall, where it considers this to be appropriate, explain to the convicted person that, if he undertakes to co-operate in order to be cured of his addiction, the Court, instead of sentencing him to imprisonment, may order him to undergo, at such institution as may be prescribed (...)* »

Donc, M. le président, malgré ces amendements positifs, l'option de la répression perdurera, les tentatives des autorités publiques, des privilégiés sont de mettre sur le même pied d'égalité l'alternative de traitement et de réhabilitation ne connaît malheureusement pas de grand succès. Pour preuve, M. le président, plusieurs institutions malheureusement ne fonctionnèrent pas.

Le *Trust Fund for the Treatment and Rehabilitation of Drug Addicts* de 1988, un projet de loi qui fut voté malheureusement n'apporta pas les résultats escomptés. Il fut abrogé et remplacé par un autre projet de loi, le *National Agency for the Treatment and Rehabilitation of Substance Abusers Act (NATReSA)* de 1994. Et ce projet de loi qui abrogea le précédent projet de loi, *the Trust Fund for the Treatment and Rehabilitation of Drug Addicts* de 1986 hélas, a connu le même sort. En effet, le *NATReSA*, donc l'objectif principal était de réhabiliter, de traiter fut aussi abrogé et péri alors que le fléau de la drogue continuait à faire des ravages au sein de la population et de la jeunesse. Des autorités publiques ne pouvaient pas par un manque de volonté,

M. le président. Mais le fait demeure que la machine ne connaît jamais sa vitesse de croisière et quelque fois même le *lower Judiciary*, notre magistrature, fut rappelée de temps en temps par la Cour suprême de l'impérieuse nécessité de suivre l'esprit de la loi et de donner à l'option de traitement et de réhabilitation sa juste valeur. Plusieurs jugements de la Cour Suprême en sont témoins, M. le président.

Et, finalement, dans ce combat contre la toxicomanie, ce que j'appellerai la dernière étape, M. le président, dans cette longue et synergie fut quelques années de cela la demande pour la décriminalisation, dépénalisation ou la légalisation. Ces trois terminologies, ces trois vocables qui en vérité créèrent beaucoup de confusion. Ce n'est pas moi qui le dis, c'est le président Lam Shang Leen, dans son rapport fait mention de la confusion que prête ces trois vocables, ces trois terminologies mais qu'importe, nous comprenons tous l'essence de leur contenu.

Et dans les années 2015, 2016 jusqu'aux élections générales de 2019, les revendications pour cette option furent de plus en plus entendre. Et plusieurs justifications pour cette politique étaient offertes, M. le président, par des jeunes, par des O.N.G., par des professionnels de la santé, par des travailleurs sociaux. À cette époque, j'étais un dirigeant du mouvement patriotique et avec certains collaborateurs, nous avions prêté une oreille attentive à ces propositions ou à ce plan d'action, à cette nouvelle formule et nous avons essayé de comprendre et d'appréhender ces nouvelles propositions.

Je me souviens un premier forum fut organisé sur le thème « *le cannabis, enn novo regar* ». Des jeunes, des moins jeunes, des travailleurs sociaux, des professionnels de santé manquèrent leur présence et leur intérêt sur le sujet. Nous avions même invité – je me souviens très bien – un addictologue très connu, le Docteur Mété, de l'île de la Réunion par le biais d'un autre expert dans la matière, le Docteur Paratian, qui animèrent plusieurs ateliers de travail. À ce moment, malheureusement, les politiciens de l'autre côté de la Chambre, M. le président, ne démontraient aucune indication de leur engagement dans cette première étape toute cruciale de ce nouveau processus. Je dis tout ceci, M. le président, pour faire comprendre qu'il y a en effet un lien étroit entre la réhabilitation, le traitement, le *aftercare* et la nécessité de la dépénalisation ou la décriminalisation, *by whatever name you might call the process*.

Mais pour revenir à ce projet de loi lui-même, M. le président, je dois vous dire que je suis très honoré et fier d'appartenir à un gouvernement qui a pu apporter devant cette chambre

aujourd’hui ce projet de loi avec ces contenus. *It is indeed, Mr Speaker, Sir, a great leap forward, a major step forward. I applaud this piece of legislation, Mr Speaker, Sir, because it is the first time indeed that the DDA, amended as it will be, has created a corridor for removing people, especially young people, out of a criminal justice system and is treating the use of drug as a public health issue rather than a legal issue. Therefore, by so doing, this practice can provide health measures for people genuinely suffering from addiction and will also facilitate their social integration providing them with long term treatment.*

I have listened to a few members of the Opposition, Mr Speaker, Sir, who have been critical regarding the DUAP Risk Panel or with regard to the process leading to the suspension of prosecution as provided for in Section 59B. But the truth of the matter, Mr Speaker, Sir, is that this Bill has come with this noble proposal that drug dependence should not be treated as a criminal matter and that detention and repression are not the only appropriate responses to drug use.

To many of us, Mr Speaker, Sir, to me, for what I know, I could have hardly dreamt that such avant-gardist legislation proposals would have found their way in our statute books, at least during our lifetime. I say that, Mr Speaker, Sir, because if we are honest – we are all aware of the conservative nature of our societal norms and the inherent blockages, prejudices and biases. One may not be in full agreement with the approach adopted in this Bill, arguing as some members of the Opposition have done; that the Bill has not gone too far or that the Bill contains such and such laws but let us acknowledge, Mr Speaker, Sir, it needed a lot of political courage and audacity to propose to the nation the provisions that have been provided for in this Bill, Mr Speaker, Sir.

And this is why I would like to repeat what my friend, my colleague, hon. Gobin just said, the point just he made that what we have provided for in this piece of legislation is that the path of treatment and rehabilitation is readily available at the outset of the judicial process, that is, immediately after the arrest of the young offender or of the drug user. At the very outset, the user, therefore, is driven away, theoretically or in practice if he submits to the conditions of the law, he is driven away from the legal route on certain conditions which the model in our law proposes. Never before has this been the case, Mr Speaker, Sir.

In our current legislation, as explained by my colleague the AG, the drug user was treated as an offender with no opportunity at the outset of being provided with treatment and shielded from punitive sanctions, Mr Speaker, Sir. And therefore, I repeat, I applaud this piece of legislation because it is the first time that we have created a corridor for removing people out of the criminal justice system.

*Rappelons-nous donc, M. le président, que l'option de traitement ou de réhabilitation est proposé à l'accuser, pas après sa condamnation, pas après son arrestation, pas après avoir obtenu sa libération provisoire ou conditionnelle, ou pas après avoir été refusé sa demande de liberté provisoire après son passage au Remand ; pas après son procès, pas du tout, M. le président. C'est ça le point fondamental de ce projet de loi d'après moi !* This is the novelty of this piece of legislation and it is the first time, I repeat, in our history, that the law is providing this unique opportunity for drug users to be spared from punitive sanctions and to allow them to seek treatment without any fear of legal sanctions at the time of their arrest, *M. le président*.

There is a second point that I wish to make, Mr Speaker, Sir; another element which I also find positive – many Members, during their speeches, have made reference to the havoc caused by synthetic drugs among our youths. Indeed, we still hear of unfortunate cases of some of our youngsters being killed due to overdose; some have to be referred to the BSH or other health institutions causing a lot of sorrow and despair to their families and beloved ones.

Mr Speaker, Sir, very often in Mauritius, when people talk of *dépénalisation*, they talk of *dépénaliser le cannabis* but in this Bill before the House, it should not escape our attention that once arrested, a young drug user or anybody else for that matter, whether addicted to cannabis or whether arrested with any type of drugs including synthetics may be hooked out of this traumatic world in which he has been living. He may be removed from this spiral, from this nightmare that he is going through, Mr Speaker, Sir, although he has been caught in possession of cannabis or any other synthetic drugs. Therefore, the Bill goes further than providing only to cannabis users the possibility of being treated and rehabilitated as patients requiring care and treatment.

Finally, Mr Speaker, Sir, what I would like to say is that with regard to the use of medical cannabis, I congratulate the Prime Minister once again and the Minister of Health for having made a dream come true to many Mauritians. The same political audacity which I referred to

earlier with regard to the novel clauses of this Bill has been demonstrated anew with regard to the availability of medical cannabis.

And the reason why things are happening now and as to the time that Government has taken to introduce this Bill is clear, Mr Speaker, Sir – I think somebody on the other side of the House asked the question: why now? Why now, because it was in December 2020 that Government set up this Technical Committee on cannabis for the implementation of the recommendations of the Commission for Inquiry on drug trafficking relating particularly to the use of cannabis for medicinal purposes. It was on 26 November 2021 *et n'oublions pas 2020, 2021, c'étaient les années du COVID-19, M. le président, où presque tout était en panne. Et en novembre 2021*, Government was apprised of the recommendations of the Technical Committee and subsequently, under the Chairmanship of the Prime Minister, the Government set up this Steering Committee to look into the implementation of the recommendations of the Technical Committee on Medicinal Cannabis. And the Steering Committee came up with its recommendations which are incorporated in the present Bill.

And I have to also underline Mr Speaker, Sir, it is to the credit of the Government, of the Prime Minister, of the Minister of Health, that during the Sittings of this Technical Committee, views and comments were sought from the public on the medicinal use of cannabis through notices which were published in dailies. Numerous comments were received and considered by the Technical Committee before finalising its recommendations. Therefore, Mr Speaker, Sir, Government should be commended for the transparent, for the democratic and the open manner in which it conducted this unprecedented and this complex exercise.

And another factor which also explains the timeframe in coming up with the present legislation, Mr Speaker, Sir, is the time taken by the WHO for recommending the use of cannabis meant for medical purposes. The hon. Uteem himself acknowledges and he said this in his speech, Mr Speaker, Sir: it is only after the decisions of the United Nations Commission on narcotic drugs in December 2020 that finally Government set up a Technical Committee.

*To conclude, M. le président, je voulais dire ceci: c'est un grand pas en avant aujourd'hui que notre pays franchit avec ce projet de loi mais aucun projet de loi n'est figé, M. le président. C'est à nous, les législateurs, de suivre son parcours et de lui donner dans l'avenir le dynamisme nécessaire. Dans les domaines de la formulation des outils pour combattre la toxicomanie, M. le*

président, incluant la décriminalisation ou la dépénalisation, il n'est pas question de *copy and paste*. S'imposé un *blueprint* comporte des risques énormes. La loi doit être modulée proprement dépendant de la spécificité du pays, de son système judiciaire, de ses expériences passées dans le domaine précis. L'essentiel aujourd'hui M. le président, est que par le biais de ce projet de loi, nous avons mis le pied dans l'étrier. Laissons le temps au temps. *Our duty is to allow and to facilitate the smooth running of the DUAP and I wish well this Amended Bill, Mr Speaker, Sir, in the interest of the numerous citizens of our country especially our youngsters who are still entrapped in the mire of drug abuse. I am done. Thank you for your attention.*

**Mr Speaker:** I will suspend the Sitting for half an hour.

*At 4.57 p.m. the Sitting was suspended.*

*On resuming at 5.41 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please be seated! Hon. Vice-Prime Minister!

**The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun):** Mr Speaker, Sir, allow me at the very start to congratulate my colleague, the hon. Minister of Health and Wellness, hon. Dr. Jagutpal for taking this major step forward for the modernising of the healthcare through the proposed amendments to the Dangerous Drugs Act. We all agree, Mr Speaker, Sir, that such amendments are more than timely. For the past few days, this Dangerous Drugs (Amendment) Bill has been at the centre of debates, and rightly so.

Mr Speaker, Sir, there are, in fact, two very important aspects of the Bill on which I will intervene –

- (1) the non-prosecution of drug users having been found in possession of drugs for their personal consumption,
- (2) and the other the legalisation of medicinal cannabis.

The subject being what it is, Mr Speaker, Sir, I am glad to note that it carries no major controversies and there is consensus on both sides of the House on these issues. A quick survey reaction in the Press and the social media also clearly reflects this consensual response.

Mr Speaker, Sir, if we are not totally speaking at cross purposes, if we are not really on opposite sides of the barricades, this is probably because the time has come for these changes to happen and we need to rise up to the new reality that this Bill responds to.

Mr Speaker, Sir, one must concede that the global picture on the drug issue is alarming. Across the world, it is a matter that raises huge concerns with global figures indicating that in 2020, 284 million people aged between 15 to 64 use drugs. To understand the enormity of the situation, Mr Speaker, Sir, let me add that this represents a 26% increase over the previous decade. Further evidence from UNODC shows that young people are using drugs with use level today in many countries being higher than that of the previous generation.

On the other hand, in Africa, people under 35 represent a majority of those being treated for drug use disorders. In our own country, Mr Speaker, Sir, in Mauritius, in 2021, there were 927 persons in the age group of 15 to 39 who were admitted to hospitals with severe drug related conditions. Mr Speaker, Sir, in such an environment, we cannot sit back and watch impassively.

M. le président, le Premier ministre a démontré sa détermination de combattre le fléau de la drogue à Maurice. Il a donné à la force policière les moyens, les outils, même des outils technologiques, afin qu'elle puisse mieux contrer le trafic de drogue. Les chiffres, M. le président, sont éloquents. La quantité de drogues saisie et la valeur marchande de plusieurs milliards démontrent l'ampleur du trafic de drogues chez nous et il faut le savoir, M. le président, notre combat sera sans relâche.

M. le président, je ferai référence qu'à la période de janvier à novembre 2022 : 138 kilos de cannabis saisis ; 47 kilos d'héroïne ; 15.7 kilos de *synthetic cannabinoids* ; 46 kilos de hachisch, 307 777 tablettes de sédatifs. M. le président, la police agit avec fermeté. Les saisies de drogues en sont la preuve. Mais ce qui nous étonne, M. le président, c'est que ces saisies de drogues ne semblent point décourager ces trafiquants ; ces trafiquants qui ont probablement opéré avec impunité pendant très longtemps. Et ce qui effraie le plus, M. le président, c'est d'imaginer ce qui serait passé si jamais cette drogue aurait atterri sur le marché. Combien de vies auraient été ruinées par cette drogue ? Combien de souffrances cela aurait engendré ?

M. le président, un jeune qui tombe dans le fléau de la drogue à un avenir brisé, met sa vie en péril et fait souffrir ses proches et sa famille. Il est de notre devoir de les protéger. Et là, je salue le courage et la détermination du Premier ministre qui a déclaré guerre aux trafiquants et

qui n'a pas lésiné sur les moyens à être adoptés. Il a aussi démontré son courage et rien ne lui fera fléchir dans sa mission.

M. le président, un jeune drogué souvent subi des effets de ce qu'on appelle les *withdrawal symptoms*, les problèmes complexes liés au sevrage, et cela peut être extrêmement dur.

This can take very severe forms, Mr Speaker, Sir, ranging from loss of appetite, severe abdominal pain, hallucinations, emotional disorders, headache, insomnia, shivering, severe pain, and drug users often desperate, must at all cost have recourse to more drugs to get some relief. This often leads them to steal, to rob and even to attack people so as to get the money for the drug, even their parents are not spared. There are several cases where parents have themselves been subjected to violence and physical assaults. *Je pense, M. le président, à ces mères de famille et à leur désarroi face à la souffrance de leur enfants.*

It is thus clear, Mr Speaker, Sir, that the addict is himself a victim who needs support and compassion and this is why the National Survey Among People Who Use Drugs carried out in Mauritius in December 2021 by the National Drug Secretariat recommended, and I quote –

“Education and policy should be enhanced to ensure an effective human rights based criminal justice response”

Human rights based criminal justice, Mr Speaker, Sir, to drug problems and focus more on harm reduction rather than on punishment.

Je voudrais bien, ici, M. le président, me référer à la clause IIIA, section 59A de ce projet de loi, *the Non-Prosecution and Rehabilitation of Drug Users*, la partie ayant trait à la mise sur pied du *Drug Users Administrative Panel*, and this is indeed highly relevant and of paramount importance, Mr Speaker, Sir. Sujet, non seulement, intéressant et à propos mais également primordial. Le *DUAP*, as we have stated it earlier, may direct the user to undergo rehabilitation, education, counselling, treatment, aftercare, social reintegration, and any other therapy. His progress will be monitored and all necessary measures will be taken to assist the drug user to overcome his addiction.

M. le président, ces jeunes ont besoin de soutien, d'aide et d'encadrement. Très souvent ils n'arrivent pas à trouver de l'emploi et ainsi ils s'engouffrent davantage dans le désespoir et

dans le monde obscur de la drogue. C'est une situation vraiment navrante et non salvatrice pour certains, surtout qui ont reconnu avoir fait des erreurs de jeunesse. L'amendement est donc très bien accueilli car il apporte deux possibilités aux jeunes. Premièrement, le traitement du jeune drogué lui permettant de se faire soigner et lui donnant la possibilité de surmonter sa dépendance avec l'aide de professionnels de la santé. Et deuxièmement, la chose intéressante, c'est que le jeune ne sera pas obligé de mettre fin soit à sa vie scolaire ou professionnelle car si on arrive à le récupérer, la réinsertion sera possible et il pourra mener une vie normale.

M. le président, très souvent les jeunes qui se font attraper disent qu'ils ont commencé à prendre de la drogue par curiosité *or for fun* ou encore pour le *showboating* auprès de leurs camarades. L'amendement apporté leur évitera dans leur cas la prosécution ou encore la prison et permettra leur réhabilitation et réinsertion. M. le président, c'est pour cela que je pense que ce projet de loi est rempli de compassion.

*M. le président, je ne saurais compléter ce volet de mon intervention sans que je ne m'attarde brièvement sur l'aspect éducatif de la chose.* In effect, such an important issue demands that we focus also on preventive means. Our attention should accordingly not be deflected from devoting resources to sustain our prevention efforts.

Mr Speaker, Sir, the House will recall that the National Drug Control Master Plan 2019-2023 has as strategic objective 2.2 the following –

“To enhance, in line with national and international standards, the quality, availability and accessibility of drug use prevention programmes in all educational (primary, secondary and tertiary) and vocational institutions with a view to empowering students with drug resilience skills”

It is in accordance with this principle that in the education sector we have adopted a drug prevention policy and a vision of zero tolerance so as to have learners imbued with drug resilience skills and accordingly drug-free schools, Mr Speaker, Sir, as strategy focuses on a three-pronged action pertaining to prevention, education and sensitisation.

My Ministry, as a member of the National Drug Observatory, set up with a view to monitoring and assessing the drug situation, is devising the appropriate strategies to deal effectively with the problem of drug abuse. We are doing precisely that in a number of ways –

- Inclusion of a range of concepts related to drug use prevention in subjects taught at school.
- The mounting of an avant-gardist educational programme, known as the get connected for grade 8 students that aim to delay.
- Tobacco and alcohol initiation among adolescents, itself an entry route into the world of drugs.
- We also have now the rebound programme, a drug use prevention programme for Grade 10 students. It supports young people in reflective decision-making. This includes developing critical attitudes towards peer beliefs, media models as well as risk competent regarding alcohol and other drugs.

Mr Speaker, Sir, let me just mention that from 2015 to 2022, a total of 2,253 sensitisation sessions have been carried out in active collaboration with a number of local and international agencies, especially the Ministry of Health and the Police Department.

On the other hand, Mr Speaker, Sir, the National Education Counselling Service of my Ministry has set up Student Care and Counselling Desks in our schools. And we all know that a well-balanced mind is always well-armed to tackle drug cravings. Mr Speaker, Sir, we are helping our children.

The second amendment I wish to comment upon relates to the legalisation of medical cannabis. Without going into the technicalities of the subject, it is understood that medical cannabis is extremely effective in pain management, in the treatment of multiple stenosis, epilepsy, terminal cases of diseases that cannot be treated, and for people undergoing chemotherapy. And I am glad to note that provision has also been made to include other therapeutic conditions as may be authorised by the technical committee.

Mr Speaker, Sir, the bottom line is that the medicinal use of cannabis applies specifically to patients whose clinical needs cannot be met by conventional medicine, where recourse is resorted to it only when established treatment options have all failed. It is used, as I have said earlier, for terminally ill patients who have exhausted all other medical options.

Most countries in the world, Mr Speaker, Sir, that have shown results that have legalised medicinal use of cannabis, have shown that the results are highly progressive and positive. This

explains why the use of medical cannabis is evolving and global demand for medicinal cannabis continues to increase as proved by more than 50 countries that have legalised it.

Mr Speaker, Sir, as stated before by others, the closer to us in time, there has been the landmark decision of the World Health Organisation to remove cannabis and resin from the Schedule IV of the 1961 UN Single Convention on Narcotic Drugs. It ceased to be regarded as having particularly dangerous properties. But, side by side, it was also agreed that cannabis does have therapeutic value; but it is still regarded as highly addictive and liable to abuse. Just by word, Mr Speaker, Sir, we are speaking exclusively here of medicinal cannabis and not recreational cannabis.

In the wake of the recommendations of the United Nations Commission on Narcotic Drugs as well as those formulated by the local Commission of Inquiry on Drug Trafficking set up in 2015, Government, through the Ministry of Health and Wellness, had set up the Technical Committee on Medicinal Cannabis under the Chairpersonship of the Executive Director of the MRIC. What is important to highlight is that the Technical Committee has examined all the aspects related to the use of cannabis for medical purposes, including the therapeutic and legal implications.

Interestingly, Mr Speaker, Sir, but not surprisingly, a significant number of positive responses came from both the health professionals and patients who had prior treatment with cannabis-based medicinal products overseas. I believe, Mr Speaker, Sir, that enough ground has been covered for us to now converge towards accepting the mainstreaming of medicinal cannabis but we still need safeguards. Certainly this Bill is not opening doors for large scale utilisation or even abuse of medicinal cannabis. The Bill accordingly makes adequate provisions for the setting up of relevant safeguards. I refer to some of these, Mr Speaker, Sir. Clause 28C of part 2 (a), the Bill makes provision for the setting up in every regional hospital of the Medicinal Cannabis Therapeutic Committee chaired by –

- “(a) a Regional Health Director,
- (b) 2 Government authorised specialists; and
- (c) an authorised pharmacist.”

as member and they also include social workers whenever required.

It is this committee that shall exclusively determine at the specific request of authorised specialist whether a patient should be provided treatment with medicinal cannabis or not.

Clause 28D specifies –

“No person, other than an authorised specialist, shall make a request...”

Another safeguard, Mr Speaker, Sir, is at Clause 28B that makes it unlawful for any person to use or import medical cannabis unless he is so authorised and also, Mr Speaker, Sir, the prescription will be time-bound with a renewable period, not exceeding three months as indicated by Clause 28F.

Mr Speaker, Sir, there is another dimension to this Bill that I view as well-deserving of consideration of my colleague and his team and they have given consideration to it. At Clause 28A, sub-section (a), both the authorised pharmacist and the authorised specialist are expected to have successfully completed a training course as approved by the Ministry on the handling and dispensing of the therapeutic use of medicinal cannabis respectively. It is quite proper and vital. Internationally, those regimes that have legalised medicinal cannabis have had to provide such training to develop the right attitudes, stoke up dispensers self-confidence, boast at their knowledge and ensure patient’s safety with respect to medical-cannabis use.

As we can see, Mr Speaker, Sir, this whole process has been well thought through, including the holding of a register of medicinal cannabis and where it can be dispensed and the conditionality through its importance. *Qu'on se rassure, le tout sera fait sous les conditions strictes au niveau de l'importation tout comme la distribution.* There is nothing aleatory about it but there is need to tread cautiously. Although we know that few countries like Malta, Canada, Uruguay and many others have legalised the commercialisation of creative cannabis, since according to them a repressive policy has yielded no results, we also know that certain governments have agreed to come with new legislation to decriminalise recreational cannabis. Among other reasons of the patrol, word is that the Police Department and legal services should concentrate on other important matters but I believe, Mr Speaker, Sir, that we cannot, at this stage, take any further risk.

Mr Speaker, Sir, unless I am mistaken, at one point in his intervention, the hon. Leader of the Opposition, suggested that we should consider the decriminalising and depenalising of

cannabis for recreative purposes. What he stated is that we should give a thought to it. I, for one, would prefer to err on the side of caution. Yes, there are a few countries that have decided to take that route for several reasons and it appears that they have done so in the belief that repression has not been of much help in the country but I still feel that we should tread cautiously. The jury is still out where the potential benefits are concerned.

On the other hand, the arguments against recreative cannabis are potent. Dr. Husnoo highlighted many potential health risks. It is so easy, Mr Speaker, Sir, for the youth to get tempted to try, just through curiosity and then they get trapped in this *cycle infernal* and I am deeply worried about the havoc it can cause to our adolescents. Cannabis is potentially a risk and the threat of addiction looms very large on the horizon and we all know the impact addiction can have on family, social and personal life as well. It is the health and well-being of the future generations that we will be putting in jeopardy and I am sure that this will not rest easy with anyone of us here.

Mr Speaker, Sir, I would rather say, let's take things one at a time. Let's not rush in where angels fear to tread. Mr Speaker, Sir, I am a bit surprised by the queer scenario that is being played here in this country. Day in day out, we have raids undertaken; huge amount of drugs being seized and people being detained but what do we see and hear, Mr Speaker, Sir? Instead of congratulating institutions like the police force for the massive scale of drugs seizures, instead of recognising the laudable efforts carried out to stem the drug tide, instead of commending the police force for their courage, some people think of nothing better than to say that the police force is out planting, incriminating evidence to frame people. *M. le président, c'est vraiment incroyable, irresponsable. Incroyable, M. le président ! C'est comme si tout ce qui se fait n'est pas bon et qu'on donne même l'impression que nous sommes en train de pointer du doigt les institutions et on ne réalise même pas le risque, le dégât que cela peut causer.*

Mr Speaker, Sir, can we for all our efforts, wake people who pretend to sleep or make people listen; those who pretend to be deaf? I genuinely believe, Mr Speaker, Sir, that this whole issue about drugs is one that we need to combat together. It has to be a collective, collaborative endeavour above party politics. The fate of our children and youth is at stake here and we should be alive to this fact. Mr Speaker, Sir, the Prime Minister has clearly shown what is the direction

that he is taking and how much he cares for our children, for our youth and how the actions that he has been taking are meant for us, to get rid of this scourge.

Mr Speaker, Sir, let me now, once again congratulate my colleague, *le ministre qui a, à travers ce projet de loi, fait preuve de beaucoup de cœur, de compassion envers les jeunes victimes de ce fléau et qui auront maintenant à travers ce projet de loi, le soutien et l'encadrement voulu qui permettra leur réhabilitation et leur réinsertion dans la société. Aujourd'hui, avec l'amendement de ce projet de loi, c'est une étape très importante pour le pays. Je suis soulagé que ces jeunes ne seront pas poursuivis mais encadrés par les professionnels pour traiter ceux et celles qui sont victimes de la drogue.*

This Bill before the House, Mr Speaker, Sir, demonstrates clearly how Government in general and the Ministry of Health and Wellness in particular intend to take the bull by the horns. The good thing about this Bill is that it has not been a holding statement with blanks filled in for quick issue. Rather, it has been well-thought through and seriously lays down the blueprint for a set of highly innovative action.

Le cannabis médical a effectivement fait des *success stories* dans le monde. On peut lire sur le site internet de l'Organisation mondiale de la Santé que plusieurs études ont démontré les effets thérapeutiques du cannabis médical dans les stades avancés de la maladie et je dois ajouter que la presse locale qualifie cet amendement de très grande avancée pour le pays ; une avancée majeure et importante dans le développement scientifique mais aussi évolutif de la race humaine.

Je me permets, M. le président, de faire un constat; je suis consciente que la majorité des membres de la Chambre ne dira pas le contraire vu le nombre de patients qui quittent le pays pour l'étranger pour les opérations et les traitements poussés. J'espère qu'avec l'avènement de ces amendements au *Dangerous Drugs Act*, les patients qui se font soigner ailleurs et qui ont trouvé là-bas la possibilité d'utiliser le cannabis médical pourront une fois de retour au pays, avoir le même service.

M. le président, encore une fois je félicite le ministre, et je vous remercie.

**Mr Speaker:** Hon. Prime Minister, you have the floor!

(6.06 p.m.)

**The Prime Minister:** Mr Speaker, Sir, the Dangerous Drugs (Amendment) Bill comes at a very important conjuncture for my Government. The House will recall that, two years back, my Government had pledged to expedite the implementation of the National Drug Control Master Plan, focusing on demand and supply reduction, and rehabilitation and the treatment of drug addicts.

As we have reached halfway through our mandate, we are proud to bring this landmark Bill into the National Assembly as it is the fruition of all our public discourses and of our relentless efforts to combat the scourge of drug trafficking. The Bill also bears testimony to the positive results which are being brought by the mechanisms put in place by my Government, such as the High Level Drugs and HIV Council, which I chair, and the National Drug Secretariat which coordinates with all relevant Ministries and Departments to ensure that the drug situation in our country is scientifically assessed and that appropriate remedies are provided.

Mr Speaker, Sir, the Bill provides for the setting up of a Drug Users Administrative Panel, the DUAP, which aligns itself with my Government's commitment to tackle the drug issue on its two main fronts: the demand and supply. While we have continuously invested in the capacities of our law enforcement agencies to curb drug trafficking, which is the supply aspect, my Government, bearing in mind new norms and international best practices, is now focusing on the consumers' aspect of drugs, that is, the demand aspect, by taking care of and helping those concerned to rise from the hell of drug addiction.

The setting up of the DUAP is in line with Resolution 64/3 of 2021 of the United Nations Commission on Narcotic Drugs which, in fact, reaffirmed the importance of promoting appropriate mechanisms for ensuring compliance, quality assurance or accreditation of drug treatment services, such as effective oversight of drug treatment and rehabilitation facilities by competent domestic authorities and the supervision by appropriately trained and qualified professionals. These aim to ensure the adequate quality of drug treatment, ensure sustained recovery and related support and rehabilitation services; and promote continuous improvement and prevent any possible acts of cruel, inhuman and degrading treatment or punishment, in accordance with domestic legislation and applicable international law.

In 2020, the Special Rapporteur on the Right to Health, in a statement at the intersession meeting of the 63<sup>rd</sup> United Nations Commission of Narcotic Drugs, highlighted that, and I quote

—

“Overly punitive approaches and the criminalisation of drug use, fuel stigmatising attitudes and discrimination; they also pose significant obstacles for the realisation of the right to health of people who use drugs. Criminalisation drives people who use drugs away from the health care they need, out of fear of arrest, imprisonment or non-consensual treatment.

There is ever-growing evidence that harm reduction measures - such as needle exchange program, quality treatment, education, counselling, and drug substitutes like Methadone have been effective in decreasing addiction, overdose and the spread of HIV and Hepatitis C.”

Mr Speaker, Sir, the setting up of the DUAP is the culmination of nearly four years of consultations and discussions. In 2018, it formed part of the 390 recommendations made by the Commission of Inquiry on Drug Trafficking. Back then, the Commission of Inquiry had pointed out that such a Panel would help divert drug users, whether they are first timers or occasional drug consumers, away from the criminal justice system. Instead, they would be directed to appropriate treatment and rehabilitation, which ultimately would help in their reintegration in the society as drug-free individuals.

The establishment of the DUAP was also thoroughly canvassed during the High Level Drugs and HIV Council held in September 2020 and the latter Council had recommended that a Technical Committee be instituted, under the Chair of the Attorney General, to examine the proposal for the setting up of the DUAP, its legal implications as well as its impact on social and health services. In September 2021, the Council was apprised of the recommendations of the Technical Committee, and subsequently, these were favourably considered. My Government agreed with these recommendations in January 2022, and the Ministry of Health and Wellness, being the custodian of the Dangerous Drugs Act, was entrusted with the responsibility to come up with the appropriate amendments and to drive this project.

Promises made and promises fulfilled! My Government is yet again proving the doubters, the sceptics and the usual *oiseaux de mauvais augure* wrong. En effet, M. le président, les

réalisations et les défis relevés avec brio par mon gouvernement terrassent les membres de l’Opposition, à tel point qu’ils s’exaspèrent dans leurs confusions et désunions.

What they are unaware of, Mr Speaker, Sir, is that I mean business and my Government means business. And quite evidently, among the 390 recommendations made by the Commission of Inquiry on Drug Trafficking, 279 have already been implemented while actions have already been initiated concerning 64 recommendations. This represents a little more than 85% in terms of implementing the recommendations of the Commission of Inquiry on Drug Trafficking.

Mr Speaker, Sir, the DUAP is a lifeline being extended to drug users and their families. It is a second chance to those individuals who fell into the vicious circle and trap of drug consumption. For years, drug users have been penalised as their criminal records were tainted, and they faced discrimination when it came to employment opportunities. We have to evolve as is the case elsewhere. I said before, when questioned on this matter, that I was open-minded and prepared to consider a new stance with regard to drug users and also to the use of medicinal cannabis for therapeutic use. My Government is demonstrating its ability to adopt policy changes when it comes to safeguard the interests of our people.

Mr Speaker, Sir, it is now being widely acknowledged that law enforcement agencies should focus their resources on bringing to justice those who profit from the drug trade instead of the victims who should rather be offered public health care and social assistance. The amendments provide for the Commissioner of Police to make a recommendation to the Director of Public Prosecutions for a drug user to undergo rehabilitation in lieu of being prosecuted. Our law enforcement agencies would, therefore, be like the two, yet indissociable sides, of the same coin: the hammer for the drug traffickers and the succour to the drug users.

The DUAP will be mandated to direct the user to undergo rehabilitation and also monitor his or her progress in the rehabilitation programme. Prior to that, the Panel will follow a series of steps to assess the drug user and to evaluate his or her willingness to follow treatment. Only then will the drug user be directed to the appropriate treatment facilities. The addiction units within our health care system, together with other specialised health centres as well as NGOs which provide support services to drug users, will be responsible for the medical and psychosocial treatments of people referred through the DUAP.

Mr Speaker, Sir, the DUAP will also promote inclusiveness, and this will be reflected by the composition of the Panel. The Chairperson of the Panel will be a retired Judge of the Supreme Court, the Vice-Chairperson will be a barrister having not less than 10 years' standing and other members will comprise 2 retired Government medical officers with proven experience in the field of drug dependence and 2 social workers having the necessary experience in the field of drug dependence.

The drug problem requires a multi-sectoral approach and the presence of social workers in the Panel would ensure that the right support and assistance are provided to the drug user willing to change his or her life for the better. The civil society has an important role to play in this fight and it is more than ever required to have its representatives partaking in decisions when it comes to the lives of individuals.

Mr Speaker, Sir, the setting up of the DUAP is in line with our modern policy of a more humane approach in the management of drug users through a well-structured system of treatment and rehabilitation rather than being dragged within the criminal justice system and further exacerbating the drug problem that the individual might have. Punishing people for drug use reinforces a stigma which is in itself a major hindrance towards treatment and recovery. People, living with active drug use disorders due to the stigma often linked to their past arrests or incarceration records, tend to stay far from the only rightful option, which is treatment and rehabilitation.

Mr Speaker, Sir, we are embarking on a monumental task and we believe that victims of drug trafficking need redress rather than duress. I care and we care as a compassionate Government for the well-being of all our citizens, irrespective of their health situation.

Mr Speaker, Sir, alongside the idea of a caring Government for victims, my Government will continue to be ruthless towards drug traffickers. The sheer amount and street value of drugs seizures since 2015 is a statement in itself. Indeed, drugs worth more than Rs14 billion have been seized.

Mr Speaker, Sir, the hon. Leader of the Opposition has canvassed the idea of an '*Assises de la toxicomanie*'.

I do not think that is necessary as the High Level Drugs and HIV Council which comprises representatives of relevant Ministries and Departments, the NGOs, the Civil Society Organisations and the Private Sector is already in place and working together to come up with policies and strategies against the drug scourge.

Since the setting up of the Council, five meetings have been held under my Chair. Moreover, the National Drug Control Master Plan 2019-2023 defines the policies for drug control for the five years 2019 to 2023. The Master Plan rests under the 4 strategic Pillars as follows –

1. Drug Supply Reduction;
2. Drug Demand Reduction, namely drug use prevention, drug use disorders, treatment, rehabilitation and social reintegration;
3. Harm Reduction, and
4. Coordination Mechanism, Legislation, Implementation Framework, Monitoring & Evaluation and Strategic Information.

The National Drug Control Master Plan 2019-2023 would be duly evaluated in 2023.

Extensive consultation would be conducted in view of the preparation of the next National Drug Control Master Plan.

All members of the National Assembly, religious leaders and community leaders would be invited to submit their concerns and recommendations.

It is to be highlighted that the four committees set up under the National Drug Secretariat include different partners involved in the fight against drugs. These committees are the Drug Prevention Committee; the Harm Reduction Committee; the Treatment and Rehabilitation Committee, and the Supply Reduction Committee.

Mr Speaker, Sir, above all, members of the public and all entities concerned by the drug scourge were given the opportunity to depose before the Commission of Inquiry on Drug Trafficking. Hearings started on 04 November 2015 and were completed on 14 March 2018. There had been 318 sittings and 306 persons had been heard; that is ample testimony to the

extensive hearing and interaction there had been on the drug scourge. This is thus another reason why the organisation of an *Assises de la toxicomanie* is not justified.

Mr Speaker, Sir, let me refer to questions raised by hon. Uteem and hon. Juman who asked about the protocol and time frame to refer a case to the DPP.

In fact, a protocol will be worked out by the Office of the DPP and the Police with a view to establishing the necessary procedures and processes in order to ensure a reasonable time frame for referral of cases to the DUAP.

A question has also been raised whether tourists or foreigners would be referred to the DUAP. That will not be the case. As for such tourist or foreigner, the normal procedures and processes would follow.

As regards the question raised by hon. Uteem regarding the Procedure for Appeal to the Panel, it does not arise. The DPP has the discretion to refer a case to the DUAP.

A question has also been raised on what happens if the drug user is arrested again for drug consumption pending the first case being referred to the DPP. Logically, the case would be referred again to the DPP.

As regards the proposal of hon. Lobine to replace the word ‘may’ by the word ‘shall’ in Section 59(b)(2) of the Dangerous Drugs Act, that cannot be entertained, Mr Speaker, Sir, as the DPP acts in its own deliberate judgment.

Regarding cases involving minors below 14 years, the House is informed that minors below 14 years are not arrested for drug consumption. For minors aged 14 to below 18 years, they are referred to rehabilitation subject to a notification report from the Probation Office.

Regarding concerns raised in relation to the Certificate of Character, I must emphasise that, with the setting up of the DUAP, drug users will be diverted from the criminal justice system. It will thus have no effect on the Certificate of Character, as has been mentioned by the Attorney General in his speech.

M. le président, l’honorables Arvind Boolell s’est encore permis durant son intervention d’essayer de vilipender des membres du MSM qu’il accuse d’être connectés aux barons de la drogue.

Tel Goebbels du temps des Nazis, il tente, comme d'autres au sein de l'Opposition parlementaire et extra-parlementaire d'intoxiquer la population à travers une campagne de fausse propagande. Mais le peuple n'est pas dupe, M. le président, car ce peuple a vécu les frasques odieuses du Parti travailliste et du PMSD au pouvoir, leur connexion avec la mafia, pas seulement la mafia de la drogue mais aussi la mafia des jeux dont les activités illicites ont crû monstrueusement entre 2005 et 2014.

La vérité, je l'ai déjà dit, M. le président. Cette mafia finance encore certains partis de l'Opposition et groupuscules extra-parlementaires. Tous travaillent de concert pour essayer de déstabiliser le gouvernement qui nuit à leurs intérêts communs. Certaines questions parlementaires et des prises de position des honorables tels que l'honorable Dr. Boolell et l'honorable Bhagwan, entre autres, sur les courses hippiques, par exemple, prouvent à quel point certaines proximités dictent leurs actions.

On comprend mieux aujourd'hui pourquoi le Parti travailliste et le PMSD au pouvoir n'ont jamais voulu instituer une commission d'enquête sur la drogue. M. le président, imaginez, de 2005 à 2014 ! Je ne vais pas me référer à plusieurs questions qui ont été posées ici même, à la Chambre, et parmi, par certains membres du MMM qui aujourd'hui s'associent avec le Parti travailliste, qui demandaient, qui suppliaient le gouvernement d'alors : d'instituer une commission d'enquête ! Et le Premier ministre d'alors qui disait simplement, *there was no need to do so.*

Qui voulaient-ils protéger ? La population connaît déjà la réponse. Surtout quand elle constate à quel point certains membres de l'Opposition sont proches d'un certain monsieur B.L, dont le symbole est, s'il vous plaît ! Et dont le slogan est BLD – Baron La Drogue ! Aujourd'hui, plus connu d'un monsieur Akhil B., d'un autre monsieur Gros D., d'un autre Ashish D. et autre Cindy, femme très galante, et récemment, je dirai merci au Leader de l'Opposition que nous avons pu identifier un monsieur Jonathan A. – monsieur *ti papie*. Comme quoi nous ne savons pas que monsieur *ti papie*. est proche de qui !

M. le président, toute la nation a vu le Leader du Parti travailliste, le Dr. Navin Ramgoolam à côté de monsieur B.L. à la Place d'Armes le 29 octobre dernier, s'échangeant même un coup de poing triomphal en signe de complicité. Peut-être pour les membres qui n'ont pas vu ; voilà ! *And I can table this.*

(*Interruptions*)

*It is good that I table. I will table this photo!*

**An hon. Member:** *Incroyab!*

**The Prime Minister:** Ce même Navin Ramgoolam avait donné le mot d'ordre à ses partisans d'être présents à cette manifestation. L'honorable Arvind Boolell, l'honorable Patrick Assirvaden, l'honorable Ritesh Ramful, l'honorable Ehsan Juman, Lormesh Bundhoo, Suren Dayal, l'honorable Stéphanie Anquetil et d'autres dirigeants ont accompagné leur Leader. Pour rafraîchir leur mémoire!

**An hon. Member:** *Table! Table!*

**The Prime Minister:** Ça c'est extraordinaire ! L'honorable Dr. Boolell ! Vous avez fait des commentaires sarcastiques à l'égard d'un collègue en l'appelant *savatte dodo*. Je ne sais pas quelle *savatte* vous, vous êtes en train de porter...

(*Interruptions*)

Je vous envoie ! *Let me table!*

(*Interruptions*)

Cette photo est encore plus éloquente pour l'honorable Stéphanie Anquetil !

(*Interruptions*)

Ce n'est pas seulement une proximité ! Je ne vais rien conclure de ce que je vois sur la photo.

(*Interruptions*)

**Mr Juman:** Gardez la photo ! Gardez la photo !

**The Prime Minister:** Peut-être l'honorable Ehsan Juman voudrait jeter un coup d'œil sur les photos.

(*Interruptions*)

**Mr Speaker:** Hon. Juman !

**The Prime Minister:** Which I am tabling !

**Mr Speaker:** Debate going on !

(*Interruptions*)

Order!

**The Prime Minister:** Donc, M. le président, je parle de celui-là même qui a été arrêté le 4 novembre, suite à la découverte de 46 kilos d'haschich d'une valeur marchande de R 230 millions dans sa BMW immatriculée JR 12, ainsi que des armes à feu et de la drogue synthétique dans sa maison. Et tout de suite après, qu'est-ce qu'on a vu ? Le Dr. Ramgoolam qui a vite réagi pour défendre son poulain en parlant d'arrestation arbitraire. Mais le peuple aura vite compris cette proximité flagrante.

Et dans le cas de l'arrestation d'un monsieur Akhil B. pour possession de drogue synthétique, alors que tout le monde, à travers des images vidéos, a vu l'homme de loi et membre du Parti travailliste, s'il vous plaît, proche collaborateur du Dr. Navin Ramgoolam, s'empressant de se débarrasser d'un sac suspect, le Dr. Navin Ramgoolam a trouvé que Maurice devient Haïti à l'époque de *Papa Doc*, et je cite –

« *kot ti pe servi ban tontons macoute de la police pou fer represion* ».

On verra ! *Time will tell, Mr Speaker, Sir!* Tous ces commentaires interpellent : comment on est en train de défendre ceux qui, valeur du jour, sont des suspects. On verra lorsqu'ils seront traduits devant une Cour de Justice, et finalement quel sera le verdict.

Le Leader du Parti travailliste défendait ainsi un de ses membres sans même connaître les dessous de l'affaire. Et son - comment dois-je l'appeler ? - *field operator ; field scavenger? I don't know what post you hold?*

(*Interruptions*)

Le sous-fifre dompté ! Le Dr. Arvin Boolell qui n'a pas cherché mieux pour parler lui aussi – il n'a pas mâché ces mots – et il est lui aussi venu accuser le gouvernement et m'accuser personnellement que je suis un autre *Papa Doc* avec les *tontons macoute*. La population est en train d'écouter, de voir, et va éventuellement juger.

Maintenant, M. le président, il est bon de savoir qui sont les avocats qui défendent B.L. Donc, là, il s'agit de - il n'est pas présent à l'Assemblée ; peut-être qu'il est en train de défendre le monsieur - l'honorable Shakeel Mohamed, membre du *Front Bench* du Parti travailliste, et aussi, l'avocat Neelkanth Dulloo, membre de l'exécutif du Parti travailliste.

(*Interruptions*)

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

**The Prime Minister:** M. le président, concernant M. Jonathan A., M. *ti papie*, je vais aussi déposer devant la Chambre une photo qui démontre la proximité de M. *ti papie* avec le leader du Parti travailliste.

(*Interruptions*)

**An hon. Member:** *Pli gran papie sa !*

**The Prime Minister:** Celui-là oui ! C'est un grand papier ! *Which I table.*

**Mr Toussaint:** *Ki kalite leader sa !*

**The Prime Minister:** C'est pour dire, M. le président, que le Parti travailliste est trempé jusqu'aux os avec la mafia de la drogue.

(*Interruptions*)

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

**Mr Toussaint:** *Ki kalite leader sa ?*

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

(*Interruptions*)

**Mr X. L. Duval:** On a point of order. May I have the mic? Thank you. These photos, are you accepting them to be tabled like that? Where do they come from? Who has taken them? Before, you have always asked for photos taken by me to be authenticated, such and such date. That was your previous ruling. Now, you have changed your ruling? Is that the case?

**Mr Speaker:** No!

**Mr X. L. Duval:** Will we now be allowed to submit photos?

(*Interruptions*)

**Mr Speaker:** No! No!

(*Interruptions*)

Let me...

**The Prime Minister:** The photo is showing...

**Mr Speaker:** Hon. Leader of the Opposition, let me give my ruling!

*(Interruptions)*

**Mr X. L. Duval:** Yes, I am asking for it!

**Mr Speaker:** Yes! You said you have documents, you have proof, and you have all these. He is saying what appeared in the Press, and he is not tabling it. He is just showing it from his place as you used to do, and many others have been doing that for years now!

**Mr X. L. Duval:** Why are you shouting?

**Mr Speaker:** I am not shouting! I am causing you to understand the truth!

*(Interruptions)*

Yes, you lose point! This is why!

*(Interruptions)*

**Mr X. L. Duval:** Do not shout! I am not deaf like you now!

**Mr Speaker:** You shut up! Prime Minister, continue!

*(Interruptions)*

You shut up!

*(Interruptions)*

**The Prime Minister:** Mr Speaker, Sir, let me just comment that there is a difference between a photograph and anything that is written, of which the content must be authenticated and proved.

*(Interruptions)*

You have two Counsels there!

*(Interruptions)*

You mean this is not Dr. Ramgoolam then?

*(Interruptions)*

Okay! If that photograph is not Dr. Ramgoolam, I shall not table it! Okay? I shall not table it!

(*Interruptions*)

**Mr Speaker:** But, of course, Leader of the Opposition! This is the truth!

**Mr X. L. Duval:** I have submitted a copy of a Press article this morning and you turned it down!

**Mr Speaker:** No! This is different!

**Mr X. L. Duval:** What do you mean? Why did you turn down a copy of a Press article? And now you are accepting a photo?

(*Interruptions*)

**Mr Speaker:** What I am saying is that this is the difference.

(*Interruptions*)

Order! The Prime Minister said 'I can table it,' but he did not table it.

(*Interruptions*)

If you table it, you have to go through the Clerk or the Deputy Clerk. And many times, many Members - learn it; learn it!

**Mr X. L. Duval:** Do not shout! Do not shout at me! I can hear you.

**Mr Speaker:** Many Members from the Opposition just bring papers like this and say 'oh, we have this and this and this.' Okay, you continue Prime Minister!

**The Prime Minister:** Mr Speaker, Sir, just to calm down the Opposition, if this is not the photograph of Dr. Ramgoolam, I shall not table it. We shall keep it for outside, out there, as hon. Dr. Boolell used to say. Then, we shall see whether people will...

(*Interruptions*)

Then, we shall see whether people will identify Dr. Ramgoolam with *Mr ti papie*.

Donc, M. le président, comme je le disais, le Parti travailliste est trempé jusqu'aux os avec la mafia de la drogue. Et c'est la raison pour laquelle le Parti travailliste...

(*Interruptions*)

**Mr Speaker:** Order!

**Dr. Boolell:** I am saying...

**Mr Speaker:** Order!

*(Interruptions)*

Order! You do not discuss with the Chair! Order! Continue, please!

**The Prime Minister:** C'est la raison pour laquelle le Parti travailliste n'a jamais voulu instituer une commission d'enquête sur la drogue.

*(Interruptions)*

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

*(Interruptions)*

**The Prime Minister:** Faut-il aussi être un sorcier, M. le président, pour comprendre pourquoi certains membres de l'Opposition ont défendu bec et ongles, dans cette Chambre, un trafiquant de drogue, un criminel qui a été condamné en Slovaquie pour fabrication, possession et trafic de drogue ? La population a pu constater comment ces membres de l'Opposition, incluant l'honorable Uteem, qui souvent agissent en donneurs de leçons...

*(Interruptions)*

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

**The Prime Minister:** ...se sont mis dans le camp d'un marchand de la mort.

*(Interruptions)*

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

**The Prime Minister:** Ils ont soutenu un homme dangereux qui voulait contracter un mariage de convenance avec une Mauricienne pour se réfugier dans notre pays et faire son odieux business et mettre en péril la vie de nos enfants. Ces membres de l'Opposition se sont rangés du côté de la mafia de la drogue. Leurs masques continuent de tomber, M. le président. Et ils osent nous accuser ! Cette Opposition est indigne. Le peuple saura, j'en suis convaincu, juger ces membres de l'Opposition en temps et lieu.

Contrairement à la propagande à la Goebbels de l'Opposition, le MSM, au gouvernement, a institué deux commissions d'enquête sur la drogue et a agi courageusement pour implémenter leurs recommandations.

Feu Sir Anerood Jugnauth, ancien Premier ministre, n'avait pas hésité à mettre sa vie en danger pour combattre la mafia de la drogue. C'est un combat que je poursuis avec autant de détermination et de courage. Le peuple peut le constater. La quantité de drogue saisie depuis 2015 d'une valeur marchande supérieure à 14 milliards de roupies, comme j'ai mentionné plus tôt, en est la preuve. Nous allons continuer à traquer ces marchands de la drogue, ces marchands de la mort et toute autre mafia qui nuisent à nos compatriotes et à notre pays. Aucun complot, aucune fausse propagande, aucune menace ne va m'arrêter dans ce combat. La police a tout mon soutien pour mener à bien ses actions sur le terrain et à traduire les inculpés devant la justice.

*There will be no retreat, no surrender, Mr Speaker, Sir.*

As I have stated, my Government is leaving no stone unturned in the combat against drug trafficking. Legislative amendments will thus provide the necessary impetus to our law enforcement agencies to effectively cut down the progression of drug trafficking. For example, clause 12 of the Bill provides for the introduction of section 39A in the Dangerous Drugs Act which will serve as a stronger deterrence to anyone who might be inclined to help drug traffickers.

Clause 15 of the Bill will empower Police Officers not below the rank of Superintendent of Police to recommend to a Government Medical Officer to carry out a medical examination, including x-ray of a person who is reasonably suspected of having concealed any dangerous drug inside his body. The process of contacting a Magistrate, especially during the night and public holidays, is particularly cumbersome, and delays may risk the life of a suspect.

This new section in the Dangerous Drugs Act will reduce the associated health risk of the suspect who may have, for instance, swallowed pellets of drugs. There will also be a minor, yet very important addition to section 41 of the Dangerous Drugs Act which will deter drug supply within Court premises. The amendment to section 55 of the Dangerous Drugs Act is being brought due to the requests from regional partners to allow the actual drugs in transit in Mauritius to reach their final destination. This will enable the establishment of a *prima facie* case thereat and the conduct of a control delivery operation.

The amendment to Section 58 of the Dangerous Drugs Act to allow the destruction of the drugs seized is in line with international best practice and is due to unsustainable storage capacity of the ADSU exhibit room. With increasing numbers of seizures, pressure is exerted on the storage capacity of the ADSU exhibit room which has reached, I must say, practically its saturation level.

Mr Speaker, Sir, the Bill is also a major milestone on the Mauritian medical scene with the introduction of a framework to regulate medicinal cannabis. Again, with this amendment, Mauritius seeks to align itself with international practices. On 02 December 2020, the UN Commission on Narcotic Drugs reclassified cannabis and cannabis resin under an international listing that recognises its medical value. The Commission on Narcotic Drugs voted on recommendations made by the World Health Organisation's 41<sup>st</sup> Expert Committee on Drug Dependence, which suggested that cannabis and cannabis resin should be reclassified from its current listing alongside heroin, fentanyl analogues and other opioids considered to be exceptionally harmful to public health.

Mr Speaker, Sir, as I have highlighted time and again, there is an upward trend in the number of cases related to drug seizures due to the determination of my Government to combat the drug scourge and the relentless hunting of drug traffickers by our law enforcement agencies.

Mr Speaker, Sir, my Government is also aware that every drug seizure needs to be accompanied with an authentication report issued by the Forensic Science Laboratory. More drug seizures result in more drug packages which need to be analysed by the FSL. From 2,848 drug cases being sent to the FSL in 2009 to a whopping 4,106 drug cases in 2021, the FSL is being constantly called upon to deliver amidst changing dynamics while its process to analyse drugs has remained a very tedious and time-consuming one. For example, when a drug case of 30 kilogrammes heroin is referred to the FSL, the exhibit officer will be requested to bring the exhibit to the FSL. Thereafter, the steps followed by the FSL will be as follows –

- (i) identify the number of packages in the exhibit;
- (ii) record the gross weight of the exhibit;
- (iii) the packages will then undergo a thorough screening for contact DNA;
- (iv) the packages will then be handed over to the Drugs Unit;

- (v) the packages will be opened;
- (vi) the substances and wrappings will be weighed separately;
- (vii) a sample from each package will be taken for analysis purpose and the residual substance with packaging will be handed back to the exhibit officer;
- (viii) the samples taken will then be analysed by the FSL officers through various forensic methods and using the available equipment, and
- (ix) depending on the method used, equipment may produce results within a few minutes or within few days.

The number of cases for drugs above street value of Rs100,000 still requiring analysis by the FSL since 2018 stand at 303, while the number of cases for drugs below street value of Rs100,000 awaiting FSL analysis is 2,208.

The accumulating number of drug cases being referred to the FSL and the current inability of the FSL to effectively respond to these pressing and urgent cases within a reasonable time frame are contributing in delayed Court proceedings, thereby clogging the justice system.

My Government is very much aware of the need to fast-track cases related to drug seizures. And I would here wish to commend the efforts undertaken by the FSL to provide some remedy to that situation. In the light of the recommendations made by the Commission of Inquiry on Drug Trafficking, in addition to the Chemistry and Biology Units, a fully serviced and dedicated Drugs Unit was established in September 2021. The Drugs Unit is currently staffed with 15 qualified officers, who are technical signatories of drug analysis by MAURITAS and who have demonstrated an aptitude in carrying out drug analysis. The Drugs Unit is also endowed with state-of-the-art equipment which is consistent with my Government's strategy to invest in the right tools contributing in the fight against drug trafficking.

The purchase value of the instrument pool of the FSL solely dedicated to the analysis of drugs amounts to approximately Rs127 m., which represents the investment of Government in forensic drug services. In fact, during a Regional Workshop organised in August this year, the Member States of the SADC and the Regional Bureau of the INTERPOL had recognised the Drugs Unit of the FSL as a centre of excellence for drug analysis and training.

Notwithstanding all this investment and willingness to fast-track the analysis of drug cases, the fact still remains that the FSL would still have a backlog of drug cases waiting for analysis. This would even be the case if the staff were to work non-stop, 24/7, for 250 days and if the equipment were allowed to perform in the same way, which is practically impossible.

Mr Speaker, Sir, the amendment to Section 58 of the Dangerous Drugs Act comes at an opportune time in view of the weekly drug seizures occurring all around the island. It will enable the setting up of a fast-track system for the speedy analysis of drug samples and issuing of the authentication report by the FSL. This amendment will allow the FSL to implement sampling protocols and procedures, which are in line with international best practices and as developed by the United Nations Office on Drugs and Crime. The principle underlying sampling is that the composition found in the samples taken from a few packages reflects the composition of the whole lot for one drug seizure case. The sampling procedure which will be implemented is based on Sampling Methods in accordance with the UNODC Guidelines on Representative Drug Sampling. This amendment will cause the FSL to analyse a sample of the dangerous drugs to determine the nature, identity, and weight of the drugs while the current cumbersome method is that FSL analyses the several packages of the dangerous drugs case to conclude that it is evidently dangerous drugs. For example, if the FSL is called upon to analyse 100 packages of drugs, a sample of 10 packages will be weighed and analysed. The result of analysis and weight thereof will be extrapolated to the 100 packages. This is the statistical sampling method that will be used henceforth by FSL for meeting a realistic turnaround time for drug analysis. The amendment also provides a safeguard to the accused party. Should the latter be dissatisfied with the FSL report, he may make a request to cause another sample of the substance suspected to be dangerous drugs to be analysed, by an accredited science laboratory and under strict supervision, but at his own costs. The FSL is duly accredited with ISO Standards for the analysis of all types of drugs encountered in Mauritius.

It is worth noting that sampling methods are used in other jurisdictions also such as South Africa and New South Wales in Australia. It is also important to highlight that even the Commission of Inquiry on Drug Trafficking had recommended that the FSL adopts and follows guidelines, directives and protocols which are in line with the latest applicable and internationally recognised institutions.

Mr Speaker, Sir, the House will recall the Private Notice Question of 17 June 2022 wherein the hon. Leader of the Opposition made allusions to my Government dragging its feet on legislative proposals to fast-track the analysis of drug cases by the FSL. And here we are, with the amendments to the Dangerous Drugs Act and to prove yet again to the hon. Leader of the Opposition that my Government means business, and its resolve to fight the drug scourge remains unabated.

With these words, I commend the work that has been done by different Ministries, including my Office and the Attorney General's Office to prepare this Bill, and I thank the hon. Minister of Health and Wellness for his dedication in finalising this Bill and presenting it to the House.

Mr Speaker, Sir, we are acting proactively in updating our legal tools to step up our fight against drug trafficking while giving to drug users a chance to get out of the drug trap. Once again, we are proving that we are a responsible and caring Government.

Thank you.

**Mr Speaker:** Hon. Minister, you have the floor!

(6.58 p.m.)

**The Minister of Health and Wellness (Dr. K. Jagutpal):** Mr Speaker, Sir, I will proceed with the summing-up of the Dangerous Drugs (Amendment) Bill (No. XV of 2022).

I would like to thank Members of Parliament from both sides of the House for having brought their insights and comments to this Bill. At the very outset, Mr Speaker, Sir, I wish to point out that the amendments that are being brought to the Dangerous Drugs Act are testimony of the determination of this Government under the leadership of the hon. Prime Minister, Pravind Kumar Jugnauth to fight drug traffickers, drug trafficking but also *tendre la main et donner la chance aux usagers de drogue de reprendre leur vie en main*.

Mr Speaker, Sir, this Government is showing compassion towards the victims of drugs offering them a pathway towards redemption with the introduction of the Drug Users Administrative Panel. The introduction of medicinal cannabis for therapeutic conditions is again a very significant step forward. Promises made by this Government are translated into reality.

Mr Speaker, Sir, before refuting the comments made by Members of the House while debating on the most eagerly awaited Bill, let me give an overview of addiction. Briefly, addiction is a worldwide phenomenon affecting low-income to high-income countries, east and west societies, conservative and liberal nations, and is of concern from international authorities to NGOs. No country has a plug-in solution. It is a concern of everybody; youngsters, families, communities and government. The pathway to addiction is a complex one, whether it is alcohol, tobacco or illicit drugs. It includes the biological/genetic components like personality traits, cultural and social norms. In medical terms, addiction is based on what we call bio-psychosocial model. Besides, the other determinants of addictions are availability and demand of drugs.

Mr Speaker, Sir, hon. Paul Bérenger started his intervention on this Bill saying, I quote –

*“Ce n’est pas la légalisation du Gandia”.*

Of course, it was never on the Agenda. Hon. Bérenger made reference to Germany. The introduction of recreational cannabis is yet to be approved by the German Government and that also the European Union would need to give its green light.

Hon. Leader of the Opposition stated that in Mauritius there are some 55,000 drug users out of which, 6,600 are people who inject drugs. His proposal is to introduce recreational cannabis as a measure to combat the drug situation. This is only one way of looking at it. I have a few questions to those who have proposed recreational cannabis at this point of time –

- (i) What impact recreational cannabis will have on youngsters who are occasional smokers or alcohol drinkers?
- (ii) What impact recreational cannabis will have on regular smokers?

The NCD Survey, published this year, showed that between 24-34 years, 50% of this age-group are smokers. This is already a challenge not only for Government but also for the whole nation to overcome.

- (iii) Can we forecast the outcome of the NCD Survey after 5 years if we introduce recreational cannabis?

We are all aware what ‘happy hour’ is. With the Leader of the Opposition proposing introduction of recreational cannabis...

**Mr X. L. Duval:** On a point of order! If you read my speech, I did say that it is something that the *Assises de la toxicomanie* should look into. That is all I said. The Minister, if he looks at my speech again, he will correct what he is saying because the hon. Vice-Prime Minister was quite right when she quoted me and I did not stop her. This, I did not say!

**Dr. Jagutpal:** Mr Speaker, Sir, can we know what will happen during happy hours if we introduce recreational cannabis? It is said that consumption of cannabis is very often the gateway that leads to hard drugs. Is this going to reflect the slogan '*L'île Maurice, c'est un plaisir*'?

Mr Speaker, Sir, those who advocate the use of recreational cannabis in our country should publicly give their opinion on these questions. And what is the point of comparing the German Society to the Mauritian Society? At this point of time, I personally do not have the answers for all these questions and if we do have, obviously, it will be divergent.

Members of the Opposition also stated that this Bill is too little too late. Let me remind the House that UNODC advocated the use of medicinal cannabis in December 2020. Government set up the Technical Committee in February 2021, even when the focus of Government was on COVID-19. And from December 2020 till now, in some 20 months or so, this Government has worked relentlessly, managing the COVID-19, managing the economy through Wage Assistance Schemes, Self-Employed Assistance Schemes to the tune of billions of rupees to protect and safeguard the employment.

I have to point out that views of the public, including those of the Opposition have been sought to comment and give suggestions upon the recommendations of the Technical Committee. Yet, in spite of these obstacles and time taking processes, we have come up with such a piece of legislation, a legislation which was long due according to hon. Ehsan Juman! What long overdue?

The hon. Leader of the Opposition came up with the idea of '*les assises de la drogue*'. Let me remind him, in the year 2006, when the Labour-PMSD Government introduced Methadone Substitution and the Needle Exchange Programme in Mauritius, the objective was to reduce harm.

Why was harm reduction a priority? It was to decrease HIV transmission and other diseases among people who inject drugs after the recommendation of the UNODC. In 2006, the

drug situation in Mauritius, at that time, was also *inquiétante*. Why did hon. Duval not come up with *les Assises de la drogue* at that time? Because, rightly so, your government followed the international best practices. Till 2014, the idea of *les Assises de la drogue* did not come up from the opposition.

Do I have to remind the hon. Member of the drug situation between 2010 and 2014? Was it not important at that time to have an overview of the drug situation? Mr Speaker, Sir, it is only under the leadership of late Sir Anerood Jugnauth that the government came up with the Commission of Inquiry on Drug Trafficking.

We are not talking about *Assises*, but we are talking about an empowered and independent Commission of Inquiry, chaired by an ex-judge, which had vast terms of reference, which worked tirelessly during more than 2 years, auditioning a number of people before publishing a report of 460 recommendations out of which 80 per cent have already been implemented under this Government. According to me, the Commission of Inquiry on Drug Trafficking is much more impactful than a mere *Assises* which are mere consultations.

Mr Speaker, Sir, during the debates on this Bill, most of the comments concerned the introduction of medicinal cannabis for specific therapeutic conditions and the setting up of the Drug Users Administrative Panel.

I will start with the comments from MPs concerning the introduction of medicinal cannabis in Mauritius. Hon. Juman made a point, I should say, that suppliers of medicinal cannabis should not be *bijouterie, quincaillerie*, hotel owners, but he missed out to include that suppliers of medicinal cannabis should not be people who have been condemned by court for bribery.

Can you imagine, Mr Speaker, Sir, if a supplier of medicinal cannabis has a track record of bribery to the Police Officer and the same person will come up and criticise the Police! Hon. Juman, I too am afraid of this.

Mr Speaker, Sir, importation of medicinal cannabis will be under the responsibility of the Procurement Department of my Ministry. The import procedure of medicinal cannabis will be similar to other Schedule II items, like Morphine, Pethidine and Fentanyl, and Schedule III drugs, like Diazepam or Alprazolam, which are being imported and used in health institutions.

The hon. Leader of the Opposition stated that medicinal cannabis should be available on prescription in pharmacies. I hope the Leader of the Opposition knows the situation right now concerning dangerous drugs. Let us take for example Xanax, it is a dangerous drug.

*(Interruptions)*

I am serious! To prescribe Xanax, the medical practical must have a special prescription-pad controlled by the Ministry of Health. For these medications, there are many counterfeit prescriptions, cases being referred to l'ADSU and Police which I am sure the hon. Member is aware of, especially when there is a shortage of these drugs.

Now, at this stage, do we make the medicinal cannabis available in pharmacies and what will happen after a few months if we lose control over its dispensing? It is important at this stage to have a proper administrative procedure for medicinal cannabis.

Hon. Dr. Boolell suggested that the control of medicinal cannabis should be rigorous and further stated that there is no need to go on a round trip for medicinal cannabis to be dispensed. It is not a question of going on a round trip before medicinal cannabis is being dispensed. Only authorised specialists will prescribe medicinal cannabis after the approval of the Medicinal Cannabis Therapeutic Committee. It will be dispensed only by authorised pharmacists in regional hospitals under strict conditions for safety and control purposes.

I should here highlight the fact that Cannabis and Cannabis Resin are listed in the Schedule I that is the schedule listing drugs which do not have therapeutic benefit and which are not authorised to be imported except for medical research and education purposes.

Under the Part 1 of the Principal Act, Cannabis or Gandia means –

- *bhang, babzi, siddhi* and all the parts of the plant known as *Cannabis Sativa L* or *Cannabis Indica*, but does not include hashish. It is important to say Hashish because today it is the talk of the town.
- hashish, *charras* and *chiras*.

What is Hashish? Hashish, charras or chiras means the resin obtained from the cannabis plant. Hashish, charras or chiras are the resin of the cannabis plant which are not authorised to be imported as provided under Part I of the Principal Act.

During his intervention of this Bill, hon. Reza Uteem pointed out that CBD, that is, Cannabidiol was not part of the definition of medicinal cannabis in the Dangerous Drugs Act. The reason why Tetrahydrocannabidiol or THC is included in the definition and not Cannabidiol or CBD, is that, THC is an intoxicating and addictive component of Cannabis while CBD is not.

Thus, the intention was to limit the proportion of the ingredient which has harmful effects and may affect the safety of patients if not properly controlled. Nevertheless, there will be, for the sake of bringing clarity, an amendment to the definition of Section 2, that is, Interpretation of the Principal Act at Committee Stage so that the definition of medicinal cannabis would read as follows –

Medicinal cannabis means a product which is –

- (a) produced from cannabis plant, and contains one or more cannabis-based ingredients, and
- (b) presented as a capsule, an oil-based solution or suspension, or an oro-mucosal spray having a concentration of not more than 30 milligrams of CBD per millilitre per unit dose and a total volume of not more than 60 millilitres.

So, it is to be pointed out that products which are produced from cannabis include CBD and hundreds of other ingredients. But for the sake of clarity, we have amended at Committee Stage Clause 3B.

Hon. Dr. Arvin Boolell stated that therapeutic benefits of medicinal cannabis in the form of cannabis oil have been proven on 15 pathologies and asked why we are restricting ourselves to four different pathologies.

As we get more evidence of the safety and efficacy of medicinal cannabis, accordingly, other pathologies may be included in the list of indications for treatment with medicinal cannabis.

Mr Speaker, Sir, the point raised by hon. Dr. Boolell and hon. Duval has been taken into account. In order to allow for more pathology to be added after proven scientific research, amendments will be made at Committee Stage. We will amend part IIA - Medicinal Cannabis at Section 28A in the interpretation section and insert part (b) which will read as follows –

“Specific therapeutic conditions includes such other therapeutic conditions as may be authorised by the Medicinal Cannabis Therapeutic Committee based on therapeutic evidence.”

Medicinal cannabis will be listed in the Schedule II of the Dangerous Drugs Act. This list comprises of a list of drugs such as Methadone, Morphine, Pethidine and Fentanyl, used to treat moderate to severe pain but may be substances of abuse and high addiction. These items are therefore under more stringent control. They are prescribed for a period not exceeding 14 days under the new amendment brought under this Bill. These medications are mainly used for cancer patients or those under palliative care.

Let me also add that items of Schedule III of the DDA such as Diazepam (Valium), Alprazolam (Xanax) are used in certain mental disorders and are prescribed for a period not exceeding 30 days. These items have lesser degree of addiction compared to Schedule II items.

Hon. Dr. Boolell wanted to know from which countries or laboratories the medicinal cannabis would be imported and also on the storage of the medicinal cannabis. I would like to draw the attention of the House that only preparations approved by the Food and Drug Agency of the USA (FDA) or the European Medicines Agency (EMA), will be procured by the Ministry from licenced manufacturers. And obviously, the storage will be all under the directives of the pharmacy.

Hon. Juman stated that there is the need for a clearer definition of Section 28 K and 28 L of the Bill having to do with patients coming from abroad. Mr Speaker, Sir, any person entering Mauritius, irrespective of them being tourists, local residents or foreigners residing in Mauritius receive controlled medications as per the Dangerous Drugs Act.

A person needs written authorisation from the Pharmacy Department of my Ministry prior to any release at the Customs Department. All medications should be duly covered by a prescription from the treating doctor. This is a procedure already in place for foreigners who are coming to Mauritius and local residents, with Schedule II drugs.

Hon. Mrs Karen Foo-Kune Bacha talked about the risk of having different decisions from different Medicinal Cannabis Therapeutic Committees for patients suffering from same conditions. She also suggested that an electronic register be used for recording purposes.

There will be communication and coordination between the different Regional Medicinal Cannabis Therapeutic Committees, which will be overseen by the Director of Curative Services of My Ministry. To answer the second part of her question, the Register of Medicinal Cannabis may be both electronic and manual in a manner as approved by the Permanent Secretary of my Ministry.

Mr Speaker, Sir, let me now come to the second major amendment proposed to the Dangerous Drugs Act, that is, the setting up of the DUAP, the Drug Users Administrative Panel.

According to hon. Paul Bérenger, the DUAP is nothing new since Section 34A of the DDA already provides for such treatment as education, aftercare, rehabilitation or social reintegration.

Let me explain Mr Speaker, Sir. According to Section 34A of the Dangerous Drugs Act, the Court shall –

“... where it considers this to be appropriate, explain to the convicted person that, if he undertakes to co-operate in order to be cured of his addiction, the Court, instead of sentencing him to imprisonment, may order him to undergo, at such institution as may be prescribed and for such period not exceeding 3 years as the Court may determine, such treatment, education, aftercare, rehabilitation or social reintegration as the Court thinks appropriate...”

Mr Speaker, Sir, Section 34 A of the DDA deals with a person who has already been prosecuted and, if found guilty, may be subject to imprisonment, fine or rehabilitation.

However, the conviction for possession of drugs makes him liable to not obtaining a clean Certificate of Character. Section 34 A is about Post Trial Diversion from Criminal System while what we are introducing is Pre-Trial Diversion from the Criminal System. And this, Mr Speaker, Sir, makes the difference.

Hon. Bérenger wanted to know why the DUAP will sit in two divisions. The reason is purely practical, Mr Speaker, Sir, so as to ensure that the DUAP is able to cope with the number of patients and ensure its operations all year round. The aim is to fast-track the rehabilitation of patients.

Hon. Bérenger and hon. Uteem stated that there is a risk of corruption and over-politicisation. He also questioned the procedure whereby the DPP has to submit his recommendations to the Police who in turn will refer, or not, the drug users to the DUAP. I would like here to point out that the DPP has full power and discretion over his decisions as conferred to him by the Constitution as already canvassed by the hon. Prime Minister.

Mr Speaker, Sir, hon. Paul Bérenger asked about the protocol which would be put in place to direct drug users to Public or Private Health Institutions. Discussions at the level of my Ministry have been ongoing since the last two years to prepare for the DUAP. Some patients will be referred by the DUAP to Public Health Institutions and some to private institutions depending on the nature of the rehabilitation as recommended by the Panel.

The hon. Leader of the Opposition stated that only 50 beds are available for 50,000 drug users while hon. Juman also stated that there would not be enough rehabilitation centres to cater for drug users. Mr Speaker, Sir, someone who is suffering from an addiction, be it alcohol, tobacco or drugs, he has to be listened to in the first instance. We have to engage him in a therapeutic alliance through empathy, compassion and collaboration. It is not that someone referred to DUAP will be admitted automatically. This would lead to total failure. Time should be given to the person to build up confidence and motivation to quit drugs and it is not what the hon. Member is saying that only beds will cure addiction.

Coming to the comments made by hon. Dr. Aumeer about hair test. Tests also will not cure addiction. The hon. Member was worried about how hair test can be performed on bald people like me and my colleague, hon. Callichurn as well. Honestly, I have no idea. I respect the hon. Member for his broader exposure on hairs.

Mr Speaker, Sir, there is a long list of intervention for treatment of addiction and I agree that in the years to come, we will have to put extra resources, psychologists, social workers, and NGOs to be able to respond.

Hon. Ehsan Juman wanted to know how many days it would take before a drug user arrested with possession of drugs for personal consumption starts being treated and what kind of drug users will be referred to rehabilitation and whether the drug users will be in Residential or Day Care Centres. As per the protocol we have defined, the drug user will first be assessed by the DUAP and referred to a rehabilitation centre where the patient will be assessed again to

determine the type of rehabilitation treatment to be offered depending on the condition of the drug user and on the type of drug.

In Residential Treatment Centres, different drug-regimes and a range of psychological therapies using a holistic approach will be offered to patients. Community Based Centres also offer a range of therapies including family therapy, education and counselling, group therapies, cognitive behaviour therapies, occupational, art, music, relaxation exercises, yoga classes and gardening just to name a few.

Hon. Dr. Boolell finds that the DUAP is focused on law enforcement. Not at all! The main mission of the DUAP is rehabilitation.

I will remind the House that the panel shall comprise of a retired government medical practitioner and a social worker, both with solid backgrounds in drug addiction so as to advise the Chairman of the Panel on the type of rehabilitation needed on a case-to-case basis.

Furthermore, constant training of staff of all grades including Psychiatrists, Psychologists, General Practitioners, Nursing Officers, Health Care Assistants and other paramedical staff is ongoing. As and when required, NGOs can also benefit from training. Capacity Building is tantamount to a high degree of service delivery. In short, the patient referred by the DUAP for rehabilitation will have access to professional care.

Hon. Arvin Boolell wanted to know if Rehabilitation Centres both of the Ministry of Health and Wellness and of NGOs are currently operating up to the international standards. Yes. Presently, there are 5 Residential Rehabilitation Centres, 2 for males –

- Mahebourg Rehabilitation Centre, and
- Centre Nenuphar in Long Mountain which caters for persons aged less than 23 years old;

Two more Rehabilitation Centres at Brown Sequared Mental Health Centre in Beau Bassin, that is –

- Frangipane for male, and
- Orchidée for female.

And a sixth one for adult male will be opened in Brown Sequard Mental Health Centre next year. All these centres offer a range of rehabilitation of international standard complying with WHO and UNODC Guidelines.

In addition, concerning Community-Based Rehabilitation we have –

- 5 Methadone Day Care Centres at Sainte Croix, Cassis and Mahebourg;
- 2 at Brown Sequard Mental Health Centre for male and female, and
- 5 Addiction Treatment Centres in each Regional Hospitals.

I would like to point out that we have a long history of working-collaboration with NGOs for more than 15 years.

Hon. Juman asked what will happen to tourists who are found in possession of drugs for their personal consumption. Again the hon. Prime Minister has already given the reply to this, that is, existing procedures will continue to apply to them. He said that as regards the suspension of prosecution, nothing is mentioned about a drug trafficker who is also a drug consumer who has been arrested for personal drug consumption. Drug traffickers will be channelled through the Criminal Justice System as is the case presently. DPP is the sole authority to decide as the case may be.

Hon. Juman talked about possibilities of relapses among drug users sent to rehab. In case of relapses, the drug-user will be reassessed and offered treatment as indicated. Mr Speaker Sir, addiction is a disease; it is a chronic-relapsing brain disease. So, obviously in case of relapse, they will be again sent to DUAP.

Hon. Uteem and hon. Bodha talked about the powers given to the Police and about the storage and sampling of drugs by the FSL. To encourage the Police to carry on the fight against drug trafficking, the amendments are being brought to the Dangerous Drugs Act. It will allow the Anti-Drug Smuggling Unit to focus on the drug traffickers and dealers while the DUAP will be dealing with drug users who fall prey to these *marchands de la mort*.

Another important feature of this Bill is to empower Forensic Science Lab to conduct analysis on a sample of dangerous drugs seized rather than analysing all the dangerous drugs seized as is the case in several other jurisdictions.

Mr Speaker, Sir, to conclude, the amendments that are being brought to the Dangerous Drugs Act are in line with the recommendations of the Commission of Enquiry on Drug Trafficking which was chaired by ex-judge Paul Lam Shang Leen in 2018. Under the leadership of the hon. Prime Minister Pravind Kumar Jugnauth, amendments have been brought to increase the threshold of fines and imprisonment for drug traffickers and at the same time adopt a more humane approach towards the victims of drug-abuse offering them a pathway to a proper *encadrement* via the DUAP. Drug users who use drugs for personal consumption will be dealt with as patients instead of offenders and this in itself is a paradigm shift.

I would like to thank the Attorney General's Office for the valuable contribution in drafting this historical piece of legislation. I would also like to thank the Prime Minister's Office, all the members of the Technical Committee on Medicinal Cannabis as well as the Steering Committee and the Harm Reduction Section who have worked relentlessly to bring this Bill to this House today. Credits also to the Police Department; the Forensic Science Laboratory; the Office of the DPP; the Ministry of Social Integration, Social Security and National Solidarity; the Ministry of Gender Equality and Family Welfare as well as all the NGOs for their contribution.

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

I 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 DANGEROUS DRUGS (AMENDMENT) BILL**

**(NO. XV OF 2022)**

*Clauses 1 and 2 ordered to stand part of the Bill.*

*Clause 3 (Section 2 of principal Act amended).*

*Motion made and question proposed: "that the clause stands part of the Bill."*

**Dr. Jagutpal:** Mr Chairperson, I move for the following amendments in clause 3 –

In clause 3(b), in the proposed definition of “medicinal cannabis”, by deleting paragraph (a) and replacing it by the following paragraph –

- (a) produced from cannabis plant and contains one or more cannabis-based ingredients; and.”

*Amendment agreed to.*

*Clause 3, as amended, ordered to stand part of the Bill.*

*Clauses 4 to 6 ordered to stand part of the Bill.*

*Clause 7 (New Part IIA inserted in principal Act)*

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

**Dr. Jagutpal:** Mr Chairperson, I move for the following amendments in clause 7 –

“in clause 7, in the proposed Part IIA, in section 28A, by deleting the definition of “specific therapeutic conditions” and replacing it by the following definition –

“specific therapeutic conditions” –

- (a) means –
  - (i) spasticity, associated with multiple sclerosis, that has failed to respond to conventional treatment;
  - (ii) severe refractory epilepsy that has failed to respond to conventional anti-convulsant treatment;
  - (iii) intractable nausea and vomiting, associated with chemotherapy, that has failed to respond to conventional anti-emetic treatment; or
  - (iv) severe intractable pain that has failed to respond to conventional treatment; and
- (b) includes such other therapeutic conditions as may be authorised by the Medicinal Cannabis Therapeutic Committee based on therapeutic evidence.”

*Amendments agreed to.*

*Clause 7, as amended, ordered to stand part of the Bill.*

*Clauses 8 to 20 ordered to stand part of the Bill.*

*Clause 21 (New Part IIIA inserted in principal Act)*

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

**Dr. Jagutpal:** Mr Chairperson, I move for the following amendments in clause 21 –

“in clause 21, in the proposed Part IIIA, in section 59C (2), by deleting the words “subsection (2)” and replacing them by the words “subsection (1)”.

*Amendments agreed to.*

*Clause 21, as amended, ordered to stand part of the Bill.*

*Clause 22 to 26 ordered to stand part of the Bill.*

*The title and enacting clause were agreed to.*

*The Bill, as amended, was agreed to.*

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

*Third Reading*

*On motion made and seconded, the Dangerous Drugs (Amendment) Bill (No. XV of 2022) was read a third time and passed.*

*Second Reading*

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

**(NO. XVI OF 2022)**

*Order for Second Reading read.*

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

Mr Speaker, Sir, I move that the Mauritius Standards Bureau (Amendment) Bill (No. XVI of 2022) be read a second time.

I am honoured today to present to the House the Mauritius Standards Bureau (Amendment) Bill which will bring the country to new pedestals in the fields of standardisation and conformity assessment by empowering the Mauritius Standards Bureau (MSB) to respond to new industry trends and trade related issues.

The MSB was created as far back as 1975 as a department of the then Ministry responsible for the subject of industry. The objective was to provide institutional support to the NSEC import substitution industry and export oriented enterprises at that time with the aim to improve the quality of their products through standardisation and conformity assessment. In this perspective, the MSB was restructured by adopting a horizontal approach to standardisation and conformity assessment. Accordingly, standards developing activities, laboratory testing, calibration and certification activities were segregated under separate units.

Mr Speaker, Sir, as part of its journey to gain greater autonomy for enhanced operational flexibility, the MSB was subsequently established as a body corporate under the MSB Act (1993) and it now operates under the aegis of the industrial development division of my Ministry. It is mandated to develop standards and provide conformity assessment services such as testing, calibration, certification of products and management systems.

The Bureau is also the custodian of national measurement standards for mass, length, force, temperature, pressure and electricity. Special efforts were also made to build its institutional capacity and capability. On that score, massive investment was made to acquire sophisticated state of the art testing equipment. Alongside, new skills were developed such as auditing skills for evaluating management systems, skills in non-destructive testing and skills in testing based on internationally accepted standards.

The Bureau gained its first accreditation for its certification services from the Dutch Council of Accreditation in 1996. The MSB has since been accredited for its certification, calibration and testing services by the Mauritius Accreditation Service (MAURITAS) which has obtained its international recognition from the International Laboratory Accreditation Corporation and the International Accreditation Forum.

Mr Speaker, Sir, the Bureau also recognised the importance of international and regional standardisation in facilitating trade and responded by networking with international and regional Standard Bodies. It is to be reckoned that the MSB is a member solely representing Mauritius to

the International Organisation for Standardisation (ISO) since 1995 and by virtue of this permanent membership, the Bureau participates actively in several ISO Technical Committees for the development of ISO standards. It is also an affiliate member of the International Electro Technical Commission which is the organisation responsible to prepare and publish international standards for all electrical and electronic related technologies.

Furthermore, the MSB became an associate member of the *Bureau international des poids et mesures* in 2010 which allows it to have a traceable and scientifically based measurement system, an efficient and effective standards development process and a modern conformity assessment structure. The MSB has also signed several Memorandum of Understanding with countries such as Ghana, India, Kenya, Madagascar, Mozambique, Pakistan, Rwanda, Seychelles, South Africa, Tanzania, Uganda and Zambia to establish cooperation in the fields of standards development, conformity assessment, accreditation and information exchange.

Mr Speaker, Sir, at the regional level, the MSB participates actively in the harmonisation of standards at the level of the Southern African Developing Community (SADEC), Common Market for Eastern and Southern Africa (COMESA) and the African Organisation for Standardisation (ARSO). Allow me to inform the House that the MSB is a founding member of the African Organisation for Standardisation (ARSO) since 1977. The various committees to which the Bureau is a member relate particularly to the COMESA Committees on standardisation and quality assurance, SADEC cooperation in standardisation as well as ARSO Technical Harmonisation Committees.

I wish to highlight that the MSB, through its participation in these committees, has been instrumental in enhancing intra-African trade, particularly by removing various obstacles in the form of technical barriers to trade. The MSB will support further our regional integration strategy, particularly in the context of the African Continental Free Trade Area (AfCFTA). The AfCFTA represents a huge market of 1.2 billion people with a combined Gross Domestic Product of USD2.5 trillion and aims at accelerating intra-African trade ultimately boosting Africa's training position in the global market.

It is to be noted that in order to benefit fully from the trade opportunities arising within the context of the African Continental Free Trade Area, the Member States of the African Union need to harmonise with ARSO standards. The MSB through its affiliation to ARSO undoubtedly

assists our economic operators to further penetrate the African market by leveraging on the vast opportunities devolving from the AfCFTA.

Mr Speaker, Sir, allow me to apprise Members of the House and the population at large of the preponderant dimension that standards have in our daily lives. A standard is meant to be a level of acceptable quality or achievement covering a wide spectrum of activities such as managing a process, delivering a service or supplying products. Consequently, standards provide the technical basis for trade and a means of facilitating compliance with technical regulations.

As you may be aware, standards are usually developed through a transparent, open and consensus based process by involving relevant stakeholders. In the case of products, it ensures fitness for purpose while warranting good practice in respect of processes and services. Standards also assist organisations in the development of their management systems.

The number of national standards developed is often used as a yardstick to measure the level of quality achieved. In the words of the United Nations Industrial Development Organisation (UNIDO), and I quote –

“The widespread use of standards is a necessary precursor to the evolution of a culture of quality in society.”

Having enlightened the House on the importance of standards, allow me to shed light on another critical function of the quality infrastructure, namely conformity assessment which ensures compliance with the requirements of a standard. ISO defines conformity assessment as the demonstration that specified requirements relating to a product, process, system, person or body are fulfilled. As such, it involves sampling, inspection, testing, and certification as a means of giving assurance that a product, process, system, body or person does, in fact, conform to the requirements of a standard.

For national application, a national standards body may develop a national standard or may adopt an international standard that has been developed by international consensus and published by one of the main international standards organisation, ISO, IEC, ITU, Codex Alimentarius Commission, etc. The advantage of this latter route is that when two countries adopt the same international standard, trade between them is simplified.

Mr Speaker, Sir, during the past years, the Mauritius Standards Bureau has fulfilled successfully its role of formulating demand driven standards and promoting internationally recognised conformity assessment services to all sectors of our economy. To date, the Bureau has developed 911 Mauritian Standards covering the different fields of activities. The Bureau has certified 95 organisations for various management systems in the fields relating to Quality Management Systems: ISO 9001; information security management, ISO/IEC 27001; and Food Safety Management System, HACCP and ISO 22000.

In fact, the MSB is considered as being the pioneer in ISO 9001 Quality Management System for both the public and private sectors in Mauritius. The MSB has broadened its scope of services by assisting farmers in the adoption of Good Agricultural Practices (GAP) under the new MauriGAP Scheme. It is comforting to note that 52 farmers have been certified under this scheme.

The MSB has also contributed to the promotion of sustainable tourism through certification of tour operators and hotels in accordance with MS165 which relates to sustainable tourism.

Moreover, the Bureau has developed its capacity to offer testing services for a wide range of products varying from PVC pipes and products, concrete and cement, electric cables for domestic and industrial use, domestic electric appliances, toys to food products such as rice and flour.

The MSB has been able to diversify its services through the establishment of 3 laboratories specialised in humidity, torque and temperature with the assistance of the European Union under the SADC Trade Related Facility Project Scheme.

The MSB has also contributed positively to trade facilitation. Indeed, in order to facilitate trade and allow importers to remove their products from Customs in the shortest time span, the Bureau has set up an office at Customs House for the verification of Certificates of Conformity and samples for several products such as plastic pipes and fittings, cement, steel bars for reinforcement of concrete, household electrical appliances and electrical accessories, helmets, gas hoses, gas regulators, and outboard motors as per the relevant regulations in place.

I wish to inform Members that this positive performance and achievements have enabled the MSB to generate sufficient revenue to cover 50% of its total expenditure.

Mr Speaker, Sir, as I have just mentioned, over the years, the MSB has adapted its operations to the demands of the market by providing services, including technical investigations for conformity assessment, metrology and calibration.

This Bill, which is being introduced in the National Assembly today, therefore, formalises these activities with a view to creating an institutional framework to establish and implement standardisation, including conformity assessment services and metrology.

This Bill has a loadable objective to amend the MSB Act 1993, to align the operations of the MSB with international norms and to develop a new strategy to adapt to the dynamism of the industry and trade sectors in the context of the World Trade Organisation's Technical Barriers to Trade Agreement to which Mauritius is a signatory. In this context, several amendments are being proposed in this new Bill.

Allow me to mention that the most important amendment relates to the setting up of a National Enquiry Point at the MSB, which is stipulated at Clause 4 (4) of the Bill.

Members of the House will appreciate that Mauritius has constantly been at the forefront to bring 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 the WTO's Technical Barriers to Trade Agreement. This Agreement aims at ensuring that technical regulations, standards and conformity assessment procedures are non-discriminatory and do not create unnecessary obstacles to trade. The agreement with WTO requires that each member sets up an enquiry point to reply to all reasonable enquiries from other members and interested parties, as well as to provide the relevant documents regarding trade facilitation.

In Mauritius, the national focal point to the WTO is the International Trade Division of the Ministry of Foreign Affairs, Regional Integration and International Trade, while the MSB is operating as the national Enquiry Point as it is an internationally recognised standards body by the International Organisation for Standardisation. The Bill therefore makes the necessary provisions to empower the MSB to operate as a national enquiry point in consultation with other Ministries.

Clause 23 of the Bill relates to the provision of additional services under a new inspection scheme for the verification of locally manufactured products as per the relevant Mauritian standard. This constitutes a prerequisite to facilitate exports in the context of our trade agreements. It should also be noted that the Inspection Scheme can be used to verify products such as rice and flour imported by the State Trading Corporation. Such a scheme will assess the physical condition as well as the composition of the product in the interests of consumers.

Mr Speaker, Sir, over the years, in order to assume fully its role, the MSB has been undertaking activities which were not referred to in the MSB Act of 1993. The MSB has developed its capacity to offer measurement, traceability to SI Unit, *Système international d'unités* as per the *Bureau international des poids et mesures* Convention.

In addition, the Bureau provides calibration facilities to industries such as temperature, humidity and torque parameters amongst others. The new Bill therefore provides under Clause 23, the necessary legal framework for the MSB to offer these imported services to industries.

I wish to highlight that preliminary discussion will shortly begin between my Ministry and relevant stakeholders to come up with proposals to amend the International System of Units (SI) Act 1984 to be aligned with the new international norms set by the *Bureau international des poids et mesures*.

It is worth highlighting that the MSB is playing a role of national importance in providing its services to ensure the protection of the population in terms of its access to quality staple food commodities such as rice and flour.

Furthermore, it has also played a crucial part in ensuring the safety of our population through the provision of testing services for construction materials such as cement and steel bars. The overarching issue of consumer protection has always been high on the agenda of the MSB. In this perspective, the Bill confirms the status of the MSB as a Government agency responsible for verifying the certificate of conformity and or testing the different types of products as per the following regulations –

- (i) Plastic and Polyethylene Pipes and Fittings (Mauritius Standards Specifications) (Amendment) Regulations 2019;
- (ii) Consumer Protection Safety Requirements Regulations 2019;

- (iii) Steel Bars, Steel Wires and Steel Fabrics (Mauritius Standards Specification) Regulations 2020;
- (iv) Energy Efficiency Labelling of Regulated Machinery Regulations 2017;
- (v) Environment Protection (Banning of Plastic Bags) Regulations 2020;
- (vi) Toys Safety (Amendment) Regulations 2019;
- (vii) Consumer Protection Control of Imports Regulations 2017;
- (viii) Hot Dip Galvanised Articles (Mauritian Standard Specifications) Regulations 1989;
- (ix) Fair Trade Act Fire Crackers;
- (x) Excise Act Excise Regulations, and
- (xi) Consumer Control of Imports Regulations 2022.

Mr Speaker, Sir, I deem it important to shed light on one of the main functions of the Mauritius Food Standards Agency (MFSA) which has been constituted under the MFSA Act 2022. This Act is empowering the MFSA to develop standards for food items. In this connection, in Clause 6 of the MSB (Amendment) Bill 2022, a new Section 4A (1) (b), is *inter alia* being added for the MSB to adopt a Mauritian standard. Any standard or any other publication or research work established by any other institution in Mauritius or abroad in relation to any goods, articles, process, system or service.

In addition, Clause 4 of the MSB (Amendment) Bill 2022, provides for a new sub section 3 (3) to the effect that –

“Subject to any other enactment, the Bureau shall, for the purposes of this Act, be the national standards body and the Government agency for conformity assessment services.”

My Ministry has discussed with the Ministry of Health and Wellness on this issue. Therefore, an appropriate mechanism will be put in place whereby the MFSA will develop standards for food items in consultation with the MSB which will then be adopted by the latter, that is, the Mauritius Standards Bureau.

Mr Speaker, Sir, we operate in a world where change is constant and where challenges and disruptions can be global in scale. To be well positioned within this global context, the Mauritius Standards Bureau must have a clear and agile strategy that defines its purpose and

what the Bureau wants to achieve whilst allowing the Bureau to anticipate change and adapt quickly to the world around us.

The MSB has come a long way in its nearly 50-year history and contributed to the socio-economic progress of the country. We have to recognise that today's world is not the same as yesterday's nor will it be the same as tomorrow. We need to take bold measures if we want to ensure that our national Mauritius Standards Bureau continues to be at the forefront of positive change.

With this in mind, I have come up with this new Mauritius Standards Bureau (Amendment) Bill. I am confident that this piece of legislation will allow the Bureau to successfully align its purpose and objectives for a resilient, prosperous and sustainable Mauritius riding on the crest of inclusive and equitable economic growth.

With these words, I now commend the Bill to the House.

Thank you, Mr Speaker, Sir.

**Mr Seeruttun seconded.**

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

*At 8.00 p.m., the Sitting was suspended.*

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

**Mr Speaker:** Please be seated!

(9.11 p.m.)

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):** Mr Speaker, Sir, one of the main objects of this Bill is to establish the enquiry point for Mauritius which will be able to answer all reasonable enquiries from other Member States to the World Trade Organisation technical barriers to trade agreement.

As hon. Members are aware, Mauritius has been a WTO member since it was set up in January 1995. WTO currently has 164 members representing 98% of world trade. The overall objective of the WTO is to help its members use trade as a means to raise living standards, create job and improve people's life.

Members are encouraged to remove trade barriers. Trade barriers can be tariff barriers or non-tariff barriers. Now, all members of the WTO are also parties to the Technical Barriers to Trade (TBT) Agreement and this is the same agreement that is being referred to in this Bill.

WTO members must ensure that there is no discrimination. A Member State cannot use technical barriers, standards, compliance procedures to prevent an exporter from another Member State from exporting its products to it. Non-discrimination means that the exporter should be given the same national treatment as a national would be given, and most favoured nation treatment which means that there should not be discrimination between exporters from different countries.

In other words, a Member State like Mauritius must not use technical regulation as a trade barrier to encourage protectionism. For example, if a Member State decides to impose a high technical standard on certain products, then these products will not be able to be exported to the Member State. We have been on the receiving end in Mauritius as well and we know how difficult it has been for enterprises involved in tuna canning to export their products to the European Union because of technical regulations in the European Union.

Now, while TBT Agreement addressed those non-tariff barriers to trade, it also aimed at creating a level playing field and it recognises that Member State can implement measures to achieve legitimate policy objective such as the protection of human health and safety or the environment. This is captured, Mr Speaker, Sir, in section 21 of the Bill which provides that the Minister may in the public interest or for the protection of human, animal or plant health, safety and environment or protection of unfair trade practices or national security declare that certain goods and services must conform to certain Mauritian standards.

Legitimate interest can justify restriction on trade. For example, Mauritius can impose a restriction that any vehicle, any equipment, any machinery, that is imported into Mauritius must not emit a certain amount of carbon in order to protect the environment. In reality, Mr Speaker, Sir, there is always a fine line between what amounts to protection of a legitimate interest and what amounts to an unjustified non-tariff barrier to trade. If a Member State feels that the technical standards are not legitimate, there is a WTO Dispute Settlement Resolution to resolve matters.

So, Mr Speaker, Sir, it is crucial for any person wishing to export any product to Mauritius to know exactly what are the current standards, what are the technical requirements and conformity assessment because if they fail to meet those standards, they will not be able to export their products to Mauritius. To help ensure that this information is readily available in an easy to access manner, Article 10 of the TBT Agreement of the WTO requires that –

“Each Member shall ensure that an enquiry point exists which is able to answer all reasonable enquiries from other Members and interested parties in other Members as well as to provide the relevant documents - about any technical regulations, standards that are in force or that is proposed - to be adopted.”

So, this is why it is very important that Mauritius has what is called an enquiry point to meet our obligation on the Article 10 of the TBT Agreement. We don't have any qualms about this. However, Mr Speaker, Sir, on this side of the House, we take strong exception for the enquiry point to be the Mauritius Standards Bureau as presently constituted. I will explain why.

The Mauritius Standards Bureau is governed by an Act of 1993. Section 7 of this Act provides, and I quote –

- “(1) There shall be a chief executive officer of the Bureau who shall –
  - (a) be known as the Director; and
  - (b) be appointed by the Council with the approval of the Minister.
- (2) The Director shall be responsible for the execution of the policy of the Council and for the control and management of the day-to-day business of the Bureau.”

So, the law requires that MSB appoints a Director who will be the Chief Executive Officer and it is this Chief Executive Officer who is responsible for the execution of policy of the Council. This is a requirement of law.

But today, Mr Speaker, Sir, there is no Director, there is no Chief Executive Officer; there is no one legally responsible for executing policy of Council. Why? There have been PQs in this House. Hon. Lobine asked a PQ in 2020 and we found out that since 2012 to 2020, there was an officer, Ms Rashida Nanhuck, who was Acting Director. She had 30 years' experience. She was Acting Director since 2012 with 30 years' experience. In 2020, after the general elections, instead of confirming her and appointing her as Director, what did Government do?

Government requested the Council to appoint Mrs Boygah, former MSM PPS, as Director. The Council refused. I understand that there was a legal opinion sought and the Council received a legal opinion to the effect that Mrs Boygah, unfortunately, does not have the required qualification to be Director. The hon. Minister can confirm whether my information is correct or not. So, Mrs Boygah cannot be appointed as Director because she does not have the qualification. So, what does this Government do? Does it appoint Ms Nanhuck who was Acting Director with 30 years' experience? No. Do they appoint someone else with relevant experience? No. They changed the Council. The Council who refused to appoint Mrs Boygah is changed. They appoint a new president, a new *petit copain*, and then this Council has to consider whether to appoint...

*(Interruptions)*

**Mrs Luchmun Roy:** Mr Speaker, Sir, I would like to seek your advice. The hon. Member is mentioning the name of a member who is not part of Parliament. So, I am just seeking your advice whether it is acceptable or not. Thank you.

*(Interruptions)*

**Mr Nuckcheddy:** You are not the Speaker!

**Mrs Luchmun Roy:** Let me listen to his ruling. I am seeking for his advice. Thank you.

**Mr Speaker:** How many rulings?

**Mr Ameer Meea:** This is not a point of order.

**Mr Speaker:** How many rulings?

**Mr Ameer Meea:** This is not a point of order.

**Mr Speaker:** It is a point of order. You may have different opinion but it is a point of order. If not, I would have said to the hon. Member that it is not a point of order. It is a point of order, but you may continue.

**Mr Uteem:** So, the Government changed the Council and this Council appoints this lady, the former MSM PPS, not as Director, because I understand there is a legal opinion saying that she cannot be appointed as Director, but as General Manager. Now, I have perused the Mauritius Standards Bureau Act 1993. Nowhere in the Act is there mention of a General Manager. It does

not exist. It is totally illegal. The CEO must be a Director; the CEO cannot be a General Manager. The General Manager does not have any role, any responsibility and yet today, we have the MSB which is run by a General Manager illegally because there is no Director appointed and obviously, Ms Nanhuck resigned.

And now today, the hon. Minister is asking the Opposition and Government MPs to vote a law which will give more powers to MSB when he knows perfectly well that the MSB is operating without a Director in total illegality. How can we do that? And now, the legitimate question we have to ask ourselves: we have heard the hon. Minister talking about MSB doing great things, is it the case? Is he today in a position to tell the House that his Ministry is happy with the way MSB is being run? I am asking it because I don't know how many hon. Members in this House receive anonymous letters, criticising MSB. My mailbox is inundated with letters, questioning the way it is run. Mismanagement!

I have to say that I am extremely disappointed, Mr Speaker, Sir, because I was expecting the hon. Minister, at least in his intervention, to refer to the Memo which his Ministry, under the hand of the Permanent Secretary, wrote on 30 September 2022, one and a half months ago. A Memo sent to the Chairperson of the Standards Council and the General Manager. I am sure the hon. Minister knows about this letter and I want him to respond to this letter. This letter, Mr Speaker, Sir, is where the Ministry is telling the MSB that we conducted two audits: one audit was done by an external auditor, MAURITAS, and the second audit was done by the internal members of MSB. And we, the Ministry, are in the presence of these two reports which are damning against MSB. And yet, not a word! Not a word from the hon. Minister of Industrial Development, SMEs and Cooperatives as to this report which his own PS wrote. Now, what was said in that report?

**Mr Speaker:** Hon. Member, I have been listening to you so far. So, would you mind coming to the amendments?

**Mr Uteem:** Yes, Mr Speaker, Sir, the amendment is that we are giving a lot of powers to MSB. The hon. Minister has spoken about the capabilities of the MSB. So, I am challenging what the Minister has said and I am saying that the MSB today, as presently constituted, does not have the competence to carry all these new powers and functions that are being given to MSB and to support my argument, I am relying on an audit that has been carried out which criticises.

So, I am just referring to the audit so that Members who have not had the benefit of reading that report know what is going on today at the MSB. And then after hearing this, they can decide whether they feel that MSB needs to be given even more powers and responsibilities despite the criticism of the report. I will not be long. I am just going to cite only three extracts of the report and then I will continue.

**Mr Speaker:** This is much better presentation. Now, carry on!

**Mr Uteem:** Yes, thank you, Mr Speaker, Sir.

So, both the reports, MAURITAS and the International Inquiry, referred to a lack of staffing; the delay in delivering of services and not enough nutrition conducted tests. The report stated that one third of subcontracted test reports could not be provided – one third of tests carried out by MSB which was subcontracted could not be provided to the auditors. The External Audit criticised the fact that MSB had recourse to subcontracting for testing activities on such a large scale. The Audit Report addressed the issue of Quality Beverages Ltd, bottled drinking water, and I quote –

“found out that there was an unacceptable delay between the visits and the issue of the report as well as delay in doing the test which may be attributed to the lack of human resource”.

But more damning perhaps, Mr Speaker, Sir, both reports stated that officers are ‘frustrated’. This is the word used; Officers are frustrated due to the merger of laboratories and working in a non-conducive environment! Officers are frustrated and working in a non-conducive environment and, Mr Speaker, Sir, he wants the House to give more powers and responsibilities to MSB! The PS, the Permanent Secretary of the Ministry concluded saying –

“This Office views this matter with concern”.

It is not Uteem. It is not the MMM nor the Opposition saying it. The PS of your Ministry wrote to MSB and said that: ‘we view the situation with concern’. One and a half months later, the Managing Director is still in post. No sanction is taken, no action is taken and the hon. Minister comes to this House and brags about the performance and competence of MSB when his own Ministry is saying that they are looking at this matter with concern. Be honest with us! Tell us, are you satisfied with the performance of the General Manager? Are you satisfied with

the way MSB is run today? And, if you are not, then please remove the General Manager and appoint a Director in substantive capacity with the necessary competence.

Mr Speaker, Sir, before concluding, I would like to make two additional observations on the Bill. First, I note that as was the case with the Mauritius Food Standard Agency Bill, I note the same obsession for ministers to control everything. The same *mainmise* of the Ministry over the Council.

According to the proposed amendment, the Minister will now appoint two additional members on the Council from the private sector. Previously, it was the Mauritius Employers' Federation who had one representative; – now it will not have any representative; Business Mauritius will not have any representative. The Minister will appoint two members from the private sector which means effectively that the Minister will appoint the Chairman, two members from the private sector, three members from Consumer Organisation; that makes 6 out of 12 members and if you add his representative, it means 7 out of 12. He can have a quorum and he can take whatever decisions he wants because he controls the Council. *C'est-ce qu'on appelle, M. le président, politisation à outrance.* Pursuant to the new amendment, the hon. Minister will be the one who will solely decide what fees and remuneration would be paid to council members. So he would be controlling the purse and yet, this MSB is supposed to be independent.

The final observation which I wish to make is in relation to Section 27 of the Bill which repeals and replaces Section 31 of the MSB Act. According to this new provision, Mr Speaker, Sir, it will be a criminal offence for any member or employee to disclose any matter which comes to his knowledge in discharge of his function under the Act. He will now be sentenced to one year imprisonment. So, if after coming into force of this Bill, an officer of MSB discloses to the press or sends it anonymously to Members of Parliament, that there is a damning report on MSB highlighting cases of gross misconduct and toxic working environment, that person, that whistle blower, would be potentially liable to one year imprisonment. We condemn such provision which aims at punishing whistle-blowers. The Government is more concerned about shooting the messenger and silencing whistle-blowers rather than taking steps to improve governance and transparency.

To conclude, Mr Speaker, Sir, we agree that we need to have an inquiry point to meet our commitment under the WTO, TBT Agreement, but until we have an MSB *digne de ce nom*, with

competent Director, we would request that the focal point which is currently the Ministry responsible for international trade, remain the enquiring point. Thank you Mr Speaker, Sir.

**Mr Speaker:** Hon. Callichurn!

(9.32 p.m.)

**The Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection (Mr S. Callichurn):** Mr Speaker, Sir, thank you for giving me the opportunity to intervene on the Mauritius Standards Bureau (Amendment) Bill.

Actually the MSB Act dates back to 1993 and I am given to understand that it has not been revisited ever since except for minor amendments brought to it by the Finance Bill. It was about time for it to be reviewed in order to adapt to the constantly changing environment and most importantly to keep pace with international norms to ensure that safe and quality products, compliant with required standards, are available on the market.

Mr Speaker, Sir, at the heart of the Sustainable Development Goals of the United Nations rests the need to address societal disparities while achieving equitable economic growth through sustainable development. The United Nations has declared 14 October as the World Standards Day, in recognition of the important role played by 'Standards' in our everyday life.

In fact, Standards play a key role in nearly all aspects of life. By 2030, it is expected that standards would be uniformised at the global level to strengthen societies through trade, thus making countries more resilient and equitable.

Mr Speaker, Sir, after two decades of liberalisation reforms, Mauritius has been transformed into an almost duty-free economy. Its openness to trade has been one of the main reasons behind its economic success. This Government further aims at transforming the island into a recognised trading platform by optimising its trade policies.

As we move towards a global economy, standardisation issues continue to grow more complex. They are critical to the survival and prosperity of companies trading internationally. As more international trade agreements are implemented, domestic manufacturers will face growing competition from international concerns.

The World Trade Organisation's Agreement on Technical Barriers to Trade, which includes the Code of Good Practice for the Preparation, Adoption and Application of Standards,

recognises the important contribution of international standards and conformity assessment systems to improve the efficiency of production and facilitate international trade. For instance, what may be a barrier to trade by one country may well be a legitimate measure by another country.

Therefore, developing international standards which can be used by all member states of the World Trade Organisation in order to facilitate trade globally is more than ever required.

Mr Speaker, Sir, over the years, the standardisation and conformity assessment environments have evolved and there is a need for the Mauritius Standards Bureau to move forward with a new strategic orientation in consonance with the rapidly evolving socio economic development of Mauritius. It is essential that the MSB Act be amended to align its provisions with international norms in order to facilitate trade of our local ministries on the regional and international market.

This Bill will certainly provide operators and the country with more opportunities in economic cooperation, trade in goods and services. This Bill will also facilitate harmonisation with our trading partners and tackle the non-tariff impediments. This will further reduce delays in customs clearance. The provision of this Bill will therefore align Mauritius with the article 10 of the WTO regarding entry point to facilitate business and economic operators in a more efficient and effective way. This Bill, Mr Speaker, Sir, will also ensure that products entry in the country is rigorously tested for consumers' safety and wellbeing.

Let me come to some main features of the Mauritius Standards Bureau (Amendment) Bill. Mr Speaker, Sir, the Bill provides for the Bureau to act, pursuant to technical barriers to Trade Agreement (Article 10) of the World Trade Organisation, as the entry point for Mauritius with the objective of answering reasonable enquiries from our Member States to the agreement, including on any adopted or proposed technical regulations, standards and conformity assessment procedures.

Mr Speaker, Sir, sometimes, it can be very time consuming and costly for individuals and companies to learn about the TBT requirements for different products as well as getting relevant information on regulations and policies. The Technical Barriers to Trade Agreement ensures transparency and is an important pillar in its implementation as the setting up of the National Entry Points.

The setting up of the enquiry point which I welcome will assist in handling WTO notifications, respond to enquiries, provide relevant information and documents and serve to connect private sector, trade officials, standards officials, regulators and any other domestic and international stakeholders in all matters relating to the implementation of the transparency provisions of the TBT.

This will also enhance the harmonisation of information, documents and restriction in place by acting as a one stop-shop for information sharing among Member States. By establishing an efficient and responsive enquiry point, it will accelerate compliance with trade procedures. As an incentive to serve the stakeholders, the enquiry points will provide economic operators with the opportunity to review and comment on notifications which can affect their trade interests. It will also help in promoting information exchange, regulatory cooperation and predictability and reduce potential trade frictions.

It will ensure reasonable enquiries on any technical, national/international regulations adopted or proposed or any conformity assessment procedures and will help economic operators gain advance knowledge on new technical regulations conformity procedures that are envisaged.

The conduct of inspection activities will help the local industries to export to the African continent through the AfCFTA and thus ensuring that products meet African Organisation for Standardisation (ARSO) that will be allowed for export through the Inspect Scheme at MSB. Also, unlocking the capacity of industries to meet continental demand. To note, ARSO has undertaken standards development activities and has harmonised around 1,469 standards. This will also benefit operators to facilitate businesses with other countries that Mauritius has signed trade agreement with, that is, the European Union, India, China, Pakistan, Turkey and the UK.

It will provide for the formalisation of activities already undertaken by the Mauritius Standards Bureau, such as the formulation of the Mauritian Standards Meteorology and Calibration, empower the Mauritius Standards Bureau to conduct other activities such as testing, certification and inspection, provide conformity assessment services which shall include, but not limited to, visual inspection, testing, verification of certificates of conformity or test reports.

New definitions of terminologies have been aligned with updated definition of International Organisation for Standardisation. The Bill will further provide the essential underpinnings to the economic operators to improve their productivity, enhance the quality of

their products and services, thus, sharpening their competitiveness in the global and leverage standardisation and conformity assessment to unlock new markets, encourage fair and sustainable trade, protect consumers and protect sustainable development.

New trends and developments have emerged in the standardisation landscape and fundamental changes have been witnessed in the economic and social fabric of the country.

It is to be noted that the Bill will address the challenges, notably –

- i) the emergence of non-tariff measures as obstacles to trade more particularly non-harmonised standards conflicting technical regulations and discriminatory conformity assessment procedures;
- ii) the advent of the African Continental Free Trade Area (AfCFTA) to promote free trade in the African Union and other trade agreements, as I mentioned earlier;
- iii) the accelerated integration of Mauritius in the global economy;
- iv) e-commerce barriers and therefore provide an opportunity to accelerate the e-commerce business in Mauritius;
- v) facilitate trade for our SMEs;
- vi) improve food security by expediting the import procedures.

With the globalisation of the world trade, the local industry has to become increasingly competitive for its survival, and at the same time, it is important to ensure that the local market provides quality and safe products to the consumers. To ensure competitiveness, quality and safety, compliance to international standards, backed by world recognised conformity assessment, the Bill will be able to meet the exigencies of the evolving business environment.

Mr Speaker, Sir, the MSB has an important role in the implementation of legislation of standards in as much as it is this institution that ensures that relevant standards pertaining to the different goods are duly respected. Both by Ministry and the Mauritius Standards Bureau contribute significantly to the achievement of the 17 SDGs, but with a direct impact on SDG 12, that is, to ensure Sustainable Consumption and Production; SDG 3, Good Health and Wellbeing; SDG 2, Zero Hunger and SDG 1, No poverty.

With digitalisation, climate change, stress on the supply chain, the global economy is at a cross road and this entails a review of our mode of operation at all levels.

It is worth highlighting that the mission of my Ministry involves –

- Facilitating trade and goods and services;
- Ensuring regular supply of essential commodities and to monitor prices of controlled goods;
- Promoting and safeguarding the interest and the rights of the consumers through legal and institutional framework, and
- Regulating weight and measures used in trade.

Through the formulation of Standards, Referencing Standards in Regulations, Conformity Assessment Activities, Provision of Calibration services through maintenance of primary standards, the Bureau fully impacts on the deliverables of my Ministry.

Mr Speaker, Sir, officers of my Ministry and those of the MSB work in close collaboration to ensure that the standards in force in Mauritius are applied for all relevant products. For example, the existing legislations provide that importers have to submit Certificates of Conformity that are verified by the MSB. In cases of non-availability of the Certificate of Conformity, samples are therefore taken by officers of my Ministry and sent to the MSB to be tested for compliance.

Similarly, while the Mauritius Standards Bureau is responsible for scientific and industrial metrology, the Legal Metrology Services of my Ministry is responsible for legal metrology.

Legal metrology ensures fair trade practices and maintains a competitive marketplace. It also encourages manufacturers, distributors and retailers to follow good manufacturing and distribution practice. The Legal Metrology Services issues Certificate of Conformity for weighing and measuring instruments, which are internationally recognised through accreditation and compliance to international standards.

Mr Speaker, Sir, it is apposite here to point out that Mauritius is a corresponding member of the International Organisation of Legal Metrology, which enables economies to put in place

effective legal metrology infrastructure that are mutually compatible and internationally recognised, hence establishing mutual confidence and harmonising level of consumer protection worldwide.

These affiliations have so far helped the Legal Metrology Services of my Ministry to apply international standards, thus achieving the aim of “Once measured, accepted everywhere!”

Therefore, I welcome the amendment at Clause 23 which will henceforth include a *Système International d'Unités* (SI Units) – this will act as a centre for scientific and technical collaboration between Member States, allowing for international comparisons and coordinating the global measurement system, ensuring comparability and international recognition of measurement results. Measurement standards and measurement traceability is vital for any country for trade across the globe.

Mr Speaker, Sir, in conclusion, according to the Trade Policy Review 2021 of the World Trade Organisation, the reforms undertaken by Mauritius since 2014 have helped to diversify the economy. The report commended Mauritius for its long-lasting support to the multilateral trading system, for meeting most of its WTO notification obligations.

This Bill bears, therefore, the testimony of this Government’s determination to uplift the Mauritius Standards Bureau to align it with international norms. Through this Bill, the MSB will ensure that International Standards such as ISO and IEC, amongst others are used and implemented in Mauritius so as to be in line with the World Trade Organisation’s Agreement on Technical Barriers to Trade, thus facilitating trade both within the region and worldwide.

Let me take this opportunity to congratulate my colleague, the hon. Minister of Industrial Development, SMEs and Cooperatives for his initiative to amend the MSB Act which was long overdue so as to adapt it to the evolving socio-economic development in Mauritius.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Léopold!

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

**The Deputy Prime Minister seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

## **ADJOURNMENT**

**The Deputy Prime Minister:** Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 25 November 2022 at 4.00 p.m.

**Mr Toussaint seconded.**

*Question put and agreed to.*

**Mr Speaker:** The House stands adjourned.

Adjournment matters!

## **MATTERS RAISED**

(9.51 p.m.)

### **MORCELLEMENTS - POINTE AUX SABLES - ROAD ACCESS**

**Mr F. David (First Member for GRNW & Port Louis West):** Merci, M. le président.

Ma requête de ce soir s'adresse au ministre des Transports terrestres et du métro léger et renvoie à un point que j'ai soulevé à l'ajournement des travaux parlementaires le 30 juillet 2021, soit plus d'un an de cela, à savoir le problème de congestion routière dans les morcellements de Pointe aux Sables qui sont devenus des zones de passage quotidien, non seulement pour les habitants locaux, mais également pour des centaines d'automobilistes venant d'autres régions.

Il y a une quinzaine de jours certains habitants ont refermé un raccourci qui n'en était officiellement pas un car il avait été ouvert clandestinement – je le reconnais – par d'autres habitants plusieurs années auparavant pour raccorder l'Avenue des Peupliers directement au Morcellement Le Printemps. Si ce *shortcut* présentait un avantage d'accès routier, il était aussi devenu une source de nuisances et d'accidents au fil des années.

Or, dans ma requête du 30 juillet 2021, j'avais suggéré une solution à ce problème à savoir le raccordement routier du rond-point se trouvant au bout de l'Avenue des Peupliers au Morcellement Sagittaire. Je demanderai, donc, à l'un des ministres présents de bien vouloir transmettre au ministre de tutelle ma demande pour savoir où en est ce dossier auprès de la *Traffic Management and Road Safety Unit*.

**The Minister of Energy and Public Utilities (Mr G. Lesjongard):** Thank you, Mr Speaker, Sir. I have taken note of the matter raised by the hon. Member and same will be conveyed to the responsible Minister.

**Mr Speaker:** Hon. Nuckcheddy!

(9.53 p.m.)

### **CONSTANCE BRIDGE, ST REMY - UPGRADING - TRAFFIC CONGESTION**

**Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil):** Thank you, Mr Speaker, Sir. My request tonight is addressed to the hon. Minister of National Infrastructure and Community Development.

Let me, first of all, thank him for the project which is currently being carried out by the RDA in Constituency No. 9. I am talking of the upgrading of Constance Bridge along B117 Road at St Remy, which is a very important project as this will realign the road, thus eliminating the sharp bend and also the road will be widened.

However, as they say, *bizin ena dezord pou met lord*. So, actually the project is causing major traffic jam though I must admit that there are some traffic control measures which have been implemented. But with the approach of the festive season, there will be more traffic and the peak time will last for longer periods.

So, my request is that, during this festive period, to have a special traffic control system - as my two colleagues, hon. Balgobin, hon. Maudhoo and I are very much concerned with this project - I will request the hon. Minister to arrange for a site visit where we can find out alternative routes and temporary measures so that the traffic can be more fluid during the festive season. Thank you.

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Mr Speaker, Sir, I wish to thank the hon. Member for giving me advance notice to the effect that he will raise this adjournment matter. So, I came well prepared.

With a view to enable the contractor to proceed with the works – as he, himself said, it is a very busy place – the full closure of the Constance Link Road B117 at the level of the Bridge was required. In this context, consultations were held with relevant stakeholders, TMRSU, the

Police, the Flacq District Council and the RDA. The closure of the Bridge as well as a traffic diversion plan were subsequently approved and implemented.

At the request of my colleagues themselves, the hon. Member, hon. Balgobin, hon. Maudhoo, the RDA promptly addressed the situation in collaboration with the police and TMRSU and as he rightly said with the coming up of the festive season, where we agreed that no doubt there will be quite some heavy traffic in that region and but also, I think you will agree that the traffic flow in that region has now greatly improved. The situation nonetheless is being monitored closely and I am pleased to inform that in view of the coming festive season, as from this month, the Contractor is providing police assistance from 7 a.m. in the morning to 7 p.m. to further control the traffic.

In addition, the RDA has been requested to ensure close follow-up with the contractor so that there is no delay in the implementation schedule and I will invite my hon. friend and my two other colleagues that at some point in time, we will effectuate a surprise site visit to make sure that things are happening as they have promised.

Thank you. Mr Speaker, Sir.

(9.47 p.m.)

**Mr Speaker:** Hon. Dr. Gungapersad!

#### **MOGAS & GASOIL – PRICE REDUCTION**

**Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or):** Mr Speaker, Sir, tonight my request is addressed to the hon. Minister of Commerce and Consumer Protection. All Mauritian consumers unanimously feel that the retail price of Mogas and Gasoil is excessively high in Mauritius as compared to the global retail price. One Mauritian consumer namely, Mr Nishal Joyram, has started a hunger strike near the Children's Court. His appeal to this Government is simple: to reduce the price of both Mogas and Gasoil. A reduction in the price of Mogas and Gasoil is awaited impatiently hon. Minister by the whole population. Like the whole population, I have reason to believe...

**Mr Speaker:** Hon. Member...

**Dr. Gungapersad:** ...that prompt actions will be taken...

**Mr Speaker:** Hon. Member, I am talking! I am on my feet! You are talking about policy matters, you see!

(*Interruptions*)

**An hon. Member:** *Li pli kone....*

**Mr Nuckcheddy:** *Li lire zurnal li truver!*

**Mr Speaker:** So adjournment matter, okay! So, who is next?

(9.58 p.m.)

### **MORCELLEMENT PINEWOOD - GREEN SPACES - MAINTENANCE**

**Mr K. Lobine (First Member for La Caverne & Phoenix):** Thank you, Mr Speaker, Sir. My request is addressed to the Vice-Prime Minister, Minister of Local of Government and Disaster Risk Management. It concerns *Morcellement* Pinewood. Mr Speaker, Sir, over there, there are green spaces that ought to be maintained by the Municipal Council of Vacoas/Phoenix but from a picture that I have just communicated to the hon. Vice-Prime Minister, those green spaces have never been maintained by the Municipal Council of Vacoas/Phoenix and this is causing severe inconvenience to the inhabitants of this region. If the hon. Vice-Prime Minister could use his good office to request the Municipal Council of Vacoas/Phoenix to do the needful and have those green spaces maintained so that the inhabitants do not again have to write several letters of complaints to the Municipal Council of Vacoas/Phoenix.

I thank you.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I know about this problem. Mr Speaker, Sir, the problem is that some of the new *Morcellement* that are coming, a lot of land is being left to the Municipal Council to deal with. I have discussed that issue with the Municipal Council before and they told me because of lack of man power and all, they did not manage to clean it but anyway I will have a word with them again. Thank you.

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

(9.59 p.m.)

### **VALLÉE DES PRÊTRES – SYNTHETIC TRACK**

**Ms J. Tour (Third Member for Port Louis North & Montagne Longue):** Merci, M. président. Ma requête s'adresse au vice-Premier ministre, ministre des Collectivités locales concernant le terrain synthétique de foot à Caroline, Vallée des Prêtres. Les jeunes attendent impatiemment que les travaux soient complétés, que les terrains soient clôturés afin d'éviter que les chiens errants y ont accès. Je demanderai donc à l'honorable Dr. Husnoo de bien vouloir voir auprès de la municipalité de Port Louis qu'ils activent les travaux afin que les jeunes puissent pratiquer leur sport favori.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Yes, Mr Speaker, Sir, I am aware of this problem and I think I have been told that they will be meeting up in two days' time by the Municipal Council of Port Louis to look into this matter. So, I'll try to follow this issue.

(10.00 p.m.)

**Mr Speaker:** Hon. Ramful!

### **MAHEBOURG - BEAU VALLON - WATER SUPPLY - DISRUPTION**

**Mr D. Ramful (First Member for Mahebourg & Plaine Magnien):** Thank you, Mr Speaker, Sir. I have an issue which concerns the Minister of Energy and Public Utilities. I wish to draw to the attention of the hon. Minister of the serious disruption in water supply in the region of Mahebourg and Beau Vallon. I am also told that some houses have not been provided with water for the last 48 hours. Now, may I also inform the hon. Minister that the availability of water tankers is not sufficient enough to cover those regions? So, may I press upon the hon. Minister to kindly look into the matter? Thank you.

**The Minister of Energy and Public Utilities (Mr J. Lesjongard):** Thank you, Mr Speaker, Sir. I thank the hon. Member for raising this important issue at adjournment time. In fact, Mr Speaker, Sir, we are already in the dry season in the country. So, at the level of the CWA, they are doing their utmost to supply consumers with water all around the island. So, I will see to it that the consumers in that specific region be provided with adequate water supply by water tankers as from tomorrow. Thank you.

(10.02 p.m.)

### **EUROPA HOTEL, CUREPIPE – DEMOLITION**

**Mr S. Dhunoo (Third Member for Curepipe & Midlands):** Merci, M. le président. Ma requête ce soir s'adresse au Premier ministre adjoint, ministre des Terres et Logements, ministre du Tourisme, l'honorable Steven Obeegadoo. Cela concerne l'hôtel Europa ; nous accueillons avec joie l'acquisition de l'hôtel et au nom des habitants et des opérateurs économiques, nous remercions le Premier ministre et le Premier ministre adjoint pour cela. Mais l'hôtel Europa est dans un état délabré qui sert de refuge pour les toxicomanes et d'autres gens louche et cela cause beaucoup de problèmes aux habitants, les piétons et les élèves qui passent devant l'hôtel. Je demanderai au Premier ministre adjoint s'il peut faire le nécessaire à travers son ministère pour la démolition de cet hôtel. Je vous remercie, M. le président.

**The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo):** Mr Speaker, Sir, I thank the hon. gentleman. I think his views are shared by all the inhabitants of Curepipe in this House. The state of Europa building in Curepipe for many years has been a blot on the landscape of the town of Curepipe. I believe since my student days, it's been in such a state and it is really shameful that this situation has lasted throughout the years.

It is with a matter of immense relief and satisfaction as an inhabitant of Curepipe, I can say that we have finally been able to acquire that land. The State has been able to acquire that land and now, as we progress with the upcoming master plan for the redevelopment of Curepipe town Centre, we are progressing in discussions as to what will be done on this side, whether, it should be part of the Curepipe Urban Terminal or whether it will be put to alternative use. So, as soon as we have determined the future plans for the Europa Building, it will be pulled down, Mr Speaker, Sir. This is now no longer a matter of years but a matter of weeks and months, certainly.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** The hon. Dr. Boolell is rejoicing. Opposite his house!

(10.04 p.m.)

#### **PASSPORT - ISSUANCE - DELAYS**

**Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):** Yes, thank you, Mr Speaker, Sir. The issue I am raising tonight is addressed to the hon. Prime Minister and my attention has been drawn to the effect of long delays in the issuance of Mauritian passport by the Passport and Immigration Office. Normally, Mr Speaker, Sir, it takes four working days to get a new passport or to renew an existing passport and recently, this has not been the case. It is taking much more than four days, sometimes weeks to get a new passport or to renew existing one and this is causing trouble for people who are travelling and who have had to renew their passport. So, I do not know whether this is a question of a shortage of new passport or what the exact reason is. So, therefore I would kindly ask the hon. Prime Minister if he can look into the matter and remedy to the situation. Thank you, Mr Speaker, Sir.

**The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo):** Mr Speaker, Sir, since the Prime Minister is not here, I shall respond. I am not aware of the situation. I shall convey the message to the Prime Minister but of course, if there are any particular cases which are very urgent, please let us know and we shall try our utmost to help.

(10.06 p.m.)

#### **VALLÉE PITOT POLICE STATION – STAFF SHORTAGE**

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):** Merci, M. le président. Ma requête s'adresse aussi à l'honorable Premier ministre et concerne le manque accru d'effectifs à la station de police de Vallée Pitot. Il aurait dû y avoir 5 shifts de 9 policiers mais il n'y a pas suffisamment de policiers pour effectuer tous les shifts et surtout il n'y a pas assez de policières. Bien sûr tout cela handicape lourdement les policiers dans leurs tâches et souvent ils ne peuvent pas quitter la station de police pour effectuer des patrouilles. Donc à travers le *Deputy Prime Minister*, j'aurai voulu que le Premier ministre soulève la question avec le Commissaire de Police étant donné qu'il y a eu des nouvelles recrues au sein de la force policière pour qu'un certain nombre de policiers soient transférés à la station de Vallée Pitot. Merci.

**The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo):** M. le président, je puis assurer, M. le député, que sa requête sera transmise au Premier ministre!

**Mr Speaker:** Any question?

So, thank you very much.

*At 10.07 p.m., the Assembly was, on its rising, adjourned to Friday 25 November 2022 at 4.00 p.m.*

## WRITTEN ANSWERS TO QUESTIONS

### AIR TRAFFIC RIGHTS - AIRLINE COMPANIES

**(No. B/1072) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to air traffic rights, he will state the airline companies having applied therefor prior and post the COVID-19 pandemic, indicating in each case, the country of origin of the airline company and the outcome thereof.

*(Withdrawn)*

### MUNICIPAL COUNCIL ELECTIONS

**(No. B/1073) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Municipal Council Elections, he will state when same will be held.

**Reply:** In accordance with section 10A of the Local Government Act, the life of the Municipal City Council and Municipal Town Councils is six years. The last term of the Councils would have ended in June 2021.

However, with the outbreak of COVID-19 on a global scale and its severe impact on the health of the population at large and economy, this Government put on the forefront the safety and health of its people, particularly with the surge in the number of cases recorded.

It is in this context that an amendment was made in May 2021 to the Local Government Act, whereby provision was made for the extension of the entire Municipal City Council and Municipal Town Councils, or entire Village Councils by not more than one year at a time, provided that the life of the Councils shall not be extended for more than two years.

Moreover, being given that a quarantine period was still in force in the country, the President of the Republic of Mauritius had, on my advice, extended the life of the entire Municipal City Council and Municipal Town Councils for one year as from 15 June 2021.

On 13 April 2022, by virtue of Proclamation No. 17 of 2022, the life of the entire Municipal City Council and Municipal Town Councils was again extended for one more year, as from 14 June 2022. Therefore, the entire Municipal City Council and Municipal Town Councils will stand dissolved on 13 June 2023.

The related Proclamation was made by the President on my advice and during my intervention in the National Assembly on Friday 13 May 2022, I had enumerated the reasons for the extension of the life of Municipal City Council and Municipal Town Councils for a further period of one year. On that occasion, I also gave the assurance that the elections might be conducted at any time within the extended period, if the situation would so allow.

I shall advise the President once it is deemed appropriate to hold the elections.

#### **CHAMP DE MARS RACECOURSE – SABOTAGE – INQUIRY, ARRESTS & INTERROGATIONS**

**(No. B/1074) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the alleged sabotage of the Champ de Mars racecourse on 01 October 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated therewith, indicating, as at to date and in connection therewith, the number of persons –

- (a) arrested and if they are still in custody or released, and
- (b) interrogated, indicating the professional status thereof.

**Reply:** A Police inquiry was initiated on Saturday 01 October 2022, the same day on which the sabotage of the Champ de Mars racecourse was detected and dealt with, and two male suspects were arrested, namely one Mr G.A.J., aged 62, pensioner and one Mr S.K., aged 32, Painter and working as Security Officer on a temporary basis for People's Turf PLC Ltd. After the inquiry, Mr G.A.J. was allowed to go as there was no incriminating evidence against him. The second suspect, Mr S.K. was detained. On Sunday 02 October 2022, a provisional charge for the offence of "Attempt to torture animal" was lodged against the latter before the Bail and Remand Court. On Monday 03 October 2022, Mr S.K. appeared before the Magistrate of the District Court of Port Louis and was remanded to police cell up to Monday 10 October 2022. He was subsequently granted bail after furnishing a surety of Rs10,000, and a recognizance of Rs50,000. He was further ordered by the District Magistrate to report at the nearest Police Station (Pope Hennessy Police Station) every Wednesday and Saturday.

On Monday 03 October 2022, another suspect, Mr J.S.A.D. aged 30, of no calling, was arrested and detained in the course of the police inquiry. On Tuesday 04 October 2022, a provisional charge of "Attempt to torture animal" was lodged against him before the Magistrate of the District Court of Port Louis. He was remanded to police cell up to Tuesday 11 October 2022. However, on Wednesday 05 October 2022, the provisional charge was struck out as no *prima facie* evidence has been established against him.

The Commissioner of Police has also informed that the case has been referred to the Central Crime Investigation Department for further enquiry, which is ongoing.

#### **LATE MR S.K. –AUTOPSY REPORT**

**(No. B/1075) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to late Mr S.K., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the report of the autopsy thereof performed by one Police Medical Officer is being challenged.

**Reply:** In my reply to the PNQ at the sitting of Tuesday 18 October 2022, I informed the House that, as the inquiry is ongoing, it will not be proper for me to provide further information related to the case at this stage also, as it may cause prejudice to the investigations.

#### **MR A. B. - ARREST – INQUIRY**

**(No. B/1076) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrest of Mr A. B. on 19 August 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons therefor and where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **MR A. B. – ALLEGED DRUG TRAFFICKING – INQUIRY**

**(No. B/1077) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrest of Mr A. B. on 19 August 2022 in relation to a case of alleged drug trafficking, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons therefor and where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **LEADING POLITICIANS, BUSINESSMEN & JOURNALISTS – HACKED EMAILS**

**(No. B/1078) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, he will, for the benefit of the House, obtain information as to if there are reported cases of leading politicians, businessmen and journalists whose emails have been hacked and, if so, if inquiries have been initiated thereinto and the outcome thereof.

**Reply:** The Commissioner of Police, the Computer Emergency Response Team of Mauritius (CERT-MU), a department under the aegis of the Ministry of Information and Technology Communication and Innovation, and the Officer-in-Charge of the Information and

Communication Technology Authority (ICTA), have all three reported that there is no record of any case of hacking of emails of leading politicians, businessmen and journalists.

The twelve cases which had been reported to ICTA between 2010 and 2019 do not pertain to this category of persons.

### **PASSPORT & IMMIGRATION OFFICE - BANGLADESHI NATIONALS**

**(No. B/1079) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Bangladeshi nationals, he will, for the benefit of the House, obtain from the Passport and Immigration Office, information as to the number thereof, both male and female respectively –

- (a) holding work permits;
- (b) married to Mauritian nationals;
- (c) facing deportation orders;
- (d) deported over the past year, and
- (e) on the run and wanted by the Passport and Immigration Office.

*(Withdrawn)*

### **MAURITIUS PASSPORT – SHORTAGE & DELAYS – MEASURES**

**(No. B/1080) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Mauritius passport, he will, for the benefit of the House, obtain from the Passport and Immigration Office, information as to the number of copies thereof presently available, indicating the measures taken to avoid shortages and delays in the issuance thereof.

**Reply:** The issue of a Mauritius Passport to a citizen of Mauritius is governed by the Passports Act and Passports Regulations.

The Director-General of Immigration has informed that there is currently an adequate number of blank passports available for delivery. I have been made aware of the exact number

by the Passport and Immigration Office and advised that for security reasons the figures cannot be disclosed.

Notwithstanding this fact, let me assure that all necessary efforts are being made to have in stock sufficient blank passports at all times to cater for the demand.

The Director-General of Immigration has also informed that the following measures are taken to avoid shortages and delays in the issue of Mauritius Passports –

- (i) Orders for the Mauritius Passport are placed in a timely manner;
- (ii) The stock level of the Mauritius Passport is regularly monitored;
- (iii) The manpower at the Passports Personalisation Section of the Passport and Immigration Office is reinforced whenever the need arises, that is, whenever there are significant increases in the demand for the Mauritius Passport, and
- (iv) All equipment at the Passport and Immigration Office used for the personalisation of the Mauritius Passport are being optimally used.

#### **ANGUS ROAD, VACOAS - ACQUISITION OF PROPERTIES - INQUIRIES**

**(No. B/1081) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the inquiries initiated into the acquisition of properties by his good self on Angus Road, in Vacoas, he will, for the benefit of the House, obtain from the Independent Commission against Corruption, information as to where matters stand.

*(Withdrawn)*

#### **HON. Y. S. & MRS S. K. – ALLEGED FICTITIOUS EMPLOYMENT**

**(No. B/1082) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the alleged fictitious employment by hon. Y. S. of Mrs S. K. as Constituency Clerk, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto.

**Reply:** The Commissioner of Police has informed that on 24 December 2020, following instructions from the Office of the Director of Public Prosecutions (ODPP), an enquiry was initiated in connection with alleged fictitious employment of Mrs S.K. by hon. Y.S.

On 09 January 2021 a statement was accordingly recorded from Mrs S.K. and on 11 February 2021, the case file was submitted to the DPP for advice. The ODPP made several queries which the Police attended to.

Thereafter, as instructed by the ODPP on Friday 16 September 2022, the Police recorded a further statement from hon. Y.S. on Monday 07 November 2022 in the company of his Bar-at-Law. The case file has been forwarded back to the ODPP on Friday 11 November 2022. The enquiry is proceeding.

#### **MONTEBELLO, PAILLES – ACCIDENT IN 2015 – INQUIRY**

**(No. B/1083) Mr A. Ittoo (Third Member for Vacoas & Floréal)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the alleged involvement of one Mr N. R. É. F. in a fatal accident on the New Trunk Road of Montebello, Pailles, in November 2015, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **NEW LINK ROAD, LABOURDONAIS (FORBACH) - ACCIDENT IN 2015 -INQUIRY**

**(No. B/1084) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the alleged involvement of Mr R. D. in a fatal accident on the New Link Road at Labourdonais (Forbach) in September 2015, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **CITÉ STE. CLAIRE, GOODLANDS – MR J. B. – DRUGS POSSESSION**

**(No. B/1085) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External

Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrest of one Mr J. B. on 29 April 2020 for allegedly being in possession of drugs worth 1.3 million rupees, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the date on which the suspected substance was sent to the Forensic Science Laboratory, indicating the findings thereof and the date on which the report was submitted thereto.

**Reply:** The Commissioner of Police has informed that a team of the ADSU, assisted by the personnel of the other units of the Police, launched a crackdown operation at Cité Ste. Claire, Goodlands, on Wednesday 29 April 2020 at 16:05 hours. During the operation, one Mr J. B. residing at Cité Ste. Claire, was found standing alone on the road in front of his house, holding a transparent plastic bag containing the following parcels –

- (i) a plastic parcel containing a certain quantity of a powder suspected to be heroin;
- (ii) a plastic parcel containing a certain quantity of a substance suspected to be Synthetic Cannabinoids;
- (iii) fifteen small parcels each containing a certain quantity of a powder suspected to be heroin, and
- (iv) twenty-one black tape parcels wrapping a total of 420 foils of a substance suspected to be Synthetic Cannabinoids.

Mr J. B. was arrested and the plastic bag and the parcels were secured and brought to the ADSU Eastern Division in Flacq.

On 30 April 2020, the exhibits were transferred to the ADSU Headquarters Exhibit Room for safe custody pending examination by the Forensic Science Laboratory (FSL).

The Commissioner of Police has also informed that, on 04 May 2020, the ADSU contacted FSL for examination of the exhibits. The FSL has already submitted its report in January 2022. The enquiry into the case is ongoing.

#### **MS D. D. M. & MR A. B.'s RESIDENCE – RAID – VIDEO IMAGES – LEAKAGES**

**(No. B/1086) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for

Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the raid carried out at the residence of Ms D. M. in the evening of 19 August 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, the Commissioner of the Information and Communication Technologies Authority and the Data Protection Commissioner, respectively, information as to where matters stand as to the inquiries initiated into the –

- (a) leak of the video images taken by the Police of the inside of the residence, and
- (b) access and subsequent leak of an intimate video images found on a phone seized by the Police in the course thereof.

**Reply:** With regard to part (a) of the question, the Commissioner of Police has informed that, while the Police was being denied access to the house by Ms D. D. M. and Mr A. B., the scene inside the house was video recorded with a mobile telephone by an officer of the Special Striking Team. The mobile telephone was examined by the Police IT Unit and the said video recording has been retrieved and secured for enquiry purposes.

I am also informed that no complaint has been received by either the Police, the Information and Communication Technologies Authority or the Data Protection Office as to an alleged leakage of this video recording, and, accordingly, no enquiry has been initiated in this respect.

With regard to part (b) of the question, the Commissioner of Police has also informed that on Monday 12 September 2022, Ms D. D. M. reported a case of Breach of the Information and Communication Technologies Act at the Central CID. She alleged that on Friday 19 August 2022, following a raid carried out by the Special Striking Team in connection with a case of Drug Dealing, her mobile telephone make Huawei P30 was secured by the Police and certain intimate videos and photos found therein have been leaked on social media.

As regards Mr A. B., on Monday 19 September 2022, he reported a case of Complaint against Police at the Central CID wherein he stated that he was apprised by several persons that intimate videos showing himself and Ms D. D. M. were viral on “Tik Tok” and “WhatsApp”.

Pursuant to Section 10 of the Independent Police Complaints Commission (IPCC) Act 2016, both cases have been forwarded to the Secretary of the IPCC on Tuesday 13 and Tuesday 20 September 2022, respectively, as they are considered to be cases of Complaint against Police. Accordingly, the Police is not investigating further into these cases.

The IPCC initiated an investigation where it has obtained all relevant Police documents from the Special Striking Team for the purpose of the investigation along with the diary book entries of the Special Striking Team pertaining to the search carried out by them on Friday 19 August 2022. Ms D. D. M. was convened at the IPCC on Wednesday 21 September 2022 for a statement. Moreover, on Friday 14 October 2022, the IPCC received the report from the Police IT Unit with regard to the examination of the mobile phone of the complainant. The enquiry is proceeding at the IPCC.

The Commissioner for Data Protection and the Officer-in-Charge of the Information and Communication Technologies Authority have, on their part, informed that no case has been reported to them.

I seize this opportunity to state in no uncertain terms that I do not condone the diffusion of any video on the intimate relation or private life of individuals.

**N. D. V THE STATE OF MAURITIUS – INHUMAN TREATMENT BY POLICE  
OFFICERS – ACTION TAKEN**

**(No. B/1087) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Police Officers against whom a finding of having acted in an inhumane and degrading manner for having foot-cuffed Mr N. D. to his hospital bed, made in the judgment delivered by the Supreme Court in the case of N. D. V The State of Mauritius, he will, for, the benefit of the House, obtain from the Commissioner of Police, information as to the actions taken, if any, against the said Police Officers.

*(Withdrawn)*

**CHAGOS ARCHIPELAGO - MARINE PROTECTED AREA**

**(No. B/1088) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Chagos Archipelago, he will state if Government would consider proposing a United Nations General Assembly resolution for the setting up of a Marine Protected Area around same and, if so, when.

**Reply:** As made clear by the Advisory Opinion of the International Court of Justice of 25 February 2019, UN General Assembly Resolution 73/295 and the Judgment of the Special Chamber of the International Tribunal for the Law of the Sea of 28 January 2021, the Chagos Archipelago forms an integral part of the territory of Mauritius. Mauritius is accordingly the sole State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones.

It therefore falls exclusively to the Government of Mauritius to establish a Marine Protected Area in the waters of the Chagos Archipelago, in accordance with national policies and through the promulgation of regulations under the Fisheries and Marine Resources Act. The creation of such a Marine Protected Area does not require the approval of the United Nations by way of a General Assembly resolution.

At the last UN Ocean Conference held from 27 June to 01 July 2022 in Lisbon, Portugal, Mauritius announced its intention to establish a new Marine Protected Area around the Chagos Archipelago, which would allow the protection of at least 30% of its maritime zones by 2030.

In order to showcase the proposed Marine Protected Area, Mauritius organised two side events in the margins of the conference. The first side event on “Fostering multi-stakeholder partnerships and regional cooperation for SDG-14” was co-hosted by Mauritius on 29 June 2022 with Italy, Slovenia, Sweden and the Partnership for Regional Ocean Governance. The second side event on “Protecting the Chagos Archipelago: Towards SDG-14, Sustainability and Self-Determination Through a New Marine Protected Area” was organised solely by Mauritius on 01 July 2022.

I addressed both events through pre-recorded statements in which I highlighted the commitment of Mauritius to protect the pristine marine environment of the Chagos Archipelago. I also referred to some key principles on which the creation of the Marine Protected Area around the Chagos Archipelago would be based. These principles include –

- (a) consistency with international law, including the UN Charter and the UN Convention on the Law of the Sea, as well as with the Sustainable Development Goals, including SDG 14;
- (b) allowing the resettlement of Mauritian nationals, in particular those of Chagossian origin, on some of the islands of the Chagos Archipelago;

- (c) conservation and dissemination of cultural values, traditional knowledge and traditional management of resources as well as cultural heritage;
- (d) inclusion of no-take areas as well as subsistence fishing, and
- (e) ensuring multi-stakeholder partnership, use of science-based evidence and implementation of a state-of-the-art monitoring and enforcement system.

In the statements made at the conference, Mauritius also invited interested States, non-governmental organisations, scientific institutions and other stakeholders to support the creation and management of the Marine Protected Area and to assist in making that Marine Protected Area a model of ocean governance.

#### **BREACH OF ICTA – INQUIRIES - OUTCOME**

**(No. B/1089) Mr J. Léopold (Second Member for Rodrigues)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the reported case of cyber-theft, cyber-extortion, use of fake profile and cyberstalking in Rodrigues on or about 10 September 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, the Information and Communication Technologies Authority and the Cybercrime Unit, respectively, information as to the outcome of the inquiries initiated thereinto, indicating in connection therewith, the number of persons, if any –

- (a) arrested;
- (b) prosecuted, and
- (c) convicted.

**Reply:** The Commissioner of Police has informed that a total of 7 cases for breach of ICTA have been reported to the Police in the month of September 2022 in Rodrigues. Enquiry into these cases is proceeding and no arrest has been effected as at to-date.

#### **MR R. K. – MAURITIUS POLICE FORCE – RETIREMENT**

**(No. B/1090) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs and External

Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Mr R. K., former Assistant Superintendent of Police, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons for his retirement from the Mauritius Police Force in the public interest.

**Reply:** The Commissioner of Police has informed that on Saturday 28 May 2022, several videos showing acts of alleged torture by Police Officers were profusely echoed in the social media.

About the same time, Mr J. V., Barrister-at-Law, related in the press that, in January 2021, he had remitted to the Police for enquiry a pendrive in which there were video clips of alleged torture by Police Officers.

On Wednesday 01 June 2022, a special team was set up under the responsibility of an Assistant Commissioner of Police (Mr R. K.) to conduct an in-depth enquiry to establish why appropriate actions were not taken following the remittance of the pendrive to the Police by Mr J.V. in January 2021.

Following completion of the enquiry by the special team, the case file was forwarded to the Office of the Director of Public Prosecutions (DPP) who has, on Monday 04 July 2022, advised disciplinary proceedings against Mr R.K.

In the light of the advice of the DPP, and after considering the details, statements and reports of the enquiry as well as the seriousness of the omissions on the part of Mr R. K., the Commissioner of Police was of the opinion that the service of Mr R. K. should be terminated in the ‘Public Interest’ pursuant to Regulation 37 of the Disciplined Forces Service Commission (DFSC) Regulations.

Accordingly, Mr R. K. was, through a Notice dated Tuesday 16 August 2022, in virtue of the said Regulation 37, informed of the reasons being envisaged for his retirement in the Public Interest. Mr R. K. has on Monday 05 September 2022, *inter alia*, requested that the Notice under Regulation 37 of the Disciplined Forces Service Commission (DFSC) Regulations be set aside.

However, on the basis of the reasons outlined in the Notice and replies made by Mr R. K., the matter was referred to the DFSC on Thursday 06 October 2022 recommending that Mr R. K. be retired from the Police Force in the Public Interest. On Thursday 20 October 2022, the DFSC decided that R. K. should be retired in the Public Interest.

Consequently, Mr R. K. was informed in a letter dated Friday 21 October 2022 of his retirement in the Public Interest with effect from that same date.

The Commissioner of Police has also informed that Mr R. K. has applied for leave for a Judicial Review of the decision of the DFSC and of the decision making process of the Commissioner of Police, and the matter has been fixed for the ‘Stand’ on Monday 21 November 2022.

**NEW TRUNK ROAD, BOIS MARCHAND, TERRE ROUGE - MR J. H. T. H. –  
ACCIDENT IN 2016**

**(No. B/1091) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the inquiry initiated in the alleged involvement of Mr J. H. T. H. in a fatal accident on the New Trunk Road at Bois Marchand, Terre Rouge, in April 2016, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand.

*(Withdrawn)*

**SHARM-EL-SHEIKH COP-27 – NET ZERO CARBON CAMPAIGN**

**(No. B/1108) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Minister of Environment, Solid Waste Management and Climate Change whether he will state if Mauritius has joined the United Kingdom in the great net zero carbon campaign which is being flagged and canvassed at the Sharm-el-Sheikh COP-27 Climate Conference currently being held in Egypt.

**Reply:** The United Kingdom (UK) Net Zero Carbon Strategy, prepared in the context of COP26, sets out how UK would deliver on its commitment to reach net zero emissions by 2050. The strategy outlines measures to transition to a green and sustainable future, helping businesses and consumers to move to clean power, supporting hundreds of thousands of well-paid jobs and leveraging up to £90 billion of private investment by 2030. The strategy also reduces Britain’s reliance on imported fossil fuels to protect consumers from global price spikes by boosting clean energy.

The UK net zero campaign is calling on other world economies to set out their own domestic plans for cutting emissions. This initiative is deemed pertinent, in particular to developed countries which are mostly responsible for the global greenhouse gas emissions.

Despite contributing to around 0.01% of the global greenhouse gas emissions, Government remains committed to the pathway of a just, people-driven transition to a resilient and carbon-neutral Mauritius by 2070, as enshrined in the Environment Master Plan (2020-2030) for the Republic of Mauritius, which had been approved by Government. Government intends to achieve carbon neutrality by the decarbonisation of our economy through the promotion of renewable energy to reach 60% and energy efficiency to reach 10% by 2030 while also promoting the concept of circular economy through the concerted efforts of each and every one.

According to information, there is no record at the level of the Ministry of Environment, Solid Waste Management and Climate Change and the Ministry of Energy and Public Utilities to join the great net zero carbon campaign. Hence, Mauritius has not joined this campaign. However, Government had taken several initiatives to move towards carbon neutrality, including the following –

- i. review of the Nationally Determined Contribution (NDC) in 2021 by the Ministry of Environment, Solid Waste Management and Climate Change thereby setting more ambitious targets to reduce greenhouse gas emissions by 40% by 2030 and, most importantly, to phase out coal in electricity generation within the same time frame. This would imply non-renewal of power purchase agreements with independent coal power producers;
- ii. introduction of fiscal incentives to encourage the use of hybrid and electric vehicles. To pursue the green transition, the use of solar energy was being encouraged through incentives to different categories of stakeholders, including households. More importantly, in line with achieving 60% renewable energy by 2030, the Renewable Energy Roadmap had been revised in 2022. Besides, a National Biomass Framework was being formulated to chart the course for different biomass sources in the country and increase bio-power generation. In order to move from the linear "take-make-dispose" model to a circular economy approach in the solid waste sector, the Ministry of Environment, Solid Waste Management and Climate Change was proposing to recover 20% of municipal

solid wastes for energy recovery from wastes through public-private partnerships and to divert 70% of solid waste from going to the Mare Chicose Landfill, and

iii. development of a National Climate Change Mitigation Strategy and an Action Plan for the period 2021-2030 to support the implementation of the NDC. This plan supports the long-term goal of "contributing to the achievement of a zero-carbon society while achieving the Sustainable Development Goals and ensuring a high quality of life for all". Eighteen strategies and thirty-two priority actions had been recommended for the transition to a low carbon emission pathway at an estimated cost of USD 2.7 billion.

To further build on the strategic direction of the NDC, a National Long-Term Vision (2050) was being developed by the Ministry of Environment, Solid Waste Management and Climate Change to decarbonise the energy and transport sectors. Government thus remains committed to its targets and initiatives which would continually be introduced to achieve carbon neutrality by 2070.

#### **MRIC - NANOSATELLITE PROJECT**

**(No. B/1109) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Information Technology, Communication and Innovation whether, in regard to the Mauritius Nanosatellite Mauritius Imagery and Radiocommunications Satellite -1 (MIR-SAT1) placed in orbit in June 2021, he will state –

- (a) the total cost of the project thereof as at to date;
- (b) the number of images captured, and
- (c) if same is still operational.

*(Vide B/1095)*

#### **GAMBLING REGULATORY AUTHORITY – JOCKEYS – SANCTIONS & SUSPENSIONS**

**(No. B/1110) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance, Economic Planning and Development whether, in regard to horseracing, he will, for the benefit of the House, obtain from the Gambling Regulatory

Authority/Horse Racing Division (GRA-HRD), information as to if sanctions and suspensions taken by the board of the Racing Stewards of the HRD against jockeys in action for the racing season 2022 are applicable by foreign racing authorities and, if so, give the list of jockeys suspended since the beginning of the 2022 Season.

**Reply:** J'ai été informé par la *Horse Racing Division* de la *Gambling Regulatory Authority (GRA)* que les jockeys qui sont licenciés par la *Horse Racing Division (HRD)* sont sujets à des sanctions et des suspensions imposées par le Conseil des commissaires en vertu des Règles des courses hippiques publiées par la *Horse Racing Division*.

À cette fin, un jockey qui a concouru à Maurice et qui se prépare à concourir à l'étranger doit obligatoirement demander et obtenir une autorisation officielle par écrit de la *Horse Racing Division* pour tous ses antécédents de course, y compris toutes les sanctions et suspensions qui lui ont été infligées par la HRD. Ce dossier devra être produit avant qu'il ne concoure dans la juridiction étrangère proposée.

J'ai également été informé que l'application de ces sanctions et suspensions dépend des règles de course en vigueur dans le pays étranger où le jockey choisit de concourir.

Etant donné que les règles applicables à Maurice sont calquées sur les normes internationales, similaires à celles de la plupart des juridictions étrangères dans le monde, les sanctions et suspensions qui ont été imposées localement seront normalement appliquées dans le pays étranger.

En outre, depuis le début de la saison des courses de 2022, quelque 23 jockeys ont été suspendus en vertu des règles des courses.

Je dépose la liste des jockeys suspendus par les commissaires des courses de la *Horse Racing Division* à la bibliothèque de l'Assemblée Nationale.

#### **PUBLIC SECTOR DEBT – QUANTUM – REDUCTION MEASURES**

**(No. B/1111) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance, Economic Planning and Development whether, in regard to Public Sector Debt, he will state the –

- (a) current quantum thereof, indicating the quantum thereof;
  - (i) denominated in Mauritian rupees and foreign currencies, respectively;

- (ii) as a ratio of the Gross Domestic Product, and
- (b) measures that will be taken for the reduction thereof.

*(Withdrawn)*

### **ROCHES NOIRES SMART CITY PROJECT – ENVIRONMENT IMPACT ASSESSMENT LICENCE**

**(No. B/1112) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the proposed implementation of the Roches Noires Smart City Project, he will state if an Environment Impact Assessment licence has been issued in respect thereof and, if so, indicate the –

- (a) date of filing of application and of issue thereof, respectively, together with the terms and conditions attached thereto, and
- (b) names of the promoters thereof.

**Reply:** As informed in the reply to Parliamentary Question B/805 of the sitting of the National Assembly on 12 July 2022, the Smart City Project is not a scheduled undertaking requiring a Preliminary Environmental Report approval or an Environment Impact Assessment licence. However, the components implemented within Smart City Projects which are listed as scheduled activities in Part A and Part B of the Fifth Schedule of the Environment Protection Act 2002 warrant a Preliminary Environmental Report Approval or an Environment Impact Assessment licence.

On 04 April 2022, the Ministry of Environment, Solid Waste Management and Climate Change received an application for an Environment Impact Assessment licence for the Proposed Resort Hotel Development at Roches Noires by PR Capital (Mauritius) Ltd through the National E-Licensing Platform. In fact, “Hotel or Integrated Resort Scheme, including extension, with first boundary within one kilometre of high water mark” is a scheduled undertaking that warrants an Environment Impact Assessment under Part B of the Fifth Schedule of the Environment Protection Act 2002.

On 16 May 2022, the application for the Proposed Resort Hotel Development at Roches Noires was set aside pursuant to the recommendation of the Environment Impact Assessment Committee.

Owing to the sensitivity of the site, various site constraints, scale and scope of the project, the entire Roches Noires Smart City Project was declared a scheduled undertaking requiring an Environmental Impact Assessment licence in line with 'Section 17: Non-listed activity' of the Environment Protection Act 2002 and the proponent was advised accordingly since 11 May 2022.

However, no application for an Environment Impact Assessment licence with regard to the Roches Noires Smart City Project has been received at the level of the Ministry of Environment, Solid Waste Management and Climate Change so far.

#### **CONSTITUENCY NO. 4 – RAINY SEASON – PREVENTIVE MEASURES**

**(No. B/1113) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to Constituency No. 4, Port Louis North and Montagne Longue, he will, for the benefit of the House, obtain from the National Disaster, Risk Reduction and Management Centre, information as to the preventive measures taken and preparedness level thereof ahead of the forthcoming rainy season.

**Reply:** To ensure general preparedness, there is in place a National Disasters Scheme 2015, which details the Action Plan, roles and responsibilities of all relevant stakeholders, including Local Authorities, before, during and after a disaster event.

In crisis situations, such as cyclones and heavy rainfall events, depending upon the extent and magnitude of the threat, the multi-agency National Emergency Operations Command (NEOC), led by the National Disaster Risk Reduction and Management Centre (NDRRMC), is activated to coordinate and monitor all preparedness, response, relief and recovery activities related to the events.

The management of crises/emergencies/disasters operates on a three-tier system involving

—

- (i) the National Crisis Committee chaired by me and set up under section 15 of the NDRRM Act 2016;
- (ii) the NEOC at national level, set up under section 17 of the NDRRM Act 2016, and

(iii) the Local Emergency Operations Command (LEOC) at the level of Municipal/District Council, set up under section 22 of the NDRRM Act 2016.

The NEOC and LEOC are activated and operated on a 24/7 basis with an emergency team on stand-by, including logistics, equipment and vehicles.

Furthermore, my Ministry is currently reviewing the operational management of LEOCs based on guidelines developed by the NDRRMC. Technical consultations are currently being held with the Local Authorities to finalise the standard operating procedures (SOPs) in the event of cyclones and floodings.

The NDRRMC has conducted general preparedness meetings with all Local Authorities and other relevant stakeholders in relation to the forthcoming cyclonic/rainy season and the last preparedness meeting was held on 21 July 2022. Local Authorities have also been requested to invest in equipment for cleaning purposes and cutting/lopping of branches during disasters, amongst others, and to keep an updated database on their respective logistics.

At the level of the Local Authorities, Local Disaster Risk Reduction and Management Committees are held at least once every three months to ensure preparedness measures. Furthermore, each Local Authority has a Local Disaster Management Coordinator (LDMC), who is responsible for all disaster-related matters within their jurisdiction and who is the liaison officer with the NDRRMC.

Each Local Authority is responsible to submit a monthly progress report to the NDRRMC on general preparedness for the cyclone/rainy season 2022-2023 for more effective monitoring.

My Ministry has also issued a circular to all Local Authorities since 28 September 2022 regarding general preparedness for the cyclonic/rainy season 2022-2023.

There is also a Land Drainage Authority (LDA), which is mandated under the Land Drainage Authority Act to coordinate and cause to be carried out the upgrading and maintenance of the drainage infrastructure by the Local Authorities, Road Development Authority and National Development Unit, with a view to preventing or attenuating any risk of flooding. The sites to be upgraded and maintained by Local Authorities, amongst others, are as per the Land Drainage Master Plan and the National Flood Management Programme. All works are monitored by the LDA and are duly certified by the latter prior to payment.

Moreover, each Local Authority has been provided a budget of Rs2.5 m. in this financial year for cleaning and rehabilitation of drains, rivers and bridges. The two concerned Local Authorities for Constituency No. 4, namely the District Council of Pamplemousses and Municipal City Council of Port Louis, have also been allocated additional funding to the tune of Rs3.1 m. and Rs6.6 m. respectively for cleaning and rehabilitation of drains, rivers and bridges by the LDA, which has worked out a maintenance schedule for these two concerned Local Authorities. The LDA also regularly conducts Focus Coordination Monitoring Committees with all Local Authorities for timely implementation of works.

My Ministry has also issued a circular to all Local Authorities dated 20 October 2022 to request the latter to ensure that cleaning and maintenance of all drains, rivers and watercourses are completed ahead of the cyclonic/rainy season.

I am informed by the LDA that Constituency No. 4 comprises 15 flood prone areas, whilst the following regions have been declared as high-risk flood prone areas –

- Vallée des Prêtres;
- Morcellement Raffray Terre Rouge;
- Morcellement La Vallée, Le Cornue, Ste Croix, and
- Cité Roma, Riche Terre.

In addition to the above-mentioned regions, the regions of Chitrakoot, Congomah, Notre Dame, Khoyratty, Crève Coeur, Terre Rouge, Montagne Longue, amongst others, have been included in the Drains Maintenance Plan 2022-2023 of the LDA. In the Maintenance Plan for desilting of rivers, canals and watercourses 2022-2023 of the LDA, sites such as River Latanier (near Morcellement Ramlugun), Rivulet Terre Rouge and River Citron, amongst others, have been included.

Speaking of the region of Morcellement Ramlugun at Vallée des Prêtres, it is recalled that same was severely impacted during the last flash flood incident which occurred in March of this year.

I am informed by the LDA that a series of measures are being undertaken at Morcellement Ramlugun by relevant stakeholders, including the National Development Unit, such as –

- cleaning/desilting of River Latanier, which was completed in August 2022;
- widening of a stretch of 850 metres;
- upgrading of the bridge and construction of a parapet wall on Bernardin de St Pierre Road for an approximate stretch of 70m from culvert, for which works order have already been issued, and
- construction of a proposed wall of an approximate length of 350 metres along the residential settlement of River Latanier, which is at design stage.

I am informed by the LDA that regarding construction of drains in Constituency No. 4, 16 drains projects have been completed so far for an amount of around Rs32 m., whilst 4 drains projects are ongoing for an amount of around Rs362 m. Additionally, 32 drains projects are in the pipeline for implementation for an estimated amount of Rs464 m. These projects are being undertaken by relevant stakeholders, namely the National Development Unit (NDU), the Road Development Authority (RDA) and the two Local Authorities concerned.

To complement the flood mitigating measures being undertaken by other Ministries and Departments concerned, a national simulation calendar is prepared every year by the NDERRMC for relevant stakeholders, namely the Regular Police, Police Information and Operations Room (PIOR), Special Support Unit (SSU), Disaster Response Unit of the Special Mobile Force, National Coast Guard (NCG), Traffic Branch, Mauritius Rescue and Fire Service, Ministry of Health and Wellness, Mauritius Red Cross Society, amongst others, to test their state of readiness to effectively deal with flooding situations with the aim of protecting of life and property. The sites chosen for conducting simulation exercises are based upon the flood vulnerabilities falling within the jurisdiction of each Local Authority.

Additionally, the Local Authorities have to conduct, at their respective ends, at least three simulation exercises with all relevant stakeholders and first responders before the start of the cyclonic season to ensure that there is proper preparedness and readiness for timely and effective intervention as and when required to safeguard life and property.

The Municipal City Council of Port Louis (MCCPL) conducted flood simulation exercises for the regions of Vallée des Prêtres-Caro Lalo on 30 October 2021, at Residence La Cure on 20 August 2022 and the District Council of Pamplemousses at Le Hochet, Terre Rouge on 06

October 2022 respectively. Furthermore, the MCCPL conducted a sensitisation programme on 23 September 2022 in collaboration with the Citizens Advice Bureau of Ste Croix targeted for the inhabitants of Vallée des Prêtres and Ste Croix on general preparedness and safety measures against disasters.

To maintain and strengthen community preparedness, Community Disaster Response Programmes (CDRPs) are regularly conducted to train and equip volunteers from vulnerable areas to respond in a crisis situation or imminent disaster, take appropriate life-saving measures, prepare for timely evacuation, give critical support to first responders and provide immediate assistance to victims, amongst others.

Regarding CDRPs which have been implemented in Constituency No. 4, some 50 volunteers residing in the regions of Long Mountain, Congomah, Notre Dame and Le Hochet have been trained as at date. The latest CDRP was conducted from 06 to 08 October 2022 in the region of Vallée des Prêtres. The Community Disaster Response Team for the regions of Vallée des Prêtres and Ste Croix has also created a WhatsApp group for more effective communication and early warning.

Furthermore, Contingency and Emergency planning for various situations are being developed, put into place and tested regularly. Flood Contingency Plans for Morcellement La Vallée, Le Hochet and Congomah have been prepared in collaboration with the Municipal City Council of Port Louis and District Council of Pamplemousses respectively, to deal with heavy rainfall and flooding situations. These plans define the roles, responsibilities and actions to be taken by relevant stakeholders before, during and after a heavy rainfall and flooding situation.

Regarding the recent case of road collapse at Royal Road, Crève Coeur which occurred on 06 October 2022, the Ministry of National Infrastructure and Community Development is currently looking into the construction of a new road structure over a stretch of 50 metres as well as reviewing the current design of the retaining wall while taking into consideration the associated implications. The latter Ministry will also be undertaking a full assessment and photographic survey of all the houses within the surroundings of the affected area.

My Ministry is also looking into the relocation of inhabitants residing in landslide-prone areas, including the region of Chitrakoot in Constituency No. 4. Out of the 14 families in Chitrakoot which were initially identified in year 2005 for relocation, 9 have already been

relocated whilst negotiations are still in progress with the remaining families. 13 additional families have also been identified for relocation in the near future, for which the survey exercise for land valuation is still in progress. Coupled with the relocation exercise, the NDERRMC together with the Local Disaster Management Coordinator of the relevant Local Authority, amongst others, have conducted sensitisation programmes with the inhabitants of Chitrakoot.

The implementation of the National Multi-Hazard Emergency Alert System (NMH-EAS) project, which is a major project undertaken by my Ministry and the NDERRMC in line with Sendai Framework, is progressing.

The project will provide for a reliable high-performance system to disseminate warnings and alerts to a maximum number of people and stakeholders in the Republic of Mauritius within an acceptable time frame through a number of communication channels such as television, radio, the Internet (including social media), and so forth. The project consists of two phases –

- (a) Phase I, which is the Common Alert Protocol (CAP) Aggregator, is being implemented. Such a system will permit the alerting of the key stakeholders, mainly the first responders, through a number of channels prior and during a disaster, and
- (b) Phase 2 of the project, which will consist of the dissemination of messages on smartphones aimed at the general public.

#### **CENTRAL ELECTRICITY BOARD – FINANCIAL POSITION**

**(No. B/1114) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Energy and Public Utilities whether, in regard to the Central Electricity Board, he will, for the benefit of the House, obtain information as to the financial position thereof as at 31 October 2022.

*(Withdrawn)*

#### **CONSTANCE BRIDGE – ROAD CONGESTION – MITIGATION MEASURES**

**(No. B/1115) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of National Infrastructure and Community Development whether, in regard to the works being carried out for the widening of the Constance Bridge, he will, for the benefit of the House,

obtain from the Road Development Authority, information as to the measures being implemented by the contractor to mitigate road congestion thereat as per the Bidding Documents.

*(Withdrawn)*

### **ROAD ACCIDENTS – MAY 22 TO FEBRUARY 23 –**

#### **CASUALTIES & PREVENTIVE MEASURES**

**(No. B/1116) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to fatal road accidents, he will state the number of reported cases thereof since May 2022 to date, indicating the –

- (a) number of deaths caused, and
- (b) additional measures envisaged to avert the occurrence thereof.

**Reply:** I am informed that the number of fatal road accidents which have been reported since May 2022 to date stands at 54.

With regard to part (a) of the question, I am informed that the resulting number of deaths is 57.

Out of the 57 fatalities, 51% of the fatalities involved two-wheelers, including riders and pillion riders, 31.5% involved pedestrians, 7% involved drivers and 10.5% were passengers.

It is to be noted that a decreasing trend in the number of fatalities has been observed over the last five years from an average of 145 yearly prior to 2018 to 108 last year.

The decrease is due to the intensification of road safety campaigns and the implementation of road safety measures by my Ministry as follows –

- i. introduction of stricter penalties;
- ii. implementation of a three-stage audit process with the collaboration of the RDA;
- iii. introduction of 30-40 km per hour zones along streets and 40 km per hour along ‘collector/distributor’ roads (C roads) around the island;

- iv. installation of Belisha Flashing Lights at different zebra pedestrian crossing sites across the island to raise the awareness of drivers that they need to be cautious at such locations;
- v. Continuum of Road Safety Education are being imparted to Primary School children;
- vi. a Web based Road Crash Data Management System (RCDMS) has been set up by my Ministry whereby data on accidents are plugged in the system and reports are generated which provide information on the characteristics of accidents such as dark spot areas, time and location of the accidents as well as the type of vehicles and persons involved, age of the driver, severity of the accidents, amongst others. These data enable my Ministry to take appropriate remedial measures and policies are accordingly formulated to enhance road safety and reduce the number of fatalities on our roads;
- vii. Road Safety Inspections (RSIs) are being carried out by my Ministry along hazardous roads across the island, to improve the safety performance of roads. The findings and recommendations of the RSIs are being implemented in phases with a view to reducing road trauma;
- viii. Traffic Calming and Road Safety Measures in terms of raised tables and speed cameras and road safety measures in terms of crash barriers, pedestrian crossings, cats eyes, traffic lights, handrails and guardrails have been implemented by my Ministry in various locations around the island to reduce the severity of the injured persons and deaths during road crashes. Hard shoulders are also being rehabilitated along motorways across the island;
- ix. the Road Traffic Act has been amended to make it more stringent and to increase the fines for 204 offences under the Fixed Penalty System. The Road Traffic Act has equally been amended to increase the fines for speeding offences. The legislation has also been amended to prevent driving under the influence of alcohol;
- x. implementation of the drug driving legislation, and

- xi. awareness and sensitisation campaigns in relation to road safety are ongoing at the level of my Ministry.

With regard to part (b) of the question, additional measures which are being envisaged by my Ministry to avert the occurrence of fatal road accidents are as follows –

- i. review of the driver licensing scheme to include the probationary driving licence, which would introduce a set of restrictions, for a specified period of time, on new drivers. The probationary driver's licence is a proven measure to address the issue of novice drivers being overrepresented in road crashes;
- ii. enactment of new legislation regarding the mandatory use of child restraints in passenger cars to maximise the safety of passengers less than 10 years old;
- iii. introduction of Road Traffic (Technical Prescriptions for Protective Helmet) Regulations 2022, to ensure that all protective helmets intended to protect the wearer's head against impact during a road crash, which would be imported and sold in Mauritius complies with the UN Regulation No. 22 standards;
- iv. introduction of the Road Traffic (Pedestrian Traffic) Regulations 2022 to enhance the safety of pedestrians on our roads as statistics show that pedestrians are the most vulnerable on roads;
- v. amendments to the Road Traffic Act to increase the number of Cumulative Road Traffic Offences from 11 to 32;
- vi. implementation of Arrestor Beds at Soreze and Valton, which would be a combination of granular bedding materials, drag wire net mechanism and also crash cushions, designed to arrest the momentum of a runaway truck which would encounter brake failure. This would be the first of its kind in Mauritius aimed at decelerating the speed of vehicles;
- vii. construction of the Cycle Network for Rose Hill Phase 1, and
- viii. implementation of a Drivers' Education and Training Centre in collaboration with the Mauritius Institute of Training and Development that would contribute to raise the driving standards of would-be drivers.

In view of the fact that we are approaching the end of the year festivities and the remaining two months being considered as most critical, my Ministry is embarking on an intensive road safety campaign during the month of December 2022. Repeated campaigns on road safety issues would be conducted on the MBC TV and radio and private radios, to reduce the number of road crashes, injuries and fatalities on our roads.

Extensive crackdown operations would also be carried out by the Police during this period targeting mainly speeding, driving under the influence of alcohol and driving under the influence of drugs and intoxicating substances.

### **ABANDONED NEONATES - PUBLIC HOSPITALS - ESTABLISHED PROTOCOL**

**(No. B/1117) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the neonates abandoned in public hospitals, he will state the established protocol, if any, of his Ministry to provide medical care thereto following their discharge from the Neonatal Department of hospitals and the entrusting thereof onto the services provided by the Ministry of Gender Equality and Family Welfare.

**Reply:** Neonates who are abandoned at the hospitals are kept at the hospital until the Child Development Unit finds a shelter for them. These neonates are looked after by Paediatricians, Medical Social Workers and Child Development Unit officers. Once cured, the neonate is discharged from the hospital and then followed up at the Outpatient Department of the hospital by the treating Paediatrician. In some cases, the neonates are referred to Paediatricians of other regional hospitals for follow up upon request from the shelters.

In case the neonates are staying at the hospital pending placement in shelter by the Child Development Unit, there is a comprehensive care and treatment of the child: immunization, monitoring the growth and development of the child.

The hospital does an appropriate handling of the neonate to the officers of the Child Development Unit with the required documentation (Prescription Card, Appointment Card, Child Health Card/Vaccination Card).

Following discharge from the neonatal department of hospitals, abandoned babies are followed up at the Well Baby Clinic of the local community health centre. Any new born

including abandoned neonates with any pathology are reviewed by their treating paediatricians in the Paediatric Outpatient Department in their respective regional hospitals. All paediatric patients admitted who need medical treatment and follow-up are given appointment after discharge at our paediatric outpatient departments at the hospital or area health centres.

The Ministry of Gender Equality and Family Welfare has a Standard Operating Procedure for abandonment of children inclusive of neonates in hospitals.

According to the Standard Operating Procedure, upon report of cases to the Supervising Officer of the Ministry of Gender Equality and Family Welfare by the Supervising Officer of my Ministry through official correspondence and full reports, a case conference implicating all officers relevant to the case is called forth to develop shared understanding through sharing of information. Understanding of the case for proper *prise en charge* to be undertaken for the child, especially when it comes to neonates, babies and very young children with special needs due to abnormal medical conditions is normally planned in concert with both medical and Child Rights professionals.

### **BLUE BAY BEACH ARENA – CONSTRUCTION**

**(No. B/1118) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the construction of the Blue Bay Beach Arena, he will state the work progress thereof, indicating the expected completion date thereof.

**Reply:** The House may wish to be informed that with a view to widening the array of sports activities to both elite athletes and the population at large, my Ministry has initiated the construction of a beach arena at Blue Bay.

I am informed that the construction of the Blue Bay Beach Arena is 90% completed. The contract was awarded on 21 March 2022 at the cost of Rs18 m. and construction is expected to be completed by the third week of November 2022.

This new infrastructure will be used for the first time for the beach handball competition, during the forthcoming *Commission de la Jeunesse et des Sports de l'Océan Indien (CJSOI)* Games, to be held in Mauritius, from 04 to 11 December 2022. The playground of the beach

arena has already been put at the disposal of our beach handball players for training ahead of the Games, as from this month.

Mauritius did not have a dedicated sports infrastructure to host beach games/competitions. Back in 2019, for the Indian Ocean Island Games, temporary beach playgrounds on the Mont-Choisy Public Beach were set up to host the beach Volley Ball competitions. Since Mauritius will host the CJSOI Games 2022, it is an opportune time to have a beach arena of international standards for hosting beach competitions.

The sports infrastructure, which is a gem of its kind, comprises a multipurpose beach playground, a jogging/health track and a stand with a capacity of 300 spectators. The project also caters for an administrative block with offices, a meeting room, a store, referee room and changing room.

In a spirit to give accessibility to sports facilities to the public in general, my Ministry envisages to have the arena open to members of the public, on a booking system as from January 2023, for the practice of other beach sports, including beach soccer, beach volley, beach tennis, beach wrestling.

A health/jogging track around the arena will be put at the disposal of the inhabitants of the locality to promote the practice of regular physical activities in line with the National Sports and Physical Activity Policy of the Government.

#### **RENAL TRANSPLANT – TRANSPLANTATION & ORGAN DONATION SERVICE**

**(No. B/1119) Mr J. Léopold (Second Member for Rodrigues)** asked the Minister of Health and Wellness whether, in regard to renal transplant, he will state the transplantation and organ donation service, if any, established at the level of his Ministry, indicating the number of patients on the waiting list nation-wide therefor.

**Reply:** I wish to inform the House that my Ministry has offered a renal transplantation service to Mauritians continuously since 1995. However, from 2017 to 2022, my Ministry has funded patients to travel to India for transplantation. On 19 October 2022, local live donor kidney transplantation has resumed in Mauritius with the visit of Dr. Perumalla.

This transplant programme will continue with the six-month stay of Professor Fatehmamode who arrived on Sunday 29 October 2022. A Transplant Unit has been up at Victoria Hospital and the organisation, staffing, and activities of this Transplant Unit will be developed until the new Transplant Unit building is ready at Jawaharlal Nehru Hospital.

With regard to the patients who are eligible for renal transplant, I wish to inform the House that there is no waiting list as such because we cannot speak of a waiting list for live transplants (live donors/recipients).

22 patients fall in the category of live transplants, out of which 8 patients have already undergone all the required tests and are ready for transplant.

#### **PUBLIC OFFICERS - INTERDICTION – JANUARY 2010-AUGUST 2022**

**(No. B/1120) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Public Service, Administrative and Institutional Reforms whether in regard to the civil servants, he will give the list thereof suspended since 2010 to 2021 on a yearly basis and since January 2022 to date, indicating the –

- (a) quantum of funds disbursed in terms of salary thereto, and
- (b) actions taken, if any, to expedite the proceedings initiated in relation thereto.

**Reply:** I would like at the outset to clarify that in accordance with Regulations 41(1) and 42(1) of the PSC Regulations 1967, suspension is a form of punishment inflicted upon a Public Officer on grounds of unsatisfactory service or conduct, and it is without pay, for a determined period of not less than one day and not more than four days.

On the other hand, interdiction of a Public Officer is effected by the Responsible Officer, in accordance with PSC Regulation 31(1), where proceedings for dismissal are being taken, or where criminal proceedings are being instituted, or where proceedings for retirement on grounds of interest of the public service are being contemplated. The officer remains interdicted until determination of the criminal proceedings or disciplinary proceedings.

I presume the hon. Member is referring to interdicted Public Officers.

According to records available at my Ministry, there are as at 31 August 2022, 211 Public Officers out of 595 who are still under interdiction since 2010, and a total amount of around Rs409.7 m. has been disbursed by Government in terms of payment of salaries, so far.

I am placing in the Library of the National Assembly the list detailing the number of Public Officers who have been interdicted annually in the Civil Service, excluding Local Authorities between January 2010 and August 2022, and the amount disbursed by Government each year.

As regards part (b) of the question, I wish to inform the House that interdiction of Public Officers has been a long-standing issue. The Director of Audit has repeatedly since 2008 in its Report highlighted that Government incurred significant costs on interdicted Public Officers in terms of payment of salaries and recommended that the interdiction period should be shortened by early determination of Court cases.

All successive Governments have tried to address this issue and explored the possibility of interdicting Public Officers without salary. However, the Attorney General's Office has advised that interdiction of Public Officers should be on full pay particularly as in accordance with Section 10(2) (a) of the Constitution, a person who is charged with a criminal offence is presumed to be innocent until proved guilty. Accordingly, Government has no other option than to continue to pay the salary of interdicted officers until the date of conviction.

With a view to expediting the criminal proceedings, the following actions have been taken by different institutions –

- First, at the level of the Director of Public Prosecution's Office, instructions had been issued for advice in criminal and disciplinary cases involving Public Officers to be tendered within one week of receipt of the request for advice.
- Second, the State Law Office had issued instructions to all Law Officers for speedy handling of disciplinary cases involving Public Officers.
- Third, the Commissioner of Police had issued directives to Divisional and Branch Commanders to personally monitor enquiries involving interdicted Public Officers and ensure that such cases are given priority and completed within a period of three month.

- Fourth, the Public Service Commission issued a Circular clarifying the circumstances where an officer may be interdicted and at the same time invited all Responsible Officers to exercise their delegated power of interdiction judiciously.
- Last but not least, the Chief Justice instructed all Magistrates to expedite and prioritise the disposal of cases involving interdicted Public Officers.

Over and above, my Ministry, in consultation with the Attorney General's Office, has in 2016 worked out the criteria for the conditional recalling of interdicted Public Officers with a view to reducing expenditure on payment of salaries of Public Officers under interdiction. As at 31 August 2022, 69 interdicted Public Officers have been recalled and have been posted to other Ministries/Departments, Sections or Units, where they will not have the possibility to interfere with potential witnesses or tamper with evidences.

On 04 September 2020, Government set up an Inter-Ministerial Committee under the Chair of the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism and comprising my colleagues the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management; the Minister of Finance, Economic Planning and Development; the Attorney General, Minister of Agro-Industry and Food Security; the Minister of Labour, Human Resource Development and Training; and myself, to look into all the implications of interdicting Public Officers without salary and to make appropriate recommendations thereon.

The Inter-Ministerial Committee met on five occasions and so far examined, amongst others –

- a. the parameters for interdiction of Public Officers to support Responsible Officers in their decisions pertaining to interdiction;
- b. the establishment of a Fast-Track Mechanism to expedite disciplinary proceedings and disposal of criminal cases against Public Officers;
- c. the legal framework and procedures for conditional recalling of interdicted Public Officers, and
- d. the current practices prevailing in other Commonwealth countries which are relevant to Mauritius, namely, Australia, the Bahamas, Nigeria, Fiji, UK, the Republic of India, the Republic of Kenya, and the Republic of Singapore.

The work of the Inter-Ministerial Committee is still in progress.

### **LA TOURELLE – MINI SOCCER PITCH – CONSTRUCTION**

**(No. B/1121) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of National Infrastructure and Community Development whether, in regard to the construction of a Mini Soccer Pitch at La Tourelle, he will state the –

- (a) name of the contractors;
- (b) scope of works;
- (c) cost, and
- (d) works schedule thereof.

**Reply:** Following a bidding exercise carried out by the NDU, the contract for the construction of a Mini Soccer Pitch at La Tourelle, La Tour Koenig has been awarded to Safety Construction Co. Ltd on 15 February 2022 for an amount of Rs18,392,087.19 (incl VAT).

The scope of works comprises mainly the following –

- (i) demolition of existing walls and leveling of land;
- (ii) construction of new synthetic Mini-Soccer Pitch and lighting system;
- (iii) provision of a proper drainage system in and around the proposed pitch, and
- (iv) construction of a new children playground adjacent to the proposed mini-soccer pitch.

Works started on 28 March 2022 and were expected to be completed by 25 September 2022. As at date, 25% of the works have been completed. However, the delay encountered is mainly due to inclement weather and delay in importation and shipping of lights, lighting poles and synthetic grass from international markets.

The project is now expected to be completed by March 2023.

### **MAURITIUS SOCIETY OF AUTHORS (MASA) PENSION SCHEME**

**(No. B/1122) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Arts and Cultural Heritage whether, in regard to the Mauritius Society of Authors (MASA) Pension Scheme, he will, for the benefit of the House, obtain information as to the number of –

- (a) copyright owners benefitting thereunder and who are senior citizens, and

(b) applicants awaiting to benefit thereunder, indicating the number of board meetings and other committees held since January to date to discuss same.

**Reply:** I am informed by the Mauritius Society of Authors (MASA) that there is no Pension Scheme *per se* at its level. However, 7% of the net income collected from royalties is transferred to the MASA Provident and Benevolent Fund. This Fund is used to cater for the Artist Solidarity Scheme whereby members having reached the age of 60 and who satisfy specific criteria benefit from a monthly payment ranging from Rs1,000 to Rs2,500. In addition to this payment, members are also eligible for other financial assistances such as medical schemes and for funeral grants among others.

With regard to part (a) of the question, I am informed that as at date, there are 24 artists who are beneficiaries under the Artist Solidarity Scheme.

With regard to part (b) of the question, I am further informed that there are 29 applications pending. The reasons being that the criteria for eligibility to benefit from the Artist Solidarity Scheme are being reviewed in view of the decreasing financial sustainability of the Scheme.

I am informed that to review the Scheme, five Board meetings and one Artist Solidarity Sub-Committee have been held from January 2022 to date.

I also wish to inform that in the year 2010, when the MASA Artists Solidarity Scheme was launched, no actuarial exercise was conducted. This was imperative to foresee and ensure the financial stability, sustainability as well as the feasibility of the Fund over the following years.

As important as it was to set up an Artist Solidarity Scheme to provide a symbolic payment to those artists above 60 years of age, it is a requisite to ensure that the Fund is not depleted at a certain point in time thereby defeating its very purpose. Consequently, I am informed that the Board of MASA will rework out the criteria in respect of the Artist Solidarity Scheme to ensure that it is financially viable for current and future beneficiaries.

**NATIONALLY DETERMINED CONTRIBUTIONS – REVIEW & UPDATE –  
COP26**

**(No. B/1123) Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the review and update process of the Nationally Determined Contributions (NDCs) of Mauritius submitted in relation to the COP26, he will state the –

- (a) sources and quantum of funds received from foreign countries and organisations;
- (b) list of local and international experts and consultants involved, and
- (c) number of meetings held with environmental NGOs and representatives of different professional sectors.

**Reply:** With respect to part (a) of the question, in line with commitments under the United Nations Framework Convention on Climate Change (UNFCCC) for the review of the Nationally Determined Contributions (NDC) every five years, in 2021, the Ministry of Environment, Solid Waste Management and Climate Change embarked on the update of the NDC which was first submitted to the UNFCCC Secretariat in 2015. Financial assistance to the tune of Euro 200,000 was received from the *Agence Française de Développement* for this review exercise. Complementary assistance to the tune of USD 300,000 was also secured from the United Nations Development Programme under the Climate Promise Initiative project to focus mainly on awareness raising and capacity building for ensuring a fully inclusive and participative approach in the review process which comprised key steps and activities as follows –

- (i) diagnosis of key mitigation and adaptation measures in the different sectors identified in the NDC and its Action Plan as well as identification of gaps and needs for the full operationalisation of the Nationally Determined Contributions;
- (ii) reviewing and updating of targets set in the first NDC as well as provision of recommendations for the mainstreaming of climate change in regulatory and legal documents;
- (iii) capacity building of concerned stakeholders for NDC implementation and monitoring, including development of a domestic Monitoring, Reporting and

Verification (MRV) framework and setting up of a mechanism for assessing carbon footprint of implemented measures;

- (iv) elaboration of a communication plan for awareness raising about the United Nations Framework Convention on Climate Change, the Paris Agreement and the NDC process;
- (v) assessment of the requirements for establishing a Measurement, Reporting and Evaluation framework by defining indicators, especially in adaptation sectors to track progress made in the implementation of the NDC;
- (vi) updating of the 2012 National Climate Change Adaptation and Policy Framework which was used to review the first NDC, and
- (vii) broad communication on the NDC revision process and the revised NDC.

With respect to part (b) of the question, the services of the following local and international consultants had been hired by the *Agence Française de Développement* and the United Nations Development Programme for the review of the NDC of 2015 –

- (i) from AETS & Cibola Partners –
  - Mr Alexandre Borde, Team Leader and climate change vulnerability and adaptation planning senior expert;
  - Mr Philippe Beutin, climate change mitigation, GHG emissions, carbon footprint and MRV specialist;
  - Mr Michel Schlaifer, climate change adaptation and financial specialist;
  - Mrs Odile Juliette Lim Tung, Legal Specialist in climate change and environmental matters;
  - Miss Safia Dworjack, Project backstopper and local coordinator;
  - Mr Nicholas Rainer, National Communication and logistics specialist;
- (ii) PricewaterhouseCoopers India/Mauritius –
  - Mr Manoj Bansal, Team Leader;
  - Mr Syed Farhan, Adaptation Expert;
  - Mr Hadrian Vivek, Finance Expert;
  - Miss Peer M. Muna, Support Officer;

(iii) HEAT GmbH Germany –

- Mr Martin Brown-Santirso, Team Leader and Project Leader, and
- Mr Antsa Razafimbelo, climate change adaptation expert.

(iv) Local experts –

- Dr. Abdel Khoodaruth, local coordinator;
- Mr Naim Ahmad Shaik Joomun, GIS expert;
- Mrs Pratima Jeetah, Technical expert Waste Management and GHG calculations expert, and
- Mr Satyen Bhujun, Director, Digital Kites Ltd.

In regard to part (c) of the question, the review process of the NDC of 2015, which started in August 2020, comprised some 75 intensive consultations with concerned stakeholders in key mitigation and adaptation sectors at all levels, namely, Ministries and Departments, public and parastatal organisations, non-governmental organisations represented by the MACOSS, the youth-led NGO Fridays for Future, the Mauritian Wildlife Foundation, private sector organisations through Business Mauritius, women leaders, and the academia from both Mauritius and Rodrigues.

In order to ensure inclusiveness and ownership for the review of the Mauritius' NDC, the Consultants also held bilateral thematic meetings virtually with key stakeholders and participated in a series of workshops held in February 2021. A National NDC Conference was also organised by the Ministry of Environment, Solid Waste Management and Climate Change in collaboration with the UNDP in March 2021 to bring all stakeholders together for in-depth consultations on the review of NDC targets. Additionally, training sessions on Measurement, Reporting and Verification and carbon footprint assessment were held in May 2021. Finally, a virtual workshop was held on 04 August 2021 for the validation of the updated NDC.

The pre-final NDC was considered at the first meeting of the Inter-Ministerial Council on Climate Change held on 28 September 2021 under the Chair of the Prime Minister whereby Ministers holding the portfolio of the key mitigation, adaptation and finance components were

present. The key targets and measures contained therein for both mitigation and adaptation components as well as cross-cutting issues, along with the means for implementation were approved.

Pursuant to the submission of the updated NDC in October last year, nine awareness raising sessions on the contents of the NDC, were held in the same month by the Ministry of Environment, Solid Waste Management and Climate Change in collaboration with the UNDP with dedicated target groups, namely, academic students from various universities, youth members of the Rotary Club and Junior Chamber International, trainee teachers of the Mauritius Institute of Education, members of the Media Trust, members of the National Cooperative College, youth and women leaders and officers from the Ministry of Youth Empowerment, Sports and Recreation, the Ministry of Gender Equality, Child Development and Family Welfare and the local authorities.

Moreover, a series of communication tools, namely, three short videos, three TV Commercials and the translation of the NDC in Mauritian creole had been prepared and disseminated for awareness of the general public.

#### **STC – SUBSIDY– QUANTUM OF FUNDS**

**(No. B/1124) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance, Economic Planning and Development whether, in regard to items contribution to subsidy on LPG, Flour and Rice, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the quantum of funds –

- (a) used therefor in Financial Year 2021-2022, and
- (b) expected to be collected in Financial Year 2022-2023.

*(Withdrawn)*

#### **DIEGO GARCIA – SRI LANKAN TAMIL REFUGEES**

**(No. B/1125) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Sri Lankan Tamil refugees who were detained in

Diego Garcia and then allowed to leave without safety equipment, he will state the stand taken by the Government of Mauritius in relation thereto, if any.

**Reply:** Following news reports earlier this year that the United Kingdom had intercepted at least two vessels in the territorial sea and/or the Exclusive Economic Zone of Mauritius and detained those onboard in Diego Garcia Government, by way of a *Note Verbale* issued by my Ministry on 13 June 2022 to the UK Foreign, Commonwealth and Development Office (FCDO) expressed its deep concern at the alleged interception by the United Kingdom of vessels within the maritime zones of Mauritius and the reported detention of persons of Tamil origin from Sri Lanka in Diego Garcia.

Since Mauritius is the one and only coastal State in relation to the Chagos Archipelago within the meaning of the United Nations Convention on the Law of the Sea and the sole State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, including the territorial sea, it also conveyed to the United Kingdom that the alleged interception of vessels within the territorial sea and/or Exclusive Economic Zone around the Chagos Archipelago would be a manifest violation of the United Nations Convention on the Law of the Sea.

Government further indicated to the United Kingdom that if the veracity of the news reports is established, Mauritius would condemn, in the strongest possible terms, the United Kingdom's treatment of detained persons in Diego Garcia. Government also pointed out that prolonged detention under the reported conditions would likely fall within the definition of Torture and Other Cruel, Human and Degrading Treatment within the meaning of Articles 1 and 16 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Moreover, Government called upon the UK Government to provide by 04 July 2022, a detailed report on –

- (i) the precise circumstances of the vessel interceptions, including the locations with exact coordinates;
- (ii) the number, identity and circumstances of the detained persons;

- (iii) the conditions under which the detained persons are being held;
- (iv) the course of action that the United Kingdom would take to ensure that the detained persons are afforded all the rights and protections to which they are entitled to, under the Mauritian law and international law as applicable on the territory of Mauritius, and
- (v) the course of action the United Kingdom would take to ensure that it complies with its obligations under international law, including the United Nations Convention on the Law of the Sea and the Convention against Torture.

In its reply of 29 June 2022 to the *Note Verbale* from my Ministry, the UK FCDO contended that none of the persons from Sri Lanka are being detained in the Chagos Archipelago. It claimed that the UK Government rescued a number of persons in damaged fishing boats since last October and escorted them to the Chagos Archipelago in accordance with its international obligation to rescue those at sea whose vessels are unseaworthy and whose lives are at immediate risk. The United Kingdom also claimed that it had been working tirelessly to find a long-term solution to their current situation and that it had at all times maintained their welfare and safety as its top priority.

Moreover, the United Kingdom asserted that the areas where the Sri Lankans were rescued are the territorial seas and/or the Exclusive Economic Zone of the so-called “British Indian Ocean Territory.”

Mauritius rejects this assertion as the Chagos Archipelago forms an integral part of its territory, as authoritatively determined by the Advisory Opinion of the International Court of Justice of 25 February 2019 and confirmed by UN General Assembly Resolution 73/295 and the Judgment of the Special Chamber of the International Tribunal for the Law of the Sea of 28 January 2021.

This position was reaffirmed in a *Note Verbale* dated 25 July 2022 sent by my Ministry to the UK FCDO. The *Note Verbale* further mentioned that having regard to the dictates of humanitarian considerations, and given that the United Kingdom is exercising *de facto* control over the individuals concerned, and without prejudice to the sovereignty of the Republic of Mauritius over the Chagos Archipelago and its sovereign rights over the appurtenant areas, the

Republic of Mauritius urges the United Kingdom to take every action necessary to bring to a quick resolution the situation of the individuals presently located on the Chagos Archipelago, in accordance with the requirements of international law and in full respect of their human rights.

The House may wish to know that on 12 October 2022, responding to a question in the UK House of Commons raised by the Chair of the International Development Committee, Mrs Sarah Champion, on the travel options afforded to migrants accommodated on Diego Garcia, British Minister of State, Jesse Norman, asserted that they were –

“not in detention and are free to leave at any time”.

Minister Jesse Norman claimed that –

“The UK government has thus far assisted the voluntary return of over sixty migrants by plane to Sri Lanka. The UK government remains committed to supporting the departure of the migrants from [the so-called] British Indian Ocean Territory, and to meeting its legal obligations to ensure that they are not at risk of persecution on return to their country of nationality.”

In a subsequent reply to a Parliamentary Question from British MP Kenny MacAskill Alba on 17 October 2022 relating to the number of Sri Lankan Refugees on the Chagos Archipelago, UK Minister of State Jesse Norman stated that –

“There are 127 migrants, most of whom are Sri Lankan nationals, on the [so-called] British Indian Ocean Territory. 25 are children.”

My Ministry continues to follow this issue closely.

#### **PLEASURE CRAFTS – REGISTERED NUMBER AS AT DATE**

**(No. B/1126) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to registered pleasure crafts, he will state the number thereof registered as at to date, indicating when last registration was done.

*(Withdrawn)*

**SANTALUM ALBUM TREES – SANDAL WOOD – ILLEGAL HARVESTING –  
PHYTOSANITARY CERTIFICATES**

**(No. B/1127) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Attorney-General, Minister of Agro-Industry and Food Security whether, in regard to Santalum Album trees, commonly known as sandal wood, he will, for the benefit of the House, obtain from the National Plant Protection Office, information as to the number of –

- (a) reported cases of illegal logging and felling thereof, and
- (b) persons and companies holding phytosanitary certificates for the exportation thereof.

*(Withdrawn)*

**BABY BONUS – NUMBER OF BENEFICIARIES – DISBURSEMENT  
MODALITIES**

**(No. B/1128) Ms S. Anquetil(Fourth Member for Vacoas & Floréal)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the baby bonus of Rs1000, as announced in the 2022-2023 Budget Speech, he will state the number of babies in respect of whom same has been granted since 01 July 2022 to date, indicating the modalities established for the disbursement thereof and if consideration will be given for a review thereof and, if so, when and, if not, why not.

*(Withdrawn)*

**MR K. V., BASKETBALL PLAYER - DEATH - INQUIRY**

**(No. B/1129) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the death of basketball player K. V. at the Phoenix Gymnasium during a Super League match organised by the Mauritius Basketball Federation on 06 September 2022, he will state if an inquiry has been initiated by his Ministry thereinto and, if so, indicate where matters stand and, if not, why not.

**Reply:** I would like first of all to express my sincere condolences to the family of the deceased basketball player. May I seize this opportunity to convey also my sympathy to the family of late Daniel André, well-known athletic coach, who passed away in Rodrigues.

With regard to the question, I am informed by the Mauritius Basketball Federation that during the 2<sup>nd</sup> round of the Basketball Super League Men Competition 2022-2023 held on 06 September 2022 at the Phoenix Gymnasium, a tragic incident took place during the basketball match between Curepipe Starlight SC and Forest Side SC where player Mr K.V. was severely injured. He was brought to the Victoria Hospital. Unfortunately, he was lifeless upon his arrival there.

According to the Mauritius Basketball Federation, the Police was present at the gymnasium on 08 September 2022. The President of the Mauritius Basketball Federation and the two referees of the match had already given their statement at the Phoenix Police Station.

On 08 September 2022, I had a meeting with representatives of the Federation, the Mauritius Sports Council and officials of my Ministry at the Côte d'Or National Sports Complex to take stock of what had happened.

Following exchange of views on how to remedy the situation to avoid recurrence of such incidents, it was agreed upon that the following measures would be taken –

- the Super League would be suspended until further notice;
- psychological support would be provided to the family of the deceased player, players of both teams, team officials and referees concerned;
- henceforth, the Super League players as well as referees would undergo physical fitness and medical tests at the Sports Medical Unit of my Ministry, and
- a refresher First Aid course would be dispensed to coaches, officials and referees.

#### **PACK & BLISTER – ARTIFICIAL VENTILATORS – COSTS INCURRED**

**(No. B/1130) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the artificial ventilators acquired from Pack & Blister, he will state the costs incurred in terms of shipment, legal advice and proceedings initiated in relation thereto, indicating where matters stand.

*(Withdrawn)*

#### **KIDNEY DISEASES – TREATMENT CHOICES**

**(No. B/1131) Mr J. B. Léopold (Second Member for Rodrigues)** asked the Minister of Health and Wellness whether, in regard to kidney diseases, he will state the array of treatment choices offered to patients suffering therefrom in the public health service.

**Reply:** I wish to inform the House that the treatment choices offered to patients with kidney diseases include the following –

- Lifestyle modification advice;
- Anti-hypertensive treatment;
- Diuretics;
- Disease modifying agents (ACE Inhibitors and angiotensin receptor blockers);
- Immunosuppressive therapy for inflammatory renal diseases (corticosteroids, mycophenolate mofetil, cyclosporin, cyclophosphamide, rituximab);
- Drugs for anaemia including iron (oral and IV) and erythropoietin;
- Drugs for bone health and acid-base balance (calcium carbonate, alfacalcidol and sodium bicarbonate);
- Preparation for dialysis including timely access creation (AV fistula or PD catheter);
- Haemodialysis;
- Continuous venovenous haemofiltration (which is done at SSRNH only);
- Peritoneal dialysis, and ultimately
- Kidney transplantation.

These treatment options are supported by an array of diagnostic tests including biochemistry, haematology and immunology tests, ultrasound and CT scans, native and transplant kidney biopsy.

#### **MAURITIUS FIRE AND RESCUE SERVICES - STATION OFFICERS - APPOINTMENT**

**(No. B/1132) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the proposed appointment of Station Officers in the Mauritius Fire and Rescue Services, he will, for the benefit of the House, obtain information as to where matters stand.

**Reply (The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management):** I am informed by the Mauritius Fire and Rescue Service that there are ninety-seven funded posts of Station Officers in its establishment and there are presently nine vacancies in this grade.

On 15 July 2022, recommendations were made by the Chief Fire Officer of the Mauritius Fire and Rescue Service to the Disciplined Forces Service Commission for filling of the nine vacancies.

I am informed that the matter is still under consideration at the level of the Disciplined Forces Service Commission.

**MAURITIUS FIRE & RESCUE SERVICE – STATION OFFICER  
EXAMINATION – ELIGIBILITY CRITERIA**

**(No. B/1133) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the last Station Officer qualifying examination of the Mauritius Fire and Rescue Service, he will, for the benefit of the House, obtain information as to if all eligible candidates met the minimum criteria to participate therein.

*(Withdrawn)*

**BLACKBURN ROAD, CONGOMAH – ROAD WORKS**

**(No. B/1134) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Minister of National Infrastructure and Community Development whether, in regard to Blackburn Road, in Congomah, he will state where matters stand as to the –

- (a) upgrading of Rivulet Congomah;
- (b) construction of retaining structures;
- (c) upgrading of drainage infrastructures, and
- (d) road reinstatement thereof.

*(Withdrawn)*

**MAHEBOURG HOSPITAL – DECENTRALISATION –**

## SPECIALIST SERVICES

**(No. B/1135) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to the Mahebourg Hospital, he will state if the specialist services provided thereat are being decentralised and, if so, give details thereof.

*(Withdrawn)*

## BASIC INVALIDITY PENSIONS – APPLICATIONS

**(No. B/1136) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Basic Invalidity Pensions, she will state the number of applications therefor received since July 2021 to date, including the number of applications therefor received from persons suffering from physical and/or mental disabilities, indicating the number thereof benefitting thereunder.

*(Withdrawn)*

## DOMESTIC WATER SUPPLY – SURFACE PUMPS SERVICING

**(No. B/1137) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Energy and Public Utilities whether, in regard to domestic water supply, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the number of service reservoirs therefor and respective location thereof island-wide, indicating –

- (a) if the surface pumps servicing same are regularly surveyed and maintained, and
- (b) the manpower available for the operation thereof beyond normal working hours and on public holidays.

*(Withdrawn)*

## ***L'OISEAU DU PARADIS SHELTER - MINOR J - ADMISSION - SSRN HOSPITAL***

**(No. B/1138) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the Cap Malheureux Shelter, also known as L'Oiseau du Paradis, she will state the –

- (a) date and time of admission and discharge, respectively, of infant boy J. at the Sir Seewoosagur Ramgoolam Hospital, and
- (b) the names of the caregivers on night duty at his bedside during his hospitalisation.

**Reply:** I am informed by the National Children's Council (NCC), which is responsible for the running of the Cap Malheureux Relay Centre, that due to bouts of diarrhoea, Minor J. was admitted on two occasions at the SSRN Hospital. He was first admitted on 22 October 2022 at around 15.41 hours and was discharged on 31 October 2022 at 16.00 hours. He was readmitted a second time on 02 November 2022 at around 11.30 hours and was discharged on 08 November 2022 at 16.50 hours.

Eight caregivers have been at the bedside of the minor on a roster basis during his hospitalisation. The names of the caregivers cannot be communicated in line with the Data Protection Act.

#### **CANAL DAYOT - UPGRADING**

**(No. B/1139) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of National Infrastructure and Community Development whether, in regard to the upgrading work at Canal Dayot, he will state where matters stand.

*(Withdrawn)*

#### **FOREIGN NATIONALS – BUSINESS PERMITS**

**(No. B/1140) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Finance, Economic Planning and Development whether, in regard to foreign nationals, namely, from Russia, Ukraine, Belarus, Latvia and Estonia, he will, for the benefit of the House, obtain from the Economic Development Board (EDB), information as to the number of –

- (a) applications received therefrom for the setting up of businesses in Mauritius, indicating the number thereof having been issued permits to stay, work and do business in Mauritius, and

- (b) demands received therefrom and from companies therefrom to open bank accounts in Mauritius.

*(Withdrawn)*

### **GRANDE RETRAITE COMMUNITY CENTRE - RENOVATION**

**(No. B/1141) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the proposed renovation works at the Grande Retraite Community Centre, she will state where matters stand.

*(Withdrawn)*

### **MV WAKASHIO OIL SPILL – CLEANING-UP OPERATIONS – MEDICAL CHECK-UP**

**(No. B/1142) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard public officers, including Special Mobile Force personnel, involved in the cleaning-up operations of the MV Wakashio Oil Spill, he will state the number thereof medically examined by the Occupational Health and Safety Unit –

- (a) indicating when, and
- (b) giving details of the health surveillance programme put in place therefor.

*(Withdrawn)*

### **CWA – REPLACEMENT OF PIPES – CONSTITUENCY NO. 1**

**(No. B/1143) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Energy and Public Utilities whether, in regard to the replacement of pipes by the Central Water Authority in Constituency No. 1, Grand River North West and Port Louis West, he will, for the benefit of the House, obtain information as to where matters stand.

**Reply:** The CWA supplies water in six district water supply zones across the island irrespective of constituencies. Grand River North West and Port Louis West are located in Port Louis Supply Zone.

Since 2015, the regions of Richelieu, Pointe Aux Sables, La Tour Koenig, part of Grand River North West, Residence Vallejee, Plaine Lauzun, Cassis are supplied with potable water on a 24/7 basis, following the commissioning of rapid gravity filters at Pailles Water Treatment Plant compared to 18 hours daily (i.e 3.00 – 21.00 hours) previously.

It is to be outlined that, in addition, the CWA has renewed 4.7 km of old and defective pipeline during the period of 2017-2020 at a cost of around Rs22.1 m.

**REGIONAL HOSPITAL – ANAESTHESIA, OBSTETRICS &  
GYNAECOLOGY AND PAEDIATRICS SPECIALISTS – 24 HOUR ONSITE COVER**

**(No. B/1144) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the field of Anaesthesia, Obstetrics & Gynaecology and Paediatrics in each regional hospital, he will state the number of –

- (a) accredited specialists employed thereat as at to date;
- (b) specialists requested per specialty in each regional hospital to ensure smooth and effective onsite 24/7 coverage, and
- (c) specialist degree holders in these specialties who were working as Medical Officers having been upgraded to work as specialist since the introduction of 24 hour onsite cover.

**Reply:** There are presently 38 specialists employed in the field of Anaesthesia, 29 in Obstetrics/Gynaecology and 25 in the field of Paediatrics.

In regard to part (b) of the question, the night duty coverage has been recommended since the publication of the PRB 2008 Report as well as in subsequent PRB Reports 2013, 2016 and 2021.

According to PRB Report 2021, the night duty is optional for Consultants-in-Charge, Specialist/Senior Specialists who were already in service as at 30 June 2008 either in a

substantive capacity or have been in an acting capacity for at least a year and is mandatory for new entrants to the grade of Specialist/Senior Specialist as from 01 January 2013.

At present the number of specialists who are providing 24/7-night coverage are as follows

—

For Anaesthesia –

- 9 specialists at Dr. AG Jeetoo Hospital;
- 10 at Victoria Hospital;
- 7 at SSRN Hospital;
- 7 at J. Nehru Hospital, and
- 5 at Dr. Bruno Cheong Hospital.

For Obstetrics and Gynaecology –

- 6 at Dr. AG Jeetoo Hospital;
- 7 at Victoria Hospital;
- 6 at SSRN Hospital;
- 5 at J. Nehru Hospital, and
- 5 at Dr. Bruno Cheong Hospital.

For Paediatrics –

- 6 at Dr. AG Jeetoo Hospital;
- 3 at Victoria Hospital;
- 4 at SSRN Hospital;
- 6 at J. Nehru Hospital, and
- 4 at Dr. Bruno Cheong Hospital.

In view of PRB recommendation, all Specialists/Senior Specialists for whom the 24/7 coverage is mandatory are providing 24/7-hour coverage.

With regard to part (c) of the question, I am informed that since the introduction of 24-hour onsite cover, 3 Medical and Health Officers with specialist qualifications in Obstetrics and Gynaecology as well as 5 Medical and Health Officers with specialist qualifications in Paediatrics have been upgraded as Specialist.

I wish to reiterate that the 24-hour onsite coverage has been introduced with the sole aim of upgrading the quality of service and the security of patients on a 24 hour basis, 7 days a week.

### **CJSOI -12<sup>th</sup> EDITION**

**(No. B/1145) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the preparation of the 12<sup>th</sup> edition of the *Commission de la Jeunesse et des Sports de l'Océan Indien* 2022 to be held in Mauritius from 04 to 11 December 2022, he will state where matters stand.

*(Withdrawn)*

### **COVID-19 - OPERATIONS & MEDICAL INTERVENTIONS - RESCHEDULING**

**(No. B/1146) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the rescheduling of postponed operations and medical interventions due to the COVID-19 pandemic, he will state where matters stand.

*(Withdrawn)*

### **OPEN LIVE CONCERTS - REGULATIONS - AMENDMENTS**

**(No. B/1147) Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Minister of Arts and Cultural Heritage whether, in regard to open live concerts, he will state if Government proposes to bring amendments to the Regulations in relation to noise pollution to allow the holding thereof.

*(Withdrawn)*

**NEW FLACQ TEACHING HOSPITAL - CONSTRUCTION**

**(No. B/1148) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil)** asked the Minister of Health and Wellness whether, in regard to the construction of the New Flacq Teaching Hospital, he will state the work progress thereof.

*(Withdrawn)*