



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 23 APRIL 2019**

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

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development
Hon. Ivan Leslie Collendavelloo, GCSK, SC	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Minister Mentor, Minister of Defence, Minister for Rodrigues
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**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 04 of 2019**

**Sitting of 23 April 2019**

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

**The National Anthem was played**

*(Madam Speaker in the Chair)*

**PAPERS LAID**

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

**A. Prime Minister's Office**

(a) The Digest of Environment Statistics 2017.

(b) The Household Budget Survey 2017 and the Updated Consumer Price Index.

**B. Minister Mentor's Office, Ministry of Defence and Ministry for Rodrigues**

The Audited Accounts of the Chagossian Welfare Fund for the 18-month period ended 30 June 2017.

**C. Ministry of Local Government and Outer Islands**

**Ministry of Gender Equality, Child Development and Family Welfare**

(a) The District Council of Black River (Fees for Classified Trades) Regulations 2019.  
(Government Notice No. 66 of 2019)

(b) The District Council of Moka (Fees, Dues & other charges for Classified Trades) Regulations. (Government Notice No. 67 of 2019)

**D. Ministry of Industry, Commerce and Consumer Protection**



The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 9) Regulations 2019. (Government Notice No. 65 of 2019)

**E. Attorney General's Office, Ministry of Justice, Human Rights and Institutional Reforms**

The Code Civil Mauricien (Designation of *Catégorie de Professionel Compétent*) Regulations 2019. (Government Notice No. 63 of 2019)

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

The Ombudsperson for Financial Services (Sworn Statement) Regulations 2019. (Government Notice No. 64 of 2019)

## ORAL ANSWERS TO QUESTIONS

### TOURIST ARRIVALS - JANUARY-MARCH 2019 - DECLINE

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the hon. Minister of Tourism whether, in regard to the fall in tourist arrivals by air by 8.7% in March and 4.5% in the first quarter of this year compared to the same period last year, contrasting with the growth performance of the other Indian Ocean islands which are the main competitors of Mauritius, he will state if he has met with the Mauritius Tourism Promotion Authority to discuss same.

**Mr Gayan:** Madam Speaker, as the House is aware, Statistics Mauritius is the Authority responsible for compiling and publishing official statistics for the country, including the tourism sector. Statistics on tourism are compiled as per the United Nations World Tourism Organisation's (UNWTO's) definition, which reads as follows, and I quote –

“A tourist is defined as a non-resident staying overnight but less than a year, and who has no employer-employee relationship with a resident.”

As such, Madam Speaker, it is not proper to disaggregate tourist arrivals by air and sea and the figures given by the hon. Leader of the Opposition in his PNQ do not convey a true picture and are misleading.

Madam Speaker, in real terms, tourist arrivals for March 2019 registered a decrease of 4.5% over the same period in 2018 and not 8.7%. Similarly, tourist arrivals for the first quarter of 2019 declined by 1.2%, representing 2,800 tourists and not by 4.5%. The correct figures for tourist arrivals for the last three months are as follows as per Statistics Mauritius –

- (i) total tourist arrivals for January 2019 increased by 1.1% in spite of the adverse climatic conditions;
- (ii) tourist arrivals for February 2019 were at par with February 2018. This is mainly explained by the decrease in tourist arrivals from China and India due to the reduction in airlift capacity by 6,500 seats resulting in a drop of 5.6%, and
- (iii) total tourist arrivals in March 2019 dropped by 4.5% mainly because the Easter holidays this year are in April.

The figures as at 22 April 2019, Madam Speaker, indicate an increase in passenger arrivals of 3.5%.

Madam Speaker, I must emphasize that air connectivity is critical to tourism growth being given that Mauritius is a long haul island destination, with 99% of the total tourists arriving by air. We have no territorial border that a tourist can simply cross to reach Mauritius.

With regard to the part of the question that refers to our competitors in the Indian Ocean, namely the Seychelles, Maldives and Sri Lanka, I am informed that, unlike Mauritius, they have adopted an open skies policy. What a liberal aviation policy implies is that airlines have complete flexibility to respond to market demands and opportunities. Passengers benefit from the widest possible travel and flight options at very competitive rates.

Madam Speaker, as compared to our direct competitors, Mauritius has underperformed due to a reduction in airlift capacity during period January to March 2019 as follows –

- China - 24 flights equivalent to a decrease of 7,200 seats;
- India - 17 flights amounting to a shortfall of 5,100 seats;
- UK - 13 flights representing a drop of 4,200 seats.

Madam Speaker, tourism is a sector which is subjected to the vagaries of geopolitics, trade wars, terrorist attacks, internal tensions in France and the UK. The House is aware that, on Sunday last, during the Easter celebrations, Sri Lanka was the target of multiple and coordinated bomb blasts. As at present, 290 persons have died and more than 500 injured. I have written to my colleague, the Minister of Tourism, to convey my sympathy and our condolences. I hope, Madam Speaker, that tourism in Sri Lanka will be resilient.

It is premature to predict the growth scenario of the sector on the basis of the performance of the first quarter of the year because forward bookings for the coming three months indicate a positive growth of 3%. Moreover, according to Statistics Mauritius, the sector is expected to grow by 3.6% to reach 1,450,000 tourists, which is well above the growth rate of 3% required to reach two million tourists by 2030.

Madam Speaker, since I assumed office as Minister of Tourism in 2017, I have regular meetings with all the senior officers of the MTPA to review progress on market performance and to brainstorm on strategies to address new challenges. Not later than yesterday, I had a meeting with the MTPA and we discussed on the marketing actions that should be envisaged in the present context to reverse the declining trend.

Over and above this, Madam Speaker, I meet the Chairman and Chief Executive Officer of *l'AHM* on a monthly basis to review the situation in the tourism sector and to discuss on measures to sustain the growth of the sector.

With a view to developing a more realistic and pragmatic approach to the Chinese market, a high level workshop with the participation of the MTPA, including its Public Relations Representative based in China, top management of Air Mauritius and captains of the hotel and hospitality sectors was held under the Chair of Mr Arnaud Martin who is a Board Member of the MTPA and a Consultant to Air Mauritius. This was done to brainstorm on the challenges and devise a coherent strategy to continue to tap the Chinese market. We have already taken several measures to stimulate the Indian market.

Madam Speaker, I wish to highlight that apart from the Chinese and the Indian markets where we have airlift constraints, Germany, France and all our new markets, namely the United Arab Emirates, Saudi Arabia, Benelux countries, Commonwealth of Independent States countries, Nordic countries and Africa, are performing remarkably well. For instance, Saudi Arabia registered an increase of 109% during period January to March 2019 over the corresponding period last year.

**Mr X. L. Duval:** Madam Speaker, the ostrich buries its head in the sand when it is in danger. The tourism industry is in the greatest crisis for the last 10 years, Madam Speaker. There is a huge difference between arrivals by sea, staying one day, one night on a cruise ship, and arrivals by air, 11 days in the villas and hotels.

Madam Speaker, I am going to table an official document from Statistics Mauritius, which has been prepared at my request and which shows exactly how deep the crisis is in Mauritius. I would like to ask the hon. Minister whether Statistics Mauritius has kindly sent him a copy of this document, which has been produced by one officer and has been sent officially.

**Mr Gayan:** Madam Speaker, I have not received that document from Statistics Mauritius, but let me say that when we say that Statistics Mauritius compiles the figures for tourist arrivals on the basis of those coming by air and also by cruise ships, this is not something that we have invented. This is something which has been going on even when the hon. Leader of the Opposition was Minister. So, we have to be consistent in the way that we address these figures given by Statistics Mauritius. So, this is why I said, right at the beginning of my answer, that it is not right to disaggregate arrivals by air and by ship. It is

true that those arriving on a cruise ship spend one day in Mauritius, but those who do not come down are not counted as tourists. It is only those who come down and go through immigration procedures in Mauritius who are counted as tourists.

**Mr X. L. Duval:** Madam Speaker, I do not want to get into semantics with the hon. Minister. It was not an issue before because thanks to us now, cruise tourism has increased tremendously. I am going to talk about facts, as produced by Statistics Mauritius, and I am going to give a copy to the Assembly, Madam Speaker, because I am shocked that the hon. Minister has not taken the trouble, for his management purposes, to find out that Germany is not a happy market, prospering market, as he has suggested, but that Germany has, in fact, fallen by 10%. UK, as we know, has fallen by 10%; Switzerland 20%; India 5%; Australia 20%; China is always on about 32%. Madam Speaker, Malaysia, Singapore, all 10% and 20%. There is a dramatic crisis in the tourism industry.

**Madam Speaker:** Hon. Leader of the Opposition, so, that is your question. You are asking the hon. Minister to say why. Ask your question, but do not make a short speech, please.

**Mr X. L. Duval:** I have an issue because he is pretending not to understand. This is my issue.

**Madam Speaker:** No. You cannot make a short speech.

*(Interruptions)*

Both of you, please resume your seat! You know perfectly well, I told you the other day that you are biting into your own time when you are making a speech and making a speech at question time is not allowed. Please!

**Mr X. L. Duval:** My question is this: given the dramatic crisis that most of our markets are under - and he seems to be unaware of this because he does not want to see - what is the real plan of the Ministry of Tourism to reverse this most dramatic crisis in our tourism industry? It is a serious question.

**Mr Gayan:** Madam Speaker, I do not want to play politics with an industry which is so important for the country, but I want to dispel one doubt or one perception which the PMSD wants to create, that unless the PMSD is running a tourism industry, everything collapses.

*(Interruptions)*

Let me correct the hon. Leader of the Opposition with figures, which I also have from Statistics Mauritius. With regard to Germany, we have between January to March 2018/January to March 2019, a positive growth of 7%. This is also Statistics Mauritius. So, this is not...

*(Interruptions)*

And France is 3.4%.

*(Interruptions)*

Of course, there are some markets that have not performed but, generally, it is not true to say, like some newspaper has said, "*c'est en chute libre*".

I have said in my reply, Madam Speaker, that for the same period January to March 2018/January to March 2019, the number of tourists has dropped by 2,800, out of a total expected of 1.4 million. So, we have to be realistic also. We are not the only ones in the world having to deal with this kind of situation, and this is not the first time. When the hon. Leader of the Opposition was the Minister of Tourism in 2008-2009 ...

*(Interruptions)*

For him, it is *chikungunya*! For him, it is something else!

*(Interruptions)*

**Madam Speaker:** Order! Hon. Rutnah!

**Mr Gayan:** *Chikungunya*! That is a sort of very perfect excuse. So, for him, he has excuses. *Chikungunya*! I will answer what I have to answer. I do not take replies, cues from others. But I am just saying, Madam Speaker, that tourism is vulnerable. It is an industry that is subject to all sorts of things happening in the world. We are an island State and we have to take account of everything that is going on. So, it is not only *chikungunya*, there are other things also happening in the world.

**Mr X. L. Duval:** Madam Speaker, I am really shocked, sincerely shocked at the ostrich-like attitude of the hon. Minister of Tourism. But let me take another angle. The UK, a dramatic fall in Mauritius, even with the *croisière*, but in the Seychelles, it is up 42%, Sri Lanka up 6%, Maldives up 14%. So what is the reason?

**Mr Gayan:** I have just said in my reply that it is the air access policy adopted by those countries. Whether we go to Dubai, Seychelles, Sri Lanka, Singapore, they have an

open skies policy and they say anybody can come in, not only for point-to-point access but even beyond that point. This is the model that they have adopted, and the Maldives adopted that because they had a national carrier in the past and that carrier collapsed in the year 2000. Then they decided, ‘Okay, from now on, we are going to have an open skies policy.’ And very soon after Maldives had adopted that policy, Sri Lanka also decided to emulate the open skies to promote tourism. I am just saying that there are reasons why this is so. I am not saying who is right, who is wrong, but the objective reason, Madam Speaker, is that an open skies policy was decided on by these countries in order to promote tourism and, in fact, they have been successful in that.

**Mr X. L. Duval:** Madam Speaker, tourism represents 131,000 jobs in Mauritius, direct and indirect, 24% of GDP. Why is it being so nasty to the hon. Prime Minister, who is in charge of air access, to tell him that he is a fool and he does not understand that he ought to deal better with tourism?

*(Interruptions)*

**Madam Speaker:** Oh, no!

**Mr Gayan:** Madam Speaker, I will reply like what the Chief Justice of India said to a lawyer who had made a complaint against him. I will not stoop that low to reply to this.

**Mr X. L. Duval:** I did not hear what he said, Madam Speaker, I will go forward.

*(Interruptions)*

Madam Speaker, I will look forward because this is more - Madam Speaker, forward bookings are negative for the next two months and I have official figures from *l’AHRIM* to prove it. At least, the hon. Minister should tell us what he is going to do to reverse these negative forward bookings apart from blaming the hon. Prime Minister for his inability to get new planes.

**Mr Gayan:** Madam Speaker, my information is that the forward bookings are not that catastrophic as the hon. Leader of the Opposition is trying to make us believe. I have figures from *l’AHRIM*. They tend to indicate a rise in the tourism bookings. But, Madam Speaker, let me also say that when we look at the tourism industry, we have been diversifying and, in fact, Saudi Arabia, the Arab countries represent a huge market for us. Recently, we had the President of Kenya in Mauritius, and during the talks that we were having with him, he suggested the idea of combining Mauritius and our beach as with the national parks in Kenya.

*(Interruptions)*

The hon. Leader of the Opposition is saying that this has been done for 20 years, but he was the Minister of Tourism for more than 10 years and he did nothing. Now, we have a commitment from the President of Kenya to try to do something, to twin the destination Mauritius beach and also the national parks in Kenya, and now we have almost daily flights to Nairobi. So, it is possible to open up not only Kenya but also East Africa for the tourism market.

**Mr X. L. Duval:** Madam Speaker, I am going to table an official document from *l'AHRIM*, showing 10-point fall - and the hon. Prime Minister should know this - for April, and a two-point fall for May. I will give you that. So, there is no 10 *ici*, 10 *là-bas*. This is actually the truth as it stands. So, we are on to five months of negative.

Madam Speaker, this is what the president of *l'AHRIM* said two months ago. He said: « *La destination Maurice n'est plus ce qu'elle était. Maurice brillait dans le passé. Elle l'est moins aujourd'hui.* » This is what the president of AHRIM said.

So, I am asking the hon. Minister what he is going to do to, at least, try to stoke up the fire so that *Maurice brille un petit peu*.

**Mr Gayan:** Well, we are already doing lots of things with regard to creating a favourable environment for the destination in Mauritius. We have taken lots of measures to increase the activities. In fact, I was in Saudi Arabia recently, in Riyadh. We are trying to increase the range of activities because we need to give more opportunities, more experiences to the tourists, and this is, in fact, what we are doing.

But we have also to face the reality, Madam Speaker, that we are a small country, we do not have the Eiffel Tower, we do not have Buckingham Palace. We have those constraints. I also go as far as to say that we do not even have a Bob Marley. Maybe we should have a Bob Marley singing in English. These are things that attract people, because we are an island destination without a long history and we do not have those iconic sculptures or institutions that can attract tourists. So, we have to do with what we have, and this is what we are doing. I have been myself a firm proponent of having huge shopping malls. I have suggested to the Mauritius Duty Free Paradise that we should have a shop in Port Louis with all the brands which the Chinese tourists love to purchase when they are on holiday. We are looking at things that the tourists would want. This is why we have surveys to find out what are the things that the tourists would like to do when they are in Mauritius, because we want



them to come to Mauritius, we want them to spend their money here, and this is what we are doing.

**Mr X. L. Duval:** Madam Speaker, you will agree that the biggest constraint for the tourism industry is the hon. Minister himself who is known as 'Minister two per cent.'

Madam Speaker, I would like to ask the hon. Minister, given that the weather is changing, it is raining all the time - and he partly answered the question - are we planning to have museums? Are we planning to increase nightlife? Are we planning to increase indoor entertainment? Are we planning to review the way the hotels are constructed? Are we planning all this?

**Mr Gayan:** Madam Speaker, in fact, we are not reinventing the wheel. We have already addressed these issues in our internal meetings. But let me also say, Madam Speaker, that we need to upgrade the historical sites.

My colleague, the Minister of Arts and Culture, is addressing that issue. We have already started work on the Citadel; we want the Citadel to become a place that can be open all the year round for entertainment, for shows, for food court or whatever. We are going to do something big with Citadel because it is something that we can really use.

But we are also looking at events. I am happy that when the Theatre of Port Louis and the Plaza Theatre will be completed, together with the Caudan Centre, we will be able to organise events to attract people from India, from Africa. We are doing all this, but we need to have the infrastructure first. For years, the Theatre of Port Louis was in a derelict situation. It is only now that we are upgrading it, and I hope very soon we will be able to use it, maybe, as one of the oldest theatres in the Indian Ocean for people to come and to see 'spectacles' and shows.

**Mr X. L. Duval:** It is all at the end of the mandate, unfortunately.

Let me ask the hon. Minister, Madam Speaker, concerning security. Now, my deepest sympathy is to the Sri Lankan nation, the Sri Lankan people, Madam Speaker. The security is an issue even in Mauritius. When I was Minister of Tourism, I had spoken to the Commissioner of Police, so that GIPM Commandos could be stationed all around near the tourist areas. Can I ask the hon. Minister, quite seriously, whether it is still the case? Does he know?

**Mr Gayan:** Madam Speaker, let me say that when it comes to security, this is not a matter that should be debated in the House. I think the hon. Prime Minister is fully aware of the requirements of security, and we are very alive to ensuring that Mauritius remains a safe and secure destination. One of the greatest selling assets for Mauritius is its safety and security and the friendliness of the people. We are not going to take any decision that is going to jeopardise that image of Mauritius.

**Mr X. L. Duval:** Madam Speaker, moving on to this famous air corridor, now that we have the figures for the first quarter, even with the famous quasi risk, we are in Malaysia 25% lower than the previous year, for Singapore 11%, and Asia generally, I think, 15%. So, will he agree that air corridor has been a disaster and probably a heavy weight for Air Mauritius to carry and part of the reason why it is in such dire situation?

**Mr Gayan:** Well, I do not have a brief for Air Mauritius, Madam Speaker. I think Air Mauritius can speak for itself. But let me say that Air Mauritius is the only carrier flying to certain destinations, including Singapore, Malaysia, India, China, and Australia. From what I have read in the papers, I understand that there is a study that has been commissioned by Air Mauritius. We have to await the outcome of that study to see what was the impact of the air corridor on the situation of Air Mauritius. So, I am not in a position to properly and effectively reply to that question.

**Mr X. L. Duval:** Madam Speaker, the hon. Minister is not in any position at all, if I may say so.

Now, I would like to ask the hon. Minister, given this terrible crisis in the tourism industry, whether there are strong rumours that the hon. Minister is not on speaking terms with the Chairman of the MTPA, Mr Bhujohory.

**Mr Gayan:** First of all, let me reject categorically that the tourism industry is in crisis. I reject that categorically and I maintain that the tourism and hospitality sector is in a healthy condition. Of course, there are ups and downs, but let us wait for the end of the year. It is too rash to rush to judgment today for what is going to happen in December. Last year as well, some papers were talking a lot about this: 'Ah, there is a drop of tourism; we do not know what is going to happen'. So, I said, 'Let's wait'. And this is not the first time this is happening, Madam Speaker. It is a current feature of the tourism industry in Mauritius that in the final months we pick up for whatever shortfall there has been. But with regard to the other

issues which the hon. Leader of the Opposition has raised, I do not think that they really deserve any reply.

**Mr X. L. Duval:** Okay, fair enough! We talked about the Chairman of MTPA, but we do not see any movement on the Iles Vanille which was responsible, when I was there with Didier Robert and Saint-Ange, for the upsurge in the cruise market. We do not hear anything about Iles Vanille anymore.

May I ask the hon. Minister whether he is still committed to the Iles Vanille and he is putting his effort and money into this organisation, or is it now, as I understand, confidentially from other people, that Mauritius is no longer interested in Iles Vanille?

**Mr Gayan:** Well, I attended the Vanilla Islands Organisation meeting in Seychelles in January this year. So, how can the hon. Leader of the Opposition say that we are not committed to the Vanilla Islands? In fact, the truth is, Madam Speaker, that when that organisation was launched, there were lots of expectations that were raised, and one of the expectations was that it was possible for people to travel by air within the Vanilla Islands for a minimum amount of money. But when the airlines looked at their economics and the cost of operations, this has not been possible, but where the Vanilla Islands have been successful is in cruises. I recognise that the cruises are an important segment on which we can build on the Vanilla Islands. What is going to happen in the future, I do not know. But I have just been informed that, last week, in Miami, there was a Sea Trade exhibition and the MTPA sponsored the Vanilla Islands to go to the Sea Trade exhibition.

**Mr X. L. Duval:** The cruise, in fact, is not him, but the Vanilla Islands, Madam Speaker, and me before. I would like to ask the hon. Minister about this strategic plan which costs quite a lot of money. I understand there was a Steering Committee - about nine months ago, the plan was produced - and it only met once in March, and we are coming to the elections. So, is the strategic plan now *pour la poubelle*?

**Mr Gayan:** Nothing is thrown to the *poubelle* when it comes to the strategic plan. Madam Speaker, we have to look at the tourism industry in a holistic manner. It is very easy in March/April to say that there will be a *chute libre*. But let me say, on 01 June of this year, we will be having a gala event of the World Travel Awards. We will also be having a lot of conferences in Mauritius. The image of Mauritius for the MICE market is improving.

Apart from the regular tourists who come to the hotels, we are also looking at other sectors of the tourism sector to increase the number of tourist arrivals and also the MICE

market. We have several conferences happening. We have one which was announced by the hon. Prime Minister, the UNODC, happening in the month of September with about 200 delegates. We have other conferences happening. We want to diversify the tourism portfolio so that Mauritius benefits from this sector in the long run. With regard to the strategic plan, I am informed that the Steering Committee meets quarterly.

**Madam Speaker:** One more minute!

**Mr X. L. Duval:** Not the Steering Committee! I meant his Committee that he meets, not the underlying Steering Committee. That has only met once, under him, for the last nine months. Madam Speaker, in the same breath, the Minister and the MPTA, even this morning, spent all their time criticising 'poor' Air Mauritius, which falls under the PMO, and which, apparently, never talks to him, which is what he said at the radio. What is the hon. Minister going to do to improve relations with his main strategic partner who does not talk to him, he does not talk to them, and he criticises their boss?

**Mr Gayan:** Madam Speaker, I have said a number of things about Air Mauritius because I wanted to have better consultations. In fact, I must say that things are moving in the right direction and, on Friday afternoon, we are having a meeting with the top brass of Air Mauritius to look at the strategy. The newspapers and the radios tend to magnify whatever happens, but in reality we have been talking.

**Madam Speaker:** Last question, hon. Leader of the Opposition!

**Mr X. L. Duval:** Madam Speaker, I am receiving so many messages from hoteliers who are actually laughing at the replies of the hon. Minister who has absolutely ridiculed himself. I would like to ask the hon. Minister what he is going to do now that he has absolutely ridiculed himself in front of the whole hotel industry in pretending not to understand the difference between air tourism and *croisiéristes* who stay on the ship.

**Mr Gayan:** Madam Speaker, I will not dignify this question of the hon. Leader of the Opposition with a reply.

**Mr X. L. Duval:** Thank you.

**Madam Speaker:** Time is over!

Hon. Members, the Table has been advised that PQ B/217 in regard to the proposed implementation of the Rehabilitation Programme for Alcoholics and Drug Addicts will be replied by the hon. Minister of Health and Quality of Life. PQ B/246 in regard to construction

of drains at Bel Ombre Village and PQ B/260 in regard to the recent flooding at Richelieu and ongoing project for prevention of flood thereat will be replied by the hon. Prime Minister, time permitting.

Hon. Osman Mahomed!

**PPO/CPB – SUPPLIERS – PROCUREMENT EXERCISE**

**(No. B/213) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the public bodies, he will, for the benefit of the House, obtain from the Procurement Policy Office/Central Procurement Board, information as to the number of requests received therefrom for the debarment of suppliers, contractors and service providers from eligibility to bid for contracts therefor, since April 2017 to date and table the list thereof, indicating in each case the reasons therefor.

**The Prime Minister:** Madam Speaker, I am advised that the Central Procurement Board is not a sanctioning body and does not, therefore, entertain any requests from public bodies for debarment of suppliers. However, the Public Procurement Act 2006 provides for sanctions against any defaulting supplier, contractor or consultant by the Procurement Policy Office (PPO) at national level and by any public body at its own level.

Any supplier debarred by the PPO is disqualified from participating in any public procurement exercise for a period not exceeding five years, while a supplier sanctioned by a public body is excluded from participating in any procurement exercise of that public body for a period not exceeding six months.

Madam Speaker, since April 2017 to date, the PPO has received 12 requests for debarment from public bodies. However, these requests did not provide sufficient evidence for the PPO to take action as provided by law. The requests were, therefore, referred back to these public bodies to either substantiate them in the manner required under the Act or to take action for exclusion at their own level. These public bodies did not proceed further due to insufficient evidence warranting sanction by them.

I am informed that the public bodies have sanctioned 11 other defaulting suppliers by excluding them from participation in their respective procurement exercises.

Madam Speaker, I am tabling a list of the 12 cases referred to the PPO as well as a list of the 11 suppliers who have been sanctioned by public bodies.

**Mr Osman Mahomed:** Can I have a copy? I have in front of me the latest Annual Report on the website of the PPO 2017-2018 wherein four suppliers have been debarred. Can I ask the hon. Prime Minister whether he is aware that the preceding year, the National Audit Report has already red flagged certain suppliers and these suppliers have continued providing services until they went bankrupt, and yet, their names do not appear in the subsequent years in the PPO Annual Report?

**The Prime Minister:** Well, Madam Speaker, the question is very precise with regard to contractors and service providers since 2017. If the hon. Member is going back to prior years, of course, it is not possible for me to answer because otherwise I would have requested information for the prior years. I have been provided with some information, but I do not think that it relates to this question. If the hon. Member will come with a specific question with regard to former years, obviously, I shall provide the information.

**Mr Osman Mahomed:** In fact, the PPO's report that I am referring to is for 2017-2018, which is part of the question. Can I ask the hon. Prime Minister, given he has just highlighted the weaknesses we have in our legal system, whether it will be proper to empower the PPO to go beyond the Ministries themselves and seek information from say the National Audit Report, which does a good job in highlighting weaknesses in project implementation in Ministries?

**The Prime Minister:** As the law stands and when I look at the sections with regard to disqualification debarment and suspension, I think the reasons that have been invoked by the law are sufficient enough and allow the public body to refer cases to the PPO for any sanction. But, of course, it is also a matter of establishing a case against that supplier. That is why in those, first of all, cases which were referred to the PPO, they have been short of the required proof and the matters have been sent back to the public body for them to furnish other additional information or additional evidence to allow the PPO to take any action. But falling short of the required proof, of course, the PPO will not act on these cases. But I believe what the hon. Member is pointing at is that we have to see to it that the public body prepares the case in such a manner that it is at least up to the required standard for proof for the PPO to take action.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can the hon. Prime Minister say what is the maximum period of debarment and does the PPO has any discretion to reduce that period of debarment and if this has been done in certain cases?

**The Prime Minister:** According to law, it is a maximum of five years, but the PPO, of course, will look at the seriousness of the contravention to the law and then, obviously, debar if need be or suspend the supplier. So, it is not as if all the time it is up to a maximum term of five years. It will again depend on the seriousness of the infringement.

**Madam Speaker:** Next question, hon. Ameer Meea!

*(Interruptions)*

Once again, I wish to draw attention. I think that as from now on, I will direct the Clerk, at the beginning of each sitting, to ask everybody to put their mobile phones on silent mode, please.

#### **PRB - UNIONS & MANAGEMENT - CONSULTATIONS**

**(No. B/214) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the next Pay Research Bureau Report, he will –

- (a) for the benefit of the House, obtain from the Pay Research Bureau, information as to where matters stand as to the preparation thereof, including consultations with the Trade Unions/Representative of Employees, and
- (b) state if consideration will be given for the payment of additional increments, pending the publication thereof and, if so, when and, if not, why not.

**The Prime Minister:** Madam Speaker, as I stated in my reply to Parliamentary Question B/302 on 08 May 2018, the Pay Research Bureau has already embarked on the exercise for the preparation of its next Report on the Review of Pay and Grading Structures and Conditions of Service in the Public Sector.

In line with its usual methodology, the Bureau is adopting a consultative approach for the preparation of its next Report so as to gather maximum information and to remain open and transparent in its exchange of views with staff, unions and management.

Accordingly, the PRB issued a Circular on 02 May 2018 calling all Heads of Ministries and Departments, Parastatals and the Statutory Bodies and Local Authorities to

submit information on their organisation's vision, mission, objectives and customer charters. The PRB issued another Circular on 15 February 2019 requesting Ministries and Departments to submit, *inter alia*, proposals for structural changes and suggestions for improving existing conditions of service.

It should be emphasised that the Bureau is working according to a preset work plan, which started in May 2018 and extends up to September 2020.

I am informed that Circulars were also issued by the Bureau inviting Federations and Unions to submit their views/observations and proposals by 30 June 2018. However, out of 18 Federations, five have not replied and out of some 109 Civil Service Unions, 35 have not responded. Moreover, out of 97 Parastatal Unions, only 55 have replied.

Ten preliminary meetings have already been held from 09 to 13 April 2018 with the Federations to apprise them of the calendar of activities of the review exercise.

Meetings were also held from January to March 2019 with the Federations to discuss their representations on the general conditions of service. However, five Federations did not attend.

Madam Speaker, I am further informed that the Bureau has so far conducted 2,050 interviews in relation to job description questionnaires. 69 meetings have been held with Unions of Parastatal Bodies.

According to the work plan established by the Bureau, hearings of Unions and management are scheduled up to February 2020. Consultations with Unions and management of the Rodrigues Regional Assembly are planned from April/May 2020. Thereafter, the Bureau will focus on pay determination and conversion policy and the finalisation of its Report, which is scheduled for August 2020.

Madam Speaker, in regard to part (b) of the question, as I stated in my reply to PQ B/1159 on 04 December 2018, the PRB has, since the release of its first Report in 1982, carried out a General Review Exercise of Pay and Grading Structures at an interval of five years, except for the 2016 Report, which was the first Report to be published after a period of three years only.

The 2016 Report has re-established the periodicity of the general review exercise to five years and the recommendation has been accepted by all public sector employees. The next Report is thus due to take effect on 01 January 2021. Notwithstanding this, I have



received requests from the Federation of Public Sector and other Unions to prepone the publication of the next PRB Report to September/October 2019, for implementation as from 01 January 2020 and for the payment of an interim increase, equivalent to three increments, to all employees of the public sector. These requests are under consideration.

Madam Speaker, two Federations of the Public Sector, namely the Federation of Public Sector and other Unions and the State and other Employees Federation, have also made a request for salary adjustments to be made so as to correct any distortion caused in salary relativities following the introduction of the National Minimum Wage.

I am informed that the Federations of the Public Sector, with whom the Bureau has had discussions, have divergent views on the issue of adjustment for salary relativities following the introduction of the National Minimum Wage. Some are in favour while others are not.

This matter has been examined and it is considered that the issue of addressing distortion in salary relativity, if any, should be looked into by the PRB in the context of the ongoing general review exercise.

**Mr Ameer Meea:** Madam Speaker, the post of Director of PRB has been vacant for quite some time and if I am not wrong, maybe more than one year. In these circumstances, can I ask the hon. Prime Minister whether this state of affairs will not hamper the proper running of the PRB functions?

**The Prime Minister:** I know there is one officer who is in an acting capacity. Mr Sardanen Nursing, Deputy Director, has been appointed by the Public Service Commission to act as Director of the Pay Research Bureau with effect from 16 November 2018 for a period of six months in the first instance.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can I ask a question to the hon. Prime Minister with regard to the payment of additional increments pending the publication of the PRB Report, which he mentioned himself. Since these increments will not be pensionable, allowances are not pensionable, may I ask the hon. Prime Minister, on a matter of fairness to public officers who will retire before the publication of the report in 2021, whether these allowances/temporary increments will be taken into consideration while computing their retirement benefits?

**The Prime Minister:** Madam Speaker, this issue will always arise because what will happen, every five years, in the meantime, the same request can come. In fact, it has come from the Federation/Union. Of course, it is a matter, which I said, is under consideration. We will see if a policy decision has either to be taken by Government or maybe after the views of the PRB will have been tendered to Government.

**Madam Speaker:** Hon. Mrs Perraud!

#### **CONSTITUENCY NO. 4 - FLOOD PRONE AREAS - NDU PROJECTS**

**(No. B/215) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to each of the projects implemented by the National Development Unit in relation to the flood prone areas in Constituency No. 4, Port Louis North and Montagne Longue, since January 2015 to date, he will state the cost and completion dates thereof.

**The Prime Minister:** Madam Speaker, the information sought is being compiled and will be placed in the Library of the National Assembly.

**Mrs Perraud:** Est-ce que je pourrais quand même demander au Premier ministre, vu que c'est d'actualité, quelles sont les régions dans la circonscription numéro quatre qui ont été classées comme des *flood prone areas*, c'est-à-dire des régions qui sont touchées par les grosses pluies et les inondations?

**The Prime Minister:** Madam Speaker, I have been provided with some information, but I am made to understand that they are compiling for all the projects which have been completed, which are ongoing, and also to let me know about the stage we have reached, especially for the ongoing projects. So, I do not have exact information. I shall certainly table, once the information once received. I can also table for the particular region that the hon. Member has requested.

**Mrs Perraud:** Merci beaucoup. Puisque justement les informations sont en train d'être compilées, peut-être que je pourrais aider et demander au Premier ministre de voir concernant principalement les deux cours d'eau qui traversent la circonscription, c'est-à-dire le ruisseau de Terre Rouge et la rivière Latanier qui causent beaucoup de problèmes aux habitants qui sont sur les berges de ces rivières et notamment un lieu de prière, un Calbala à Vallée des Prêtres qui est complètement inondé et aussi urgemment la situation de Riche Terre, Cité Roma. Donc, merci beaucoup.

**The Prime Minister:** Again, as a remark, Madam Speaker, if the hon. Member would have also mentioned those specific areas in the question, I would certainly have gathered and furnished all the information with regard to the areas.

**Madam Speaker:** I will just remind hon. Members not to ask questions which can be taken at adjournment time, please. Next question, hon. Uteem!

### **CORRUPTION PERCEPTIONS INDEX 2018 - MAURITIUS - RANKING**

**(No. B/216) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Corruption Perceptions Index 2018 published by Transparency International, he will state if he has taken cognizance thereof, including, the ranking of Mauritius therein.

**The Prime Minister:** Madam Speaker, let me at the very outset point out that Transparency International assesses the perceived level of corruption in the public sector of a country and not the level of corruption per se.

It is important to note that Transparency International uses indicators to formulate its score such as –

- (i) The Global Corruption Barometer, which measures people's perceptions and experiencing corruption.
- (ii) The Global Corruption Report, which explains corruption issues in detail for a specific topic/sector.

Transparency International itself recognizes that the Corruption Perceptions Index does not tell the full story of corruption in a country and it is limited in scope, capturing perceptions of the extent of corruption in the public sector, from the perspective of business people and country experts.

Madam Speaker, I have taken cognizance of the Corruption Perceptions Index 2018 which was released on 29 January 2019 by Transparency International.

According to the Corruption Perceptions Index 2018, Mauritius has been allocated a score of 51 and ranked 56<sup>th</sup> out of 180 countries. I must also add that Mauritius is in the 6<sup>th</sup> position in the Sub-Saharan Africa region.

Madam Speaker, I wish to point out that according to the Economist Intelligence Unit Report 2018, Mauritius is ranked 17<sup>th</sup> worldwide amongst 167 countries as a “full-democracy” with a score of 8.22 out of 10 and is ranked first in the Sub-Saharan African region. It is to be noted that only countries with scores above 8 are categorised as “full democracies” and Mauritius is one among them, implying that it is effectively tackling issues relating to transparency, accountability and corruption.

On the other hand, according to the Ibrahim Index of African Governance, which is published by the Mo Ibrahim Foundation and which provides, *inter alia*, a quantifiable tool to measure and monitor governance performance in African countries, in 2018 Mauritius has been ranked first, out of a total of 54 countries, with the highest overall score of 79.5.

Madam Speaker, Mauritius is a country reputed for sustaining full democracy, rule of law and leaving no stone unturned to combat fraud and corruption. The Corruption Perceptions Index 2018 should, therefore, not be taken as a reference to negate what other institutions like the Economist Intelligence Unit or Mo Ibrahim Foundation have reported on Mauritius.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. With regard to the Corruption Perceptions Index, we were 50<sup>th</sup> in 2016, 54<sup>th</sup> in 2017, and 56<sup>th</sup> in 2018; a steady deterioration in the perception that this country is corrupt. So, may I know from the hon. Prime Minister what he is doing in concrete to reassure Mauritians and investors all around the world that Mauritius is not as corrupt as everybody thinks it is?

**The Prime Minister:** Madam Speaker, I have just answered that it is, first of all, a question of perception and not corruption per se. However, we also have to look at other studies and how they have ranked Mauritius. I mentioned the Mo Ibrahim Index because in the Mo Ibrahim ranking, there is also a section with regard to corruption, and just to name one criterion which is used, ‘anti-corruption mechanism’, we have scored 74.4 and have, in the last report of 2018, made an improvement of +6.3, ranking Mauritius first in Africa. I also mentioned the Economist Intelligence Report. But again, as I say, it is a question of perception.

Now, the hon. Member is saying we were 47 in 2014 and we have come to 56 in 2018. Okay, if that argument stands good, we were ranked 37 in 2000 and in 2004, we were ranked 54, when hon. Bérenger was Prime Minister at that time.

*(Interruptions)*

Ah, it is because of me!

*(Interruptions)*

**Madam Speaker:** Hon. Uteem!

*(Interruptions)*

Please, hon. Uteem!

*(Interruptions)*

Hon. Uteem, you seem to ignore the fact that I have been calling you so many times. When you are in a sitting position, please do not make remarks. You have asked your question; allow the hon. Prime Minister to reply. You will have ample time now to ask your supplementary question.

**The Prime Minister:** So, as I say, Madam Speaker, what is this issue about? It is about a survey that is carried out amongst a number of people and it is their perception about corruption which is tabulated, which is quantified. Transparency International itself says that we have to be, as a caution, careful because it is a matter of perception. Therefore, what I am saying, contrary to what hon. Uteem wants to say, is that even in 2000 and 2004, when we look at the rankings, it is not the rankings per se which, I believe, gives, in fact, the impression that Mauritius is a most corrupt country. It is what we do and how we score with regard to other studies like the Mo Ibrahim, the Economist Intelligence Report where there are figures, they look at statistics, they look at institutions, they look at the actions and the measures that have been taken by a country to combat fraud and corruption.

**Madam Speaker:** Yes, hon. Uteem!

**Mr Uteem:** Transparency International used five sources and one of them was the Economist Intelligence Unit. But one of the criteria they used was, and I quote –

*« Les nominations basées sur le népotisme plutôt que sur la méritocratie dans la fonction publique. »*

Does not the hon. Prime Minister agree that never before have there been so many nominations of people close to members of his Party, his Government, in position of responsibility?

**The Prime Minister:** Madam Speaker, I have also read this report. Let me quote what Transparency International says –

*« Il existe plusieurs lois à Maurice qui donnent un pouvoir discrétionnaire aux membres d'un gouvernement de procéder à des nominations à la tête des institutions sans consultation aucune. Ce type de nomination est perçu comme étant contraire aux principes de la bonne gouvernance et servirait à récompenser des proches ou des agents. »*

Madam Speaker, has this started only yesterday? Only in 2014?

*(Interruptions)*

There have been so many Governments before. When Governments nominate people at the head of Parastatal Bodies or as Ambassadors or High Commissioners, how many cases have we seen? This Government, yes, but other Governments also. So, this is not new. It is as if they have discovered *l'Amérique sur mappemonde maintenant*. The other thing they...

*(Interruptions)*

Qu'est-ce qu'on nous reproche, Madame la présidente ? On nous reproche –

*« Il n'existe aucune loi... »*

*(Interruptions)*

Listen to this one!

*« Il n'existe aucune loi spécifique pour la protection des lanceurs d'alerte. »*

How incorrect can this conclusion be? Because we have Prevention of Corruption Act, where even somebody can send anonymously a letter and the ICAC will investigate. So, we must not base ourselves on, I would call them probably doubtful conclusions when we do still have *un arsenal d'institutions et de lois*.

Now, let me also mention what they also say because it is important, and I quote Transparency International –

“Our research makes a clear link between having a healthy democracy and successfully fighting public sector corruption.”

And it goes on to say, and I quote –

“Corruption is much more likely to flourish where democratic foundations are weak and, as we have seen in many countries, where undemocratic and populist politicians capture democratic institutions and use them to their advantage.”

Now, we should be proud, Madam Speaker, that with regard to the Democracy Index 2018, we are amongst the 20 countries having what is called a full democracy. Out of 20, we rank 17.

**Madam Speaker:** Hon. Mrs Selvon!

**Mrs Selvon:** *Merci, Madame la présidente.* I think we should not be defending *le népotisme* in this Assembly. *Le Premier ministre est-il au courant que le népotisme est une forme de corruption ?*

**The Prime Minister:** *Madame la présidente, je ne suis pas en train de promouvoir la corruption, la fraude, le népotisme. Au contraire, of course!* But if there are cases - we cannot just make general statements - they will be dealt with by the proper institutions and inquiries will be made. Nous sommes aussi un Etat de droit, Madame la présidente, et donc, bien sûr, moyennant les droits des suspects, mais aussi que les institutions vont faire et assumer leurs responsabilités. Les enquêtes vont se faire et il y a des tribunaux, des Cours de justice. Donc, voilà ce que nous sommes en train de faire.

**Madam Speaker:** Time is over! Hon. Members, the Table has been advised that PQ B/245 in regard to the proposed dredging of the Savanne River, in Surinam, in the vicinity of *Moulin Cassée*, will be replied by the hon. Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare.

Hon. Rughoobur!

#### **POLYTECHNICS MAURITIUS LTD – STUDENT INTAKE**

**(No. B/227) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Polytechnics Mauritius Ltd., she will, for the benefit of the House, obtain therefrom, information as to the student intake thereat over the past 24 months, indicating the number of seats available on courses offered thereat over the same period.

**Mrs Dookun-Luchoomun:** Madam Speaker, the student intake of Polytechnics Mauritius Ltd is to date 709. It is to be noted that the Pamplemousses Campus came into

operation in November 2017 and has enrolled four cohorts of students for the National Diploma in Nursing, that is, 290 students out of a total 375 seats. While the two other campuses which came into operation in May and September 2018 have enrolled 419 students in ICT and International Hotel and Tourism Management. For the Réduit Campus, there are 193 students out a total of 207 seats, and for the Montagne Blanche Campus, 170 students for a maximum capacity of 203.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** I thank the hon. Minister for her reply. May I know from the hon. Minister, out of these cohorts of students whether it is nursing or other clusters, what is the total amount of NSDP students that has been recruited?

**Mrs Dookun-Luchoomun:** Madam Speaker, I do not believe that these students are from the NSDP Programme.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** May I know from the hon. Minister, there has been a couple of MoU that were signed during 2017, HTMI Switzerland, Waikato Institute of Technology, one from Canada, how are these strategic partnerships and MoU that were signed, how is it contributing into the quality of courses being delivered and also increasing the population of students at these?

**Mrs Dookun-Luchoomun:** Madam Speaker, if we take the collaboration between Polytechnics Mauritius and HTMI, I would like to inform the House that we have a number of lecturers that come over, help in the design of the courses. In fact, the number of students at the Montagne Blanche Institution has risen up in spite of the fact that it started operating only recently and to the end of 2018. I have just given you the figures, the number of students has come up to 170.

**Madam Speaker:** Excuse me! Hon. Minister, can you please resume your seat!

I think that is too much! Now you will have to leave your mobile phone outside when you come into the House!

**Mr Rughoobur:** I don't know if the hon. Minister has already replied to this question because it was not that clear for me the number of students.



**Mrs Dookun-Luchoomun:** I have just mentioned that the number of students at the Montagne Blanche Polytechnics, which is running courses in collaboration with HTMI, has gone up to 193, a total of 193 over a cohort of 203.

**Mr Rughoobur:** Thank you, Madam Speaker. Last supplementary, the student population has increased drastically, it is true. May I know from the hon. Minister, as per the business plan of Polytechnics Mauritius, for the next financial year, the number of students expected is more than 1,000?

**Mrs Dookun-Luchoomun:** Madam Speaker, the Polytechnics Mauritius, which started its operation in October 2017, has come up with a business plan and they have mentioned in the Business Plan that these are estimates and they had planned that up till 2020, we will be having around 2,000 students. So, right now, we are at 700, we have intakes that are going to be recruited during the year and we expect that by next year the number will rise to 1,400 and it is expected to keep on rising up to 2,000.

**Madam Speaker:** Next question, hon. Rughoobur!

#### **POLYTECHNICS MAURITIUS LTD - LOANS**

**(No. B/228) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Polytechnics Mauritius Ltd., she will, for the benefit of the House, obtain therefrom, information as to the number of loans contracted as at to date, indicating in each case the –

- (a) quantum;
- (b) terms and conditions, and
- (c) outstanding amount thereof.

**Mrs Dookun-Luchoomun:** Madam Speaker, Polytechnics Mauritius Limited was incorporated on 02 March 2017 and Polytechnics Mauritius Limited, I am informed, has not contracted any loan since its incorporation.

**Mr Rughoobur:** Thank you, Madam Speaker. Speaking of the financial component, may I know from the hon. Minister whether, the last audited report of Polytechnics which was formerly known as 'Knowledge Parks', I think, whether these have been tabled and filed?

**Mrs Dookun-Luchoomun:** Madam Speaker, Polytechnics Mauritius has started its operation only recently and they are working on the report. I do not think it has been tabled yet, but I must say that Polytechnics Mauritius came up only in 2017 and it has taken up, in fact, the Knowledge Parks of Mauritius Limited, and the audit report would be submitted in due time.

**Mr Rughoobur:** Madam Speaker, this is a very important issue. I hope that the Minister will agree to that. But, apart from this, the recurrent expenditure of Polytechnics Mauritius is on average Rs40m. to Rs50 m. every year. May I know from the hon. Minister how is the Polytechnics in a position to finance this recurrent expenditure based on the financial situation of that organisation?

**Mrs Dookun-Luchoomun:** Polytechnics Mauritius has just started operating. It has received funds from the HRDC to start the operation and there is a part of the Budget of my Ministry that goes to Polytechnics Mauritius.

**Madam Speaker:** Next question, hon. Rughoobur!

#### **PSEA - PRIVATE SECONDARY SCHOOLS - GRANTS**

**(No. B/229) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Private Secondary Education Authority, she will, for the benefit of the House, obtain therefrom, information as to the –

- (a) total amount of funds disbursed to private secondary schools over the past financial year, and
- (b) number of inspectors recruited thereat over the past 36 months.

**Mrs Dookun-Luchoomun:** Madam Speaker, the Comprehensive Grant Formula was introduced in the context of free education and is meant for the financing of grant-aided private secondary schools. It is managed by the Private Secondary Education Authority. I am informed by the PSEA that a total amount of Rs552.3 m. has been paid as grants to 87 grant-aided private secondary schools over the past Financial Year 2017-2018, excluding salaries.

Inspection of the infrastructural facilities for the purpose of the implementation of the grant formula is undertaken by supervisors of the PSEA. There are currently 14 officers in the supervisory cadre in post.

Madam Speaker, I wish to inform the House that in 2016, the Education Act was amended to restore powers of pedagogical inspection in respect of the private secondary schools to the PSEA. The PSEA Act was also amended in 2016. The relevant section of the Education Act was promulgated on 01 July 2017.

Consequently, the post of Quality Assurance Officer was created on the Establishment of the PSEA. As a result of the first recruitment exercise carried out in December 2017, six Quality Assurance Officers have been appointed. An exercise for recruitment of ten additional QAOs is currently underway.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Yes, thank you Madam Speaker. In the Board of the PSEA, which is the new Board of the new institution, there are not provisions for managers and unions. There is also the setting up of a Consultative Council. In light of the amount of fund that is being invested, may I know from the hon. Minister whether there has been any Consultative Council set up and how many times it has met?

**Mrs Dookun-Luchoomun:** Madam Speaker, the OPSG had given advice to the Government, to the Ministry so as to make sure that managers are not on the Board of the PSEA as the PSEA is the regulatory body. So, Consultative Committees are held and there are no funds attributed to that. Consultative Committees are held as and when required, and I believe that are a number of committees that have been held with managers and with the unions.

**Mr Rughoobur:** For clarification, I will ask a supplementary, Madam Speaker. When I was talking of the Consultative Committee, in order to have an oversight on this Rs500 m. that are being disbursed, I wanted to know whether these stakeholders who are not in the Board, whether they have had the possibility to participate and take decision together with the PSSA?

**Mrs Dookun-Luchoomun:** Madam Speaker, the Consultative Committee, as the name implies, refers to meetings where the different stakeholders have to come and share their views. As far as the accountability part of the expenditure made, that is, as far as following up with the schools and seeing whether the grants are being used effectively is

concerned, this is done by the supervisory cadres, not by stakeholders coming and doing their own assessment.

**Madam Speaker:** Hon. Mrs Perraud!

**Mrs Perraud:** Can I ask the hon. Minister what is the total number of inspectors working at the PSEA? And also, what is the ratio of inspectors to schools?

**Mrs Dookun-Luchoomun:** Madam Speaker, I have mentioned in my answer that we have 14 supervisory cadres, we have got six Quality Assurance Officers and there are ten new Quality Assurance Officers that are being recruited presently. Now the ratio is not difficult for me to state. I have just stated that there are 67 schools, 14 Supervisory Officers and six Quality Assurance Officers that have just been recruited recently, ten more are going to be recruited. We just need to make a small arithmetic exercise.

**Madam Speaker:** Next question, hon. Rughoobur!

#### **HIGHER EDUCATION COMMISSION - QUALITY EDUCATION AUTHORITY**

**(No. B/230) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether in regard to the Higher Education Commission, she will, for the benefit of the House, obtain therefrom, information as to the composition of the Board thereof, indicating the mechanism put in place to ensure the dispensation of quality education at tertiary level.

**Mrs Dookun-Luchoomun:** Madam Speaker, the High Education Act was passed on 12 December 2017 and the promulgation of various sections of the legislation was to be effected in a phased manner. The Tertiary Education Commission is mandated to look at the registration, accreditation and quality assurance.

Following recommendations of the Quality Assurance Authority of UK, it was decided to have an autonomous Quality Assurance Authority for the sector. The sections of the Higher Education Act relating to the Quality Assurance Authority were proclaimed on 17 November 2018 under the Proclamation Notice No. 32 of 2018. The Board of the Quality Assurance Authority will be set up shortly and this will be followed by that of the Higher Education Commission. The part of the Higher Education Act regarding the Higher Education Commission (HEC) has not yet been promulgated. Madam Speaker, the Quality

Assurance and Accreditation Division of the Tertiary Education Commission is presently carrying out quality assurance function. As per the TEC Act, the Commission has to undertake periodic academic audit of institutions offering post-secondary education in Mauritius. The Quality Assurance framework of the TEC sets out to assist both Public and Private Institutions in putting in place their specific Quality Assurance System preparing them to undertake their self-assessment, undertaking external quality audit of the Institutions and carrying out quality assessment exercise.

As regard the dispensation of quality education at the Public Tertiary Education Institutions, the TEC carries out cyclical quality assurance audits. Quality audit is an independent external evaluation conducted to assess a public institution's internal quality management system and this exercise is conducted every five years in line with international practice. Through its Quality Assurance Committee, TEC monitors the implementation of the recommendations of the Audit panels on a quarterly basis. Moreover, Madam Speaker, quality is also assured internally at the institutional level through internal quality assurance departments in the public.

**Mr Rughoobur:** Madam Speaker, I think we have to thank the hon. Minister for keeping this Quality Assurance issue independent from the Tertiary Education soon. Though she is not personally responsible, we know that the ranking of the University of Mauritius has fallen drastically since the last 10 years, from 25<sup>th</sup> to 80<sup>th</sup>. Since we are talking of quality, can the hon. Minister, at least, elaborate on this, please?

**Mrs Dookun-Luchoomun:** Madam Speaker, although it is not related to the question, I will nevertheless answer. I just mentioned that I have replied in the House a number of times that when we talk about University rankings, there are various types of rankings depending on various issues. Mauritius has been lagging behind for some time on research. Now, a lot has been done in that respect. We have got special research funds, 13 research schemes at the Tertiary Education Commission. So, a lot is being done to upgrade the quality and the amount of research being done in our Institutions and this will hopefully manage to bring up the rank. But then, again, the ranking does not relate to the quality of teaching. The ranking relates mainly to the amount of research and other issues.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** I am raising this issue, Madam Speaker, because there is a report that was prepared in 2012 and only last year the report of the Tertiary Education Commission

Quality noted that most of the recommendations were not implemented by the University of Mauritius. Now that the new report is here, will the hon. Minister please ensure that the recommendations are implemented?

**Mrs Dookun-Luchoomun:** Madam Speaker, I have just answered that the Tertiary Education Commission follows and monitors the implementation of recommendations from the audits and is done on a quarterly basis.

**Madam Speaker:** Next question! Hon. Osman Mahomed is not there. Hon. Ameer Meea!

### **TERRE ROUGE/VERDUN LINK ROAD - REPAIRS - COST**

**(No. B/234) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Terre Rouge/Verdun Link Road, he will, for the benefit of the House, obtain from the Road Development Authority, information as to where matters stand as to the complete rehabilitation thereof, indicating –

- (a) when same will be fully operational, and
- (b) the variation costs thereof, if any.

**Mr Bodha:** Madam Speaker, I wish to refer the hon. Member to the reply made to Parliamentary Questions B/74 on 03 April 2018, B/253 on 24 April 2018 and B/641 on 17 July 2018 and B/902 on 23 October 2018 concerning the repairs to the embankment failure.

Following occurrence of cracks on the Terre Rouge/Verdun Link Road near Valton in January 2015, the contract for repair to embankment on the Motorway was awarded to Transinvest Construction on 28 March 2017. Madam Speaker, the works started on 09 May and were contractually scheduled to be completed in March 2018. However, during the execution of works in July 2017, after heavy torrential rains, new cracks appeared on the diversion road and on the slopes of the mountain. The works had to be stopped and consequently on the recommendation of Professor Manian, the RDA enlisted the services of SEREMA in France, a French Public Body specialised in such types of work to undertake the reinforcement designs.

Madam Speaker, following procurement procedures for the enlistment of a specialist contractor for the reinforce piling works based on the designs submitted by SEREMA, a contract for the execution of the piling works was awarded to Sinohydro in September 2018.

I am informed by the RDA that the piling works have been completed on time in February 2019. Pile testing has already been carried out to check the integrity of the piles and SEREMA is expected to submit its final report shortly.

In regard to the repair to the embankment awarded to Transinvest, works are progressing well and are expected to be completed by mid-July.

In regard to part (a) of the question, the road with all its amenities is expected to be completed by mid-July and will be fully operational by that time.

As regards to part (b) of the question, I am informed by the RDA that for both the repair to the embankment project and the piling works, the final cost is expected to be within the initial contract sum awarded for each project.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Madam Speaker, the repair for Terre Rouge/Verdun is a never ending repair since the first embankment failure in January 2015. Coming to part (b) of the question with regard to the variation cost, the hon. Minister just mentioned that it is within the line of the contract. May I know the amount? This is why I have put it in my question.

**Mr Bodha:** Madam Speaker, the never ending saga will end. I have brought some photographs which I am going to lay on the Table of the National Assembly.

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo, I see you cannot contain yourself!

**Mr Bodha:** I would like the National Assembly, Madam Speaker, to understand how gigantic this repair is. It is 110 metres wide, 300 metres long, with 130,000 m<sup>3</sup> of excavation and 100,000 tonnes of filling; 192 piles of one metre wide on diameter and 25 metres in the ground. We have done 75% of the filling and we have done all the piles. We expect the filling to be over, if the weather permits, by the end of May and the road will be constructed in June but we have taken all precautions that's why we have given a date of mid-July.

When it comes to the cost for the filling - the cost, I had given it last time. It is Rs282 m. and for the piling the cost was Rs223 m.

*(Interruptions)*

There is no variation cost to the estimates.

**Madam Speaker:** There is no variation cost. You have a supplementary question?

**Mr Ameer Meea:** Yes. Madam Speaker, answering to a PQ which the hon. Minister just referred, PQ B/902, he stated in his reply, in relation to the Sannassee Report that, the report is ready and will be provided to the RDA. And when asked whether he can table it, he said, yes, we will table it because we will use it with the report for a case. But I have checked, the report has not yet been tabled.

**Mr Bodha:** The report has been presented to the RDA Board and the Board has submitted the report to the SLO for further action. As soon as the SLO gives us the recommendation, I will be able to lay the report on the Table of the National Assembly.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** With regard to the Terre Rouge/Verdun project, as the hon. Minister mentioned, the gigantic project, therefore, can I ask him what is the total cost up to now, i.e. the initial cost, how much we have spent for the repairs and how much will be the total final cost, and also if he can guarantee to the House that the road will be operational in July this year?

**Mr Bodha:** Everything leads to this, Madam Speaker, that the road is going to be operational in July.

With regard to the costs, the initial cost was Rs1.2 billion and it ended up in Rs2 billion. That was for the first segment. The second segment took another Rs2 billion. That lasted Rs4 billion. This is not our spending and it is not our making, and the breakdown at the Terre Rouge/Verdun is not our making.

Madam Speaker, for a project of Rs4 billion, the research, that is, the geotechnical survey cost Rs6 m. and it lasted two weekends from two experts from EGIS. We have spent only the sum I have given, that is, the filling for Rs250 m. and the piling for Rs123 m. That's all! So, the whole road would have cost about Rs4.5 billion after which we have spent Rs420 m. to do the repairs and the roads, Madam Speaker, have cracked five different places because we are repairing two other slopes on the other site.

**Madam Speaker:** The Table has been advised that PQ B/265 has been withdrawn. I suspend the sitting for one and a half hours.



*At 1.03 p.m., the sitting was suspended.*

*On resuming at 2.37 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Hon. Ameer Meea!

### **SAFE CITY PROJECT - EXPENDITURE**

**(No. B/235) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Safe City Project, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the expenditure incurred in relation thereto as at to date.

**The Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that the Safe City Project, which was announced in the Budget Speech 2017-2018, is being implemented. It is an integrated and advanced technological system for ensuring safety and security of the public in general.

The Safe City Project is an operating lease model with a total cost of USD455 m. payable over a 20-year period. A contract to that effect was signed with Mauritius Telecom Ltd on 19 December 2017.

Madam Speaker, according to the schedule of payment of the contract, an initial amount of USD13 m. has been paid on 02 February 2018 to Mauritius Telecom Ltd.

**Mr Ameer Meea:** Madam Speaker, the hon. Prime Minister stated to the House that the contract was awarded to Mauritius Telecom and the House is aware that Mauritius Telecom took a loan from Exim Bank of China which was guaranteed by the State and it is the Police Force, that is, from taxpayers' fund, from public fund that this will be financed to repay Mauritius Telecom. Therefore, can I ask the hon. Prime Minister, if in the sake of transparency and good governance, if this contract regarding the financing not the equipment, not the security issue but only the financing part which is being funded by public fund, be made public?

**The Prime Minister:** Which part is the hon. Member talking about? It is the contract between the Mauritius Police Force and Telecom? Well, that I need to be advised whether it is appropriate to make it public. I will seek advice.

**Mr Ameer Meea:** With regard to the same project, may I know when this project will be fully operational?

**The Prime Minister:** I know that works are ongoing. I do not have a fixed date but it should be operational once all the equipments have been installed and once the command centres have been set up, but, obviously, I shall look into that in terms of the time frame that has been earmarked for implementation.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** According to the Press this morning, the cameras and equipment of Safe City Project have been vandalised, the same cameras that they are supposed to watch over us. Can I ask the hon. Prime Minister whether the bill to repair this equipment and cameras that have been vandalised will be borne by Government or the contractor at this stage in the implementation of the project?

**The Prime Minister:** Well, I do not have the information with regard to the earlier question. As per the contract, it is expected that the system will be in place on or around 19 June. So, maybe it can also take a few more weeks. With regard to what has been published, well, I must say this question does not relate to this question. Maybe can also take few more weeks.

With regard to what has been published, well, I must say, it does not relate to this question...

*(Interruptions)*

**Madam Speaker:** Now, this is really too much. Whose mobile phone is that?

*(Interruptions)*

No, even then, I think there needs to have some decorum in this House. We cannot continue like this.

Madam Clerk, I will instruct you once again at the beginning of each sitting even in the afternoon session also, to remind hon. Members that there is a certain decorum to be kept in the House, to be maintained so that all mobile phones should be on silent mode.

**The Prime Minister:** Yes, I was saying that, first of all, this issue of cameras does not relate to this question because we are talking about expenditure. However, I do not have the precise information, but I do not believe that what has been published in the Press is correct. It seems and I need confirmation maybe from the Police. It seems that there was an accident and that it must have been a lorry that knocked against one of those equipments, but I must say it seems also that the person who knocked against that equipment took that equipment.

Once it felt down, he took that equipment and went away. Maybe, in another way, it is a question of theft also because you cannot appropriate public equipment, but I will check on that. Now, with regard to this, well, of course, it is a matter for the Telecom to see to it that equipment is properly installed also because it is on a lease model.

So, it will be their responsibility, I think it is the best thing. May I seize this opportunity to say that I think it is the best thing that Mauritius Police Force has entered into a contract for lease because as technology changes and then whenever there is any, let us say, breakdown in terms of the equipment, it will not be for the Police Force to look into that, it will be for the Mauritius Telecom then to do the needful.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** The hon. Prime Minister just mentioned that these cameras will be operational around 19 of June and we know that it is a private company who owns these cameras, Mauritius Telecom. So, may I know from the hon. Minister who will manage, operate these cameras and who will have the custody of the sensitive information that these cameras will collect?

**The Prime Minister:** Well, again this does not relate to this question. But then, I must say it is going to be the Mauritius Police Force. It will be under very tight security and, of course, I can furnish all the required information as to how it is...

*(Interruptions)*

Yes, this is why I am answering also.

**Madam Speaker:** Next question, hon. Ameer Meea.

#### **NHDC LTD – HOUSING UNITS – CONSTRUCTION**

**(No. B/236) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Housing and Lands whether, in regard to social housing, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the number of units thereof constructed and delivered, region-wise and category-wise, since May 2018 to date, indicating the total cost thereof.

**Mr Jhugroo:** Madam Speaker, I am informed by the NHDC Ltd that since January 2015 to date, 1979 housing units have been completed over 49 sites out of which 1449 units have been delivered.

Madam Speaker, I am further informed by the NHDC Ltd that construction of 2421 housing units is on-going, out of which 458 units are expected to be completed by end of June, 528 units will be completed by end of December, this year, and the remaining 1435 units by June 2020. This will come to 4,400 housing units.

Since May 2018, 357 housing units have been constructed by the NHDC Ltd at a total cost of Rs461.6 m. in the following regions -

<b>Region</b>	<b>No of Housing Units</b>
Flacq	91
Savanne	18
Pamplemousses	32
Plaine Wilhems	164
Grand Port	52
<b>TOTAL</b>	<b>357</b>

With regard to category of housing units, the NHDC Ltd is constructing very decent housing units of different types and models and the same housing units are being allocated to the beneficiaries of different income category, including 10 percent reserved for NEF beneficiaries.

I am further informed by the NHDC Ltd that, out of the 357 housing units completed since May 2018, 57 housing units have been delivered. As regards the remaining 300 housing units, action is being initiated for the beneficiaries to sign their title deeds prior to finalization at the Notary.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Yes, Madam Speaker. I have listened carefully to what hon. Minister answered to the House. My question was specifically since May 2018, but instead he wanted to reply since January 2015 whereby 1,358 houses have been built till now, and why it is May 2018 because my last PQ was in May 2018 and answering to that PQ the hon. Minister mentioned to the House and I quote –

“I am informed by the NHDC Ltd that between January 2015 and March 2018, construction of 1,358 housing units has been completed out of which construction of 746 housing units started prior to January 2015 and were delivered in 2015. So, bringing the total of housing units being built to only 612.”

So, Madam Speaker, can I ask the hon. Minister if he is still confident with Government promise be it in manifesto or Government Programme whereby 10,000 housing units were to be built.

**Mr Jhugroo:** I know as profession you are an Accountant, but I just mentioned that 4400 housing units will be completed by June 2020...

*(Interruptions)*

Wait, wait for me to answer.

*(Interruptions)*

With regard to the construction of 5,995 housing units, the NHDC will be launching an expression of interest on a design, build and finance mode. Following the outcome of this exercise, a request for proposal will be made. 16 sites have already been identified as listed at annex.

If the hon. Member wants anything I can give him more clarification to the regions. But, let me say one thing to this House, Madam Speaker. For the past 10 years when Labour Party was in Government...

*(Interruptions)*

Wait, wait.

*(Interruptions)*

**Madam Speaker:** Order.

*(Interruptions)*

Order please!

**Mr Jhugroo:** For the past 10 years, when the Labour Party-PMSD was in Government, only 2,496 housing units have been constructed, out of which 837 housing units started by Government between 2000 and 2005 by the MSM-MMM Government.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Madam Speaker, I think the House will agree with me, that this is a total failure of this Government that, in terms of housing, today the Minister himself said only 612 housing units have been built by this Government, and in all his reply these 4,000 that he mentioned to the House, there is only one word he said several times 'will'. This Government will – you have only six months to go and you want to build 9,000 houses.

**Mr Jhugroo:** Let me reply because...

*(Interruptions)*

**Mr Ameer Meea:** I have not finished, my question is coming. Answering to a PQ, the hon. Minister himself...

**Madam Speaker:** No. Hon. Ameer Meea, be brief in your question, so that – everybody wants to ask questions so be brief in your question.

**Mr Ameer Meea:** Okay, thank you. Madam Speaker, we are aware that there is USD 20 m. grant from India, and USD 25 m. line of credit. My question to the hon. Minister how much in this sum, not the line of credit but the grant from India, has been used and how many houses have been built out of this grant?

**Mr Jhugroo:** Madam Speaker, I know that the hon. Member is an Accountant, but I do not know if he has got any problem with his ears because not only 610 housing units have been constructed. I have given it in my answer. Since January 2015 to date, 1979 housing units have been completed.

*(Interruptions)*

Wait! Listen to me!

**Madam Speaker:** Hon. Ameer Meea!

**Mr Jhugroo:** I know the hon. Member is a professional accountant! Listen to me!

Now 2,421 housing units are ongoing, 458 units are expected to be completed by end of June this year, 528 units will be completed by December of this year and 1,435 units by June 2020.

*(Interruptions)*

We will still be here! Do not forget, we will be here! This makes a total of 4,400 units. Now, let me continue my reply.

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah!

**Mr Jhugroo:** I mentioned that we are going for special ...

*(Interruptions)*

**Mr Ameer Meea:** My question was specific. I have asked on the grant from India, for the line of credit from India. The hon. Minister is not answering to the question!

*(Interruptions)*

**Madam Speaker:** I will request both over here, when you ask your question, you have to be brief and the Minister has to be concise, brief and to the point in his answer, relevant to the question.

**Mr Jhugroo:** Yes, Madam Speaker. The question my hon. friend just asked me - I think he is here for nearly ten years - is not in the original question, the PQ. Now, the information that he is looking for, I have not got it with me right now. So if need be, he comes with a specific question and I will give him all the details required in this august Assembly.

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

**Mr Abbas Mamode:** Madam Speaker, I am made to understand by the reply of the hon. Minister that the figure for Port Louis region, which consists of four constituencies, is zero. So, no housing units have been built in Port Louis. Can the hon. Minister inform the House whether there is any plan – we are left with less than one year - concerning building of housing units in the region of Port Louis to be done?

**Mr Jhugroo:** Madam Speaker, I mentioned earlier that 5,995 units, where 16 sites have been identified for the implementation of the future projects which will be going shortly, we have got La Tour Koeing, Piton, Bel Air, Ernest Florent, Olivia, Saint Hilaire, Grand Bel Air, Mare d'Albert, Souillac, Surinam, Dubreuil, Mont Gout, La Clémence, Highlands, La Caverne and Tyack.

*(Interruptions)*

**Madam Speaker:** Order!

**Mr Jhugroo:** With regard to Port Louis, Madam Speaker, there had been a PQ in the past, so, I will ask my hon. friend to go and see Hansard.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Thank you, Madam Speaker. In his answer, the hon. Minister mentioned about houses being allocated to beneficiaries of the NEF. May I know from him, since May 2018 to date - the date that is in the question - how many social housing units have been allocated to the beneficiaries falling under the Social Register of Mauritius to the NEF?

**Mr Jhugroo:** Again, Madam Speaker, I will ask my hon. friend to come with a specific question. I mentioned 10% of the housing units will be given to the NEF! 10%! But the exact figure, I do not have it right now. The hon. Member should come with a specific question.

*(Interruptions)*

Why zero?

*(Interruptions)*

You come with a specific question!

**Madam Speaker:** Please do not engage in conversations with any hon. Member!

The Table has now been advised that PQ B/245 will be replied by the hon. Minister of Social Security, National Solidarity, and Environment and Sustainable Development instead of the Vice-Prime Minister, Minister of Local Government and Outer Islands, Ministry of Gender Equality, Child Development and Family Welfare.

Next question, hon. Mrs Perraud!

**SECONDARY SCHOOLS - DROPOUT STUDENTS – JANUARY 2017 TO  
DATE**

**(No. B/237) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the students, she will state the number thereof having dropped out from school before the age of 16, since January 2017 to date, indicating the reasons therefor.

**Mrs Dookun-Luchoomun:** Madam Speaker, I am informed that the number of students having left secondary schools before the age of 16 for the year 2017 was around 929. Many of these children have thereafter joined technical and vocational programmes at public and private institutions as well as NGO-run schools.



I am further informed that the figures for 2018 are currently being compiled by the Statistics Section of my Ministry.

Madam Speaker, I wish to point out that with regard to the prevocational sector, the dropout rate of students for year 2017 stood at 10.5%. The reforms undertaken by my Ministry have sought to address this matter and we have come up with the extended programme for students who are not able to achieve the required level of competencies at the end of the primary cycle. Focus is laid on the most vulnerable students following the extended programme and their attendance at school is monitored through a student tracking mechanism. As a result of this exercise conducted by the educational social workers of my Ministry and the PSEA, it has been found that out of 3,600 students enrolled for the extended programme in 2018, 10 students were not attending school. It appears there were changes in their addresses. Action for the tracking of students is still being pursued. Moreover, since this year, the student tracking mechanism has been extended to the students attending the MITD centre.

Madam Speaker, with regard to the reasons that can account for students leaving the secondary schools where he was initially enrolled, these include health problems, severe disability requiring specialised care, social and family reasons and in certain cases, minor ones, emigration. Madam Speaker, the Ministry is sustaining its effort to monitor attendance of students in schools.

**Madam Speaker:** Hon. Mrs Perraud!

**Mrs Perraud:** Nous savons tous que les enfants qui sont dans la filière, anciennement prévocationnelle, *extended stream* maintenant, quand ils terminent la première, deuxième et troisième année, ils ont âgés d'environ 14 ans, 15 ans. Donc, le ministère leur dit d'attendre jusqu'à 16 ans pour entamer la quatrième année. C'est l'information que j'ai eu au ministère.

*(Interruptions)*

Plus maintenant ! Donc, je voulais justement que vous nous donniez des informations.

**Mrs Dookun-Luchoomun:** Au fait, les élèves qui entrent au secondaire après le PSAC ont quatre ans. Ceux qui sont les plus vulnérables, ceux qui d'habitude allaient dans le *prevoc stream*, sont maintenant encadrés d'une autre façon à travers le *extended programme*, et l'étendu même du programme est sur quatre ans. Qui fait que les élèves sont là et suite à

cela, ils pourront choisir soit de continuer leurs études dans l'école régionale où ils se trouvent déjà ou de se faire admettre dans un centre de formation.

**Mrs Perraud:** Est-ce que le ministre est en train de confirmer qu'il y a eu aucun cas où le ministère a renvoyé un enfant pour lui dire d'attendre qu'il ait atteint l'âge de 16 ans pour pouvoir commencer la quatrième année ?

**Mrs Dookun-Luchoomun:** Madam Speaker, I have just mentioned that we have got a new scheme and I do not see why and for what reason we are going to ask a student to wait for a particular age to attend a class, *si j'ai bien compris. Parce que d'après l'honorable Madame Perraud, on a demandé à un élève de rester en classe ...*

*(Interruptions)*

*Non, parce qu'en principe ce n'est pas le cas. Je viens d'expliquer le système que nous avons mis en place, et là les élèves, une fois entrés au secondaire, ont quatre ans pour terminer le cycle d'extended programme.*

**Madam Speaker:** Yes, hon. Mrs Perraud!

**Mrs Perraud:** Quelle est la politique du ministère lorsqu'un enfant quitte l'école avant 16 ans ? Nous savons tous que tous les enfants ne terminent pas l'école, ne continuent pas l'école jusqu'à l'âge de 16 ans ou même après. Donc, quelle est la politique du gouvernement parce que nous savons que légalement un enfant doit être scolarisé jusqu'à l'âge de 16 ans ?

**Mrs Dookun-Luchoomun:** *Madam Speaker, on a noté à travers les statistiques qu'effectivement il y a eu dans le passé un bon nombre d'élèves qui ont quitté le système avant d'avoir atteint l'âge de 16 ans. Bien sûr, nous avons le Student Tracking System. Il y a aussi une provision de la loi qui demande à poursuivre les parents mais cela n'a pas été le cas jusqu'à présent parce que ces enfants, venant des régions défavorisées, d'un secteur très vulnérable, il y a encore beaucoup d'autres problèmes très complexes liés à leur milieu et alors, dans ce cas-là, nous suivons les enfants autant que possible, nous essayons de voir s'ils peuvent rejoindre soit les ONG ou encore la MITD. Mais bien sûr, ce n'est pas un système extrêmement fiable que nous avons. Mais à partir de maintenant, avec la réforme, le suivi qui se fait pour les élèves qui sont de l'extended programme nous permettra j'espère, à retenir nos élèves à l'école. Notre politique c'est *no one should be left out of the school, no dropout policy!**

**Madam Speaker:** Hon. Dr. Boolell!

**Dr. Boolell:** Thank very much, Madam Speaker. Can I ask the hon. Minister whether there is any follow-up in respect of job placement after they have undergone technical and vocational training?

**Mrs Dookun-Luchoomun:** Madam Speaker, this question is not related, but I will still say that we are trying to *encadrer le mieux possible les élèves qui rentrent dans le système*. I have just mentioned that for the MITD we have just started the Student Tracking System.

**Madam Speaker:** Next question, hon. Mrs Perraud!

### CHILDREN - SEXUALLY ABUSED - CASES

**(No. B/238) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue)** asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to children, she will state the reported number thereof having sexually been abused by a family member, since January 2017 to date.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo):** Madam Speaker, I am informed by the Commission of Police that since January 2017 to date, 150 cases of children having been sexually abused by a family member, including both family members living under the same roof and distant relatives have been reported. 126 perpetrators have been arrested, criminal proceedings are still ongoing. Out of the 150 cases, 81 cases have been reported directly to my Ministry. It is to be noted that all cases reported to my Ministry are referred to the Police for enquiry.

**Madam Speaker:** Hon. Mrs Perraud!

**Mrs Perraud:** Je voudrais demander à la ministre, est-ce qu'il y a une étude qui est commanditée par rapport aux enfants qui sont abusés sexuellement par un des membres de la famille, au niveau du ministère ?

**Mrs Jeewa-Daureeawoo:** No, there is no such report presently, but I do know that the Ministry has conducted an internal report so that we can get more information about all the cases.

**Mrs Perraud:** Je voudrais demander à la ministre, est-ce qu'elle ne croit pas que c'est très urgent, c'est très important de commanditer justement une étude pour savoir les causes, et peut-être bien les régions par rapport à ce problème? Parce que nous voyons, à travers la presse, que c'est un problème qui devient de plus en plus récurrent.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, it happens all over the island, not in a particular area. Well, let us wait for the outcome of some of the cases and then, the Ministry will take a decision.

**Mrs Perraud:** Permettez-moi quand même d'insister, parce que, comme la ministre a dit dans sa réponse, il y a 150 cas; quand même 150 cas c'est beaucoup. Donc, je ne comprends pas pourquoi on attend toujours. Donc, déjà j'ai posé la question depuis 2017, donc, deux ans, 2019 cette année-ci. Est-ce qu'on pourrait savoir on attendra jusqu'à quand?

**Mrs Jeewa-Daureeawoo:** Well, Madam Speaker I have just said that there are cases pending before the Police. The hon. Member was at that particular Ministry for two years. I think you could have seized this opportunity to carry out a survey, but this has not been done. So, I am explaining that there are cases.

Well, concerning all these cases, since judgment has not been delivered, we will say 'alleged cases'. We will have to wait for the outcome of the cases. But what is more important, Madam Speaker, is all necessary support and actions are being taken to help those children.

**Madam Speaker:** Hon. Adrien Duval!

**Mr A. Duval:** Thank you, Madam Speaker. Madam Speaker, may we know out of the 150 cases, how many have been reported by, for example, schools, establishments or by third parties? And what is the procedure in place, the resources that are being put by her Ministry with regard to the monitoring and identification of victims?

**Madam Speaker:** One question at a time, please!

**Mr A. Duval:** Because they are not all reported.

**Madam Speaker:** I will allow only one question.

**Mrs Jeewa-Daureeawoo:** Well, cases are reported to my Ministry through a hotline 113. It can be reported by any member of the public, it can be from the school, it can be from a parent, it can be from a relative, a neighbour, so, anyone can report. I must say that as soon as my Ministry becomes aware of any such case, we take appropriate actions. For example,

officers assist the victims in their declaration, psychological assistance is being provided. We assist the victims, we accompany the victims in hospital for treatment. We have also regular visit to the victims and, if need be, we provide legal resource persons to the victim to attend court.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** In fact, I was going to ask with regard to assistance given to the victim, but now we are talking about the assailant being a member of the family. Cases have been reported to the Police, I am sure the aggressor has been released on bail. So, my question is: what happens to that victim, especially when they sleep or stay under the same roof? Apart from the assistance that you have just mentioned, what happens to the victim and what is being done to ensure that the victim is not face-to-face again with the assailant?

**Mrs Jeewa-Daureeawoo:** Yes, a very interesting question, indeed Madam Speaker. When the child is sexually abused by a close member of the family, let us say the father, and the Ministry is of the view that the child has to be removed from the family environment, the Ministry takes necessary actions to remove the child and place the child - him or her - in a shelter. But when the offence is from a distant relative, then the parent will tell you that he will ask the cousin to leave the House, so the child will continue to remain under the family roof.

**Madam Speaker:** Next question, hon. Mrs Perraud!

#### **RESIDENTIAL CARE INSTITUTIONS/SHELTERS - FACT-FINDING COMMITTEE**

**(No. B/239) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue)** asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the shelters, she will state where matters stand as to the implementation of the recommendations contained in the Fact-Finding Committee on Residential Care Institutions/Shelters for Children Report 2015.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo):** The Government is very much concerned about the safety and security of children of this country. However, there are cases where children are at risk in the immediate

environment and necessitate Government's intervention for their placement in a shelter or residential care institution.

Regarding the recommendations of the Fact-Finding Committee November 2015, I am informed that the majority of the measures, recommendations have been implemented, - *inter alia*, the Child Development Unit has been split into two sections now. So, we have the Child Development Care Unit and the Alternative Care Unit to deal with rehabilitation, foster care, etc. So, the Rehabilitation Section of my Ministry has been reinforced and more resources in terms of personal logistics and funds have been made available. A more efficient inspectorate system has been set up with a view to monitoring the compliance of Residential Care Institutions and Shelters with norms and standards so as to strengthen the care provided to resident. A Committee on Emergency Protection Orders chaired by the Permanent Secretary of the Ministry has been set up to examine all cases of children reported to be at risk and to ensure that children are removed as a measure of last resort.

The Ministry is ensuring that children are committed to shelters for a minimum of one year, in parallel needful is done to expedite matters related to reintegration of these children to their family. The parental visit programme has been revamped and the collaboration of the Social Welfare Division and the community centres for the conduct of parental visit, a back to home programme has been elaborated. In the process of consolidating the rehabilitation programme, a psychiatric nurse has been recruited by my Ministry to support the children in need of psychiatric support.

We are in the process of recruiting more. As recommended in the Fact-Finding Committee, the Ministry is ensuring that residents are provided with a balanced meal. So, the assistance of officers of the Home Economics Unit of the Ministry has been solicited to closely monitor the menu sheet in each shelter. Regarding the designation of a trust person for each resident, the said task is presently being undertaken by the Family Welfare and Protection Officers and psychologists responsible for Shelters and Residential Care Institution. So, during site visits, residents interact and can talk with the officers.

**Madam Speaker:** Hon. Mrs Perraud!

**Mrs Perraud:** Une des recommandations dans le rapport est la surpopulation dans les *shelters*, les abris. Par exemple, à ce jour, il y a un seul *carer*, comme ils les appellent 'un Miss' pour six bébés actuellement à La Colombe et il y a un seul *carer*...

**Madam Speaker:** Hon. Member, please, doesn't provide information! Ask your question! I have said that Question Time is a time for you to press for action, to get information from the hon. Ministers, and not to provide information.

**Mrs Perraud:** Qu'est-ce que le ministère compte faire concernant cet état de choses où il y a en ce moment un seul *carer* pour 19 garçons, de six à huit ans, et un seul *carer* pour six bébés au *Shelter* La Colombe?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, as per my information, all the Shelters are not overcrowded. We have three Government-owned shelters and 14 Shelters run by NGOs. Now, with regard to caregivers, it depends on the age of the minor. I have been given to understand that we have one caregiver for three babies and one caregiver for, let's say children of five to twelve years of age.

The hon. Member speaks about overcrowding, well, all the Shelters have been requested to abide to the maximum capacity for the accommodation of residents in each Shelter. I must say that I am having regular meetings with the officers every week, every Monday. We are monitoring the situation very closely. According to my information, there is no overcrowding in all these Shelters for the time being.

**Mrs Perraud:** La Chambre va noter que la ministre n'a pas confirmé le fait qu'il y ait un *carer* pour six bébés actuellement au *Shelter* La Colombe et un *carer* pour 19 garçons de six à huit ans. Ma question est la suivante. Quelles sont les formations que les *carers* ont eues depuis 2017 pour travailler dans les *Shelters*?

**Mrs Jeewa-Daureeawoo:** I do know that training is being offered by officers of my Ministry. With regard to Shelters run by NGOs, they are independent, they run their own Shelters. But I must say that I am not quite happy, that's why I have pressed on the officers - I think we need to come with regulations because if we don't have regulations, it will be impossible for us to monitor the NGOs very closely to see what is happening, what they are doing and whether they are monitoring the recommendations we have put in place. We are presently working on some regulations and I think with the regulations we will be in a better position to monitor, especially the Shelters ran by NGOs.

**Mrs Perraud:** Le rapport recommande aussi la réintégration des enfants dans leur famille. Pourrait-on savoir depuis 2017 combien d'enfants ont été réintégrés dans leur famille ?

**Mrs Jeewa-Daureeawoo:** 80 children have been reintegrated in their families. I must say that this is a very serious concern. I have always said that Shelters are temporary accommodations and that children need to bond with their families. We are doing our level best to see to it that children integrate their families as quickly as possible. I have been working with the community centres, the social centres so that parents don't have to travel far to come to Port Louis to visit their children, to bond with them. We are using the community centres, the social centres, so that parental visits can be conducted in those places.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Madam Speaker, with respect to management of the three Government-owned Shelters, may I know from the hon. Vice-Prime Minister where matters stand? Last time, she said that there were *appel d'offres* to recruit independent competent managers.

**Mrs Jeewa-Daureeawoo:** Unfortunately, we have not been able to get any company to do that particular job. We are still running the three Shelters, but we are in the process of launching a bid again because, I think, it will be more proper to leave it to companies which have the expertise, the knowhow and the skills. So, we are still working on that.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can I ask the hon. Minister whether in view of the recommendations made in this Fact-Finding Committee and the several instances where we hear about child abuse and ill-treatment of our children, when will the Children's Bill be finally introduced in the House?

**Mrs Jeewa-Daureeawoo:** A very good question, Madam Speaker! We too, on this side of the House, are very keen to push that particular Bill in Parliament. In fact, I must say that a first draft is ready. We have already sent it to the SLO for vetting and we do hope, with the blessing of each and everyone in this House, we will be able to bring the Bill to the House in the months to come.

**Madam Speaker:** Next question, hon. Uteem!

**MINISTRY OF FINANCIAL SERVICES AND GOOD GOVERNANCE –  
ADVISERS, OVERSEAS MISSIONS, ETC**

**(No. B/240) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services and Good Governance whether, in regard



to the advisers attached to his Ministry since 2015 to date, he will state the names thereof, indicating in each case the –

- (a) qualifications;
- (b) terms and conditions of appointment, including remuneration and benefits drawn, and
- (c) number of overseas missions undertaken, indicating the aggregate costs thereof.

**Mr Sesungkur:** Madam Speaker, as the hon. Member is aware, I was appointed Minister responsible for Financial Services and Good Governance on 24 January 2017.

My predecessor, the former Minister of Financial Services, Good Governance and Institutional Reforms had, during his tenure of his office, recruited 24 Advisers. I am tabling the names, qualifications, terms and conditions of appointment and number of overseas mission undertaken by these Advisers.

Madam Speaker, since my appointment as Minister, I recruited an Adviser on Governance Matters on 03 August 2017 and he resigned, for personal reasons, on 04 February 2019. I also recruited an Adviser on Information Matters, on a contractual basis, with effect from 11 July 2017. I am tabling the details requested in the question in respect of these two advisers.

Madam Speaker, with your permission, I wish to inform the House that when I joined the Ministry, there was no technical staff in post, and worse, there was no post of technical officers on the Ministry's establishment, when it is obvious that technical officers are indeed essential for the smooth running of the Ministry.

Accordingly, an expert, in the field in Anti-money Laundering/ Combatting the Financing of Terrorism (AML/CFT), to follow up on compliance with the Financial Action Task Force (FATF) and Eastern and Southern African Anti-Money Laundering Group (ASAAMLG) requirements, has been recruited as Adviser on 25 September 2017 and she is fully involved in technical duties on AML/CFT.

Moreover, thirteen other technicians have been recruited in an advisory capacity and are performing technical duties as Manager, Financial Services (3), Assistant Manager, Financial Services (4) and Analyst, Financial Services (6), respectively. I am tabling the names, qualifications, terms and conditions of appointment of these technical advisers.

Madam Speaker, I wish to point out that only the Adviser on AML/CFT has undertaken three overseas missions since her assumption of duty and all these in relation to FATF and ESAAMLG meetings...

*(Interruptions)*

**Madam Speaker:** One second! It will not go unheeded! Once again, I ask the hon. Member to go outside, take his call and leave his phone outside. Please!

*(Interruptions)*

Hon. Minister, before you proceed further, can I ensure that all mobile phones are on silent mode? Please proceed!

**Mr Sesungkur:** This is indeed very disruptive, Madam Speaker.

I would like to take again the last part of my answer. Madam Speaker, I wish to point out that only the adviser on AML/CFT has undertaken three overseas missions since her assumption of duty and all these in relation to FATF and ESAAMLG meetings. None of the other Advisers has proceeded on overseas mission.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. Is the hon. Minister aware that one of the former advisers appointed by his predecessor, Mr Akhilesh Deerpalsing, gave a statement to ICAC, setting out a list of people who have been recruited, including the son of a sitting Minister, the daughter of a high civil servant, the niece of another Minister and son-in-law of the Ambassador of Mauritius to a foreign country? Is he aware of this?

**Madam Speaker:** Yes, hon. Uteem, you rightly pointed out this matter has been reported to ICAC. I don't think the hon. Minister will be able to reply to something which has been reported to ICAC unless you reformulate your question otherwise.

**Mr Uteem:** I reformulate my question to say: has he, himself, or his Ministry carried out an investigation to find out whether there have been people appointed when his predecessor was Minister who were relatives of Members of the Cabinet, of Ministers, of high Civil Servants. Has his Ministry or himself conducted an inquiry to see to that?

**Mr Sesungkur:** Madam Speaker, I have not personally carried out an investigation, but I suppose the recruitment should have been done in accordance with laid down procedures at that time.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** I want to know from the hon. Minister whether the established procedure for appointment of advisors, the 24 advisors – can he appoint an advisor without going through the Prime Minister or should the Prime Minister consent to the appointment of advisors?

**Mr Sesungkur:** Madam Speaker, as I mentioned in my answer, I cannot reply for what was there before my appointment. I can only give the information what I have been provided for.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Thank you, Madam Speaker. Can I know from the hon. Minister whether he has gone to the records and see whether certain of his advisors had Police cases, whether a Certificate of Morality was asked prior to their employment and whether now - when he is Minister – police clearance has been sought for the recruitment of advisors, public relation officers?

**Mr Sesungkur:** Yes, for those appointments which have been done under my Ministership, all the police clearances have been obtained Madam.

**Madam Speaker:** Hon. Dr. Boolell!

**Dr. Boolell:** Is the Minister aware that his predecessor made a public statement and stated very clearly that all those 24 advisors were approved by the then Prime Minister and I am glad that the case is before ICAC and I hope ICAC will deliver.

**Madam Speaker:** But, once again, hon. Member, he cannot reply for his predecessor. He can only reply for himself.

**Mr Mohamed:** On a point of order, Madam Speaker. I feel a bit bizarre because it is about what you just said. I mean how do know he cannot reply – let him reply and if he says he cannot, he will say I cannot...

*(Interruptions)*

**Madam Speaker:** Hon. Shakeel Mohamed!

*(Interruptions)*

Hon. Shakeel Mohamed, politely I am going to tell you that by saying so you are defying my authority. I have given a ruling on this and I think it is up to you to accept it. You cannot challenge my authority. Next question, hon. Uteem!

**Mr Uteem:** Can I on this same question, Madam Speaker?

**Madam Speaker:** Next question!

**Mr Uteem:** On this same question.

**Madam Speaker:** Next question!

### **DRUG OFFENCES – INVESTIGATIONS**

**(No. B/241) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to investigations into drug offences, he will, for the benefit of the House, obtain from the Commissioner of Police, for each of the years 2015, 2016, 2017, 2018 and since January 2019 to date, information as to the number of phone lines that have been tapped and bank accounts placed under surveillance.

**The Prime Minister:** Madam Speaker, I wish to point out that Mauritius is an *État de droit* where the fundamental rights and freedoms of any individual are guaranteed by our Constitution. Section 12(1) of the Constitution enshrines the principle that except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions and to receive and impart ideas and information without interference, and freedom from interference with his correspondence.

However Section 12(2)(a) and (b) of the Constitution provide for permissible derogations to the right enshrined in Section 12(1) as follows –

‘12(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision –

- (a) in the interests of defence, public safety, public order, public morality or public health;
- (b) for the purpose of protecting the reputations, rights and freedoms of other persons or the private lives of persons concerned in legal proceedings, preventing the disclosure of information received in

confidence, maintaining the authority and independence of the courts, or regulating the technical administration or the technical operation of telephony, telegraphy, posts, wireless broadcasting, television, public exhibitions or public entertainments; or

- (c) for the imposition of restrictions upon public officers, except so far as that provision or, as the case may be, the thing done under its authority is shown not to be reasonably justifiable in a democratic society.'

Madam Speaker, I am informed by the Commissioner of Police that Section 56 of the Dangerous Drugs Act empowers Police Officers to tap or place under surveillance the telephone lines of persons suspected to be involved in drug dealing offences and place a bank account under surveillance, on issue of a warrant by a Judge in Chambers. However, since the coming into force of the Dangerous Drugs Act, the Police has not resorted to any telephone tapping or placed any bank account under surveillance.

I am further informed that during the course of investigation into drug dealing cases already detected, where communication made is material to the enquiry, the Police have made several requests to obtain Judge's Orders with a view to establishing links among accused parties, under Section 32 of the Information and Communication Technologies Act.

Thereafter, the Police forward the Judge's Order to the public operator directing the latter to disclose the name and address of the alleged offender along with an itemized bill containing the particulars of the incoming and outgoing calls from the concerned telecommunication device. No content of the communication held is disclosed.

Madam Speaker, I am further informed that the Judge's Orders are also sought for in respect of bank transactions into drug cases having connection to money laundering in breach of Section 39 of the Dangerous Drugs Act.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Madam Speaker, Section 56 of the Dangerous Drugs Act provides a very powerful weapon in the hands of the Police in case of suspicious drug traffickers. Can I know from the hon. Prime Minister whether he has received any information from the Commissioner of Police as to why is it that this very powerful weapon has never been used by the Police to track down traffickers.

**The Prime Minister:** Well, whenever there is any need to use those powers, I believe the Commissioner of Police, in his own judgement, will use those powers.

**Mr Uteem:** Is the hon. Prime Minister aware that the reason is, according to my information, that ADSU and the Police unit in charge of investigating drug trafficking does not have the appropriate phone tapping and surveillance equipment despite having made the request several times for such equipment to be purchased and put at their disposal.

**The Prime Minister:** Madam Speaker, I can tell this House that I am monitoring and in very closely seeing to it that the fight this Government is engaging against drug traffickers bear all the possible fruits and seeing to it that what has been done and what has been left to be done, what has occurred also in the past that they have the right signal that we are not going to leave no stone unturned. So, the hon. Member can rest assured that we shall use whatever legal instruments available to the Police and whatever we can in terms of getting the right people to also get involved into inquiry with regard to such sensitive cases.

I can assure the hon. Member that I think he will understand that it will not be appropriate for me to divulge what mechanism has been put into place, what kind of inquiry, what kind of follow up and monitoring is being done but everybody can see that the number of arrests, the number of seizures that are being effected regularly. I am not talking about only record seizures, I am talking about regularly, both at customs, at the airport and also throughout the island. We need to do more and I hope that we get the support of each and every one *dans ce combat contre les criminels*.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can I ask the hon. Prime Minister, in view of the elaborate answer that he has given with regard to the effectiveness of the ADSU and the other agencies in the fight against drug, is he aware that in the report of Mr Lam Shang Leen on the Commission of Inquiry on Drug Trafficking, it is mentioned there that one of the complaints of the customs is that there is the absence of power to tap communication, and this was a complaint and request made to the Commission. How does he react to that, allowing the customs also to tap communication within the parameters of the law as he had just explained himself?

**The Prime Minister:** Madam Speaker, I think we have to be careful. I think it is easier said that one unit also must be entitled to have the equipment in order to have the possibility of phone tapping. Phone tapping is a very sensitive issue already and I believe that we have to see to it that instead, this is my opinion, we need to have close collaboration

between the different units, ADSU, at the level of Police, customs and others also, in order to be more effective. Giving the possibility of each and every one doing this and that, I do not think is the solution. Maybe we can still brainstorm on this but I sincerely believe that what is required and probably what needs to be done further is that we all get together in terms of those units and see to it that the combat is more efficient and effective.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you Madam Speaker. Madam Speaker, can the hon. Prime Minister state, despite the fact that there is no use of phone tapping, as at today's date, how much in terms of monetary value drugs have been seized from our borders and internally?

**The Prime Minister:** Well I cannot give the details but let me say this, I did not want to say it but I think it will probably in the 'not hours to come but days to come' it will come to public knowledge. There has been a coordinated action between our institutions and foreign institutions. Right now we have been able to seize another, I would say, not record, but a big amount of heroine which was destined to come to Mauritius. But I must say thanks to the good work of the authorities here and also with the collaboration of other authorities of other countries that we have been successful. But it will come and I hope sooner than later it will come to public knowledge.

**Madam Speaker:** Hon. Quirin!

#### **YOUTH SERVICE PROGRAMME – YOUTH EMPLOYMENT & EMPOWERMENT**

(No. B/242) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Youth Service Programme, he will state the number of young persons employed thereunder since the coming into operation thereof to date, indicating the number thereof having secured employment thereafter.

**Mr Toussaint:** Madam Speaker, the Youth Service Programme, also called the National Youth Civic Service, is an innovative programme for young people announced in the Budget Speech 2018/2019. It complements the National Skills Development Programme which focuses on technical training.

The aim of the National Youth Civic Service is to enhance the employability of young people and promote youth empowerment.

The programme urges young people to –

- practise and exercise citizenship;
- develop talents and life skills, including sports and physical fitness, and
- develop soft skills, such as team building, discipline, communication and work ethics to improve their employability.

In this endeavour, the programme comprises modules on personal branding, creativity and innovation, self-empowerment, volunteering and character focus.

Madam Speaker, I wish therefore to highlight that the National Youth Civic Service is a training programme to equip young people with skills, attitudes and values to facilitate their employability in the dynamic work environment. It is not a stand-alone scheme focussing on the direct employment of youth.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Merci Madame la présidente. Comme vient de mentionner l'honorable ministre, effectivement dans le dernier discours du budget, il était prévu que 3,000 jeunes devaient rejoindre le *National Skills Development Programme* et cela afin de recevoir une formation technique. Et de ces 3,000 un premier groupe d'un millier de jeunes de 17 à 25 ans devaient bénéficier justement d'une formation sur le *Youth Service Programme*, peut-on savoir réellement combien de jeunes à ce jour ont été formés sur le *Youth Service Programme* ?

**Mr Toussaint :** Madame la présidente, le *National Youth Civic Service* comme on l'appelle maintenant a démarré sa formation le 18 février 2019 et, à ce jour, nous avons 318 jeunes qui à travers l'île sont formés. C'est la première partie. Il y aura une pause durant la période des Jeux des Iles et nous allons reprendre avec une deuxième partie de jeunes à partir du mois d'août.

**Mr Quirin:** Peut-on savoir, Madame la présidente, qui sont les formateurs? Qui sont ces personnes qui dispensent ces cours de formation à ces jeunes?

**Mr Toussaint :** Les officiers du ministère, Madame la présidente, ont reçu une formation poussée par un groupe de consultants et ce sont eux qui dispensent les formations.

**Mr Quirin:** Une autre question Madame la présidente, peut-on savoir si une fois leur certificat de compétences en poche, comme c'est mentionné dans le discours du budget, ces jeunes sont dirigés vers le *Youth Employment Programme* ?



**Mr Toussaint :** Non, Madame la présidente, ce n'est pas exactement le but de ce programme.

**Madam Speaker:** Next question, hon. Quirin!

#### **BREAST & CERVICAL CANCER - FULL-FLEDGE MOBILE CARAVAN**

**(No. B/243) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Quality of Life whether, in regard to breast and cervical cancer, he will state where matters stand as to the proposed purchase of a full-fledge mobile caravan to promote early detection thereof, as announced in the Budget Speech 2018-2019.

**Dr. Husnoo:** Madam Speaker, I wish to inform the House that, with regard to the acquisition of a full-fledged mobile caravan, procedures have already been initiated by my Ministry. The specification for the specialised vehicle has already been prepared and fund to the tune of Rs25m. has been earmarked.

Madam Speaker, I wish to point out here that this mobile caravan is a specialised vehicle which has a specific requirement compared to other vehicles. This vehicle's main function is to screen cancer cases as well as follow up and referral for specialised services. The procurement section of my Ministry is currently reviewing the specification for inclusion in the tender document. Once this is completed in consultation with the Ministry of Public Infrastructure and Land Transport, my Ministry will proceed with the launching of the tender in about two weeks' time.

Madam Speaker, as we are all aware, that tendering process takes much time, that is, around 3 months' time and it is expected that the letter of award will be issued by September 2019.

**Mr Quirin:** Madame la présidente, je trouve déplorable que pratiquement une année après que cette mesure fut mentionnée dans le dernier discours du budget et ce véhicule n'est toujours pas disponible. Donc peut-on savoir de l'honorable ministre en attendant l'achat de cette caravane, quels sont les moyens qui sont déployés par son ministère pour détecter justement les personnes atteints de cancer du sein et du col de l'utérus?

**Dr. Husnoo:** I must say that it takes a bit of time because this is not something we are going to get off the shelf. It is a customised vehicle; one does not get it off the shelf. That is why.

As far as cancer screening is concerned, we have a mammography equipment which is at Victoria Hospital. Unfortunately, it broke down in October last year, 2018, and action has been initiated to repair the same by hospital authority and currently procedures have been launched for procurement of spare parts.

Additionally, a donation has been received from the Government of Japan for the purchase of a digital mammography equipment to be used at Dr. A. G. Jeetoo Hospital. That is for the breast cancer.

As far as cervical cancer is concerned, there is a screening. The Health Promotion Research Unit at the Ministry has been entrusted to carry out a Cervical Screening Programme for married or sexually active women aged 30 to 60 years for early detection and treatment of cervical cancer. This programme is carried out all around the island and comprises of aggressive sensitisation and awareness campaign for cervical cancer.

For the period January 2015 to October 2018, 18,552 women were screened for breast cancer and 12,932 women were screened for cervical cancer in the public hospital in Mauritius. As far as Rodrigues is concerned, we have about 6000 women between the age of about 30 and 60 years and about half of them have been screened already. And maybe in a month's time, a third batch of screening would be done.

**Madam Speaker:** Yes, hon. Quirin!

**Mr Quirin:** Peut-on savoir, Madame la présidente, comme le cancer du sein concerne aussi les hommes, peut-on savoir combien de cas chez les hommes ont été détectés ces deux dernières années ?

**Dr. Husnoo:** I am sorry, Madam Speaker, I do not have that particular figure with me, but I can circulate it afterwards.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Since the announcement of this measure in the Budget and up to the allocation of funds in relation to this item, can the hon. Minister state how long does it take normally for the procedure of procurement to be carried out?

**Dr. Husnoo:** I mean it is not just the procedure of the procurement; it is just a matter of trying to find a company that is going to supply this kind of specialised equipment. As I mentioned earlier, it is not something that you buy off the shelf, you have to have the specification and look around where you can get it. That is why it has taken quite a bit of

time. Once we have got the specification, we have launched the tender. And as I mentioned, that is going to take about three months' time before we can get it.

**Madam Speaker:** Hon. Dr. Boolell!

**Dr. Boolell:** Thank you very much, Madam Speaker. It stands to reason that the mobile caravan has many merits. Now, can I ask the hon. Minister how many cases on average will be seen by the staff of the mobile caravan? On average does the hon. Minister have any inkling as to how many patients are going to be seen by the staff of this mobile caravan?

**Dr. Husnoo:** No, I think once we get the caravan on site, because this caravan is going to be used for breast cancer and cervical cancer.

**Dr. Boolell:** On average, how many cases?

**Dr. Husnoo:** No, it is a bit difficult for me to say now how many cases because there are two types of examination. It is not only one type, so, it is a bit difficult to say now.

#### **SOCIAL REGISTER OF MAURITIUS - HOUSEHOLDS - ELIGIBILITY**

(No. B/244) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Social Register of Mauritius, he will state the number of families and individuals listed thereunder for the years 2017 and 2018, region-wise, indicating the amount of funds disbursed therefor and eligibility criteria to benefit thereunder.

**Mr Wong Yen Cheong:** Madam Speaker, the number of households eligible under the Social Register of Mauritius fluctuates as there are beneficiaries who moved in while others moved out of the register. As at November 2017, there were some 9,443 households representing 37,406 beneficiaries and as at November 2018, there were some 11,108 households representing 43,957 beneficiaries, registered and found eligible under the Social Register of Mauritius for empowerment support.

Madam Speaker, regarding the eligibility criteria to benefit from support under the Empowerment Scheme, the household must be registered, found eligible under the Social Register of Mauritius and should sign a social contract with my Ministry.

As regards the number of households and beneficiaries for the year 2017 and 2018, registered thereunder on a district-wise basis and the amount of funds disbursed, with your permission, Madam Speaker, I am tabling the information.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Merci, Madame la présidente. Peut-on savoir de l'honorable ministre quelle instance au sein de son ministère peut décider ou rejeter une requête pour bénéficier des allocations et de bien vouloir aussi préciser, quelles sont les conditions qui sont prises en considération pour déterminer si une famille où un individu ne doit plus faire partie du registre social de Maurice ?

**Mr Wong Yen Cheong:** Madam Speaker, the SRM is a plan, that is, the (PMT) Proxy Mean Test to determine the eligibility that is given. The first PMT1, developing 2010 under the Household Budget Survey 2006/2007 and was updated to PMT2 using the 2012 HBS data to reflect the changes which may be occurred in the consumption pattern and living standard of households.

The PMT method provides a formula for accessing the living standard of each household or income earner which is registered in the SRM. The formula is based on demographic and socio-economic characteristic, for example the age, gender of head, number of kids, adults and elderly in the household as well as the housing condition on the assets' ownership.

As a whole, what I have to say, Madam Speaker, once the person meet the criteria, it is the Social Security that determines the eligibility if they are under the Social Register of Mauritius or not.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Madame la présidente, l'honorable ministre, peut-il confirmer si c'est bien son ministère qui établit et gère le registre social de Maurice ?

**Mr Wong Yen Cheong:** At the Ministry of Social Integration and Economic Empowerment, we have the NEF that manages all the payments of the Social Register of Mauritius, but it is the Social Security of Mauritius that gives us the list.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Thank you, Madam Speaker. The hon. Minister mentioned two figures, one in 2017: 9000 something and in 2018: 11,000. This makes a difference of about 4000. It is an increase of 4000 people that comes to add to the SRM list. Two weeks ago, the hon. Minister informed the House that 2000 people moved out of the SRM list. I

would like to find out from him, where are the 2000 people? What has he done for the 2000 people to move out of the SRM list?

**Mr Wong Yen Cheong:** Madam Speaker, as far as I know, I have the information but the hon. Member should come with a specific question where I have ...

*(Interruptions)*

There are actually like 2000 more people that came out of the Social Register of Mauritius. That was registered before and now they are out and I can confirm that.

*(Interruptions)*

**Madam Speaker:** I did not give you the floor, please resume your seat. I have given the floor to hon. Quirin first.

**Mr Quirin:** Merci, Madame la présidente. Peut-on savoir de l'honorable ministre...

*(Interruptions)*

**Madam Speaker:** Hon. Armance, did you make any comment on my ruling? You made that remark!

*(Interruptions)*

I heard something else!

**Mr Quirin:** Peut-on savoir de l'honorable Ministre combien de *case management officers* disposent le *National Empowerment Foundation* et comment contrôler l'efficacité de leur travail sur le terrain ?

**Mr Wong Yen Cheong:** *Madam Speaker*, pendant très longtemps, il nous manquait des personnes pour travailler sur le terrain. On a failli faire une réforme à la NEF afin de pouvoir recruter ces personnes. Ces personnes viennent d'être recrutées et nous allons les former. Et maintenant, je ne peux pas donner le nombre exact mais nous avons recruté suffisamment pour pouvoir faire le travail et de faire ce qu'il faut sur le terrain pour pouvoir faire l'*assessment*.

**Madam Speaker:** Next question, hon. Jhuboo!

**SURINAM - SAVANNE RIVER - DREDGING**

**(No. B/245) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the proposed dredging of the Savanne River, in Surinam, in the vicinity of *Moulin Cassée*, he will state where matters stand.

**Mr Sinatambou:** Madam Speaker, according to section 50 of the Local Government Act of 2011, local authorities are responsible for the construction, control, care, management, maintenance, improvement and cleaning of all beds and banks of rivers in Mauritius. This is, however, subject to their financial capabilities and within the limits of the administrative areas.

Furthermore, pursuant to paragraph 144 of the Budget Speech 2018/2019, provision has been made under the National Environment Fund for Local Authorities to undertake continuous maintenance and cleaning of drains, rivers and canals. However, my Ministry sometimes assists in the dredging of rivers subject to the availability of funds.

I am informed by the District Council of Savanne that the river banks of Savanne River are cleaned as and when required, especially to cart away debris and other wastes accumulated therein.

I am also informed that the riverbanks of Savanne River in the vicinity of *Moulin Cassé* were last cleaned in February 2019 by the Council's in-house labour.

I am further informed that, following a request made by hon. Joe Lesjongard, a joint site visit was carried out last month, precisely on 14 March 2019, by the District Council of Savanne with representatives of the National Disaster Risk Reduction and Management Centre, the National Development Unit, the Forestry Services, the Water Resources Unit and the Special Mobile Force. During the site visit, it was observed that there are soil deposits and vegetation in the riverbed which can be the cause of riverine flooding in the region. All stakeholders present during the site visit of 14 March 2019 agreed that the cleaning and desilting of the riverbed should be carried out by the District Council of Savanne. I am informed that the District Council is currently seeking funding from its parent Ministry to proceed with the relevant bidding exercise.

**Mr Jhuboo:** Merci, madame. Je remercie le ministre pour sa réponse. Le dragage de la rivière Savanne est l'ultime solution pour régler le problème, pour endiguer ce problème d'inondation, car on ne parle pas d'un mètre d'eau ou un mètre vingt d'eau, on parle littéralement de maisons qui sont inondées à hauteur du toit. Pourrait-on avoir du ministre

une indication, un délai dans lequel ces travaux de dragage pourraient être effectués afin de rassurer les habitants de la région du Moulin Cassée, et surtout les riverains de la rivière Savanne?

**Mr Sinatambou:** Well, I cannot give an exact time. What I believe is that if the local authority has, as I said, just made the request for funding, I am sure it should be completed probably before the beginning of the next rainy season. However, I must say that, Madam Speaker, in his Budget Speech, the Prime Minister actually proposed to have an audit of all our rivers because we cannot keep addressing the issue on a standalone basis, and we need an overall approach to the 92 rivers and 232 rivulets which we have in this country. That is being done currently.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Madame la présidente, la rivière Savanne figure sur la liste des 67 *flood-prone areas* du pays. Ma question au ministre est la suivante: le ministre travaille-t-il de concert avec sa collègue du ministère de *Local Government* pour revoir les normes de construction dans ces zones à risque? Y a-t-il un travail qui est fait pour identifier le type de structure, le type de bâtiment qui serait plus adapté dans ces zones à risque ?

**Mr Sinatambou :** As a matter of fact, Madam Speaker, when we actually enacted the Local Government (Amendment) Act last year, it was specifically to address that particular issue. It is now, in fact, prohibited to build in the vicinity of such sensitive zones.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can I ask the hon. Minister, since there are a few families who have been victims of flood in the recent past due to the flash floods that we have had all around the country, whether he can see to it that the needful is done as quickly as possible, and whether these few families around Moulin Cassée are eligible for the compensation of 6,000 and 3,000 per child?

**Mr Sinatambou:** There is an established procedure for that. If they have actually gone through that procedure and fulfilled the criteria, they would be eligible.

**Madam Speaker:** Next question, hon Jhuboo!

**Mr Jhuboo:** B/246, please!

**Madam Speaker:** No, B/246 went to the hon. Prime Minister, time permitting, that was transferred. So, it's your next question.

### MOULIN CASSÉE - NATIONAL HERITAGE SITE

(No. B/247) **Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Arts and Culture whether, in regard to *Moulin Cassée*, in Surinam Village, in the vicinity of the Savanne River, he will state if consideration will be given for the proclamation thereof as a national heritage site.

**Mr Roopun:** Madam Speaker, on the 05<sup>th</sup> of this month, a request was received from the District Council of Savanne, by the National Heritage Fund, a parastatal falling under the aegis of my Ministry, for the possible listing of *Moulin Cassée* as a National Heritage Site.

Same is currently under consideration by the NHF as per section 12 of the National Heritage Fund Act 2003 and the guidelines and criteria of the UNESCO and the NHF.

A joint site visit with heritage officers from the NHF and the Savanne District Council will be conducted in the coming weeks in order to facilitate the preparation of a Statement of Cultural Significance for consideration by the NHF Board.

Once all clearances are obtained, the recommendations of the NHF Board will be communicated to my Ministry for Government approval to be sought for the listing of the site as National Heritage.

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

### FLOOD PRONE AREAS - DRAINS - MAINTENANCE

(No. B/248) **Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to drains, she will, for the benefit of the House, obtain from the Local Authorities, information as to the measures taken for the maintenance thereof, especially, in flood prone areas, indicating the number and types of pumps available for use during floods.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo):** Madam Speaker, I am informed that regular cleaning and maintenance of drains, which are under the responsibility of the Councils, are carried out throughout the year by the Local Authorities according to a programme of work established at the beginning of each financial year.



Necessary financial and human resources are allocated to the Local Authorities to carry out the works effectively. In view of the magnitude of the task at hand, the Local Authorities also resort to private service providers for cleaning and maintenance of drains. During the current financial year, an amount of Rs45 m. has been allocated to the Local Authorities for the cleaning and maintenance of drains, rivers and canals.

Moreover, my Ministry is presently carrying out a procurement exercise for the acquisition of machinery and equipment to further empower the Local Authorities for the effective cleaning and maintenance of drains.

As regards the use of pumps during floods, I am informed that this is a specialised task which normally falls under the purview of the Mauritius Fire and Rescue Service and the Police Department. The Local Authorities are not involved in the pumping of flood water which requires appropriate training and equipment.

**Mr Abbas Mamode:** Madam Speaker, I have been Municipal Councillor for nearly 20 years. It's the first time that a Minister states that it is not the role of a Council or a District Council to have pumps, but we did have pumps in the past. I don't know why, because in certain regions when you know, especially...

**Madam Speaker:** What is your question?

**Mr Abbas Mamode:** My question is: does the Local Authority have pumps available - any types of pumps? It is not correct to say that this is not the task of the Local Authority.

**Mrs Jeewa-Daureeawoo:** Madam Speaker...

**Madam Speaker:** Let her say why she is saying that.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, the hon. Member was in Government for some months. You have been PPS also. I have said in my...

*(Interruptions)*

You put a question, let me answer.

**Madam Speaker:** Can we have some order, please?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, the local authorities, they are independent. So, they control the Local Authorities as they want, but as Minister, I do have a *droit de regard*. I have said that this task is being carried out by the Mauritius Fire and Rescue Service. I can also inform the House, I have said that the Local Authorities do not have

pumps that can be used to remove water during flooding periods, but I do know that, for example, the Municipal Council of Port Louis do have a small pump which is used to evacuate water during minor emergencies like if there is flooding in the building itself. It is the same for the Municipality of Beau Bassin and there are some district councils also which have small pumps which they use for minor emergencies, but, as I have said, this work is being done by the Mauritius Fire and Rescue Service. I seize this opportunity, in fact, to thank all the officers of the Mauritius Fire and Rescue Service, they are doing a great job and, up to now, we have received no complaint from anyone in the country that flooding has not been addressed in a proper way.

**Madam Speaker:** Yes, hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. The question relates to maintenance of drains. Is the hon. Vice-Prime Minister aware that many drains are not properly maintained even during flash floods because the Local Authorities, including the Municipal Council of Port Louis does not have the funds to pay overtime to its workers?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I have just said that during the current financial year, an amount of Rs45 m. has been allocated to the Local Authorities for the cleaning and maintenance of drains. I must say that this is an ongoing process and we are having meetings with the representatives of the Local Authorities on a regular basis. I can reassure the House that cleaning of drains is one of the priorities of the Local Authorities and this is being addressed on a regular basis. But, you will agree with me, hon. Member, that the bad weather that has prevailed during the past month has not helped. As I have said, this is a recurrent feature and we have to continue the process of cleaning.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Thank you, Madam Speaker. We all know of the poor maintenance of drain lead to flooding. May we know what is the Ministry doing to ensure a proper monitoring of the drains and that they are kept clean at all times?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, it is easy to come and talk of poor maintenance of drains. The question has been put by Members of the opposition several times, and several times I have replied that there is proper monitoring by the Ministry and that I have regular meetings with the Local Authorities. We have had one last week and we will have on Thursday. So, the issue of cleaning of drains is being taken seriously. I must say

all the Local Authorities are aware of this particular aspect and much effort is being put in the cleaning of drains.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Madam Speaker, is the hon. Vice-Prime Minister aware that, as a result of funds provided in previous budgets, the Fire and Rescue Services have actually acquired a number of pumps in order to meet demands during floods?

**Mrs Jeewa-Daureeawoo:** They have acquired new equipment for the pumping of water.

**Madam Speaker:** Next question, hon. Abbas Mamode!

**Mr Abbas Mamode:** I have a question on the issue of drain, Madam Speaker.

**Madam Speaker:** Next question!

#### **RDA - DRAINS & PAVEMENTS**

**(No. B/249) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to drains and pavements, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the number thereof built since 2015 to date, especially, in flood prone areas.

**Mr Bodha:** Madam Speaker, I am informed by the Road Development Authority (RDA) that it is responsible for construction of drains to cater for the surface runoff along the main roads and the motorways only.

In fact, the drainage of the catchment areas which require a storm water drainage system does not fall under the purview of the RDA, but under the jurisdiction of Local Authorities, National Development Unit and the Land Drainage Authority. I am tabling a list of drains and pavements constructed since 2015 to date by the RDA.

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

**Mr Abbas Mamode:** Can the hon. Minister inform the House whether the region nearby Sir Seewoosagur Ramgoolam National Hospital where there is no pavement in the vicinity, and whether the Minister has started, not only at this region where there are many

public domains where public usually go, whether pavements will be constructed in a short lapse of time?

**Mr Bodha:** Madam Speaker, I don't know whether this falls under the purview of my Ministry. I need the specific site so that we can have a survey to see what can be done at the level of the RDA. Otherwise if something needs to be done at the level of the NDU or the District Council, we will see to it that we find a solution to the problem.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. I just heard the hon. Minister and maybe what he just said could lead to some confusion. Can he please confirm that all classified roads where drains are required, they have to be built by the RDA, and nothing else? Is that true?

**Madam Speaker:** Did you reply?

**Mr Bodha:** The answer is, yes.

**Madam Speaker:** Hon. Shakeel Mohamed, you have got another question?

**Mr Mohamed:** The Minister replied, but he was very short.

**Mr Bodha:** The answer is in the affirmative.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** I know that the hon. Minister is very sharp in his reply at times, but, maintenance of drains on classified roads, I can say for sure it is not being done and followed by the RDA. I give you one example. At the entrance of Rose Hill, just before the roundabout of the CEB, has the hon. Minister seen, during the past when there were heavy rains, how it was flooding on that road and none of his inspector has been there? I had to go to the Police. So, maintenance of drains along classified roads *laisse à désirer*. I appeal to the hon. Minister to, at least, take to task the officers of the RDA.

**Madam Speaker:** Okay, we understood your question.

**Mr Bodha:** I will certainly look into the matter, Madam Speaker. As regards to that area, in fact, we are having a drainage problem along the Sir Virgil Naz Road which is costing us about Rs14 m.

**Madam Speaker:** Last question, hon. Armanee!

**Mr Armance:** Thank you, Madam Speaker. Regarding the construction of drains in the flood-prone areas, I would like to know from the hon. Minister if he has done a survey to identify the sites where there are floods that require the drains, and if he can table a copy of the survey to the House?

**Mr Bodha:** This does not fall under the purview of the RDA. The question is about flood-prone areas. In fact, the Master Plan will be under the responsibility of the Land Drainage Authority, that is, the Master Plan for the whole of Mauritius.

**Madam Speaker:** Next question, hon. Baboo!

#### **CAMBRIDGE SCHOOL CERTIFICATE EXAMINATIONS – PASS RATES**

**(No. B/250) Mr S. Baboo (Second Member for Vacoas & Floreal)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Biology, Chemistry and Physics subjects, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the pass rates thereof at the Cambridge School Certificate Examinations over the past four years.

**Mrs Dookun-Luchoomun:** Madam Speaker, I am tabling the information obtained from the Mauritius Examinations Syndicate with regard to the pass rates of school candidates for the past four years in Biology, Chemistry and Physics.

The performance in Biology has increased from 83.6% to 84.48% from 2015 to 2018, while the Chemistry result pass rate has risen from 83.2% to 85.74 over the same period. The same situation has been noted for Physics with an improvement in performance, from 84.1% in 2015 to 85.14% in 2018.

**Madam Speaker:** Next question, hon. Baboo!

#### **TOURISM AUTHORITY - PLEASURE CRAFTS LICENCES**

**(No. B/251) Mr S. Baboo (Second Member for Vacoas & Floreal)** asked the Minister of Tourism whether, in regard to Pleasure Crafts Licences, he will, for the benefit of the House, obtain from the Tourism Authority, information as to the number thereof issued, since July 2017 to date.

**Mr Gayan:** Madam Speaker, I am informed by the Tourism Authority that since the 01 July 2017 to 22 April 2019, a total 226 Pleasure Crafts Licences have been issued, out of which 19 are commercial licences and 207 are private ones.

**Mr Baboo:** Can the hon. Minister inform the House of the criteria for obtaining a Pleasure Craft Licence, please?

**Mr Gayan:** For public or private? Well, for private, Madam Speaker, it has been relatively easy for persons to apply to get a private licence, but we have a restriction that no person can have more than two licences and not more than three per household.

**Madam Speaker:** Hon. Baboo!

**Mr Baboo:** Can the hon. Minister provide the number of operating zones and sites for these pleasure crafts and if any quota has been set per zone or site?

**Mr Gayan:** Madam Speaker, let me give some figures in order to understand the nature of the problem.

#### Commercial and Private Licences

Year	No. of Licences
2010	180
2011	382
2012	560
2013	536
2014	433
2015	258
2016	262
2017	215
2018	108

We have been looking at this issue of Pleasure Crafts and the intensity of sea based activities, because it can lead to a degradation of the marine environment. Let me also say that, in 2015, a policy decision was taken by the then Deputy Prime Minister addressed to the

Tourism Authority, that no new applications for commercial Pleasure Crafts Licences will be entertained until further notice.

It was initially for six months, it was extended by another six months and it went on up to 01 June 2017. Then, in October 2017, there was a consultative workshop with all the stakeholders and the suggestion was made that this policy had to be revisited because of the growing number of tourists visiting Mauritius. Then, the Board with the Tourism Authority examined the proposal and recommended that new commercial pleasure craft licences be issued only to Mauritians who are not already holders of a commercial pleasure craft licence. This was done in order to democratise this sector and to allow all Mauritians to participate in this sector.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Can the hon. Minister state, in so far as commercial licences are concerned, how many commercial licences can one company apply for at a time and be holder of how many licences at a time?

**Mr Gayan:** Well, Madam Speaker, in the past, a company could apply for as many licences as it wanted to. In fact, I have a list which I could table but I will not because it is going to create a lot of damage to all the operators. But let me say that with regard to commercial pleasure craft licences, there are certain areas which are saturated and no new licences are being given. We are trying to develop new areas where this activity can be conducted. The idea behind this new policy of empowering any Mauritian who wants to get into this industry is something which is laudable because I think that the industry can accommodate new people, new entrants and this is why we want to give to those who are not already holders of a licence priority of consideration whenever there is an application.

**Madam Speaker:** Hon. Bhagwan, I will grant you the last question!

**MAURITIUS FILM DEVELOPMENT CORPORATION - SERENITY**  
***PREMIERE- DELEGATION***

(No. B/252) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Arts and Culture whether, in regard to the film entitled Serenity, he will, for the benefit of the House, obtain from the Mauritius Film Development Corporation, information as to the –

- (a) overseas missions undertaken by the Corporation in relation thereto, giving details thereof;
- (b) facilities given to the promoters thereof, and
- (c) date of release thereof, indicating if the Corporation was represented at the launching ceremony thereof.

**Mr Roopun:** Madam Speaker, I am informed that the General Manager of the Mauritius Film Development Corporation attended the Première of Serenity on 23 January 2019 in New York in the United States, following an invitation sent by Aviron Pictures, the production and distribution company.

Two representatives from the Economic Development Board and two private stakeholders were also part of the delegation.

Funds to the tune of Rs151,330 have been disbursed by the corporation to meet the cost of the above mission from 21 to 26 January 2019, including cost of air ticket Rs61,870 and *per diem* Rs89,460.

Madam Speaker, with regard to part (b) of the question, I am informed by the MFDC that all facilities provided for the production of the movie have been through the Economic Development Board, under the Film Rebate Scheme.

As regards part (c) of the question, Serenity was released in the United States on 25 January this year, by Aviron Pictures and in Mauritius on 22 January in Star Cinemas.

To date, the movie has been released in the US, the UK, Russia, Bulgaria, Netherlands, Portugal and the Czech Republic.

The movie will be released in other parts of Europe in April this year. The video release of the movie in the US is planned for 30 April 2019.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Madam Speaker, from what we have gathered in the Press and so on, this film for which the public has spent about Rs250 m. out a scheme, has been a complete flop. Can the hon. Minister inform the House whether he has discussed this issue with the Economic Development Board and whether he can make a statement to the House about what in real terms the Mauritian public, the taxpayers have obtained in investing about more than Rs200 m. public fund in that film?



**Mr Roopun:** Madam Speaker, under the Rebate Scheme, it is not a commercial venture. It is the film producer who invests and for us in Mauritius we had the privilege to facilitate the shooting of the first Hollywood film in Mauritius. The producer of the film, Serenity, has spent Rs735 m. in Mauritius, out of which Rs549.6 m. were qualifying production expenditures, amount spent here and the producer has, under the scheme, benefitted from a rebate amounting Rs214.3 m.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** Can the hon. Minister later on circulate a breakdown? My next question is more important as well. So, can I ask my next question, Madam Speaker?

**Madam Speaker:** No. Time is over!

**Mr Bhagwan:** The hon. Minister was agreeable to reply.

**Madam Speaker:** I have given you additional time for this question because I have allowed hon. Rutnah!

Time is over! The Table has been advised that PQs B/254, B/255, B/256 and B/257 have been withdrawn.

## MOTION

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

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

**The Deputy Prime Minister rose and seconded.**

*Question put and agreed to.*

(4.18 p.m.)

## STATEMENTS BY MINISTERS

### SRI LANKA - TERRORIST ATTACKS

**The Prime Minister:** Madam Speaker, I wish to make two statements. On Sunday 21 April 2019, Sri Lanka was hit by multiple terrorist attacks as its people and the rest of the world were celebrating Easter, causing around 300 deaths and some five hundred casualties. Victims comprise mostly Sri Lankan citizens and also include citizens from other countries.

Madam Speaker, in a message conveyed to the Government of Sri Lanka, we conveyed our deep condolences and expressed our solidarity with the Government and the people of Sri Lanka and the families of the victims. The despicable targeting of places of worship and public gathering on a holy day in Sri Lanka, has particular resonance in Mauritius, which, as a multi-faith and multi-cultural nation has always upheld the notion of freedom of worship and respect for each other's faith and cultural values.

I also sent a personal letter to President Maithripala Sirisena to express our shock and dismay over the cowardly acts perpetrated in Colombo and other places in Sri Lanka and to reaffirm the commitment of Mauritius to fighting terrorism in all its forms.

Madam Speaker, the House will recall that Mauritius was a founder member of the Counter Terrorism Committee (CTC) set up by the United Nations in 2001.

We are likewise committed to the UN Global Counterterrorism Strategy, as we are to the Global Initiative to Combat Nuclear Terrorism.

We also participate in numerous actions, initiatives, structures engaged in fighting the scourge of terrorism, at the level of the Commonwealth, Non-Aligned Movement, and the African Union, amongst others.

The Second Conference on Maritime Security that Mauritius will host this year aims at curbing forms of illegal traffic that can often finance terrorist activities. Mauritius will continue to participate in actions and initiatives aimed at fighting the scourge of terrorism at the level of Commonwealth, Non-Aligned Movement and the African Union amongst others.

Madam Speaker, we pride ourselves in Mauritius of being a peace loving society that promotes fundamental rights including freedom of worship. We must all be and feel free to practise our religious and cultural beliefs. I seize this opportunity to make an appeal to all our citizens to contribute towards preserving the social fabric of our country.

Social media cannot and should not be used as a vehicle of hatred and extremism. We must act as guardians to denounce any attempts to incite hatred.

Madam Speaker, I am sure that all the hon. Members of the House will join me in expressing once more the collective support and solidarity of Mauritius to the Government and the people of Sri Lanka.

Thank you.

### **YOUTH UNEMPLOYMENT & FDI - RATE**

In my reply to Parliamentary Question B/148 from the hon. First Member for Port Louis South and Port Louis Central on Tuesday 16 April 2019 on the rate of youth unemployment for period January 2018 to 16 April 2019, I stated that it was 25.1 per cent for the year 2018.

The hon. Member has questioned the correctness of the information. However, I wish to inform the House that the Director of Statistics has confirmed, in a letter dated 19 April 2019, that the correct figure is indeed and in fact 25.1 per cent as I mentioned in my reply.

I have perused the document tabled by the hon. Member, which is an extract from the Economic and Social Indicator on Labour Force, Employment and Unemployment published by Statistics Mauritius for the third quarter of 2018.

I must emphasize that the data in the document is data on a quarterly basis whereas the Question was on youth unemployment for the whole year 2018 and up to 16 April 2019.

Madam Speaker, the hon. Member has also expressed doubts about the FDI figures I have given. I have also gone through the document tabled by the hon. Member entitled Preliminary Gross Direct Investment Flows: First three quarters of 2018 (excluding Global Business sector).

Again, I must point out that the figures in the extract relate to the first three quarters of 2018, that is, for the period of January to September 2018.

Madam Speaker, the figures I have given in my reply to the Question are for the whole 12 months of 2018, that is, a total amount of Rs17.4 billion. For the year 2017, it was Rs21.2 billion.

Madam Speaker, the purpose of my Statement is to set the records straight. As Prime Minister and Minister of Finance and Economic Development, I ensure that the facts and figures I state in this august Assembly are precise, correct and relevant.

Thank you.

(4.24 p.m.)

### **EDLP - IMPLEMENTATION STATUS**

**The Minister of Education and Human Resources, Tertiary Education and Scientific Research (Mrs L. D. Dookun-Luchoomun):** Madam Speaker, with your

permission, I propose to make a statement on the implementation status of the Early Digital Learning Programme (EDLP) initiated in 2018 in primary schools of the public.

The EDLP is an innovative national measure which is being implemented as part of the ongoing educational reforms to promote ICT mediated pedagogy at school level. It is fully in line with the strategy stated in Budget Speech 2016/2017 moving towards the fully-fledged digital society. The main objective of this programme is to develop digital literacy right at the outset of the schooling life via children. Its early exposure to the digital tool starting as from grade one effectively enhances and transforms the learning experience of pupil right from an early age in order to improve pupils learning outcomes.

The EDLP is a joint collaborative venture between the Mauritian and the Indian governments. Initial financing took the form of a grant assistance of 14 million USD provided by the Indian Government and a matching grant of 8.4 million USD from the Government of Mauritius with a total project cost of 22.4 million USD. The implementation of the EDLP under the government agreement with India started in 2017 with phase I in grades 1 and 2 in 2018 and moving forward with phase 2 in grade 3 this year, in 2019. It has involved the distribution of a total of 39, 680 tablets of which 26,800 were provided in 2018 and 12,880 in 2019.

The installation of accessories such as projectors, screens, rack charges also form part of the project. The distribution took place in 258 schools in Mauritius, 17 schools in Rodrigues and 2 schools in Agaléga in Grades 1 and 2 in 2018 and Grade 3 in 2019. The project also makes provision for after sale service for all the tablets and accessories on a full warranty of one year and service for two years. The training of staff both teaching and administrative as well as technical has been done with the support of the MIE. Training sessions were organised for educators of grades 1, 2, and 3, Headmasters, Deputy Headmasters along with inspectors and ICT support officers. More than 1500 educators have thus been trained from 2017 to date; training of staff will be pursued and sustained. A joint project monitoring committee has been set up and is co-chaired by my Ministry and the Indian High Commission. This high-level Committee has been following the implementation of the EDLP.

Madam Speaker since implementation of the EDLP in 2018, the digital educational contents have been an integral part of the project. The interactive and child friendly contents have been developed by the MIE and the MGI and cover all the core subjects of Grades 1, 2

and 3. The Ministry, with the support of the World Bank, is evaluating the progress achieved by the EDLP. Already, according to the feedback obtained from schools, pupils are enthusiastically engaged with the interactive content and this project has facilitated the unleashing of the potential of the learners in this digital age.

Madam Speaker, the early digital learning programme has required the joint efforts of several Ministries and Departments. It is meant to develop a new culture of learning by ushering a new pedagogy relevant to the digital era and technological world in which our children are called upon to develop.

Thank you, Madam Speaker.

(4.29 p.m.)

### **TORRENTIAL RAIN - VICTIMS - COMPENSATION**

**The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr E. Sinatambou):** Madam Speaker, with your permission I propose to make the following statement concerning the payment of compensation to the victims of torrential rain on the 09 and 10 February 2019 and on the 09, 10, 11 and 14 April 2019.

Madam Speaker, my Ministry provides two types of assistance to flood victims. Flood allowance is paid up to a maximum of three days in accordance with the First Schedule (Part 1) of the Social Aid Regulations of 1984 to each member of a household whose premises have been flooded, and whose foodstuffs have been damaged.

The payment of Rs182 per day per person is released subject to a Police memo certifying that the foodstuffs have been damaged. This flood allowance is essentially paid for damaged foodstuffs. As at the 18 April 2019, my Ministry had disbursed a sum of Rs1,383,558 as flood allowance of Rs182 each to victims affected by torrential rain all across the island of Mauritius for the above mentioned period.

In addition to the above, in order to alleviate the hardship of our population and in a bid to reinforce assistance in this era of uncertain climatic conditions, Government has amended the Regulations of the Prime Minister's Relief Fund to make provision for the payment of compensation to the victims of floods, cyclones and other calamities.

This assistance is provided only if the premises of the victims have suffered severe structural damages and/or substantial material loss has been incurred. Rs6000 are then paid to each adult and every child under the age of 18 receives Rs3,000 in each household.

This assistance is to provide relief to the affected family or household over a period of time to enable it to find its footings. As at yesterday, 22 April 2019 at 1600 hours, an amount of Rs21,130,000 had been paid from the Prime Minister's relief fund to the victims of the torrential rain events of 09 and 10 February 2019 and of 09, 10, 11 and 14 April 2019 and whose premises had suffered severe structural damages and/or who had incurred substantial material loss.

The details of the eligible households who have been paid are as follows –

• Fond Du Sac, 103 households	-	Rs1,836,000
• Tranquebar, 111 households	-	Rs1,629,000
• Cottage, 45 households	-	Rs903,000
• Résidence La Cure, 49 households	-	Rs780,000
• Pamplemousses, 123 households	-	Rs1,998,000
• Pointe aux Sables, 139 households	-	Rs2,397,000
• Terre Rouge, 139 households	-	Rs2,451,000
• Bambous, 80 households	-	Rs1,623,000
• St Croix and Roche Bois, 103 households	-	Rs1,779,000
• Petite Rivière and Richelieu, 52 households	-	Rs1,149,000
• Goodlands, 17 households	-	Rs291,000
• Baie du Tombeau, 34 households	-	Rs543,000
• Montagne Longue, 22 households	-	Rs288,000
• Riche Terre, 33 households	-	Rs582,000
• Rivière du Rempart, including Plaine des Roches, Hermitage and Pointe des Lascars, 17 households	-	Rs291,000;
• Cassis, 65 households	-	Rs1,230,000;
• Mapou, 6 households	-	Rs90,000

And, finally, payments made at Astor Court yesterday for additional residents of Cassis, St Croix, Roche Bois, Résidence La Cure and Tranquebar, 92 households totalling Rs1,270,000. This makes a total amount of 1230 households totalling an amount of Rs21,130,000.

Thank you, Madam Speaker.

*(Interruptions)*

**Madam Speaker:** Order! Order please! Order! Can we have some order? Hon. Thierry Henry! Hon. Thierry Henry, second time, third time, I will sanction you!

### **PERMANENT SECRETARIAT OF CISNA - MAURITIUS**

**The Minister of Financial Services and Good Governance (Mr D Sesungkur):** Madam Speaker, with your permission, I wish to make a statement regarding the hosting of the Permanent Secretariat of the Committee of Insurance, Security and Non-banking Financial Authorities (CISNA) of the Southern African Development Community (SADC) in Mauritius.

Madam Speaker, in view of financial resource constraints, the CISNA Secretariat was hosted, on a temporary basis, by the Financial Sector Conduct Authority (FSCA) of South Africa. In July 2018, the SADC Committee of Ministers of Finance and Investment approved the setting up of a permanent office of the CISNA Secretariat. This decision was endorsed by the SADC Council of Ministers in August 2018.

Subsequently, on 12 October 2018, CISNA launched a bidding exercise for the hosting of the permanent office of its Secretariat, opened to CISNA members only.

Madam Speaker, as the hosting of the CISNA Secretariat in Mauritius is in line with Government's Africa Strategy and its vision to be Africa's Regional Hub, and being given that the reputation and visibility of Mauritius at the regional and international landscape would be enhanced as it would be viewed as the seat of the Authority regrouping all non-bank financial services regulators of the SADC region, Government agreed to the Financial Services Commission (FSC), which is a member of the CISNA since 1998, participating in the bidding exercise. It has to be pointed out that currently, there are no SADC institutions in Mauritius whilst two institutions of COMESA are already hosted here, namely, the Eastern and Southern African Trade and Development Bank, formerly the PTA Bank, and the COMESA Infrastructure Fund.

The bid process was closed on 29 March 2019 and the bid documents were opened and evaluated at the 42 Bi-annual CISNA Meeting held in Mauritius last week.

Madam Speaker, I am pleased to inform the House that the bid proposal of the Financial Services Commission has been successfully considered and the FSC has been

officially informed that CISNA has approved the setting up of its Permanent Secretariat in Mauritius. Indeed, the hosting of a SADC substructure in Mauritius will reinforce our ties with SADC and Africa.

Thank you, Madam Speaker.

**PUBLIC BILL**

*Second Reading*

**THE BUILDING CONTROL (AMENDMENT) BILL**

**(NO. II OF 2019)**

*Order for Second Reading read.*

(4.38 p.m.)

**The Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade (Mr N. Bodha):** Madam Speaker, I move that the Building Control (Amendment) Bill be read a second time.

The main object of this Bill is to amend the relevant sections of the Building Control Act to provide for alternative ways of serving notices on owners of dangerous and/or ruinous buildings where such notices cannot be served upon such owners personally or by registered post.

Madam Speaker, at present section 32 of the Building Control Act provides that where a notice is required to be served on the owner or occupier for the purposes of the said Act, such notice shall be served by an officer of the relevant local authority personally on, or sent by registered post to the owner or occupier.

However, in many cases, the exact address of owners of dangerous and/or ruinous buildings is unknown and they remain untraceable. Notices sent by post to the last known address are consequently returned undelivered. In such circumstances, as the Building Control Act does not make provision for any other alternative manner for the service of notice on the owner, the Local Authorities are thus unable to take any action against such owners of dangerous and/or ruinous buildings which thus become a public hazard.

It has thus become imperative to bring amendments to the present Building Control Act to provide that in case the owner or occupier of a dangerous building remains untraceable,



substituted service can be effected on the owner in order to enable the local authorities to take appropriate actions.

Madam Speaker, before elaborating on the main clauses of the Bill, allow me to say a few words about the construction sector in Mauritius. The construction sector witnessed its worst period during the years 2011 to 2015, its growth rate went even below 0%, hitting a record when the growth rate fell to -9.4% in 2013. However, the sustained efforts made since 2015, changed this trend and after having a zero growth rate in 2016, the sector has regained its momentum in 2017 with a rate of 7.5%. This rate further has increased to 9.5% in 2018. Almost 60,000 people are now working in this industry.

Madam Speaker, in spite of the abovementioned achievements, there have been some matter of concern in certain instances. We have witnessed some unplanned developments which need to be addressed at the earliest. In this respect, the House would recall that amendments were made to the Building Control Act and the Local Government Act to provide for the mandatory pulling down of buildings constructed without respecting the conditions of the Building and Land Use Permits issued by the local authorities.

In this same vein, it is essential that appropriate action should be taken where any building is deemed to be dangerous and/or ruinous and a hazard to its neighbours and surroundings. As per the provisions of the Building Control Act, where a building is deemed to be dangerous, the local authority concerned has to serve a notice on the owner to either repair the building or pull it down within a given timeframe, failing which the local authority shall undertake the repairs or pull down the said building. However, it has been noted that many of the owners of dangerous and/or ruinous buildings are untraceable, their addresses are unknown and the notices sent by registered post to their last known address remain undelivered.

Madam Speaker, the main clauses of this Bill are as follows –

- (i) where a notice is served by a local authority on the owner or occupier of a dangerous building and the notice remains undelivered and the service cannot be effected, substituted service can be effected on the owner or occupier by –
  - (a) affixing a notice at the owner's or occupier's last known address or business address;
  - (b) affixing a copy of the notice at the dangerous building, and

- (c) publication of the notice, on 2 consecutive days, in 2 daily newspapers having wide circulation in Mauritius.
- (ii) where the owner or occupier of the dangerous building still remains untraceable, the local authority shall, notwithstanding any other enactment, cause the building to be pulled down, removed, secured or repaired at the expense of the local authority.
- (iii) the same procedure for substituted service will apply where a notice has to be served on the owner of a ruinous building.

The Bill also provides, Madam Speaker, for consequential amendments to the following Acts as follows –

- (i) the Local Government Act to allow for substituted service to be effected where a compliance notice, an enforcement notice or pulling down notice remains undelivered and service cannot be effected, and
- (ii) Section 10 of the Recovery of Assets Act to allow that where a local authority exercises its powers under the Building Control Act, it shall be entitled to recover the costs incurred in the pulling down, in the removal, in securing and/or in repairing the dangerous building or ruinous building from the owner in the manner provided for under the Recovery of Assets Act.

Madam Speaker, I will now explain in detail the amendments being proposed to the Building Control Act.

A new sub section 3A is being inserted under section 22 of the principal Act to provide that a local authority can cause substituted service where a notice sent by registered post on an owner or occupier of a dangerous building returns undelivered and where personal service of the notice cannot be effected by an officer of the local authority.

Section 3B will provide that the notice will order an owner or occupier to pull down, remove or repair any building or wall within a specified timeframe, failing which the local authority will cause the building to be pulled down or repaired.

New sub sections 1A and 1B will provide similar provisions for ruinous buildings.

Madam Speaker, a new section 32A is being introduced to provide that where a local authority incurs expenses for the pulling down or repair of a dangerous or ruinous building, it

shall be entitled to recover such expenses in the manner provided for under the Recovery of State Debts Act.

Consequential amendments would accordingly be made to the Local Government Act and the Recovery of State Debts Act.

Madam Speaker, I now commend the Bill to the House.

**Mr Roopun rose and seconded.**

**Madam Speaker:** I suspend the sitting for half an hour.

*At 4.46 p.m., the sitting was suspended.*

*On resuming at 5.32 p.m. with Madam Speaker in the Chair*

**Madam Speaker:** Hon. Baboo!

**Mr S. Baboo (Second Member for Vacoas & Floreal):** Thank you, Madam Speaker.

*(Interruptions)*

**Madam Speaker:** Please!

**Mr Baboo:** Madam Speaker, we have before us today a piece of legislation, the Building Control (Amendment) Bill which has all the features and benefits to pass all Readings. We cannot but commend the laudable intentions of the hon. Minister of Public Infrastructure. It is a fact that for too long the dangers of the ruinous buildings and the safety and security of the public have been overlooked. But it is unfortunate, Madam Speaker, that with such a legislation and with all the good intentions of the hon. Minister, the purpose of this Bill will not be met as the devil lies in the details. I sincerely believe that it is a missed opportunity to do away once for all with all these eyesores and dangerous structures which are found practically in every town, and especially Port Louis our Capital City, our business centre, a tourist attraction. This Bill should have, indeed, been a golden opportunity to reform our process of urbanisation.

Madam Speaker, our Ministers are seasoned travellers. How can they travel to most of the beautiful cities and towns in the world and not feel distressed when they are back in Port Louis? It is a fact that over the years our Capital City has become a shame for our visiting tourists. It must, by now, be among the most neglected ones and *laissés-pour-compte*. Are our Ministers and counsellors, not the

least concerned about the state in which Port Louis is in today, when the authenticity of the city is not being preserved? Here, we cannot forget the destruction of the school, previously occupied by the Ministry of Education, which was a potential National Heritage Property of more than 250 years. We have also the Metro Express building effects on the core and buffer zones of our World Heritage site, the Aapravasi Ghat. We, therefore, unfortunately, cannot have high expectations when it comes to measures for the restoration of ruinous buildings. Port Louis is not only crumbling under the many old ruinous and dangerous buildings, but also under demographic pressure. It is gradually but surely becoming an eyesore for the country with absolutely no sense of aesthetic. We, therefore, need more than just this piecemeal legislation. We need to revisit our policies regarding urbanisation and development of our towns and villages to leave as legacy a more pleasant and secure environment for our future generation. The situation elsewhere is not any better. Rose Hill and Quatre Bornes are facing the same kind of situation. The Minister would agree that in our very own constituency, Vacoas-Floreal, a region which does not lack ruinous buildings and with its high rainfall and humidity also aggravating the state of the buildings *à l'abandon*. Our cities, towns and touristic villages, like Grand'Baie, Flic-en-Flac, just to mention these two, have over the years been allowed to develop in a haphazard way. There has been no planning whatsoever.

**Madam Speaker:** Hon. Baboo, just to interrupt you. You can mention Port Louis, you can mention other villages or towns, but you have to come to the main clauses of the Bill and I expect any hon. Member to address the clauses of the Bill rather than to talk on the situation in Mauritius.

**Mr Baboo:** I am coming to that, Madam Speaker. When you see some commercial buildings, Madam Speaker, it is so flagrant how commercial permits have been granted. And it is for sure, the local authorities are to be blamed. Therefore, bringing this Bill to the House, Madam Speaker, is nothing to write home about when the current laws themselves are not being applied. It is a fact that some wealthy owners will always find their way, and the local authorities turning a blind eye to their actions rather than targeting *ti-dimounes* who do not have the means and *péna contacts*. This is why some people have developed this taste for indiscipline in the way they build. If the Government itself does it and allows it, why should not they also do it? Madam Speaker, this is unfortunately the attitude prevailing. It is the same motivation that prompts the owners of ruinous and dangerous buildings to turn a blind eye and a deaf eye to notices when they are requested to repair their buildings, which this Bill

is specially trying to tackle. I repeat, this Bill is a missed opportunity because the Minister could have come up with a better legislation to include not only the old obsolete, crumbling and collapsing buildings in our cities and towns, but this could and should have been within the framework of a master plan to review the bigger picture and address once for all the issue of proper town planning and urbanisation.

Our towns and cities bustle with activities during the day and with the Metro Express taking much space, and with the past experience at Vandermeersch, Rose Hill, many of the residents of the towns are now apprehensive. In fact, when most important cities in the world are going green and aiming at more ecological environment infrastructure, this Building (Amendment) Bill, Madam Speaker, certainly looks sketchy and to have been done in a haste to push it through. It contains several loopholes and therefore will be impossible or very difficult for it to meet the objectives for which it is meant. We all know how our local authorities operate, lack of diligence and expeditious process. It takes ages to prosecute, ages for the courts to process a case until cases become so old that the protagonists have either passed away or the cases have to be struck out.

What is the purpose of this present Bill when we know that enforcement will be almost non-existent? Otherwise, how would you explain the number of lands left in a state of abandon? The state of the environment in the country, the beaches and the public areas have never been so filthy. And now, we are just having a tunnel vision by trying to sort out the problem of buildings crumbling and falling into ruins and pieces. It is unfortunate that they have treated this Bill as a routine exercise of filling the blanks replacing here and there some superfluous or understated clauses.

Madam Speaker, as I said earlier, the devil is in the details when it comes to this Bill. These details that may not be too conspicuous to the eyes, but which could have a heavy bearing afterwards. This is too important an issue and too major a problem for us not to scrutinise the details of this Bill.

In the Explanatory Memorandum itself on the very first page, we are told that publications of notices will be in two newspapers. This already shows the half-hearted way in which we intend to enforce this law. Why cannot we also aim for an online or digital register to ensure mass coverage?

Under No. 2 of the Explanatory Memorandum, Madam Speaker, we are told that the local authority will repair the crumbling, dangerous and ruinous buildings on behalf of the owners. This is beyond belief, Madam Speaker.

Are taxpayers' money going to be used to repair and expenses incurred on behalf of defaulters to whom notices have been served and who may deliberately be ignoring such notices? This is neither the way nor the proper approach, Madam Speaker. How will the local authorities repair ruinous buildings, if we take a look at the state of their own properties under their wings? Therefore Madam Speaker, there is absolutely no question of repairing, especially knowing that Government cannot repair its own buildings falling into shambles.

What are we doing, Madam Speaker? Is the kettle calling the pot black? If we take a look at some of our Social Security Offices, District Courts, some of our Police Stations, our Civil Status Office, to mention but a few. And we are here talking of Repair! Where will all this be leading to, Madam Speaker, if not yet another of these legislations good for the museum?

Coming back to the Bill, Madam Speaker, if we consider the proposed new subsection 3A, I would here like to draw the attention of the House to letter (b), and I quote –

- “(b) Where the owner or occupier is not known -
- (iii) serve a copy of the notice to the Curator of Vacant Estates under the Curatelle Act, inviting him to confirm, within 30 days of service, whether the building has been vested in him.”

Madam Speaker, we understand that the respective enforcement authority will now be dependent on the Curator of Vacant Estates. The latter will be served a notice under the Curatelle Act to confirm whether the building has been vested in him. I beg to disagree on this, Madam Speaker. Should not it be the other way round? Should not the Curator of Vacant Estates be the first to let us know that he is about to handle requests to dispose of dangerous and jeopardous buildings? If we understand well, it means that it will be normal business for Curator of Vacant Estates and he will be selling ruinous and dangerous buildings in the meantime. So, unless and until he receives notice, he can continue putting on sale dangerous and crumbling structures and buildings.

It seems more of retrograding measures, Madam Speaker, being proposed in this Bill than *avant-gardiste* measures. First and foremost, should the Curator of Vacant Estates accept to be vested with such buildings? Is it not up to the Curator of Vacant Estates to inform the

authorities before accepting to be vested with such buildings? It is this kind of contradictions and loopholes, Madam Speaker, that eventually makes the law null and void. For such a small piece of legislation, there are already too many flaws to it, Madam Speaker.

If we look at subsection 4A (iii), it states –

“the local authority shall, notwithstanding any other enactment, cause the building or wall to be pulled down, removed, secured or repaired to the satisfaction of the engineer who issued the report under subsection (2).”

Madam Speaker, how can the Curator of Vacant Estates fail to reply? I mean, is he allowed to fail? How can we bring order in the system if such flaws are allowed?

Indeed, this looks rather beyond belief. To say the least, this Bill indirectly stipulates that the Curator of Vacant Estates do not really have to comply if he does not wish to do so. Does the Curator of Vacant Estates enjoy some kind of protected tenure that he is even allowed to fail in his responsibility? Madam Speaker, how can the Minister accept such a shoddy piece of legislation? He is a qualified lawyer and should have known better.

The last paragraph of Clause 4, Madam Speaker, states –

“Where the owner remains unknown, the Judge shall authorise the local authority to prosecute the sale before the Master and Registrar of the Supreme Court.”

This was a golden opportunity for the Government to do away with this dark issue of ruinous, dangerous buildings by asserting in this Bill the allocated deadline, giving to the new owner to restore or pull down the building. We know the situation of the *vente à la bare*. It is more of a business platform for some regular buyers. How can he then ensure that these new owners will abide to the law, when there is hardly anything said in the existing legal provisions for those who fail to comply with the time fixed and conditions set by the local authorities? That is what was expected from this Bill, that it streamlines the process, covers the oversights of the existing provisions and ensure that the new owners, who have acted in bad faith, are punished.

There are more inconsistencies in this Bill, Madam Speaker. If we look at page 7 of this Bill, the proposed new section 32A, where the respective - and I quote –

**Madam Speaker:** Which new subsection you said?

**Mr Baboo:** 32A, page 7. It states -

"local authority (...) shall be entitled to recover, through its Financial Controller, the costs incurred in the pulling down, in the removal, in securing or in repairing the dangerous building or hazardous building (...) in the manner provided for under the Recovery of State Debts Act".

Madam Speaker, with all the procedures being put in place as per section 22, new subsection 3(a), in view of locating the owner or occupier. How will the Government now recover the expenses from a person who could not be located, has not been yet located and may never be located. The very reason for the whole exercise is because the owner is nowhere to be found. How will the Local Authorities and by what means now, will they find him to recover the expenses?

Indeed, potential defaulters must be laughing up their sleeves with this loophole being presented to them. We know already have a foretaste of the amount of red tape involved in tracing the owner or occupier and recovering the expenses incurred and, therefore, all the tax payers money to be spent. When we know the speed at which the Executive normally moves, it will take a very, very long time to recover the expenses if there will be recovery. On this side of the House, we have serious doubts. Most probably, all such expenses will have eventually to be written off as bad debts. They should have instead put up a proper survey and report derived from the number of similar cases, the Local Authorities have entertained since 2012 to ensure that tax payers money is not being thrown out of the window because of some malevolent owners.

Concerning towns, here the Municipal Councils could have already outlined those who have not paid their municipal taxes and have an updated register, start the chasing and survey of the potential dangerous buildings at the core itself and not wait until everyone has disappeared to now decide to wake up and take actions. Therefore, this proposed section 32(a) definitely shows the lack of seriously to make appropriate workable laws. Similarly, a concrete example, Madam Speaker, are the laws with regard to the *terrains en friche* and all about the campaign *Maurice nu zoli pays* dated two years back. Even if there is the issue of lack of concern of certain people, it remains the responsibility of the Government and Local Government to ensure that the law is being respected. You just need to visit certain towns and villages. When you pass on the main roads, it is nearly picturesque but when you enter inside, you can see the number of *terrains en friche* being used as dumping grounds and being prone areas for drug addicts and defaulters. The reason why I am saying that the law is there but we should also be applying it and this clause 32(a) of the Bill definitely brings out how well this



law will be applied. It will not be long before some offenders devise ways and means to exploit and take advantage of the loopholes and shortcomings of these amendments being proposed. There are better ways, Madam Speaker, to get round the problem of these eyesores and dangerous buildings.

This Bill definitely needs to be reviewed in line with all the observations to be made in this House as I am sure that we from both sides are concerned of the people of this country which is the very first reason we are here in this august Assembly. We should ensure that the right legislation is brought for the safety and security of the population and this is the appeal being made to the Minister today.

Finally, I will end Madam Speaker, on the very fact that this Bill is silent on punishments. If there has been a reason to bring this Bill to the House today is because the existing legislation was not adequate enough to deter those non-compliant owners. Unfortunately, this Bill tantamount the same inadequacy as there are no real deterrents to default. What about punishments for habitual defaulters? Is warning only enough? Is the supposed recovery of costs and expenses by the Local Authorities enough? I can already hear Members on the other side to refer us to other legislation or provisions for all this but this should be, Madam Speaker, the more reason for this legislation to be more explicit, comprehensive and more inclusive. What may appear to be a daring piece of legislation is yet another ineffective attempt, a piecemeal legislation, Madam Speaker. This Bill is tantamount to surely create further serious and long legal issues in the long term. We were expecting a more radical move with concrete measures to eradicate this issue but with these patch-up measures being proposed, this unfortunately proves the lack of genuine intention to radically address the problems of ruinous and dangerous buildings.

With this, I thank you, Madam Speaker.

**Madam Speaker:** Hon. Mrs Jeewa-Daureeawoo!

(05.58 p.m.)

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo):** Thank you, Madam Speaker.

Let me first take the opportunity to thank hon. Minister Nando Bodha for bringing the Building Control Amendment Bill before the House this afternoon. I welcome the introduction of the Building Control Amendment Act. I must say that the Building Control

Act 2012 is the primary legislation which governs and regulates the building and construction industry in Mauritius.

Well, I have listened carefully to hon. Baboo. Hon. Baboo has chosen to navigate, I must say, far from the Bill. To reply to hon. Member, I must say that the Bill does provide that the costs of repairs and all expenses made by the Local Authorities can be recovered from the owners of the building as a civil debt of the States Debt Act. So, there is provision for this particular measure.

Now, I must say, as an attorney, it is not the mandate of the Curator of Vacant Estates to deal with dangerous building under the law. The role of a Curator of Vacant Estates, I must say, is clearly specified in the Curatelle Act. So, this particular Bill, which is specific, concerns notifying the offenders; it concerns personal service on the offenders, so I don't think the remark of the hon. Member is correct. Now, the hon. Member has also spoken about *terrains en friche*, well *terrains en friche* have nothing to do with this particular Bill because here we are talking of a new mode of service whenever we are having difficulties to serve notices on the contraveners, on the offenders.

Now, I must say that the Bill, therefore, has all its importance. As has been rightly pointed out by hon. Nando Bodha, with modernisation, we are having buildings everywhere around the island. So, it is often challenging due to the difficulty encountered to serve notice on owners requiring them to vacate, to pull down, to remove or to repair the buildings. Through the proposed amendments to the Building Control Act 2012, we are actually making provisions for additional measures to improve the method of service of notices on the contraveners. In the present Bill, we are therefore, introducing what we call substituted service as an additional mode of service on contraveners under both the Building Control Act 2012 and the Local Government Act 2011. So, the present Bill, as I have said, Madam Speaker, is all about notifying the offenders.

Now, the underlying rationale of the proposed amendments is to put in place an alternative mechanism to effect service on contraveners, I must say in the interest of public safety and public health. Before analysing the benefits of the proposed amendments, I would like to briefly explain how the existing mechanism with regard to the service of notices on owners or occupiers of dangerous building works.

Now, section 22 of the Building Control Act 2012 provides that before any action can be taken by the local authorities with regard to dangerous building, personal service of notice

signed by the Chief Executive must be effected on the owner or occupier of these buildings either by an officer of the local authority or by registered post. So, the problem arises in case where the notice served by registered post on the owner or occupier of the dangerous building returns undelivered. So, what do we do? Presently, we are having difficulties to continue the procedure whenever the service could not be effected on the owner or occupier. So, it was, I think, a very good measure. We have had to think and then come with solutions how to address the problem of not being in a position to effect personal service on contraveners.

I must say that the local authorities, as I have said, are having difficulties right now to address and tackle the problem of dangerous buildings and illegal constructions because the law requires that personal service be effected on the contraveners. To address this issue, clauses 3 and 4 of the Bill is proposing to introduce substituted service on owners or occupiers of dangerous buildings first by –

- “(i) affixing a notice at the owner’s or occupier’s last known residence or business address;
- (ii) affixing a copy of the notice at the dangerous building;”

And also, I think, this is a very good measure. So, if we are failing with the two measures, we can go by publication –

- “(iii) publication of the notice in 2 newspapers (...)”

The proposed amendments will serve to open up as an alternative avenue to enable local authorities to take appropriate actions with respect to buildings constituting a public hazard even where the notice served, as I have said, by registered post on the owners or occupiers of such buildings, returns undelivered.

The proposed amendments to the Building Control Act 2012 will entail consequential amendments to the Local Government Act 2011, which falls under my Ministry. The House will recall that last year, through the Local Government (Amendment) Act 2018, we have brought some major amendments concerning the serious problems of illegal constructions to the Local Government Act 2011. It was indeed high time for a responsible Government to come up with an appropriate legislation to control illegal constructions around the island because we all know that illegal constructions are having serious implications. So, through the amendment brought in the Local Government Act 2011, illegal construction has not become a specific offence.

Further to amendments brought, it is good to note that in our enforcement provisions, three notices have been introduced to combat the serious problem of illegal constructions under the Local Government Act 2011. These notices are the compliance notice, the enforcement notice and the pulling down notice under the new section 127 (a), 127 (b) and 127 (c) of the Local Government Act. So, these notices are effective tools provided to the local authorities to monitor illegal constructions around the island. They will also serve to provide a fair opportunity to those who have engaged in illegal constructions, to take remedial actions and to comply with the law prior to being prosecuted by the local authorities.

But, Madam Speaker, you will agree with me that all the amendments that have been brought are very good, but if, at the end of the day, we have difficulty to serve the notices, be it the compliance notice, the enforcement notice, the pulling down notice, the amendments we have brought recently defeat all its purpose. So, that is why, on this side of the House, we fully agree with the amendments that are being brought today and I am confident that the new mode of substituted service which is being introduced this afternoon, will greatly help to effect service on the contraveners.

Let me remind the House also that the procedure of substituted service which is being introduced in the House today is not a new procedure. This procedure of substituted service already exists since long for the service of judicial document under the Courts Act. It has brought positive results and is working, I must say, perfectly well because we have under the Courts Act sections which provide for substituted service.

Madam Speaker, I will end here by saying, I believe that the introduction of substituted service of notices on contraveners will provide an additional safeguard to protect the public against the dangers of both illegal constructions and hazardous buildings. So, on this side of the House, we support the Bill, we consider it to be a step forward in the control of illegal constructions and hazardous buildings. For us, this Bill is purposeful, this Bill is yet another achievement of our Government to provide robust legislative framework for the building and construction sector aimed, I must say, at safeguarding public health and safety.

Thank you.

**Madam Speaker:** Hon. Bhagwan!

(6.09 p.m.)

**Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière):** Thank you, Madam Speaker. Madam Speaker, one cannot but agree that all avenues need to be explored for the pulling down of dangerous buildings. These buildings are not only eyesores in the urban landscape giving a *laisser-aller image* to the country, but more importantly may represent safety hazards and harbour illicit activities, thus contributing to neighbourhood in security. This is why, on this side of the House, on the MMM side, we have no quarrel with the presentation of this Bill. Having been myself associated not only as MP, but also as a Member of the local authority, I have been Mayor myself, this issue of derelict building, old building has been with us for many years and I would not give examples. We all know about it. We have been at the head of local authorities ourselves, we know what has been the problem. *Il y a eu un laisser-aller, il y a eu des difficultés légales et les bâtiments sont toujours en existence.*

Madam Speaker, it is stated -

“The main object of this Bill is to provide, in case of a notice sent by registered post by a local authority on the owner or occupier of a dangerous building returns undelivered and personal service of the notice could not be effected on the owner or occupier by an officer of the local authority, for substituted service to be effected on the owner or occupier”

Madam Speaker, the Building Control Act already makes provision for a survey of such buildings and the measures to abate the risks. Part V – Dangerous Buildings, in Section 22 - Dangerous building to be surveyed, it is stated –

“Where it is made known to, or considered by, a local authority, the supervising officer or the Commissioner of Police, that any building, including any structure or wall, constitutes a danger to passers-by, occupiers, or neighbouring buildings, the local authority shall, on receiving the report or information, or on an application from the supervising officer or Commissioner of Police, appoint an engineer to survey the building.”

This is not the case. Many local authorities have not been applying this section of the Dangerous Buildings Act and *il y a eu un laisser-aller, un laisser-faire et les bâtiments derelicts.*

Madam Speaker, since this amendment is being proposed, maybe it will be useful to the debate if Government, the Minister could provide details if any of these surveys. Have

there been any surveys, urban or rural? How many such buildings have been identified by the local authorities? Has there been a survey? Or the Police, even the *Police de l'environnement*, up to now, it would be good for us to know how many project owners have been prosecuted so far? And how many still cannot be located or identified? You will agree, Madam Speaker, that these information will help us to appreciate the scale of the problem and thus the effectiveness of the proposed amendment.

Madam Speaker, there are so many such buildings in our towns and villages and it is hard to believe that all these owners cannot be traced. Do local authorities, Madam Speaker, have an updated list of these properties? We all know there is presently a breakdown of enforcement at the local authorities due to the lack of manpower and also interference. We all know how it is in Mauritius, this one will know somebody else, there is political interference or other interference in the local authorities. So, *il y a eu un laisser-aller*.

Madam Speaker, the Minister has the need to tell us - an evaluation of the LAVIMS project. I, myself, when I was Minister of Environment in 2003 or 2004, we initiated then, through the National Environment Investment Programme, the commissioning of the LAVIMS project. So, we must know what is the outcome of LAVIMS and its constraints. We all agree, Madam Speaker, that an Online Transparent Land Data System can be a powerful tool of land management and administration. An updated system will enable the local inspectorate to track down more easily the owners. So, what is the status of the LAVIMS? Is it functioning? How far has it reached? What remains to be done?

Madam Speaker, it is said –

“The Bill, in addition, provides that in case the owner or occupier of the dangerous building still remains untraceable following substituted service, the local authority shall, notwithstanding any other enactment, cause the building to be pulled down, removed, secured or repaired, at the expense of the local authority.”

Madam Speaker, it can be an effective legal instrument to get rid of these dangerous buildings, but there are so many questions which remain to be clarified with regard to implementation. Do local authorities have the skill, manpower or equipment to carry out such undertakings? What about the new risks involved in the insurance cover? Will the local authorities be forced to have recourse to costly entrepreneurs chosen through unfair competition? Due to their chronic underfinancing, Government will have to provide the funds

and the recovery of the expenses incurred and which can be a tedious process requiring considerable legal fees.

Hazardous materials may also be present, *l'amiante*, asbestos. What is the type of equipment? What are the safety measures? All these issues have to be addressed. I hope the Minister has gone through all these problems. Madam Speaker, we have valuable items, such as stoneworks. I am asking myself, where are all these stones which were near the Loreto Convent, Rose Hill? We have the small bridge, with the old railway track where we will have the Metro Express. Where are all these stones gone? Have there been any repertoires? These are the treasures of the Mauritians. *En passant, je demanderai au ministre de nous dire - un de ces jours - où sont ces pierres qui datent depuis des siècles ?* The drains along Vandermeersch Street with all these precious stones and even the old timber, old decorative metallic balustrade on site, where are they? We have to address all these issues while discussing this legislation.

Madam Speaker, the proposed amendment provides for new subsections. I will not go into all this where we have notices to be sent to the owners, which are known, those who are undelivered, where the owners and the occupiers are not known. The provision to different notices, notices to serve to the Curator of the Vacant Estates, warning to the owner/owners on failure to pull down, remove, secure or repair the building or wall by such a date as specified therein. All these are provisions which had been made. But there are a few questions which we have to obtain a reply. First, why should publications, as stated by hon. Baboo, be limited to newspapers in this digital age? We are living in a digital age. We all know that newspapers are facing increasing costs and the readership is going down. So, there should be a dedicated portal, according to me, for these notices and every step should be taken to ensure openness and transparency. I stress on this, openness and transparency.

Madam Speaker, before coming to ruinous building, *l'exemple doit venir d'en haut. Je suis quelqu'un qui est sur la route tout le temps, j'aime ma ville, j'aime mon quartier, j'aime mon pays. L'exemple doit venir d'en haut.* The Minister is coming before this House to prevent a legislation which will change the image of the country. Tourists are everywhere now, even in towns or in the littoral. The Minister is coming with legislation to have solutions to problems other than Government. What about Government buildings? It is good for hon. Collendavelloo, our Deputy Prime Minister and hon. Mrs Jeewa-Daureeawoo, Vice-Prime Minister, respectively, that in the centre of Rose Hill, at corner Decaen where our notorious tiger resides, I will not mention his name. I know what I am saying.

*(Interruptions)*

Notorious! This is what is happening. On the centre of Rose Hill, in front of a bus stop, near a *boulangerie*, thousands of people are going. I am just tabling this photo for the Minister. Perhaps his inspectors at the Municipality have not seen this.

This is the building of the ex-Superintendent of Police at Corner Decaen and Royal Road. This is the status today. I am just tabling this photograph for the Minister and others to see. This is a building which is owned by Government, which is in the centre of one of the main towns, and we are talking of the Metro Express which will be going there nearby. Where is the responsibility of the parent Ministry? Is it still under the Prime Minister's Office? The Minister of Housing and Lands must tell the Minister responsible. *Est-ce un repaire de bandits, de drogue, de prostitution ?* You can go there at night or even tomorrow morning to see what I am talking about. These are not fake photographs. Government should, at least, give the example while coming with this piece of legislation, and telling the population that they are coming with tough measures to find out the owners, to sue the owners.

*(Interruptions)*

We will have to send you to Court, Mr Minister! We will have to send the Minister of Housing to Court. Who will do that, the Mayor of Rose Hill, the Chief Executive? It is not the only one. Have you seen the ex-CEB office of Rose Hill which is opposite the Police Station? It was once my office when I was PPS, I did that building. It was an old traditional heritage building. So, there, it is closed. While discussing this very important piece of legislation, we are pointing finger to unscrupulous owners, owners who are residing abroad. Well, we have to ask ourselves who is responsible. Where I reside in Rose Hill there are hundreds of such buildings and this is where also the Minister of Housing and Lands should be taken to task. What has been the follow-up? What about the surveyors? Is there a repertoire of all Government buildings all around the country?

Ruinous buildings! I will not go into the definition of ruinous building – this photograph is a model of one of these ruinous buildings. We agree with all the intentions of Government about this legislation. However, I would appeal to the hon. Minister to go fast and safely, because we are talking of pulling down, of prosecution and all this.

Madam Speaker, there is another problem with all these provisions, sending people to Court, going to the Judge and so on. Madam Speaker, there is a well anchored perception



among the population that all these procedures take time. We will be around for many, many years to see the implementation and also whether the Minister will have a special unit, because what we see with this *vente à l'encan, il y a une poignée d'initiés qui vont là-bas avec des bouncers*. We all know, I will not go into the details of what is happening, *qui mène le bal au niveau des cas qui vont en cour, à la barre*. Another question to the Minister, if we go through all the procedures and the sales are over, where does the money go? Is it to the Consolidated Fund or to the Treasury of the local authority?

*(Interruptions)*

You will tell us later; just take note and act on these photographs also!

Madam Speaker, we strongly believe that these properties should not be sold, but entrusted to the State solely for public use. Very often, local authorities and even Government services, lack space. If we have been able to send somebody to Court to have the building in the national interest, we can use the space for public use; if not, it can again come into all these corruption practices. I have stated, Madam Speaker, these properties can be used as open spaces, parking lots, small cycle tracks and other public areas. This can dramatically improve the living environment of the inhabitants. The State spends so much on rent and land acquisition. We all know the huge amount of money spent on these items, because we ask questions, we have the budget. These properties, which for so long have been eyesores and potential hazards, can be transformed into friendly open space. Pulling down a dangerous or ruinous building, Madam Speaker, is just part of the solution. What happens next? Will the debris be properly carted away and disposed of properly, like in the case of bare lands, as was mentioned before me? Sustainable and low-cost practices should be developed. The owner will only develop the site when the market is favourable and the economy is flourishing. We cannot force an owner to develop his site if he does not feel that it is the right time. Owners are not prepared to spend a few thousands of rupees every month for maintenance. This is what is happening. So, owners and also co-owners are not spending on maintenance. Bare lands, Madam Speaker, from the ecological point of view are not eyesores. On the contrary, they may significantly contribute to improving biological diversity in the urban environment. Often, in heavily build up areas, yards are tarred and open spaces are mostly mowed lawns. If it is surely pleasant for the eyes, regularly mowed grass never have the chance to mature and produce seeds which would attract birds but, unfortunately, illegal littering and dumping transform these sites into open sky dumps, thus

representing a potential risk to public health. Over-grown vegetation can provide shadow to illicit activities.

Madam Speaker, there is need to have policy guidelines. This is where the Ministry of Local Government and the Ministry of Housing and Lands have the responsibility to monitor. We used to have the outline schemes which were preparing public notices. Professionals were coming just to depone and everybody on board and the guidelines were prepared, published and even approved by the President of the Republic, as it is the procedure. We have not heard for so many years about the updating of the outline schemes of towns, about the different sectors of the economy of towns. There is an urgent need to update all these outline scheme. I prefer not to say directive, I don't like interference in the local authorities, but, at least, the Minister must make sure when he meets the Chief Executive and the Council that these guidelines are prepared and also implemented.

To conclude, Madam Speaker, if the intention seems laudable, the amendment must not and should not be a simple bug passing. It should prove to be an effective tool to remedy the existing alarming situation. As far as we are concerned, we will follow up on the implementation of this legislation either by the different Ministries or by the different local authorities, because above all, we are MPs, we know what is happening in our own constituency. So, we will have the opportunity, if there is no action, to come to Parliament and ask questions and query the Minister.

I thank you, Madam Speaker.

**Madam Speaker:** Hon. Benydin!

(6.31p.m.)

**Mr T. Benydin (First Member for La Caverne & Phoenix):** Thank you, Madam Speaker.

To keep pace with development and with the growing challenges posed to modernise our society, the amendments proposed to the Building Control Act come at an opportune time as they essentially provide for substituted service in case notice sent by registered post returns undelivered and personal service could not be effected.

The Bill also provides that, in case, the owner or occupier of the dangerous building cannot be traced, the Local Authority shall cause the building to be pulled down, removed, secured or repaired at the expense of the Local Authority.

Madam Speaker, in this context, it is relevant to point out, with reference to the Building Control Act as amended, Act No. 27 of 2012, that every building shall be designed, constructed and maintained in such a way as to guarantee people's safety, society's well-being, the protection of the environment, and aesthetic value, including safety requirements namely structural safety to insure against damage and to ensure that the use of the building causes no risk to accidents to any person.

Madam Speaker, the substituted services to be effected namely by affixing a copy of the notice to the building; publication of a notice in two newspapers are valuable elements which go in the right direction to consolidate legislation cared at better safeguarding the environment and society in general.

Madam Speaker, I heard hon. Baboo, for example, saying that, through the amendments, the devil is in the details. I think if he is referring to the ruinous buildings, he should understand that it was an opportune time to come with these amendments. If the devils are in the details, even in the dangerous buildings, the ruinous ones, he might see the ghost, if the Government does not take action at the right time. So, this, he should bear in mind. I don't know whether he is afraid or not of ghosts. He is not here but I think he would understand where the problem really lies.

While recognising the indispensable role of buildings, residential units or commercial or leisure ones have their *raison d'être* in our daily society, however, Madam Speaker, construction of buildings, be it housing units or any other types of buildings necessitates a minimum of architectural planning and design; land use and building permits. Otherwise, Madam Speaker, our society would be in a chaotic situation with the foreseen negative impact on the immediate ecology and environment. Having listened to hon. Bhagwan, I think, as a Member of the Opposition, he has given food for thought by expanding the discussions through outlines, through the urbanisation process. He was referring to a survey that should be conducted even for Government buildings. I think these are positive proposals that are coming. If there were not this amendment, there would not have been such a debate. It has given everybody an opportunity to come with ideas geared at safeguarding our society so that we can have a better outlook regarding buildings and modernisation in our country.

Madam Speaker, incomplete buildings, abandoned ones, despicable and ruins are not environmentally friendly. They can be real eyesores or even, I think this has been mentioned, for illicit activities or proliferation of diseases. We, ourselves, as MPs, receive quite regularly

representations. When we are walking on the streets, people will stop us and say: oh look at this bare land, look at this building; it's very dangerous, we should take actions. What do we do? Do we continue with the same process or do we change? I think that the amendments that are being brought will improve definitely and these are actions that this Government is taking. So, it comes as we said at the right time, it's very good.

Indeed, Madam Speaker, through this Bill, the alarm bell has been struck and a wake-up call is echoing to react to the prevailing unhealthy situation with regards to - in between inverted commas - the *laissez-aller* behaviour of some of our fellow citizens insofar as construction is concerned and buildings are abandoned.

Amendments presented today in this august Assembly are another landmark that shows the commitment of this Government to bring order and discipline in the construction of buildings in Mauritius. Before coming to the proposed amendments, it is important to visit the components of construction. Madam Speaker, construction of buildings has a big impact on the environment. It ranges from eyesore to energy consumption and even to health hazards more potentially when buildings are constructed without respecting all the required norms. Buildings must be environmentally friendly and this must be highlighted in the building permit itself. Nowadays, building permits, in its present form, highlight only a few conditions, but I think that this Bill will go in this direction. Time has come to enumerate all the terms and conditions and should also include, for example, a clause of bank guarantee for pulling down for non-respect of conditions which necessitates the intervention of Local Authorities to remedy the situation by using their own resources. The funds from the bank guarantee can therefore be tapped by the Local Authorities to carry out remedial works in time of necessity.

Madam Speaker, before moving to the rationale of the proposed amendments, perhaps it is good, in the first instance, to see the impact of building construction on our society. It is shocking to learn that, according to the United States Green Building Council, construction of buildings involve a lot of resources, natural and non-sustainable resources; to quote, for example, lighting system, use of lifts, air conditioning and artificial ventilations. The use of such energy has a direct impact on the environment and it is also responsible for the Green House Gas Emissions commonly known as CO<sub>2</sub>. It goes without saying that the construction of buildings is also responsible for a high percentage of water use, unfortunately from potable water which is essential for life. Such use of water goes wasted.

Madam Speaker, therefore to attain the objective of living in a safer world and in a safer environment, we must start to get rid of the existing nuisances with a view to providing room for a safer society. People know that there is no established or proper way to retrace them if they are at fault so they continue to act in an irrational behaviour and act careless for their actions. Abandoned buildings, incomplete ones or ruins are not only eyesores for the Republic of Mauritius but are also havens, as I have said before, for illicit activities like prostitution, drug consumption or drug dealings - the main social ills of the society.

In addition, these ruins are also nests for proliferation of rats and mosquitoes the more so when they are used as dumping grounds in the locality where they are found. It goes without saying that such situations are very health hazardous and can even cause epidemic outbreak. The list of these negativities can be even longer and alarming. This is why, Madam Speaker, the amendments proposed are vital to remedy the prevailing situation. So it is imperative for the Local Authorities to identify the owners of these buildings so that they can move ahead to bring about any action required to remedy these issues.

Now, coming to the proposed amendments, already show case the commitment of this Government to put some order in the society particularly when it comes to construction of buildings.

So, for example, I will not like to dwell in the details because there are certain conditions which we must comply when we apply for a building permit to the Local Authorities. Therefore, Madam Speaker, *a priori*, there should already be some kind of checks and balances right from the start when we are going to have the construction, but the control system, I think should be exercised very strictly. Particularly when a construction has started we see that, after some time, the construction is stopped in the midway. The owner moves away without leaving any sign of whereabouts. A construction is left incomplete and even falls in ruin, so these are issues that should be closely monitored by way of inspections.

Madam Speaker, the problem starts also when the owner or occupier is not reachable or retraceable. Therefore, to overcome this difficulty perhaps while delivering the building permit clauses must be inserted. For example, prior to the issue of permit, should be included as clauses: any other contact person in case the need arises as an essential element; a bank guarantee as I said to allow any local authority to recover expenses incurred to pull-down ruins and to bring any other remedial actions that ought to be carried by the owner; to render the owner legally liable for any illicit activities carried out on his premises, abandoned or

ruined buildings except if he has reasonable excuses that are beyond his control and goodwill; to provide for an alternative reliable mailing address if not, a next of kin or, at least, a notary or an attorney at law.

Madam Speaker, I believe such clauses should be included in the building permit itself which will reduce the hassles of chasing and finding back the owners. Also important, nowadays almost everyone is owner of a mobile, if not a smart one when he can be reached out wherever he is in the world. I think we can have recourse to Facebook, WhatsApp, Twitter, Instagram, any other social media to establish the contact with the owners.

Madam Speaker, as a concluding note, let me therefore congratulate the hon. Minister for coming forward with these amendments to safeguard our environment and prepare the Republic of Mauritius for a brighter and prosperous future.

On this note, I would like to thank you, Madam Speaker.

**Madam Speaker:** Hon. Mrs Boygah!

(6.44 p.m.)

**Mrs D. Boygah (Second Member for Vieux Grand Port & Rose Belle):** Thank you, Madam Speaker.

At the very outset, let me congratulate the hon. Minister for bringing the Building Control (Amendment) Bill to this House, and the main objective of this Bill, Madam Speaker, is the alternative ways by serving notices, hence allowing the substituted services to be implemented.

Madam Speaker, building owners have a legal responsibility for preventing their building falling into a dangerous condition. Regular inspections or surveys of their building by competent persons will help them in meeting their obligation to ensure that it is not a hazard and to plan for future repairs. The power given to the local authority, Madam Speaker, in respect of dangerous buildings or ruinous buildings, it is a safety net that is being used to protect the public when it appears to a local authority for whatever reason a building owner has failed in his duty to fulfil his responsibility. Should a local authority become aware of a building that constitutes a danger to persons in or out the building, to the public in general or to the adjacent building or places then it has the duty to act. Local authorities, Madam Speaker, are committed to treating any report of a dangerous or ruinous building as a priority issue and will promptly investigate.

Madam Speaker, building control is the responsibility of the local authority for investigating notifications or alleged dangerous or ruinous building and structures. Building or structures can become dangerous at any time due to settlement, old-aged, damaged through fire or explosion, storm damage, vehicle image design defects.

After investigation, Madam Speaker, the local authority may involve the sending of a notice to the owner for appropriate action. All Members of this House, Madam Speaker, will recall that no so long back, I think it was in July 2018, the Local Government Act was amended and debated under Section 127, in this House, regarding the enforcement provision, enforcement notice, and pulling down notice. This amendment came into operation as from 10 October 2018. With these amendments, many of us did not notice *les problèmes pratiques accompagner les amendements*, Madam Speaker.

Hence, in this Bill, the Local Government Act Section 127A is being amended by adding new subsections 7, 8, and 9. These will made more practical and will send a strong signal to the population, Madam Speaker.

Madam Speaker, under Section 127A –

‘(7) The Chief Executive shall – (a) where a compliance notice sent by registered post returns undelivered and where personal service of the notice could not be effected by an officer of the local authority, cause substituted service.’

What is substituted service, Madam Speaker? A new compliance notice shall be sent or be affixed at the last known residence or business address of the person undertaking the development works; affixing a copy of the new compliance notice where the development works are being undertaken, and the publication in two newspapers of the new compliance subject to the publication of a new compliance notice in the second newspaper, that is, not later than 15 days after the first publication.

Madam Speaker, under the Subsection 127A (b), this is where the person is not known to the local authority, hence the local authority has obligation of affixing the compliance notice where the development works are being undertaken, and, secondly, the publication will done, as said, in two daily newspapers.

Madam Speaker, ample opportunities will be given to the compliant to apply the law, and in case the compliant is not applying the law, a notice of 30 days will be given to the compliant. If not applying, a pull down notice will be issued. Ample opportunities will be given to the compliant before the pull-down notice, but not more than 60 days.

Under the Subsection 127(9), Madam Speaker, where the enforcement notice comes to implementation, the Chief Executive shall send through registered post, returns undelivered, this service will not be effected. Personal service could not be effected by an officer of the local authority, the substitution notice in this case the new enforcement notice will be affixed at the known residence or the business address of the holder of the building, and by affixing a copy of the new enforcement notice at the development work of the compliant.

In this case, no newspaper publication is needed because the person is known to the council, that is, the Municipal Council or the District Council.

Madam Speaker, in subsection 127B (7) it says that the –

“(...) Building and Land Use Permit fails to comply with the new enforcement notice, the local authority shall revoke his Building and Land Use Permit.”

Under section 127C, a pulling down notice will be given to the owner of the building. And again, the same procedure, Madam Speaker, before the pulling down notice, the notice will be affixed at the resident’s workplace and 2 daily newspapers. And this is where the person is known to the authority but is not complying with the Land Use and Building Permit. Madam Speaker, coming to the section 127C (5) (b), this is where the person is not known to the authority; a notice will be affixed at the building place of the person and in 2 daily newspapers.

To sum up, Madam Speaker, I want to just point out that under section 127E, before, in the Local Government (Amendment) Act 2018 where –

“The Chief Executive shall cause personal service of any notice under this part to be effected by a Court Usher or registered usher, as the case may be.”

This has been changed. Now, it will be that the officers of the local authority who will serve the notice themselves. We have amended this part because usually what happens, the Court Ushers or registered usher is given only 24 hours to send a return of service to the Chief Executive. And in these cases, sometimes 24 hours is not enough and there has been no single case under the local authority where the Court Usher or the registered usher has been able to deliver the notices within 24 hours. This is where there are some people who have evaded services and sometimes it is very difficult for the Court Usher or registered usher to meet the people. This will send a strong signal to the population and the local authority as it is clearly



stated that they will use the pulling down orders, the cost will be recovered from the owner and it will be applicable within the days allowed.

The hon. Member from the other side, hon. Baboo, was saying that it is a silent punishment upon the offenders. Madam Speaker, when we go through the Local Authority (Amendment) Bill, section 127G, regarding offences, says -

“Any person who -

(b) being the holder of a Building and Land Use Permit undertakes development works not in accordance with that permit, shall commit an offence and shall, on conviction, be liable to a fine of not less than 100,000 rupees and not exceeding 500,000 rupees.”

This is regarding the Land Use and Building permit.

Madam Speaker, this Building Control (Amendment) Bill will be a very strong signal and very useful to the population because as last year, sometime in July, we brought amendment to the Local Government Act. It is not different from this Bill. It will merge the combination of the Building Control (Amendment) Bill and the Local Government (Amendment) Act so that we can put into practice what has been amended last year.

Madam Speaker, with this, I would like to congratulate the hon. Minister. We have few recommendations as well to the Local Government Act. As very well stated by my hon. colleague, PPS Benydin, we hope that we, PPSs, who are very much exposed to the general public, always complaining about dangerous buildings, that will be very helpful for us.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Ramkaun!

(6.56 p.m.)

**Mr S. Ramkaun (Third Member for Pamplemousses & Triolet):** Madam Speaker, first of all, let me thank the hon. Minister of Public Infrastructure and Land Transport for the considerable input, together with his team, in the preparation of the amendments to the Building Control Bill. The existing legislation, that is, the Building Control Bill, dates as far back as June 2012. With the implementation of various big projects by this Government, the whole landscape of the Republic of Mauritius is changing. I wish here to mention the historic Metro Express Project which will bring new challenges and a complete change in the daily life of every citizen of Mauritius. In this conjuncture, the Government is also providing

necessary regulations to safeguard the interest of every citizen and promoters who are investing massively in projects.

Madam Speaker, coming to clause 3 of the Building Control Act of 2012 –

“Basic requirements for buildings

Every building shall be designed, constructed and maintained in such a way as to guarantee people’s safety, society’s well-being, the protection of the environment, and aesthetic value, and satisfy the functional safety as well as sustainability requirements.”

Though these requirements are clearly specified, the post control by officers of the local authorities is inadequate once the Building and Land Use Permit is issued. The post control monitoring being inadequate, construction undertaken are sometimes below the minimum standards of functionality, safety and sustainability whereas these have to be maintained with a view to guarantee the safety and comfort of common users, energy efficiency and aesthetic values.

Referring back to Part V of the Building Control Act - dangerous buildings, the officers of the local authority have had a lot of difficulty to ensure application of this section to owners or occupiers. We all know that buildings designed by professionals, that is, Architects and Engineers, have a decennial liability and these designs are according to codes of practices, thus, the requirements of design by Architects and Engineers for buildings exceeding 150m<sup>2</sup> in the Building Control Act.

Therefore, due to unprofessionalism of certain promoters, quality of workmanship has been very poor and these buildings, after a certain timespan, shall become dangerous and shall constitute dangers to occupiers, passers-by or neighbouring buildings, thus the necessity of the application of certain regulations have become imperative so as not to endanger the life of others. Through an amendment to this legislation, the hon. Minister of Public Infrastructure and Land Transport has rightfully proposed for enforcement of these regulations without delay.

Madam Speaker, Members of this Assembly will recall part of a building, a metallic canopy falling off the main structure in Port Louis endangering the life of pedestrians. Thus, further to cases where registered posts by the local authority on order occupiers of a dangerous building returns undelivered and personal service for the notice could not be effected on the owner or occupier by the officers of the local authority, following

amendments have been proposed. With this amendment, substituted service shall be affected on the owner or occupier by –

- “(i) by affixing a new pulling down notice at the last known residence or business address of the person undertaking the development works;
- (i) by affixing a copy of the new pulling down notice where the development works are being undertaken, and
- (ii) by publication of the new pulling down notice in 2 newspapers, subject to the publication of the new pulling down notice in the second newspaper is effected not later than 15 days after the publication of the new pulling down notice in the first newspaper;”

Thus, amendment has been made to Clause 22 – Dangerous Building to be Surveyed, Clause 25 – Ruinous Buildings and Clause 30 – Chimneys. In all these cases when the part of the building becomes a threat to others and in cases where development works are found out to be non-compliant with approved plans or even development not having obtained prior approval, the local authority through this amendment in the Local Government Act as well as shall serve a pulling down notice in accordance with section 127C of the Local Government Act.

Similarly, when a development is found along a drainage line, the local authority shall use “substituted service where a compliance notice, an enforcement notice or a pulling down notice returns undelivered and personal service could not be effected by an officer of the local authority”. The use of this amended Bill will now allow the authority to enforce these necessary regulations.

Here, I would like to mention certain developments which have caused flooding of inhabited areas. One developer who has constructed a poultry farm at Morcellement Saint André region by back filling considerably and levelling a drainage line which was the only course for rainwater flow. As a result of such an unplanned development, recent rains have caused some 20 hectares of sugarcane fields to be flooded and now become unproductive. With the climate change causing very, very heavy rainfall in short lapse of time, the local authorities have to ensure that all drains are maintained and cleaned of bushes and shrubs. With the application of the changes in the Local Government Act and the Recovery of State Debts Act...

**Madam Speaker:** Now, hon. Member, we are not dealing with the Local Government Act. So, I think you should be more relevant to the Building Control (Amendment) Bill which is in front of us instead of the Local Government Act.

**Mr Ramkaun:** ...shall now be having all the means to ensure enforcement of guidelines for developments and recovering costs incurred. A similar case is in Baie du Tombeau where the only watercourse through inhabited areas have been filled resulting in flooding of several houses.

To conclude, I am sure, Madam Speaker, these amendments to the Building Control Act will surely strengthen the legislation of the structural safety of buildings.

It will also lay emphasis on the various professionals involved in the construction industry and will ensure the highest standard and, on this side of the House, we fully support the amendments being proposed. It is a known fact that many commercial buildings after having obtained the building and land use permit from the local authorities have their layout modified during construction stage. Some of them even convert their parking space provided for customers to extend their activity, thus causing traffic to park straightaway on the roads causing a disturb traffic flow.

With the current amendments being brought in the Building Control Act, the authorities shall surely ensure that all projects are constructed as per plans approved and all unapproved part be removed and pulled down failing which the authority can cause that part of the building to be removed and any financial implication recouped in line with the Recovery of State Debts Act through which the costs incurred by the Municipal City Council, Municipal Town Council or District Council as the case maybe for the pulling down of the illegal developments in pursuant to an Order of the Court under section 127G of the Local Government will be executed by the Financial Controller of the Council.

Thank you, Madam Speaker, for your attention.

**Madam Speaker:** Hon. Dayal!

(7.06 p.m.)

**Mr R. Dayal (First Member for Flacq & Bon Accueil):** The main object of the Bill, the Building Control (Amendment) Bill (No. II of 2019), as spelt out in the Explanatory Memorandum by hon. Nando Bodha, GCSK, Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade is –

“to provide, in case a notice sent by registered post by a local authority on the owner or occupier of a dangerous building returns undelivered and personal service of the notice could not be effected on the owner or occupier by an officer of the local authority, for substituted service to be effected on the owner or occupier by –

- (a) affixing a notice at the owner’s or occupier’s last known residence or business address;
- (b) affixing a copy of the notice at the dangerous building, and
- (c) publication of the notice in 2 newspapers, subject to the publication of the notice in the second newspaper is effected not later than 15 days after the publication of the notice in the first newspaper.”

My intervention, Madam Speaker, will be within the United Nations Natural Strategy for Disaster Reduction adopted in Sendai, which this amendment caters for, where I represented the Republic of Mauritius as Minister of Environment and Sustainable Development, Disaster Management and Beach Authority, together with the Commanding Officer of the SMF, Mr Khemraj Servansingh, responsible for the National Disaster Risk Reduction and Management Centre during the World Summit on Disaster Risk Reduction in Japan in May 2015.

The recommendation of the World Summit of the UN at Sendai fits the provision of paragraph 2 of the provision of the Bill as elaborated in the Explanatory Memorandum, specifically, the Bill also -

“provides that in case the owner or occupier of the dangerous building still remains untraceable following substituted service, the local authority shall, notwithstanding any other enactment, cause the building to be pulled down, removed, secured or repaired, at the expense of the local authority.”

This amendment is commendable, indeed, in that it will permit to eliminate potential risk to life and property. Through proactive mitigation measures, I must highlight, that the Sendai Framework has adopted four priority actions which Member States have been encouraged to adopt for the next 15 years starting from 2015.

One of the priorities for action specifically refers to mitigation measures to reduce the risk for critical infrastructure or other infrastructures that represent serious risk to life and property. It recommends effective, mitigating, preventive and response measures put in place

against these potential threats by proactive hardening of targets. The National Disaster Risk Reduction and Management Centre has got a crucial role to play whenever buildings are declared dangerous because there could be the real risk to life and property in case appropriate actions are not triggered in a timely manner. With indispensable trained men power and appropriate logistics, the NDRRMC has a pivotal role to play in keeping with the provision of the National Disaster Risk Reduction and Management Act as the officers posted thereat has the professional knowledge, technical skills and experience in ensuring that effective mechanism at operational administrative levels are set up for appropriate and timely responses to protect and safeguard life and property of one and all.

This is a reality today, Madam Speaker. Therefore, I consider relevant that section 2(1) Part V – Dangerous Buildings of the Building Control Act 2012 be amended to add the Director General of the NDRRMC after the Commissioner of Police. This will allow the NDRRMC to visit dangerous buildings and maintain proper records for all dangerous buildings in the Republic of Mauritius for various disaster related timely response contingencies, more so in terms of risk and vulnerabilities. It is also important that the Commissioner of Police make a provision under the Police Standing Orders that the Police patrol charge makes specific reference for Police Officers on patrol to locate on a daily basis and report all dangerous buildings through the proper channel to the MPI, Local Authorities and the NDRRMC for operational and administrative purposes.

Also, as per section 22(2) Part V Dangerous Buildings of the Building Control Act 2012 the engineer appointed under subsection (1) of section 22 should be accompanied by the engineer of the NDRRMC - and we have two at present posted thereat - to ensure proper contingency planning. Furthermore, the dangerous buildings constitute an impending risk to life and property. The Director General of the NDRRMC should be empowered, together with the Local Authorities, to initiate appropriate measures to protect life and property, and this was done in Port Louis when I was the Commanding Officer of the SMF. Therefore, there is a need to effect consequential amendments to section 11 of the NDRRMC Act 2016 to give the legal mandate to the Director of the NDRRMC.

To conclude, we are with this Bill, moving forward with pragmatic planning and preparation to make our environment safer in the highest interest of the Republic of Mauritius to protect life and property by mitigating risks.

Thank you.

**Madam Speaker:** Hon. Ramful!

(07.12 p.m.)

**Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien):** Thank you, Madam Speaker. Madam Speaker, a lot has already been said about the Bill, so, I propose to be short and to the point.

I have studied the Bill, Madam Speaker, and I must say right from the outset that I have no qualms with regard to the proposition that is being made concerning the adoption of substituted service whenever there has been failure to effect personal service on an owner in those circumstances that have been highlighted in the Bill.

The mode of substituted service is being used nowadays in our Courts of law. In fact, it is a daily occurrence, judicial processes, notices, etc., are served by that mode. The only difference is that we have the judicial scrutiny whenever substituted service is used, and a motion is made in Court and the Judges will consider whether the circumstances would warrant the service being made by substituted service or not. Here, we have a difference, it is the Chief Executive Officer of the local authority who shall have the power to decide, on his own, when to make use of substituted service or not. I will come to this in my argument. In fact, I have two issues. I have said I have no qualms. I have no doubts with regard to the good intention of the hon. Minister to enforce the law, but there is a balance that we have to make with regard to the rights of the citizen as well. Be he an alleged defaulter, he also has some rights and he has a right to contest any notice, any procedure that is being adopted, he has the right to contest it before a Court of law.

So, my first issue is with regard to the provisions where it is being proposed that we shall, henceforth, dispense the need of retaining the services of an usher, be it a Court usher or a registered usher for the service of notices on defaulters. This is what is being proposed. Now it is being proposed that an officer of the local authority himself can effect the service of those notices.

The second issue which is of concern is the provision where the CEO is granted powers to order the pulling down of offending structures, developments works, without the need of going before a Court of law in certain circumstances.

So, these are the two issues where I will invite the hon. Minister - he is a lawyer, he is aware of what I am saying - to reconsider his stand, because this can cause immense prejudice to innocent people. I am aware, Madam Speaker, - being a lawyer - that there are a

lot of cases that are dismissed because services have not been done properly. There are a lot of cases where injustices have occurred and the Courts have intervened to give redress to those citizens. I will invite the hon. Minister to reconsider his stand and I will give the reason why. Firstly, with regard to the substitution. Instead of using an usher, it is being proposed that we use an officer of the local authority to effect the service. Now, this is with regard to the amendment to the section which is being repealed. Currently, in the law, it is the usher who effects the service.

Now, the requirement of having an usher to serve the notices acts as a safeguard against the possibility of abuses by certain local authorities. The usher guarantees the service of the notice in accordance with the law and we have to bear in mind the status of an usher. An usher is considered as being *un officier ministériel*, and before taking office, he swears that he is going to discharge his functions according to law. *Ces paroles, ces actions portent foi devant une Cour de justice*. Unlike an officer of the local authority, as regards discipline, he is under the control of the Chief Justice. So, the usher acts as a safeguard against injustices, instead of using the service of an officer of the local authority.

On the other hand, even the usher under the law can be sued. If someone feels aggrieved by the acts and wrongdoings of an usher, that usher can be sued before a Court of law, whereas in the case of an officer of the local authority, he is granted immunity under the law. This is the difference, Madam Speaker. This is why I say, this will cause enormous injustices if we make as it is being proposed, that we use an officer of the Local Government to serve the notices.

I can understand the difficulties. Some difficulties have been highlighted that it is difficult for an usher to trace out the owner, etc., but there are procedures, the usher can be accompanied by the inspector who is aware of the site, he knows the address, and so, the inspector of the local authority can accompany the usher. If there is an issue about the usher serving the notice before 24 hours, etc., we can extend the time. So, I don't see any difficulty of retaining the services of an usher, be it a Court usher or a registered usher instead of going through an officer of the local authority.

The second issue is when it comes to failure - I don't see why we are making this distinction - to comply with a compliance notice, which was effected by substituted service. Then, according to clause 7(9), it is being proposed that the Chief Executive Officer (CEO) shall be empowered straightaway to order a pulling down order without going to Court,



whereas in the case of instances where service is personal, then, the CEO does not have that power, he has to go to Court and ask for an Order before a Court of law. Why is there such a distinction? I can't see the justification for that.

Madam Speaker, we have to bear in mind that there is a need that those notices should be enforced, the law should be enforced against defaulters, but there is a need also that we should make sure that the due process of the law is being complied with whenever we are coming with such powers because those powers are unprecedented powers. Pulling down a structure belonging to a citizen, that citizen has a right to go before a Court of law so that if he feels aggrieved, he can contest any notices, any judgement of the Chief Executive Officer. So, these are the two issues that I wanted to point out and I will be glad to hear the reply of the Minister on those two issues.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Minister Bodha!

**The Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade (Mr N. Bodha):** Madam Speaker, I would like to thank all the hon. Members on both sides of the House who have participated in the debate.

I would like to point out a few things. First of all, this new instrument is to be considered in the light of the amendment that was brought to the Local Government Act recently. In the past, when there was an illegal construction, and there was also the issue of dangerous or hazardous building, the issue was whether it could be demolition or a fine. But now, we have fundamentally changed the law, which means that the first measure is demolition, the fine comes after. This cures a very important, I would say, serious issue because we know what was happening, the officer from the local authority was going to Court and he never, in fact, asks for a remedy in demolition, but often it ended up with a fine. We have so many illegal constructions, hazardous buildings and dangerous buildings which still are there because, in fact, the offender just pays a fine. So, that was something fundamental and this comes as an instrument, in fact, so that we can trace – it's a question of efficacy - the owner, or if the owner is untraceable, we have an instrument which allows us to be able to act in the interest of the public. That's the first thing.

I know that there is a huge problem in the local authority. Hon. Ramkaun mentioned the post control of the Building and Land Use Permit not being respected in many cases,

because *c'est un parcours de combattant pour avoir le permis, mais une fois qu'on a le permis il n'y a pas de post control*. And this has been cured by the Prime Minister and the Minister of Finance because we have a new team of 100 officers who have already been recruited, who are being trained. We are going to be able to go onsite, be able to service the local authorities. So, all this goes together, that is, the law which was passed last year, the new instrument that we are bringing, the recruitment of the enforcement officers which will, in fact, allow us to act.

Now, when it comes to hazardous buildings, for example - in fact, when we were starting to draft the law, we mentioned the issue of asbestos, that is, the buildings where there is asbestos and the owner can't be traced. So, we have to act, and this instrument will allow us to act in such cases.

There was an issue which was raised by hon. Bhagwan regarding the survey. I totally agree with him, we may not have a national survey. A lot will depend on the local authority. Maybe, in some local authorities we already have a survey of these dangerous buildings; in others we don't have it. We have to streamline it on a national basis so that we know where are the hazarded buildings, where are the dangerous buildings and we know also about the sites that may become the sites for a number of social ills and social problems. So, this was also raised by hon. Dayal; he also said that the Police should go round the local authority and enlist those.

*(Interruptions)*

Well, the Police can help. Or we can also make a list of those buildings which may become, as I said, the sites for social ills.

There was also an issue which was addressed with regard to repairs and that Government, the State should give the right example. There are so many buildings, Madam Speaker, under the purview of the MPI. We do not have time, in fact, to do a survey. In fact, they become derelict and dangerous because we are not giving them the attention that they require. But there is something to be done there, and I have talked to the Prime Minister about this. We should have a scheme where all these buildings belonging to Government should not be left unattended so that they become derelict, dangerous and hazardous. We should be able to have these buildings restored and allocated to other Ministries or Embassies. In fact, I am doing one of this in Vacoas and it will be a pilot project. In the next Budget, I am proposing to the Prime Minister that a body, a public-private partnership could

come together, take all these buildings, restore them, and then either sell them to the market value or rent them to the market value. This will be also a preservation of our *patrimoine*. And when it comes to the issue of repairs, what do we repair? I think we have to repair those buildings which are part of our *patrimoine*. In fact, we have a duty to see to it that those buildings are preserved.

There was also the issue which was raised by hon. Bhagwan on the online, and hon. Baboo also mentioned it, whether it should be only in the papers. Of course, it would have to be online as well, because today everything is online. We have the national website of the Government, the Government website, and we will be able to put that on the website.

Now, as regard to the usher, you mentioned that we should go to the Court because the usher is a representative of the Court. I am being told that the Building Control Act already provides for the service to be effected by an officer of the local authority. So, we are just extending it to the new Bill. I am also being told that often it is not easy to have the services of an usher when needed and that it is quite complicated.

Now, hon. Ramful mentioned the issue of having a Court Order for the pulling down. Well, we can imagine how tedious this can be to have a pulling down order in Court – I must say the number of buildings that we have, that will fall under the purview of this Bill, and the former Bill, the number of buildings is amazing. It is a very tall order, and if the Municipalities together with the enforcement officer that we are recruiting were to take this task, it is going to be an enormous task, but it will do us a lot a good.

Madam Speaker, I think I have answered most of the questions. But what I would like to say is that Government is committed on enforcement. The law was always there, but it has become more severe. The instrument is there now and we are very happy with the fact that, now, the answer to dangerous buildings, hazardous buildings, ruinous buildings, illegal structures is demolition, and the day people can see that the authorities have applied the law, and have imposed the demolition of a number Permit. I have always said so, land is going to be the most precious thing that we are going to have, because land is going to be very scarce and you will have enormous pressure on land, from the environmental point of view, from the urban point of view, from the social point of view, and we have to see to it that our town – at the end of the day, the solution to all this is a town and planning policy where, just like we have it in France, *c'est opposable aux tiers*, that anybody who does not respect the law has to bear the consequences of breaking the law.

So, I would like to thank everybody. The proof of all this will be in the enforcement. A lot has to be done at the level of local authority. We are going to train the 100 enforcement officers and we will see to it that the law is applied and that we do respect the rights of the owners; but we have to say, they are the owners of a hazardous building, they are the owners of dangerous building, and in the public interest it has to be pulled down. So, this is what I had to say.

I would like to thank all my hon. colleagues who participated in the debate.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **COMMITTEE STAGE**

*(Madam Speaker in the Chair)*

#### **THE BUILDING CONTROL (AMENDMENT) BILL**

**(No. II of 2019)**

*The Building Control (Amendment) Bill (No. II of 2019) was considered and agreed to.*

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

*(Interruptions)*

**The Chairperson:** Hon. Baloomoody! I am sorry, you are disturbing the House!

*Third Reading*

*The Building Control (Amendment) Bill (No. II of 2019) was read a third time and passed.*

### **ADJOURNMENT**

**The Deputy Prime Minister:** Madam Speaker, I move that the House be adjourned to Friday 03 May at 3.00 p.m.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo) rose and seconded.**

**Madam Speaker:** The House stands adjourned. Yes, hon. Hurreeram!

## MATTER RAISED

### RENEWABLE ENERGY - HIGH-INCOME ECONOMY

**Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien):** Thank you Madam Speaker. The matter I am raising today purports to the way the exploitation of renewable energy could enable Mauritius to attain the level of a high-income economy and is addressed to the hon. Deputy Prime Minister and Minister of Energy and Public Utilities.

Mauritius has significant potential. In terms of renewable energy, we get a lot of sunshine and we are surrounded by the sea. However, the technology to harness the power of solar energy, of onshore and offshore wind energy, of wave energy and deep cold water from the ocean remains prohibitive. We keep on harping about how we should do things in a sustainable way and we are already feeling the effect of climate change. Young people are even rallying demanding Government action to tackle climate change. We know what the problems are and in terms of implementing solutions, we can always do better.

Many island nations with similar resources, particularly in the Pacific and the Caribbean have established plans to run on 100% renewable energies. We, however, have set our target at 35% of the country energy needs by 2025. As a responsible Government, Madam Speaker, we need to ensure the transition to a reliable, secure, clean and sustainable energy system, not only to be in line with our global environmental obligations and commitment in face of climate change but also as a means to –

- (i) bring down our reliance on fossil fuels;
- (ii) reduce the country's expenditure of fossil fuels import at the share of GDP;
- (iii) increase the generation capacity in the country;
- (iv) lower electricity bills obviously for local household, and
- (v) bring about the emergence of innovation and businesses in the energy sector.

Already Government is implementing a series of endeavours such as the home solar project with the installation of solar photovoltaic systems on rooftops of 10,000 households of vulnerable families; the setting up of grid connected photovoltaic farms, the Green Energy Schemes for SMEs; and the Solar Photovoltaic Rebate Scheme for Cooperative Societies. The University of Mauritius already offers beginners and advanced courses in photovoltaic. There is also the project entitled '*Accelerating the Transformational Shift to a low carbon economy in the Republic of Mauritius*' being financed by the Green Climate Fund

implemented by the CEB and supported by the UNDP. The objective is to accelerate sustainable on grid PV electricity generation in Mauritius. This should contribute to solving the conundrum of the efficient integration of photovoltaic power into the electric power network without disrupting grid stability.

Nonetheless, we know the issues with renewable energies, one being their variable output with the requirement of effective storage technologies. But, to my humble opinion, these issues should be addressed as a window of opportunities instead of problems. This is why, Madam Speaker, I am making an appeal for a change of perspective and move towards a collaborative hand-on approach in turning to good account for renewable energy resources. The Ministry of Public Utilities and the Central Electricity Board should, to my humble opinion again, work together with other Ministries and institutions such as the Ministry of Environment and Sustainable Development, the Mauritius Meteorological Services, the Mauritius Oceanography Institute, the University of Mauritius and the Research Council and other relevant institutions.

The collaboration could lead to the development and installation of adequate measurement equipment and the consequent availability of vast array of real-time data and knowledge on, for example -

- the way climate is affecting atmospheric and ocean temperatures, sea level rise and other natural systems around the country;
- the identification and calculation of generation potential sites;
- the quality of the energy resources, and
- practical development constraints at sites.

In addition, we have the internet of things, artificial intelligence, block chains that can help drive this change of perspective. This in turn could prove fertile ground for the development of effective solution, clean energy technologies and innovation hardware in the light of small turbine that can be installed anywhere to cover part of the energy needs.

Beside collaborative efforts and the use of technological advances, financial institutions organisations could provide, for their part, input in terms of cost benefit analysis and assessment of economic feasibility. The renewable energy sector could transform the economic landscape of Mauritius through the setting up of new local decentralised business and management models leading to the creation of wealth and employment.

Madam Speaker, across the globe, several countries are working towards being more self-sufficient in energy. In Africa and elsewhere, enhanced access to energy via mini-grid and rooftop solar panels is reducing energy poverty. At the level of the European Union, Miguel Arias Cañete, the EU Commissioner for Climate and Energy has affirmed that the world is on an irreversible pathway to renewable energy and that I quote –

“Those who don’t embrace the clean energy transition will be losers in the future”

And China is not to be outdone, brandishing its firm commitment to clean energy while paving the way for skilful clean tech entrepreneurs.

In Mauritius, renewable energy is potentially available almost everywhere, anywhere unlike fossil fuels. Let us expend large sums of money on fuel imports making us vulnerable to global instability.

I think, therefore, that it is time, for more than ever, to review our energy regulatory framework and legislation to push forward the process of energy decentralisation as well as energy democratisation. These efforts should not only target independent industrial players but also SMEs and individuals, keen to reduce their carbon footprint.

Accordingly, we must encourage our people, young and old, to get on board the energy transition. It is so easy to organise workshops, seminars, rallies and protest or for the self-proclaimed environmentalists and ecologists to talk endlessly about not going far enough or not quick enough. At the end of the day, Madam Speaker, what is required is action. Let us rely on the Mauritius inventiveness to overcome the various challenges and make our country self-reliant in terms of energy. Thank you.

**Madam Speaker:** Hon. Deputy Prime Minister!

(7.43 p.m.)

**The Deputy Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madame la présidente, le défi de notre pays pour le développement durable et surtout le développement des énergies renouvelables n’est pas une affaire de technicien, d’ingénieur - ceux présents m’excuseront pour cela - ni de député mais une affaire nationale. Telle que l’avait démontré en 2013, les travaux de la *National Energy Commission* qu’on appelle communément la Commission Manraj. Mais surtout c’est un défi qui transcende toutes les divisions politiques. La preuve c’est que dans cette Chambre nous avons des deux

côtés de la Chambre certains députés qui manifestent régulièrement un intérêt soutenu pour les questions sur les énergies renouvelables notamment par des questions parlementaires qui viennent alerter la population et informer la population sur ce qui se passe.

C'est pour cela que je remercie l'honorable *Chief Whip* d'abord pour son intervention d'aujourd'hui qui me permet de présenter à la population ce soir ce qui se fait dans ce domaine. Premièrement, il est Membre représentant l'assemblée législative au *Mauritius Renewable Energy Agency* (MARENA) ainsi que le député, l'honorable Osman Mahomed. Les deux régulièrement participent aux travaux de l'IRENA, le *International Renewable Energy Agency* à Abu Dhabi et c'est formidable comment devant des instances internationales nos différends politiques s'estompent puisque les deux, ainsi que d'autres parlementaires, tels que l'honorable Madame Jadoo-Jaunbocus également, qui est là, qui participe aux travaux sans en faire une affaire politique, car il en va du plus grand bien de la réforme.

En 2016, nous avons présenté à l'UNFCCC notre Plan d'Action, ce que nous appelons le *Nationally Determined Contributions*. Je vais aller rapidement. 30 % de réduction d'émission carbone 2030, c'est notre promesse devant le monde entier. Nous avons d'abord créé le MARENA où nous avons des représentants évidemment de mon ministère mais également du ministère de l'environnement, l'université de Maurice, les organisations non-gouvernementales, les représentants de l'assemblée régionale Rodriguaise, des membres des deux côtés de la Chambre, des représentants, les deux députés qui représentent l'assemblée régionale Rodriguaise. Nous avons également créé une compagnie subsidiaire qui a suscité beaucoup de controverses, pas sur le principe mais plutôt sur le fonctionnement et sur les comptes et tout cela est tout à fait normal et salubre. Nous avons créé une subsidiaire du *Central Electricity Board* qui s'appelle le *CEB Green Energy Ltd*.

Nous avons mis en place un train de mesures extraordinaire, des incitations fiscales, je ne vais pas les énumérer toutes mais prenons un ménage qui investit dans du solaire électrique incluant les batteries, peut déduire tout son investissement de son *income tax return* qui est extraordinaire. C'est une grande incitation d'où l'engouement des ménages pour installer ce qu'on appelle les *roof-top solar panel*, les panneaux solaires de toiture.

Nous avons simplifié les procédures. Nous avons ouvert le marché en mettant des marchés d'appel d'offres. Il n'y a plus de *unsolicited bids* comme auparavant, tout est fait sur appel d'offres publiques et donc nous avons le prix du marché et les résultats c'est que le prix



du kilowatt-heure a singulièrement baissé par rapport à ce que c'était. Aujourd'hui, nous allons atteindre 11 fermes solaires, aujourd'hui nous sommes à 8 qui produisent 56 MW. Déjà c'est formidable. Déjà 56 MW ! Nous avons des fermes solaires à Mon Choisy, Petite Retraite, l'Espérance, Beau Champ, Solitude, Queen Victoria et Henrietta qui est le dernier que nous allons faire l'inauguration bientôt.

J'espère que les membres de MARENA viendront car ce n'est pas - je le répète - quelque chose de politique partisane mais c'est quelque chose où c'est l'intérêt national qui est en jeu. Nous avons évidemment les ménages, les petites et moyennes entreprises, les coopératives, les ménages à bas salaires et tout cela c'est ce que nous avons accompli au cours de 3 à 4 ans. Nous avons là maintenant, aujourd'hui, au moment où je vous parle, 1209 systèmes solaires de toiture, *roof-top solar panels* pour une capacité de 4 MW qui sont déjà opérationnels. Une troisième phase - parce qu'il y avait deux phases - qui a été lancée en novembre 2018 pour 2 MW, nous avons déjà eu 696 demandes pour une capacité totale de 2,6 à peu près mégawatts. 300 KW seront complétés d'ici la fin de l'année.

Le mois prochain, CEB lance un nouveau *scheme*, basé sur la facturation nette, le *net billing principle*, pour aller vers les clients qui ont une consommation de moins de 100 kWh par mois.

Le *Chief Whip* et ainsi que l'honorable Osman Mahomed vont se rappeler qu'à IRENA, lorsqu'ils étaient là-bas, le *home solar scheme* fut primé. Il y avait 86 entrées, les 86 pays qui avaient présenté des projets au IRENA Abu Dhabi Fund for Development. Nous étions parmi ses 86, nous avons été primés, et ce projet nous permettra de financer, continuer de financer, d'accentuer le financement de l'installation des *rooftop solar panels* sur les toits des ménages à très bas salaire, ceux qui sont sur le *Social Register of Mauritius*, gratuitement. Ce qui veut dire que ces ménages, s'ils sont économes, pourront ne pas avoir à payer de l'électricité pendant très longtemps. Nous avons été primés et nous avons eu une subvention à cet effet. Nous avons baissé le prix de l'électricité pour ces ménages à bas salaire qui ne paient que 30% de leur facture, *on top of the free solar kit*. Bien sûr, c'est fait par tirage au sort et échelonné dans le temps.

Le *Clinton Climate Initiative* va nous aider à faire une campagne dans les écoles en collaboration avec le ministère de l'éducation. Est-ce que nous avons remarqué, lorsque nous avons placé les *rooftop solar panels* dans les petits ménages, ce qui s'est passé ? C'était les enfants qui étaient les plus intéressés parce qu'ils voyaient devant eux l'électricité être

produite pour le solaire et ils vont raconter à leurs amis ce qui se passe, et ils appellent leurs amis pour venir voir comment ça marche. Et donc, nous avons dit nous avons vu le *Clinton Climate Initiative* pour nous aider à faire une campagne beaucoup plus structurée, que ce que je vous ai raconté, pour expliquer comment ça marche et faire les enfants comprendre que l'avenir c'est le soleil. Ce n'est pas un slogan politique, Madame, c'est simplement ce que je vous dis.

Nous avons un projet pour les coopératives qui recevront un *grant* de R 10,000 par kilowatt jusqu'à un maximum de R 50,000 par installation. Le *Green Energy Scheme* pour les petites et moyennes entreprises, les SMEs, ceux qui sont - je dis ça pour qu'ils le comprennent - dans le tarif de 215, c'est facile de voir derrière la facture d'électricité, nous installerons 2,000 PV Kits de 2 kW de capacité. Il y a 400 projets qui ont déjà été complétés, déjà fait et un total de presque 1 MV, c'est presque 980 kW pour être exact. Voilà ce que nous faisons pour l'énergie renouvelable, l'énergie solaire en particulier.

Les *medium scale* - jusqu'à l'heure j'ai parlé de petits - maintenant les *medium scale*, par exemple, *supermarket*, Super U à Flacq, si vous allez visiter, vous allez voir, je ne fais pas de publicité pour eux, mais c'est un grand projet, un très beau projet d'ailleurs que le CEB a lancé en mai 2016. Il y a 16 projets pour 3.27 MW, pour les bâtiments commerciaux, bureaux, supermarchés, etc., et jusqu'à la fin de l'année, nous aurons ajouté 5 MW.

Le *Green Climate Fund*, nous ne faisons peut-être pas assez de tapage, mais vous savez que nous avons été parmi les premiers pays, à cause de notre programme dans les énergies renouvelables, à bénéficier d'un *grant* du *Green Climate Fund* qui avait été établi sous la conférence des Nations Unies sur le changement climatique. Et vous savez combien? 1 milliard de roupies, 28 millions de dollars.

Mon ami, Raj Dayal avait bien contribué à cela, il était ministre de l'Environnement à cette époque. Et ça va financer quoi? D'abord,

Premièrement, *battery energy storage*;

Deuxièmement, les logiciels, pour absorber 185 MW d'énergie renouvelable intermittente, comme le vent, le soleil, etc.

Les *Smart Grid*, mais surtout 300 *mini-grids* à Agaléga et des *rooftop solar* pour 25 MW dans les ménages, les bâtiments publics, les bâtiments des organisations non-gouvernementales.

L'honorable *Chief Whip* a parlé de la capacité de stockage d'énergie. Il y a deux installations déjà, déjà fait, complété, fini, de 2 MW chacun, un à L'Amaury et l'autre à Henrietta. 14 MW seront faits d'ici juillet 2020, avec un investissement de R 350 millions. A l'arrivée 2020, nous aurons 7% de notre énergie qui sera dérivée de l'énergie solaire, comparé à moins de 1% en 2014. Pour les autres, il y a les éoliennes de Plaine des Roches, il y a Alteo, le nouveau Alteo qui va se servir de la bagasse et aussi du *cane crash*, les feuilles de canne, le rejet de la canne. Et, bien sûr, *waste to energy power* qui est en train d'être examiné par le CEB. Tout cela veut dire que d'ici 2020, les énergies renouvelables contribueront à 25% pour l'électricité.

Vous vous rendez compte ce que ça veut dire, en termes, premièrement d'économie sur les énergies fossiles, mais également pour notre pays, lui-même. Nous sommes des victimes du changement climatique, mais nous sommes à la pointe du combat pour combattre le changement climatique. Nous ne sommes pas les seuls, les Seychelles, les Maldives. Les Seychelles nous ont dépassés depuis bien longtemps, les Maldives, et beaucoup d'autres, Vanuatu, Samoa. Nous sommes tous ensemble dans une énergie mondiale pour contribuer à combattre le changement climatique. Le *Smart Cities* sera dominé par les énergies renouvelables.

Nous sommes liés aux institutions internationales, *IRENA*, *Institute of Environmental Analytics*, qui observent le soleil sur notre pays afin de mieux nous indiquer où placer les fermes solaires, ou c'est avantageux pour nous – c'est l'Université de Reading. Nous espérons que cela va marcher. Nous avons beaucoup...

**Madam Speaker:** Just to draw your attention, you have three more minutes.

**The Deputy Prime Minister:** Three more minutes. Thank you, Madam Speaker.

La Commission de l'océan Indien, donc, tout dans un contexte international. Laissez-moi dire un petit mot sur le *Deep Ocean Water Application (DOWA)*. C'est en cours, il y a beaucoup de discussions. Il faut voir l'intérêt de Maurice parce que nous parlons de Maurice dans les trente ans à venir. Donc, c'est en cours et j'espère que ce sera réalisé très bientôt. Cela ne relève pas de mon ministère, mais puisque le *Chief Whip* en a parlé, je profite de cette occasion. Dans la région, nous sommes un des rares pays à être déjà arrivé à 21% énergie renouvelable. Nous sommes à la pointe du combat. Il y avait une question. Malheureusement je n'ai pas pu répondre à l'honorable Bhagwan sur Potem & Partners sur LNG. J'espère que l'occasion nous sera donnée bientôt. Nous pensons que 35% sera non seulement atteint,

mais dépassé parce que nous avons les nouvelles technologies, mais surtout nous avons beaucoup de jeunes ingénieurs qui sont là et qui viennent apporter la contribution. Je les rencontre ces jeunes ingénieurs. Ils sont brillants. Top ! Ils ont l'avenir du pays en tête. En parlant international, l'*International Solar Alliance*, la France, l'Inde, Maurice, pays fondateurs de cette alliance. Nous sommes à la pointe de ce combat international - les tropiques du Cancer et du Capricorne, il y a le *Solar Belt*, et nous allons contribuer à accentuer avec de grands pays, bien sûr, comme le Maroc, le Qatar, Abu Dhabi etc. Donc, quand je disais l'avenir c'est le soleil, oui, l'avenir c'est le soleil, ce n'est pas du vent, et le vent aussi, c'est notre avenir *offshore* et *onshore*, Madame la présidente.

Je vous remercie de votre attention.

*At 8.05 p.m., the Assembly was, on its rising, adjourned to Friday 03 May at 3.00 p.m.*

**WRITTEN ANSWERS TO QUESTIONS**  
**REHABILITATION PROGRAMME FOR ALCOHOLICS & DRUG**  
**ADDICTS - PROPOSED IMPLEMENTATION**

(No. B/217) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed implementation of the Rehabilitation Programme for Alcoholics and Drug Addicts, as announced in the Budget Speech 2018-2019, he will state where matters stand.

**Reply (The Minister of Health and Quality of Life):** With regard to Rehabilitation of Alcoholics and Drug Addicts, the following programmes are being implemented –

- (i) acute emergencies, pertaining to alcoholism, are dealt with in 5 Regional Hospitals;
- (ii) chronic cases of alcoholism are being seen by clinical psychologists in all Regional Hospitals as outpatients;
- (iii) relapse prevention of alcoholism is being catered for in specialised alcohol treatment wards at Mahebourg, Flacq, and Jawaharlall Nehru Hospitals;
- (iv) psychological care and support services for alcohol has been decentralized in primary health care settings namely Mediclinics and Area Health Centres;
- (v) regarding drug addicts, two Rehabilitation Wards have been set up at Mahebourg and Long Mountain. The one at Long Mountain, opened in August 2018, caters for minors and young patients up to age of 23 years. The rehabilitation services are provided by a multi-disciplinary team headed by a Psychiatrist and comprising Medical and Health Officers, Psychologists, Nurses and Social Workers;
- (vi) five Addiction Units which have been set up in the five health regions to offer psychosocial support , pharmacotherapy and follow up in a view to rehabilitate patients with addictions problems, and
- (vii) rehabilitation and psychosocial services for people with substance disorders including alcoholism are also provided by a number of NGOs benefitting from grants from Government through my Ministry. However, since January 2019, NGOs are being provided funds directly under the CSR Foundation.

I wish to inform the House that an amount of Rs15 m. had been allocated to my Ministry for the above programme for Financial Year 2018-2019. Out of Rs15 m.,

approximately Rs8.5 m. has been allocated as grants to the NGOs for the first six months and the remaining amount is being used for other rehabilitation services and activities of my Ministry.

#### **MINISTRIES - ADVISERS ON INFORMATION MATTERS**

**(No. B/218) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Advisers on Information Matters appointed to each Ministry on a contract basis since 2015 to date, he will give the list thereof, indicating, in each case the qualifications and terms and conditions of appointment thereof.

**Reply:** There are, at present, 23 Advisers on Information Matters appointed on a contract basis and attached to different Ministries. The requested information is being placed in the Library of the National Assembly.

The salary and terms and conditions of employment of the Advisers on Information Matters are in accordance with the recommendations of the Pay Research Bureau Report.

#### **MBC – BOARD COMPOSITION**

**(No. B/219) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Mauritius Broadcasting Corporation, he will –

- (a) for the benefit of the House, obtain therefrom, information as to the composition of the Board thereof, indicating the –
  - (i) date and terms and conditions of appointment of the Chairperson and members thereof, and
  - (ii) number of Board meetings held in 2018 and since January 2019 to date, and
- (b) state if any amendment to the Mauritius Broadcasting Corporation Act is envisaged with regard to the functioning thereof.

**Reply:** In regard to part (a) of the question, the Board of the Mauritius Broadcasting Corporation is presently constituted as follows –

#### **Chairperson**

Mr Beejhayee Ramdenee

**Members**

Mrs Kan Oye Fong Weng-Poorun

Mr Lutchmeeparsad Ramdhun

Mr Vijay Chandreeka Ah Ku

Mr Avinash Venkama

Mr Rama Krishna Veeramundar

In regard to part (a) (i) of the question, the date and the terms and conditions of appointment of the Chairperson and Members of the MBC Board are being placed in the Library of the National Assembly.

In regard to part (a) (ii) of the question, the Officer-in-Charge of the MBC has informed that in 2018 the Board met on eight occasions and one meeting was held from January 2019 to date. The Officer-in-Charge of the MBC further informed that a Board Meeting has been scheduled for Thursday 25 April 2019.

In regard to part (b) of the question, no amendment to the MBC Act is being envisaged, at this stage.

**COMMISSION OF INQUIRY ON DRUG TRAFFICKING IN MAURITIUS -  
TASK FORCE**

**(No. B/220) Mr P. Armance (First Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Task Force set up to look into the recommendations of the Report of the Commission of Inquiry on Drug Trafficking in Mauritius, he will, for the benefit of the House, obtain therefrom, information as to where matters stand as to the work progress thereof.

**Reply:** In the reply to Parliamentary Question B/804 on 16 October 2018, the House was informed that Cabinet had, on 03 August 2018, decided that the Prime Minister would chair a Ministerial Committee to look into the recommendations of the Report of the Commission of Inquiry on Drug Trafficking.

The Ministerial Committee met on 16 August 2018 and decided, amongst others, to set up a Task Force under the chair of the Director General of the Independent Commission against Corruption, to coordinate the implementation, by the relevant investigative agencies, of the recommendations contained in the Report of the Commission of Inquiry on Drug Trafficking and its Annexes.

In the reply to Parliamentary Question B/937 on 30 October 2018, the House was apprised of the composition of the Task Force and that the Task Force started its work soon after it was set up and met on several occasions to develop the necessary strategy and plan of action to fulfil its mandate.

The different institutions forming part of the Task Force are carrying out inquiries on matters falling under their respective purview and such inquiries are ongoing.

In the circumstances, making a statement at this stage would not be in order, so as not to cause prejudice to the ongoing inquiries.

### **15<sup>TH</sup> PRAVASI BHARATIYA DIVAS CONVENTION**

**(No. B/221) Ms M. Sewocksingh (Third Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Pravasi Bharatiya Divas Convention held in January 2019, he will state the quantum of sponsorship obtained from Air Mauritius Ltd., if any, and the cost borne by Government to secure the attendance of Honourable Members thereto, giving the list of the Honourable Members who benefitted therefrom.

**Reply:** It was a privilege and honour for Mauritius to respond positively to the invitation of the Government of India to participate in the 15<sup>th</sup> Pravasi Bharatiya Divas Convention, which was held in January last.

The Pravasi Bharatiya Divas is celebrated every two years to strengthen the engagement of the overseas Indian community with India and reconnect them with their roots.

During the Convention, overseas Indians are honoured with the prestigious Pravasi Bharatiya Samman Award, in recognition of their contributions in various fields, both in India and abroad.

The 15<sup>th</sup> Pravasi Bharatiya Divas Convention was held from 21 to 23 January 2019 in Varanasi, in the State of Uttar Pradesh. The theme of the Convention was “The Role of Indian Diaspora in building New India”.

I was invited by my Indian counterpart, His Excellency, Shri Narendra Modi, to be the Chief Guest for the Pravasi Bharatiya Divas Convention and the Guest of Honour for the State of Maharashtra for celebrating the 69<sup>th</sup> Republic Day Parade on 26 January 2019.

Air Mauritius Ltd has informed that it has not provided any sponsorship nor any free ticket to hon. Members participating in the Pravasi Bharatiya Divas Convention.



As regards the cost borne by Government and the list of hon. Members who participated in the Convention, the requested information is being placed in the Library of the National Assembly.

### **GENERAL ELECTIONS - CANDIDATES - DECLARATION OF COMMUNITY**

**(No. B/222) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the mandatory requirement for the declaration of community appurtenance of candidates to a general election pursuant to the provisions of the Constitution of the Republic of Mauritius, he will state the measures Government proposes to take in order to allow candidates not to declare their community at the next general election in line with the Views of the Human Rights Committee under article 5, of the Optional Protocol to the International Covenant on Civil and Political Rights (105<sup>th</sup> session) of 2012.

**Reply:** Government has already proposed measures to do away with the mandatory declaration of community by prospective candidates at General Elections. These measures are embodied in the Constitution (Amendment) Bill (No. XXII of 2018), which is already before the House.

However, as already stated previously, it is a matter of regret that the Bill has so far not secured the required majority for it to be passed by the National Assembly.

But, as also stated, Government is willing to consider constructive counter proposals on the Bill, provided they do not challenge the core aspects of electoral reform proposals of Government.

### **MAURITIAN CITIZENSHIP - APPLICATIONS**

**(No. B/223) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Mauritian citizenship, he will, for the benefit of the House, obtain from the Passport and Immigration Officer, information as to the number of applications received for the granting thereof since January 2015 to date, indicating the number thereof which have been –

- (a) successful, and
- (b) rejected, indicating the reasons therefor.

**Reply:** The Mauritian citizenship is granted to a non-citizen under the different sections of the Mauritius Citizenship Act of 1968 upon application being made and provided that the applicant satisfies all the criteria and is eligible for same.

According to records available, 2,868 applications for Mauritian citizenship have been received at the Prime Minister's Office from January 2015 to 19 April 2019. Some 483 applications were still under consideration as at 31 December 2014.

In regard to parts (a) and (b) of the question, 2,354 applications have been approved and 456 rejected. There are some 541 applications which are currently being processed.

The reasons for rejection of applications include the following –

- (a) applicants do not satisfy the residency period in Mauritius as laid down in the law;
- (b) applicants have been sentenced or convicted for criminal offences;
- (c) the Mauritian spouses do not support the applications of the non-citizens, and
- (d) the spouses are no longer living together as they are either divorced or one of them has left the conjugal roof.

#### **PSC – DELEGATION OF POWERS**

**(No. B/224) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Use of Delegated Powers of Appointment from the Public Service Commission to recruit, he will state if consideration will be given for –

- (a) the commissioning of an independent inquiry into the irregularities highlighted by the National Audit Office in its last report with regard to recruitments by the Ministry of Health and Quality of Life thereunder, and
- (b) a review thereof.

**Reply:** As already stated in the reply to Parliamentary Question B/128 on 10 April 2018, the Public Service Commission (PSC) can, under section 89 of the Constitution, and subject to such conditions as it thinks fit, delegate any of its powers to any Commissioner or to any Public Officer.

It has been a long-standing practice for the PSC to delegate its powers to Supervising Officers for the filling of vacancies in certain specific grades. These provisions and practice

for recruitment under delegated powers have been introduced to relieve the PSC to some extent and to speed up the filling of vacancies in the Public Service, especially in the minor grades.

Such delegation of powers is granted to Responsible Officers, subject to a set of pre-determined conditions as laid down in the Instrument of Delegation. These conditions serve as a safeguard to the Commission to ensure that the whole recruitment exercise is conducted within the established parameters. In case such conditions are not complied with, the power delegated to the Responsible Officers may be withdrawn by the Commission.

With regard to the observations made in the report of the Director of Audit for year 2017-2018, as soon as Cabinet took cognizance of the main contents of the report, the Ministry of Justice, Human Rights and Institutional Reforms was immediately instructed to examine same in consultation with all the Ministries/Departments, including the Ministry of Health and Quality of Life, and to propose measures to address the weaknesses and shortcomings mentioned therein.

The said Ministry is setting up a Committee under the chair of the Senior Chief Executive to look into these issues.

In line with the observations made by the Director of Audit, several measures have already been initiated by the Ministry of Health and Quality of Life with a view to implementing the recommendations of the report. These are, *inter alia*, -

- (a) the creation of a database with the following two main parameters –
  - (i) the list of all relevant grades for which powers have been delegated by the PSC, and
  - (ii) the conditions attached to the delegation of powers for each grade, and
- (b) the setting up of a mechanism whereby all members of the Selection Board will be requested to declare their interests to ensure that each selection exercise is carried out in all fairness, without fear, favour and undue influence.

In light of these remarks, it is not deemed necessary to set up any inquiry to look into the shortcomings and weaknesses highlighted in the last report of the Director of Audit.

**MAURITIUS CITIZENSHIP & MAURITIUS PASSPORT - MAURITIUS  
SOVEREIGN FUND - CONTRIBUTION**

**(No. B/225) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed Scheme of obtaining Mauritius Citizenship or Mauritius Passport in exchange of contribution to a Mauritius Sovereign Fund, as announced in the Budget Speech 2018-2019, he will state where matters stand as to the implementation thereof.

**Reply:** In the last Budget Speech, it was announced that the Economic Development Board will manage two schemes to attract high net worth individuals who satisfy defined criteria and after due diligence. The first scheme will offer foreigners the opportunity to obtain Mauritian citizenship provided they make non-refundable contribution of USD 1 million to a Mauritius Sovereign Fund.

The second scheme will offer the opportunity to foreigners to obtain a Mauritian passport provided they make a contribution of USD 500,000 to the Mauritius Sovereign Fund.

As mentioned in the summing-up speech in June 2018, these schemes will have to be implemented with care, with well thought out guidelines, strictly defined eligibility criteria, proper due diligence as well as ensuring that they do not undermine the social fabrics of our society. It will require in the first instance the drafting and enactment of two stand-alone legislations, namely the Mauritius Sovereign Fund Bill and the Mauritius National Investment Authority Bill.

The project is still at initial stage.

**COMMISSION ON THE PREROGATIVE OF MERCY – MEETINGS – JAN  
2019-23 APRIL 2019**

**(No. B/226) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Commission of the Prerogative of Mercy, he will, for the benefit of the House, obtain therefrom, information as to the number of meetings held, since January 2019 to date.

**Reply:** The Commission on the Prerogative of Mercy has informed that since January 2019 to date, the Commission has held seven meetings.

**METRO EXPRESS PROJECT - UTILITIES WORKS**

**(No. B/233) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the works being carried in connection with the Metro Express Project, he will, for the benefit of the House, obtain a list of the utilities works undertaken indicating in each case the –

- (a) contract value thereof, and
- (b) names of selected contractors therefor and total amount paid thereto as at to date.

**Reply:** I am informed that Larsen and Toubro, the main contractor, is responsible for the displacement of water and waste water networks in connection with the Metro Express Project. These works are undertaken under the supervision of the Central Water Authority and the Wastewater Management Authority.

As for the electricity network, the Central Electricity Board is responsible for the relocation of the electricity network infrastructure. The cost is borne by Larsen and Toubro.

I am tabling lists of works done or to be done in relation to water and waste water networks as well as contracts awarded by the CEB under existing Framework Agreements for relocation of its network and 66kv tower line at St Louis.

#### **LIQUEFIED NATURAL GAS PROJECT - POTEN AND PARTNERS REPORT**

**(No. B/253) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Poten and Partners Report on the Liquefied Natural Gas Project, he will state the total amount of funds disbursed for the commissioning thereof as at to date, giving details of the disbursements effected.

**Reply:** In my reply to PQ B/835 of 16 October 2018, I informed the House that on 09 October 2018, my Ministry appointed the firm Poten and Partners (UK) Limited to carry out a full feasibility study on the adoption of LNG.

The full feasibility study by Poten and Partners (UK) Limited aimed at establishing a long-term strategy of the use of LNG, not only for the electricity sector but also for bunkering, for industrial, transport and domestic purposes.

The study consisted of two phases –

Phase I - Assessment of technical, economic and financial feasibility of shifting to LNG, including financial models for implementing the project and the whole supply chain

from import, storage, regasification, electricity generation, bunkering and CNG conversion for inland transportation under Public Private Partnership model; and

Phase II - Assessment of the Environmental and Social Impact and assisting in the appointment of Transaction Advisor for the implementation of the project.

The contract amount was USD 948,710 for Phase 1 and USD 246,960 plus Rs828,000 for Phase II, (excluding VAT). The funding is shared equally by Government, the Central Electricity Board and the State Trading Corporation.

The Consultant started Phase I of the study in January 2018. Under Phase I, the consultant had eight tasks out of which seven have been completed.

An amount of USD 853,839 excluding VAT has been paid to Poten and Partners, as at date, representing 90% of payment for the first Phase.

### **SECONDARY SCHOOLS - SCHOOL NET II PROJECT**

**(No. B/254) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Technology, Communication and Innovation whether, in regard to the School Net II Project for secondary institutions, he will state –

- (a) the contract value thereof, indicating the amount paid to the contractor;
- (b) if the telecommunication tests thereof have been effected, indicating if the project has been completed, and
- (c) if liquidated damages are due by the contractors and, if so, indicate the amount thereof and the amount recovered, if any, and, if not, why not.

*(Withdrawn)*

### **FORM IV STUDENTS & EDUCATORS - TABLETS**

**(No. B/255) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Project for the Supply and Commissioning of 23,400 Tablets to Form IV Students and Educators, she will state -

- (a) the contract value thereof, and
- (b) where matters stand as to the case entered in court in relation thereto.

*(Withdrawn)*

### **SCHOOLS - CONSTRUCTION & EXTENSION - NINE-YEAR CONTINUOUS BASIC EDUCATION**

**(No. B/256) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the project for the construction and extension of schools premises in the wake of the implementation of the Nine Year Continuous Basic Education, she will state –

- (a) the total project value thereof;
- (b) the name of the contractors thereof, and
- (c) if the projects have been completed within the specified contractual periods and, if not, indicate the remedial actions taken, if any.

*(Withdrawn)*

**MINISTRY OF HEALTH & QUALITY OF LIFE - WORKMEN'S  
CLASS/LOWER GRADES - RECRUITMENT**

**(No. B/257) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Quality of Life whether, in regard to the Workmen's class/lower grades at his Ministry, he will state the number thereof recruited thereat under delegated powers since 2015 to date, indicating the recruitment procedure followed and if same complied with the provisions of the recruitment framework.

*(Withdrawn)*

**NEF - HOUSING UNITS - SRM BENEFICIARIES**

**(No. B/258) Mr P. Armance (First Member for GRNW & Port Louis West)** asked the Minister of Social Integration and Economic Empowerment whether, in regard to the construction of fully concrete social housing units, he will, for the benefit of the House, obtain from the National Empowerment Foundation, information as to the types thereof constructed and delivered over the periods 2017-2018 and 2018-2019, respectively –

- (a) giving the list of the beneficiaries, region-wise;
- (b) cost of individual units, and
- (c) ongoing projects thereof.

**Reply:** A decent housing unit is an essential component of poverty alleviation. This is why this Government has put an end to the construction of Corrugated Iron Sheet housing units for vulnerable families and has, instead, embarked on the construction of Fully Concrete Housing units of up to 50 m<sup>2</sup> with all amenities, including utilities such as water and electricity, bathroom and toilets, bedroom, living/dining room and kitchen, and provision of septic tanks.

I am informed by the National Empowerment Foundation that as at June 2018, 23 fully concrete housing units were completed and delivered to SRM beneficiaries.

As at April 2019, another 59 such housing units have been completed and delivered, thus bringing a total of 82 housing units constructed over the island.

By December 2019, a total of 210 fully concrete housing units, including 67 NHDC houses would be provided to beneficiaries under the SRM.

I am also informed by the National Empowerment Foundation that the construction of another 50 housing units across the island will start in May 2019 and offers received for the construction of another 24 housing units are currently at evaluation stage.

I am also informed by the NHDC that by December 2020, some 188 additional housing units will be available for SRM beneficiaries. Therefore, by December 2020, a total of 512 fully concrete housing units will be made available to SRM beneficiaries.

As regards part (b) of the question, the cost of each housing unit with all the facilities such as water and electricity, bathroom and toilets, bedroom, living/dining room, kitchen and provision of septic tanks, ranges from Rs750,000 to Rs950,000.

For the information of the House, the SRM beneficiary has to pay only 25 % of the cost of the housing unit over a period of 15 to 25 years and the remaining 75% is subsidised by Government.

With regard to parts (a) and (c) of the question, the information is being tabled.

### **POLICE STATIONS - CCTV CAMERAS - COST**

**(No. B/259) Mr P. Armance (First Member for GRNW & Port Louis West)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Police Stations, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the procurement of CCTV cameras for installation thereat, indicating the –

- (a) number thereof that has been equipped therewith, and
- (b) installation cost.

**Reply:** The installation of CCTV Cameras in Police Stations was announced in Government Programme 2015-2019 in a bid to ensure that investigations are conducted in a more professional manner.



The Commissioner of Police has informed that in view of the constant and rapid evolution of CCTV surveillance technology, the rental of a complete CCTV System was considered as the preferred option, instead of procuring same.

Following a tender exercise carried out in May 2017, the contract for the rental of CCTV System for 77 Police Stations/Posts was awarded on 07 November 2017 to the lowest evaluated substantially responsive bidder for a period of five years inclusive of maintenance and repairs. On 07 May 2018, the contract was also extended to cover the new Moka Police Station and the CCID.

With regard to part (a) of the question, since 31 May 2018, CCTV Cameras have been installed and commissioned in all the existing 74 Police Stations around the island, four Police Posts and at the CCID.

As regards part (b) of the question, the monthly rental of the CCTV Camera System is as at date Rs322,380.40 inclusive of VAT.

It is pointed out that, following the construction of a new Police Station at St. Pierre, additional cameras have been installed. These will increase the monthly rental for that station from Rs2,783.35 to Rs4,658.24.

With respect to the new Police Station constructed at Camp Diable, agreement has already been signed with the contractor for the installation of additional cameras at the monthly cost of Rs5,382.62 against a current rental of Rs2,747.39.

### **RICHELIEU – FLOODING**

**(No. B/260) Mr P. Armance (First Member for GRNW & Port Louis West)** asked the Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare whether, in regard to Richelieu, she will state the –

- (a) remedial actions taken by her Ministry following recent flooding thereat, particularly, in front of the CMT and the main road thereat, and
- (b) ongoing project for the prevention of flood thereat.

**Reply (The Prime Minister):** The area in front of the CMT and the main road as well as other regions of Richelieu and surroundings are subject to flooding during heavy rainfall.

In view of the complexity of the situation, the National Development Unit is proposing to implement a drain project thereat and has decided to appoint a Consultant to carry out a feasibility study.

The National Development Unit has already invited proposals on 18 February 2019 from potential Consultants to, *inter alia* –

- (i) effect topographical surveys and undertake an inventory of the existing drainage infrastructure;
- (ii) identify the causes of flooding and forecast their evolution with future developments;
- (iii) identify the possible alternatives to address the flooding problems;
- (iv) make recommendations regarding geotechnical investigations, and
- (v) prepare the preliminary design of the selected drainage system and work out the cost estimate.

The closing date for the submission of proposals for the consultancy services was 21 March 2019. The proposals are under evaluation and it is expected that a Consultant will be appointed in the coming days.

#### **CWA – CONTRACTUAL EMPLOYMENT**

**(No. B/261) Ms M. Sewocksingh (Third Member for Curepipe & Midlands)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Central Water Authority, he will, for the benefit of the House, obtain therefrom, information as to the number of employees thereof employed on contract, indicating the number thereof employed for more than 24 continuous months, indicating if consideration will be given for the employment thereof on permanent establishment in accordance with the law.

**Reply:** I am informed by the Central Water Authority that there are currently 272 employees who have been recruited on contract.

117 of these employees have been in post for more than 24 months. The CWA had resort to contractual employment as certain posts, such as reservoir/pumping station attendants, General Workers on day and night roster, Operatives are new and did not figure in its establishment.

It has created some of these posts in its establishment and will fill them on permanent establishment as and when there are vacancies.

**FASHION & DESIGN INSTITUTE - OFFICERS-IN-CHARGE -  
APPOINTMENT**

(No. B/262) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the Fashion and Design Institute, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the number of Officers-in-Charge appointed by the Board thereof or recommended by his Ministry since 2015 to date;
- (b) the number of attempts to recruit a director thereof, indicating the reasons for failure in each case;
- (c) if there was any call for interview for the post of Officer-in-Charge thereat, and
- (d) the grounds on which the former Chairperson and Officer-in-Charge were appointed, indicating the quantum of remuneration and allowances drawn.

**Reply:** Since October 2015, there have been three Officers-in-Charge at the level of the Fashion and Design Institute.

There have been three attempts to recruit a Director, and in each case, there were no qualified candidates who applied for the post.

As regards the appointment of an Officer-in-Charge, it is an administrative arrangement which is resorted to, with a view to ensuring the smooth running of the organisation.

Insofar as the last part of the question is concerned, section 8(1) (a) of the Fashion and Design Institute Act provides that the Chairperson of the Fashion and Design Board shall be appointed by the Prime Minister. The law does not provide for any criteria for the appointment.

The former Chairperson was drawing a monthly allowance of Rs24,000 and Rs8,000 as travelling allowance.

The Officer-in-Charge, currently in post, is drawing a monthly salary of Rs42,325 as recommended by the PRB, an *ad hoc* allowance of Rs25,000, following the transfer of the School of Jewellery from the MITD to the FDI and a travelling allowance of Rs7,250.

### **WASTE TO ENERGY PROJECT - IMPLEMENTATION**

**(No. B/263) Ms M. Sewocksingh (Third Member for Curepipe & Midlands)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the proposed implementation of the Waste to Energy Project, he will state where matters stand.

**Reply:** I am informed by the Central Electricity Board that on 02 March 2018, it launched an open bidding exercise for the setting up of a Waste to Energy Plant in Mauritius, with a tonnage of 1,000 tons municipal solid waste per day.

At the closing date on 28 September 2018, it received two bids from –

- (i) Consortium SUS Environment Co. Ltd/China Energy Engineering Corporation Ltd/Aerowatt (Mtius) Ltd with a proposed tariff of Rs1.40 plus 0.127 Euro per kWh, and
- (ii) Consortium Sotravic Limitee/Gicon with a proposed tariff of Rs4.50 per kWh plus a fee of MUR 2,090 per ton of waste.

On 19 November 2018, the CEB enlisted the services of a Consultant, with specialised knowledge in waste management and biomass to energy, Mr Frans Lamers of DNV GL (Energy), Netherlands to provide advice to the Bid Evaluation Committee on the evaluation of the bids.

I am informed by the CEB that on 29 January 2019, the evaluation process was completed and on 28 February, a meeting was held with the preferred bidder to clarify technical issues.

I am further informed by the CEB that the preferred bidder has submitted all the clarifications, which are being examined by the consultant.

### **MINISTRY OF HEALTH & QUALITY OF LIFE - RECRUITMENT PROCEDURES**

**(No. B/264) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Health and Quality of Life whether, in regard to recruitment in his Ministry under delegated powers over the period 2015 to 2018, he will state –

- (a) the number of officers recruited in different grades;
- (b) if he has taken note of the comments made by the Director of Audit in her report for financial year 01 July 2017 to June 2018 regarding non-compliance with recruitment procedures, and
- (c) the measures his Ministry proposes to take to ensure transparency in the recruitment process.

**Reply:** As regards part (a), a total of 3,018 employees have been recruited by my Ministry in the different grades under delegated powers by the Public Service Commission since 2015 to 2018. I am tabling details on the number of employees recruited in each of the 43 grades.

As regards part (b) of the question, the Ministry has taken note of the comments made by the Director of Audit in her report for financial year 01 July 2017 to June 2018 regarding the recruitment procedures.

As regards part (c) of the question, I wish to inform the House that my Ministry has always ensured that there is transparency in the recruitment process carried out under delegated powers granted by the Public Service Commission. All the instructions under the delegation of powers from the Public Service Commission are being complied with.

#### **FISHERMEN - BAD WEATHER ALLOWANCE**

**(No. B/265) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the bad weather allowance, he will state the total number of fishers eligible and registered therefor, indicating

- (a) the quantum thereof payable per fisher per day;
- (b) the number of days same was paid since 2015 to 2018, on a yearly basis, indicating the total amount paid, and

- (c) if consideration will be given for a review thereof in view of the minimum wage and the annual increase of pensions and other allowances and salary compensations.

*(Withdrawn)*

**MAURITIUS POLICE FORCE – RADIO COMMUNICATION SYSTEM (NEW)**

**(No. B/266) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the acquisition of cellular portable radios make Huawei EP 820, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) procurement procedure followed therefor;
- (b) number of bidders therefor and the price quoted by each bidder, and
- (c) cost of each radio.

**Reply:** The Safe City Project is an integrated system with advanced technological components. In addition to Intelligent Traffic and Video Surveillance Cameras, it also includes a new Radio Communication System with 4,500 Multimedia Mobile Handsets (EP 820), 350 Multimedia Vehicular mounted radios (EV 750) and 150 Desktop terminals (EV 750).

The Safe City Project relates to National Security of Mauritius and is aimed at protecting our citizens, economy and institutions. Therefore, in regard to parts (a) and (b) of the question, the Commissioner of Police has informed that section 3(1) (a) of the Public Procurement Act was preferred for the Safe City Project which, as I have mentioned earlier, includes the procurement of the cellular portable radios, EP 820.

In regard to part (c) of the question, the Commissioner of Police has further informed that the Huawei EP 820 radios are being provided on lease to the Mauritius Police Force (MPF) and remain the property of Mauritius Telecom Ltd. Any repair or replacement thereof will be undertaken by Mauritius Telecom under the Service Level Agreement signed between MPF and Mauritius Telecom.

The payment terms for lease of the Radio Communication System, which comprises 4,500 Multimedia Mobile Handsets (EP 820), 350 Multimedia Vehicular mounted radios (EV 750) and 150 Desktop terminals (EV 750) are included in the Lease Agreement and amount to USD 2,299,716 per year.

**LA TOUR KOENIG - FIRE OUTBREAK**

(No. B/267) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the fire outbreak at La Tour Koenig on or about 10 April 2019, he will state the actions, if any, taken by his Ministry to ensure that the inhabitants in the vicinity thereof are not affected by air pollution and that all the factories thereat are operating in compliance with the Environment Impact Assessment Certificate issued thereto.

**Reply:** A common reply is being made for PQ B/267 and PQ B/270 as they are inter-related.

There was no explosion as such of the container in question and the chemical stored inside the container was not sodium hydroxide, but sodium hydrosulphite. With regard to the first part of PQ B/267, upon receipt of information from the hotline of the *Police de l'Environnement* on Wednesday 10 April 2019 at around 03 00 hrs, regarding the incident in question, two officers of the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development (Environment and Sustainable Division) and two officers of the *Police de l'Environnement* immediately set out to effect a site visit and to carry out an assessment of the situation at the locus. It is to be noted that the National Emergency Operation Command (NEOC) of the National Disaster Risk Reduction and Management Centre was already activated at level 2 on that day on account of the heavy rainfall/torrential rain warning issued by the Mauritius Meteorological Services. The NEOC was informed of the incident and accordingly requested the Mauritius Fire and Rescue Services (MFRS), the Special Mobile Force and the Special Supporting Unit to intervene promptly at the site of the incident.

At the time of visit, corrosive and pungent smelling fumes were emanating from a 20 feet container located within the premises of *Compagnie Mauricienne de Textile (CMT) Ltée*. Taking into account this situation, the nearby inhabitants were evacuated to Pointe aux Sables Public Beach, which is found at a distance of about 1 kilometre from the place of the incident.

In addition to the evacuation of inhabitants to Pointe aux Sables Public Beach, 23 male and 28 female inhabitants were transported to Dr. A. G Jeetoo Hospital by SAMU and local Police. Only three of them were admitted for observation. The three patients were discharged from hospital on Thursday, 11 April 2019.

The Ministry of Health and Quality of Life, the Dangerous Chemical Control Board and the Ministry of Labour and Industrial Relations were also deployed on site. An inter-ministerial meeting was held on Wednesday 10 April in the morning at the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development for an evaluation of the incident for further corrective measures. As the product was still active and bearing in mind its associated risk to the nearby inhabitants, the container was moved to a safer location, at least two kilometres away from the residential areas. Subsequent to the first meeting, another meeting was held on 11 April 2019 and follow-up site visits were effected on 11, 12, 13, 14, 15, 16, 17 and 19 April 2019 to closely monitor the situation.

In addition to the abovementioned actions, which provide a reply to part (b) of PQ B/270, after containment of the fire by the Mauritius Fire and Rescue Services on Wednesday 10 April 2019, the National Environmental Laboratory carried out a series of ambient air quality monitoring exercises near the residences (20 meters and 50 meters away downwind of the container) using a Portable Gas Analyser on 10, 11, 12, 15 and 19 April 2019. All the toxic gases which were screened were found to be below the detectable limits of the equipment at the time of measurement.

With regard to the second part of PQ B/267, for the region of La Tour Koenig, 10 EIA applications have been processed by the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development (Environment and Sustainable Division) during the period 1997 to date. Out of these, one application was rejected not later than last year while another has been set aside for failure to provide information. Out of the eight remaining undertakings which have been granted EIA licences, four are in operation, two have not been implemented and two have ceased operation. The four undertakings which are presently in operation were granted an EIA licence during the period 1997 to 2005. Two of these are textile factories, one is a galvanising plant and the remaining one is a noodle factory. The four undertakings are complying with the conditions imposed in their respective EIA licence.

Moreover, following the acquisition of the ambient air monitoring caravan in 2011, the National Environmental Laboratory of the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development (Environment and Sustainable Division) has carried out nine Ambient Air Monitoring exercises in the region, whereby it was observed that the results were compliant with the Environment Protection (Standards for Air) Regulations 1998. The next ambient air monitoring exercise in the region has been scheduled since January of this year for end of April.



The Ministry of Social Security, National Solidarity, and Environment and Sustainable Development (Environment and Sustainable Division) is maintaining close monitoring of the undertakings located at La Tour Koenig.

With regard to part (a) of PQ B/270, the container enclosed 432 pails of 50 kg each of sodium hydrosulphite in powdered form, which is used in the textile industry, in the dyeing process. Upon reaction with air, water or humidity, this chemical decomposes into sulphur compounds, which include hydrogen sulphide and sulphur dioxide.

**Mr E. G., FOREIGN NATIONAL - GLOBAL BUSINESS COMPANY**

**(No. B/268) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Minister of Financial Services and Good Governance whether, in regard to Mr E. G., foreign national operating a financial international and national business at La Croisette, Grand Baie, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to if it is in presence of information to the effect that the latter and/or the latter's French company is being sued in France by about 800 clients for failure to be paid their returns on investments, and, if so, indicate if appropriate measures will be taken to secure the financial activities thereof in Mauritius.

**Reply:** I am informed by the Financial Services Commission that Mr E. G. is a French national residing in France and he is the shareholder/beneficial owner as well as the Director of a Global Business Company in Mauritius, licensed by the Commission.

I am also informed that the proposed activity of the Global Business Company is debt consolidation/negotiation and credit services and that it is in good standing, that is, it is compliant with the rules, regulations and guidelines issued by the Financial Services Commission for the operation of its business.

Besides, the Registrar of Companies has reported that it has not received any complaint so far against any of the four companies in Mauritius in which Mr E. G. is involved.

Additionally, the Commissioner of Police has informed that, as of now, no complaint has been registered against Mr E. G.

I am further informed by the Financial Services Commission that it has not obtained any official information to the effect that Mr E. G. or his French company is being sued in France by 800 clients for failure to be paid their returns on investments.

However, following the resignation of the Management Company of the Global Business Company of Mr E. G. in Mauritius, the Management Company informed the Financial Services Commission about a press article which appeared in the foreign media relating to Ader Capital France and Ader Capital UK companies in which Mr E. G. is involved. Mention is made in the article about the outstanding reimbursement of investments to some 800 clients of the companies.

In this respect, the Financial Services Commission has sought assistance from its counterparts from France and UK for relevant information on these companies, in their respective jurisdiction and on Mr E. G. The Commission is still awaiting a reply.

Any appropriate measure/action against the Global Business Company in Mauritius, if required, will be taken in the light of the information/evidence which will be obtained.

I am informed by the FSC that, as per section 83(4) of the Financial Services Act 2007, all documents and information pertaining to entities holding Global Business Licences are confidential. Hence, no further information on the matter can be provided at this stage.

#### **BERTHAUD AVENUE, QUATRE BORNES - UPGRADING**

**(No. B/269) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes)** asked the Minister of Public Infrastructure and Land Transport, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the roads in Berthaud and the one from Cremation Road to Corps de Garde Road, in Quatre Bornes he will, for the benefit of the House, obtain from the Road Development Authority, information as to if same will be reinstated and, if so, when.

**Reply:** I am informed by the Road Development Authority (RDA) that Berthaud Avenue is 3.746 kilometers long extending from St Jean Road to Ratsitatane Avenue.

The part under the jurisdiction of the RDA starts from its junction with A8 at La Louise through Ligne Berthaud, Remy Ollier Avenue to its junction with A1 Belle Rose over a distance of 1.266 km. The section from La Louise junction to Remy Ollier Avenue has been resurfaced in April 2018 by the RDA and the road is in good condition.

The remaining part of Berthaud falls under the purview of the Municipal Council of Quatre Bornes. In reply to Parliamentary Question B/221 on 17 April 2018, I informed the House that regarding the section from Remy Ollier Avenue to Trèfles/Rose Hill, the National Development Unit (NDU) was undertaking the upgrading and widening thereof. I also

informed the House that the NDU had awarded the contract for the “upgrading and widening of Berthaud Road in Quatre Bornes, including drainage works” on 28 February 2018.

I am informed by the NDU that the progress of works is 60% and same are expected to be completed by end of July this year. The works have been delayed due to relocation of underground services.

I am also informed that the NDU has several other projects in the region, namely –

- (i) construction and upgrading of Cremation No. 1 La Source, Quatre Bornes, from Junction Bissessur Avenue up to Junction Charlie Avenue, which is 90% complete;
- (ii) resurfacing of Lane off Avenue Berthaud, Quatres Bornes, which is expected to start in May this year, and
- (iii) construction and upgrading of Lane off Avenue Berthaud, Quatres Bornes (near junction Avenue Chaumière/Avenue Berthaud) to be implemented in next financial year.

#### **CMT FACTORY - CONTAINER - EXPLOSION**

**(No. B/270) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the explosion of a container containing 21.6 tons of sodium hydroxide at the CMT factory, at La Tour Koenig, on or about 10 April 2019, he will state –

- (a) the causes, magnitude and detailed environmental impact thereof, and
- (b) if a mobile testing machine has monitored the air in the region and, if so, indicate the results thereof.

*(Vide Reply to PQ No. B/267)*

#### **CWA - RESERVOIRS - STORAGE CAPACITY**

**(No. B/271) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to potable water, he will, for the benefit of the House, obtain from the Central Water

Authority, a detailed account of the current volumes thereof stored in each of the reservoirs, indicating the estimated volumes thereof until the end of this year.

**Reply:** There are six main impounding reservoirs which are used to supply potable water, namely –

- (i) Mare aux Vacoas reservoir with a storage capacity of 25.89 million cubic metres, supplies water mainly to the regions of Plaines Wilhems and Moka;
- (ii) Mare Longue reservoir with a storage capacity of 6.28 million cubic metres, feeds Mare aux Vacoas;
- (iii) La Nicoliere reservoir with storage capacity of 5.26 million cubic metres, supplies water mainly to the North and Port Louis for potable use and irrigation;
- (iv) Midlands reservoir with storage capacity of 25.5 million cubic metres provides water to Nicoliere reservoir;
- (v) Piton du Milieu reservoir of capacity of 2.99 million cubic metres supplies water mainly to the eastern region, and
- (vi) Bagatelle reservoir of capacity of 14.76 million cubic metres provides water to the regions of Port Louis and Lower Plaines Wilhems.

The actual storage of these reservoirs fluctuates daily depending on actual rainfall in the catchment of the reservoirs and river inflows as well as the volume released for use by the population. I am tabling the latest storage levels as at 22 April 2019.

With regard to the projected storage by the end of the year, the Water Resources Unit prepares projections based on summer and winter outlooks of the Meteorological Services, historical inflow and outflow data and consumption patterns, among others.

However, these projections are not static and are reviewed periodically, in the light of climatic conditions and meteorological forecasts.

On the assumption that rainfall will remain in its normal forecasted range and the outflows from the reservoir remain unchanged, by the end of the year the storage level in Mare aux Vacoas may reach 50%, La Nicoliere reservoir - 57%, Piton du Milieu reservoir - 57%, Mare Longue reservoir - 60%, Midlands dam - 60% and Bagatelle dam - 72%.

On the assumption that rainfall will be 50% of normal and the outflows from the reservoir remains unchanged, the storage level in Mare aux Vacoas reservoir may decrease to 32%, La Nicoliere reservoir to 57%, Piton du Milieu reservoir to 13%, Mare Longue reservoir to 42%, Midlands dam to 31% and Bagatelle dam to 66%.

I have to stress that these data are indicative only and should be used cautiously as they are bound to change on the basis of actual climatic conditions.

### **GLOBAL BUSINESS SECTOR - DEEMED FOREIGN TAX CREDIT**

**(No. B/272) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes)** asked the Minister of Financial Services and Good Governance whether, in regard to the Deemed Foreign Tax Credit, he will state if Mauritius and the European Union have held discussions in relation thereto.

**Reply:** I wish to inform the House that the issue regarding the Deemed Foreign Tax Credit dates back to 2014. In fact, operators of the Global Business sector had, in August 2014, drawn our attention that the European Commission was prohibiting the European Investment Bank from investing into Global Business Companies Category 1 (GBC1s) in Mauritius to structure their investments abroad. The European Commission held the view that our tax regime for GBC1s was harmful and discriminatory against domestic companies.

To address the issue, the matter was taken up with the European Commission by our Ambassador based in Brussels. At that meeting, it was agreed that the European Commission would receive a delegation from Mauritius to hold further discussions on the matter. In that context, a technical delegation travelled to Brussels from 28 and 29 October 2014. The meeting focused on the operation of our Global Business sector and the tax regime applicable to the sector.

In spite of the explanations provided by Mauritius, the European Commission maintained its position on the Deemed Foreign Tax Credit pointing out that it could not reconsider its assessment that the GBC1 tax regime was harmful, unless we provided evidence, or take necessary steps to ensure that GBCs are systematically taxed at 15% like other companies and do not get a tax credit, including through a timing difference higher than the foreign tax actually paid.

In January 2016, the Ministry of Finance and Economic Development enlisted the services of Professor Philip Baker QC, Tax Expert to review the current tax regime

applicable to Category 1 Global Business Companies and make appropriate recommendations to Government. Professor Baker submitted its report in April 2016.

In view of the European Union's proposal to publish a list of non-cooperative jurisdictions, a delegation led by the hon. Prime Minister held meetings with the EU Taxation and Customs Union's (TAXUD) representative on 24 October 2016 and Commissioner Moscovici on 26 October 2016, in Brussels. The main objective of the mission was to initiate dialogue with the European Union to ensure that Mauritius is not placed on the blacklist of non-cooperative tax jurisdictions which EU was compiling.

In November 2016, peer reviews of preferential tax regimes were undertaken by the OECD Forum on Harmful Tax Practices (FHTP) under the BEPS project. The FHTP reviewed our Deemed Foreign Tax regime available only to GBC1 and banks on their Segment B income. The FHTP, similar to the EU, concluded the regime as potentially harmful.

To the extent that there was overlapping in the works of the EU and the OECD, the EU has, for sake of consistency, agreed to take account of the work undertaken by the FHTP. Appropriate reforms to the tax regime of GBC and banks were worked out on the basis of recommendations made by Professor Baker. Accordingly, necessary legislative amendments for implementation of the reforms were included in the Finance (Miscellaneous Provisions) Act of 2018.

Despite having been cleared by the OECD FHTP, the EU Taxation and Customs Directorate continued to question certain aspects of the reformed GBC regime, that is, the partial exemption system. We are of the view that this is most unfair given that the EU has repeatedly given the assurance that they will take into consideration the work of the FHTP in their own assessment.

The former Minister of Foreign Affairs, Regional Integration and International Trade of Mauritius met Mr Pierre Moscovici, EU Commissioner for Financial and Economic Affairs, Taxation and Customs, in Brussels, on 25 October 2018 and held discussions on our reformed tax regime for the Global Business Sector. At the meeting, it was agreed that the way forward would be to continue discussions at technical level on the matter and to this end to set up a Joint Working Group which will examine the concerns of either side and make recommendations.

The various meetings held with the EU have been fruitful. Mauritius does not feature in the EU blacklist and we are confident that before the end of the year Mauritius will have addressed all the remaining issues on our tax regime for the Global Business Sector.