



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

THURSDAY 21 NOVEMBER 2019

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THE CABINET

(Formed by Hon. Pravind Kumar Jugnauth)

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. Ivan Leslie Collendavelloo, GCSK, SC	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Mrs Leela Devi Dookun-Luchoomun	Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology
Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government, Disaster and Risk Management
Hon. Alan Ganoo	Minister of Land Transport and Light Rail
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
Hon. Nandcoomar Bodha, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Louis Steven Obeegadoo	Minister of Housing and Land Use Planning
Hon. Mrs Fazila Jeewa-Daureeawoo, GCSK	Minister of Social Integration, Social Security and National Solidarity
Hon. Soomilduth Bholah	Minister of Industrial Development, SMEs and Cooperatives
Hon. Kavydass Ramano	Minister of Environment, Solid Waste Management and Climate Change
Hon. Mahen Kumar Seeruttun	Minister of Financial Services and Good Governance
Hon. Georges Pierre Lesjongard	Minister of Tourism
Hon. Maneesh Gobin	Attorney General, Minister of Agro-Industry and Food Security
Hon. Yogida Sawmynaden	Minister of Commerce and Consumer

	Protection
Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping
Hon. Mrs Kalpana Devi Koonjoo-Shah	Minister of Gender Equality and Family Welfare
Hon. Avinash Teeluck	Minister of Arts and Cultural Heritage
Hon. Teeruthraj Hurdoyal	Minister of Public Service, Administrative and Institutional Reforms

PRINCIPAL OFFICERS AND OFFICIALS

Mr Speaker	Hon. Sooroojdev Phokeer, GOSK
Deputy Speaker	Hon. Mohammad Zahid Nazurally
Deputy Chairperson of Committees	Hon. Sanjit Kumar Nuckcheddy
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
Adviser	Dowlutta, Mr Ram Ranjit
Deputy Clerk	Ramchurn, Ms Urmeelah Devi
Clerk Assistant	Gopall, Mr Navin
Clerk Assistant	Seetul, Ms Darshinee
Hansard Editor	Jankee, Mrs Chitra
Parliamentary Librarian and Information Officer	Jeewoonarain, Ms Prittydevi
Serjeant-at-Arms	Pannoo, Mr Vinod

MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 01 of 2019

Sitting of Thursday 21 November 2019

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

(The Mace is brought into the House by the Serjeant-at-Arms and is laid near the Table).

The National Anthem is played.

The Clerk: Please be seated.

Proclamation opening the First Session of the Seventh National Assembly.

Hon. Members, in compliance with Standing Order 3 of the Standing Orders and Rules of the National Assembly 1995, I shall read Proclamation No. 49 of 2019 given on 15 November 2019 under the hand and seal of His Excellency Mr Paramasivum Pillay Vyapoory, Grand Officer of the Order of the Star and Key of the Indian Ocean, Acting President of the Republic of Mauritius summoning the Assembly.

Proclamation No. 49 of 2019

**TO PROCLAIM THE OPENING OF THE
FIRST SESSION OF THE SEVENTH NATIONAL ASSEMBLY BY
HIS EXCELLENCY MR PARAMASIVUM PILLAY VYAPOORY, ACTING
PRESIDENT OF THE REPUBLIC OF MAURITIUS**

PARAMASIVUM PILLAY VYAPOORY

Acting President of the Republic of Mauritius

PARAMASIVUM PILLAY VYAPOORY

– *By His Excellency Mr PARAMASIVUM PILLAY VYAPOORY, Grand Commander of the Order of the Star and Key of the Indian Ocean, Acting President of the Republic of Mauritius.*

&c. &c. &c.

WHEREAS by section 56(1) of the Constitution of Mauritius it is provided that the sessions of the National Assembly shall be held in such place and begin at such time as the President by Proclamation may appoint;

AND WHEREAS it is further enacted by section 56(4) of the Constitution that a session of the National Assembly shall be appointed to commence within thirty days of the date prescribed for polling at any general election;

NOW, THEREFORE, in the exercise of the powers vested in me as aforesaid, I do hereby proclaim that the First Session of the Seventh National Assembly shall begin on the 21st day of November, two thousand and nineteen, and that the first sitting of the Seventh National Assembly in its First Session shall be held on the day aforesaid at 11 30 hours in the Chamber of the Assembly in Port Louis.

Given at State House, Le Réduit, this 15th day of November, two thousand and nineteen.

**Administration of Oath of Allegiance to or Affirmation or Declaration by
Members.**

In compliance with Standing Order 4 of the Standing Orders and Rules of the National Assembly 1995, I shall now proceed with the Administration of the Oath of Allegiance which hon. Members are required to make and subscribe as prescribed in Schedule 3 of the Constitution prior to taking part in the proceedings of the Assembly other than the proceedings necessary for the purposes of this order.

I shall proceed in the following order, the hon. Prime Minister and Leader of the House will be called first followed by the hon. Deputy Prime Minister, Vice-Prime Ministers and Ministers who will be called in turn in order of precedence and will come to the upper step at the left turn, first to make and subscribe the Oath of Allegiance and thereafter sign the Roll of Membership at the Table prior to taking the respective seats. Next, the hon. Leader of the Opposition will be called followed by the hon. Parliamentary Private Secretaries and the other hon. Members in alphabetical order.

ADMINISTRATION OF OATH TO MEMBERS

The following hon. Members made and subscribed before the Assembly, the Oath of Allegiance prescribed in the Third Schedule of the Constitution and signed the Roll of Membership –

Hon. Pravind Kumar Jugnauth (Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity)

Hon. Ivan Leslie Collendavelloo, GCSK, SC (Deputy Prime Minister, Minister of Energy and Public Utilities)

Hon. Mrs Leela Devi Dookun-Luchoomun (Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology)

Dr. the Hon. Mohammad Anwar Husnoo (Vice-Prime Minister, Minister of Local Government, Disaster and Risk Management)

Hon. Alan Ganoo (Minister of Land Transport and Light Rail)

Dr. the Hon. Renganaden Padayachy (Minister of Finance, Economic Planning and Development)

Hon. Nandcoomar Bodha (Minister of Foreign Affairs, Regional Integration and International Trade)

Hon. Louis Steven Obeegadoo (Minister of Housing and Land Use Planning)

Hon. Mrs Fazila Jeewa-Daureeawoo (Minister of Social Integration, Social Security and National Solidarity)

Hon. Soomilduth Bholah (Minister of Industrial Development, SMEs and Cooperatives)

Hon. Kavydass Ramano (Minister of Environment, Solid Waste Management and Climate Change)

Hon. Mahen Kumar Seeruttun (Minister of Financial Services and Good Governance)

Hon. Georges Pierre Lesjongard (Minister of Tourism)

Hon. Maneesh Gobin (Attorney General, Minister of Agro-Industry and Food Security)

Hon. Yogida Sawmynaden (Minister of Commerce and Consumer Protection)

Hon. Jean Christophe Stephan Toussaint (Minister of Youth Empowerment, Sports and Recreation)

Hon. Mahendranuth Sharma Hurreeram (Minister of National Infrastructure and Community Development)

Hon. Darsanand Balgobin (Minister of Technology, Communication and Innovation)

Hon. Soodesh Satkam Callichurn (Minister of Labour, Human Resource Development and Training)

Dr. the Hon. Kailesh Kumar Singh Jagutpal (Minister of Health and Wellness)

Hon. Sudheer Maudhoo (Minister of Blue Economy, Marine Resources, Fisheries and Shipping)

Hon. Mrs Kalpana Devi Koonjoo-Shah (Minister of Gender Equality and Family Welfare)

Hon. Avinash Teeluck (Minister of Arts and Cultural Heritage)

Hon. Teeruthraj Hurdoyal (Minister of Public Service, Administrative and Institutional Reforms)

Dr. the Hon. A. Boolell, GOSK (Leader of the Opposition)

Dr. the Hon. Mrs M. C. D. Chukowry

Dr. the Hon. A. Ramdhany

Hon. S. Ramkaun

Hon. R. Dhaliah

Hon. Mrs T. Jutton

Hon. Dr. M. I. Rawoo

Hon. N. P. Ramchurrun

Hon. S. G. Bablee

Hon. Mrs M. A. T. Diolle

Hon. J. F. François

Hon. M. S. Abbas Mamode

Hon. S. M. A. Ameer Meea

Hon. Mrs M. G. S. Anquetil

Hon. P. K. Armance

Hon. P. G. Assirvaden

Dr. the Hon. F. I. Aumeer

Hon. Ms J. M. Bérenger
Hon. P. R. Bérenger, GCSK
Hon. R. Bhagwan
Hon. G. F. David
Hon. S. Dhunoo
Hon. R. Doolub
Hon. C. G. X. L. Duval, GCSK
Hon. C. H. R. Duval
Hon. Mrs E. K. L. C. Foo Kune
Dr. the Hon. M. Gungapersad
Hon. A. Ittoo
Hon. M. E. Juman
Hon. J. B. Leopold
Hon. K. Lobine
Hon. Mrs S. Luchmun Roy
Hon. M. O. C. Mahomed
Hon. Mrs M. S. M. Mayotte
Hon. S. A. Y. A. R. Mohamed
Hon. D. Nagalingum
Hon. Mrs M. A. Navarre-Marie
Hon. M. Z. Nazurally
Hon. S. K. Nuckcheddy
Hon. J. P. F. Quirin
Hon. D. Ramful
Hon. Ms N. Ramyad
Hon. Mrs M. J. S. Tour

Hon. M. R. C. Uteem

Hon. R. Wochit

Hon. J. M. T. S. Yeung Sik Yuen

SPEAKER – ELECTION

The Clerk: Hon. Members, pursuant to section 32 of the Constitution of the Republic of Mauritius and of Standing Order 7 of the Standing Orders and Rules of the National Assembly 1995, the Assembly shall now proceed with the election of a Speaker.

The Prime Minister: Madam Clerk, in accordance with the provisions of Section 32 of the Constitution and Standing Order 7 of the Standing Orders and Rules of the National Assembly, I move that Mr Sooroojdev Phokeer, GOSK, be elected Speaker of the House.

Madam Clerk, Mr Phokeer attended secondary school at Bhujoharry College in Port Louis and subsequently taught economics at the same school.

Mr Phokeer is a Barrister-at-Law of the Honourable Society of Lincoln's Inn, London. He holds several Post Graduate Diplomas in Law, Diplomacy and Management.

Mr Phokeer is also well known for his contribution as a social worker whereby he has also been the Chairperson of the Mauritius Federation of Young Farmers.

Madam Clerk, Mr Phokeer joined politics in 1983. He was elected in Constituency No. 14, Savanne and Black River in the 1991 General Election to serve the then Legislative Assembly. In 1994, Mr Phokeer was appointed Parliamentary Private Secretary. During that mandate, he also served as Member on the Public Accounts Committee.

In 2001, Mr Phokeer was appointed Ambassador to Egypt. He came back in 2004 to assume responsibility as Special Adviser to the Ministry of Agro-Industry until 2005. In 2010, he was designated as Permanent Representative to the African Union.

From 2015 to 2019, he served as Ambassador of Mauritius to the United States of America with concurrent accreditation to Canada, Guyana, Trinidad and Tobago, Brazil and Mexico.

During his tenure of office, Mr Phokeer also held the post of Chairperson of the Economic Development Commission of the African Diplomatic Corps. He also participated in several high-level conferences at the World Bank, the International Monetary Fund and represented Mauritius for the AGOA Meetings.

It is with a sense of pride and pleasure that I move that Mr Phokeer be elected Speaker of this august Assembly.

The Deputy Prime Minister rose and seconded.

The Clerk: Is there any counterproposal? There being no counterproposal, I declare that Mr Sooroojdev Phokeer, GOSK, has been elected to take the Chair of the Assembly as Speaker.

I shall now invite hon. Sooroojdev Phokeer, GOSK, Speaker elect to come to the upper step at the left turn to first make and subscribe the Oath of Allegiance and thereafter to sign the Roll of Membership, prior to taking the Chair of the Assembly.

(The House having called hon. Mr Sooroojdev Phokeer, GOSK, to the Chair, he proceeds to the upper step of the Chair.)

Mr Sooroojdev Phokeer, GOSK, then made and subscribed before the Assembly the Oath of Allegiance prescribed in the Third Schedule of the Constitution and signed the Roll of Membership.

Mr Speaker *(Standing on the upper step):*

Hon. Members, I feel deeply honoured to be entrusted with the responsibilities of presiding over the business of the Assembly and I am thankful for the confidence placed in me by hon. Members.

In accordance with custom, I pledge to submit myself to the will of the House.

Hon. Members, I am aware of the obligations of the holder of this high office inasmuch as impartiality and fair play have to be the guiding principles at all times.

Hon. Members can rest assured of my entire devotion to this august Assembly as guardian of the rights and privileges of hon. Members. I pledge to ensure that all hon. Members are allowed to exercise their rights freely and enjoy all privileges within the bounds of the laws, rules, customs, traditions and usages governing the Assembly.

I will always be available to provide such advice and guidance as hon. Members, especially the newly elected ones, may require.

I am fully conscious of the exacting tasks that await me and I am sure that I can rely on the collaboration and support of all hon. Members in order to uphold the dignity and decorum of the House.

Hon. Members, I wish to thank the hon. Prime Minister and Leader of the House for having proposed me as Speaker and for his kind words. I also wish to thank the hon. Deputy Prime Minister for seconding the motion.

Before I take the Chair, I would like to express my appreciation to the Clerk and officers of the National Assembly for their continued support and loyalty to every Member of the Assembly.

I thank you all for your attention.

(Applause)

(Mr Speaker then takes the Chair)

(The Mace which is, up to that time, near the Table, is placed upon the Table by the Serjeant-at-Arms)

DEPUTY SPEAKER - ELECTION

The Prime Minister: Mr Speaker, Sir, in accordance with the provisions of Section 32 of the Constitution and Standing Order 7 of the Standing Orders and Rules of the National Assembly, I move that the hon. Second Member for Montagne Blanche and Grand River South East, Mr Mohammad Zahid Nazurally, be elected Deputy Speaker of the House.

The Deputy Prime Minister rose and seconded.

Mr Speaker: Is there any counterproposal?

There being no counterproposal, I declare the hon. Second Member for Constituency No. 10, Montagne Blanche and Grand River South East, Mr Nazurally, elected Deputy Speaker of this Assembly. I offer him my sincere congratulations.

Mr M. Z. Nazurally: May I, first of all, congratulate you, Mr Speaker, Sir, for having been elected to this high office. I thank the hon. Prime Minister, Leader of the House, and the Deputy Prime Minister for the trust they have placed in me. I am deeply honoured to have been elected Deputy Speaker by this august Assembly.

I also take this opportunity to assure hon. Members that I will perform my duties in all fairness. I will do my level best to conduct the business of the Assembly and uphold the dignity of the House.

I thank you for your attention.

(Applause)

DEPUTY CHAIRPERSON OF COMMITTEES - ELECTION

The Prime Minister: Mr Speaker, Sir, in accordance with the provisions of Standing Order 7 of the Standing Orders and Rules of the National Assembly, I move that the hon. Third Member for Flacq and Bon Accueil, Mr Sanjit Kumar Nuckcheddy, be elected Deputy Chairperson of Committees.

The Deputy Prime Minister rose and seconded.

Mr Speaker: Is there any counterproposal?

If there is no counterproposal, I, therefore, declare the hon. Third Member for Constituency No. 9, Flacq and Bon Accueil, Mr Nuckcheddy, elected Deputy Chairperson of Committees of this Assembly.

I offer him my sincere congratulations.

Mr S. K. Nuckcheddy: Mr Speaker, Sir, may I also congratulate you upon your election to this high office.

I am honoured to have been elected to serve the House as Deputy Chairperson of Committees. I can assure this august Assembly that I will discharge my responsibilities to the best of my abilities faithfully.

I seize this opportunity to thank the hon. Prime Minister and Leader of the House for the trust he has placed in me.

Thank you for your attention.

(Applause)

PAPERS LAID

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

A. Prime Minister's Office, Ministry of Defence, Home Affairs and External Communications, Ministry for Rodrigues, Outer Islands and Territorial Integrity

- (a) The Financial Statements of the Discharged Persons Aid Committee for the year ended 30 June 2018. (In Original)
- (b) The Annual Report 2017/2018 of the Mauritius Ports Authority. (In Original)
- (c) Declaration of Restricted Area. (Government Notice No. 171 of 2019)
- (d) The Declaration of Assets (State-owned Enterprises) (Revocation) Regulations 2019. (Government Notice No 177 of 2019)
- (e) The National Assembly Elections (Amendment) Regulations 2019. (Government Notice No. 185 of 2019)
- (f) The National Assembly Elections Polling Stations Order, 2019. (Government Notice No. 190 of 2019)
- (g) The National Assembly Elections Polling Stations (Amendment) Order, 2019. (Government Notice No 201 of 2019)

B. Ministry of Energy and Public Utilities

Radiation Safety and Nuclear Security (Control of Import and Export of Radiation Sources and Other Controlled Items) Regulations 2019. (Government Notice No 192 of 2019)

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

The Mauritius Qualifications Authority (Training Institutions) (Amendment) Regulations 2019. (Government Notice No 175 of 2019)

D. Ministry of Local Government , Disaster and Risk Management

- (a) The Municipal Council of Beau Bassin-Rose Hill (Street Naming) Regulations 2019. (Government Notice No. 152 of 2019)

- (b) The District Council of Riviere du Rempart (Fees for Building and Land Use Permit and other fees at the level of Land Use and Planning Department) Regulations 2019. (Government Notice No. 153 of 2019)
- (c) The District Council of Grand Port (Fees for Building and Land Use Permit and other fees at the level of Land Use and Planning Department) Regulations 2019. (Government Notice No. 154 of 2019)
- (d) The District Council of Flacq Auction Sale Regulations 2019. (Government Notice No. 155 of 2019)
- (e) The Municipal Town Council of Quatre Bornes (Fees for Building and Land Use Permit) Regulations 2019. (Government Notice No. 156 of 2019)
- (f) The Municipal Town Council of Beau Bassin- Rose Hill - (Naming of Public Places) Regulations 2019. (Government Notice No. 157 of 2019)
- (g) The District Council of Savanne (Fees for Building and Land Use Permit and other fees at the level of Land Use and Planning Department) Regulations 2019. (Government Notice No. 158 of 2019)
- (h) The Financial Statements of the Statutory Bodies Family Protection Fund for the year ended 30 June 2018. (In Original)
- (i) The Carbide of Calcium (Amendment) Regulations 2019. (Government Notice No. 194 of 2019)
- (j) The Inflammable Liquids and Substances (Amendment) Regulations 2019. (Government Notice No. 195 of 2019)
- (k) The Inflammable Gases (Amendment) Regulations 2019. (Government Notice No. 196 of 2019)

E. Ministry of Land Transport and Light Rail

The Traffic Signs (Amendment) Regulations 2019. (Government Notice No. 236 of 2019)

F. Ministry of Finance, Economic Planning and Development

- (a) The Customs (Amendment) Regulations 2019. (Government Notice No. 159 of 2019)
- (b) The Customs Tariff (Amendment of Schedule) (No. 2) Regulations 2019. (Government Notice No. 160 of 2019)
- (c) The Excise (Amendment No. 2) Regulations 2019. (Government Notice No. 161 of 2019)
- (d) The Excise (Valuation of Motor Vehicles) (Amendment) Regulations 2019. (Government Notice No. 162 of 2019)
- (e) The Finance and Audit (Lotto Fund) (Amendment) Regulations 2019. (Government Notice No. 163 of 2019)
- (f) The Income Tax (BEPS) Regulations 2019. (Government Notice No. 180 of 2019)
- (g) The Insolvency (Remuneration of Liquidator) Regulations 2019. (Government Notice No. 183 of 2019)
- (h) The Insolvency (Remuneration of Receiver) Regulations 2019. (Government Notice No. 184 of 2019)
- (i) The Digest of Industrial Statistics 2018. (In Original)
- (j) The Digest of Labour Statistics 2018. (In Original)
- (k) The Digest of Statistics on Rodrigues 2018. (In Original)
- (l) Virement Warrants Quarter 4 (April – June 2019) Nos. 23-103 & 105-108 and Retrospective Virement Nos. 109-112. (In Original)
- (m) Virement Certificates Warrants Return - Quarter 4 (April - June 2019)
Vote/Sub-Head (Certificate Nos.): 1-2 (23), 1-5 (8-10), 1-6 (3-4), 1-9 (5-7), 1-12 (1-3), 1-15(5-10), 1-16 (11), 2-101 (16), 2-102 (10, 12, 15), 2-103 (19, 22, 24), 2-107 (1,2), 2-2 (7,8), 2-4 (5-11), 2-6 (12-14), 2-8 (4-9, 11-14), 2-9 (4-7), 4-3 (13, 18, 21), 4-6 (18-26), 5-1 (3-7), 6-1 (4-8), 7-1 (7-11), 8-1 (4-15), 8-2(6-11), 9-1 (8-14), 13-1 (4-9), 13-2 (11-22), 15-1 (7-17), 16-4 (3-8), 18-1(11-15), 21-1 (4-6), 25-1 (2-5, 7), 26-1 (7-9) and 27-1 (17, 18) (In Original)

- (n) Virement Warrants Return Quarter 1 (July - September 2019) Nos. 1-3 of 2019-2020 (In Original)
- (o) Virement (Contingencies) Warrant Quarter 1 (July - September 2019) No. 1 of 2019-2020. (In Original)
- (p) Virement Certificates Return Quarter 1 (July - September 2019) Vote/Sub-Head (Certificate Nos.) 1-15 (1), 2-7 (1, 2), 12-2 (1), 12-3 (1), 13-1 (1), 15-4 (1), 16-1 (1-3), 17-1 (1), 22-1 (1), 25-1 (3). (In Original)
- (q) Carry-Over Warrants Nos. 1 and 2 of 2019 (In Original)
- (r) The Insolvency (Amendment of Schedule) Regulations 2019. (Government Notice No. 191 of 2019)
- (s) The Freeport (Amendment of Schedule) Regulations 2019. (Government Notice No. 200 of 2019)
- (t) The Companies (Beneficial Owner) (Percentage of Shares) Regulations 2019. (Government Notice No. 237 of 2019)
- (u) The Financial Intelligence and Anti-Money Laundering (Registration by Reporting Person) Regulations 2019. (Government Notice No. 238 of 2019)

G. Ministry of Housing and Land Use Planning

The Acquisitive Prescription (Notice and PIN) Regulations 2019. (Government Notice No. 181 of 2019)

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

The Social Integration and Empowerment (School Premium Scheme) (Amendment) Regulations 2019. (Government Notice No. 198 of 2019)

I. Ministry of Industrial Development, SMEs and Cooperatives

- (a) The Annual Report of the Cooperative Development Fund for the period July 2016 to June 2018. (In Original)
- (b) The Consolidated Annual Report of the National Cooperative College for the Financial Years 01 July 2005 to 30 June 2018. (In Original)

J. Ministry of Financial Services and Good Governance

- (a) The Ombudsperson for Financial Services (Sworn Statement) (Amendment) Regulations 2019. (Government Notice No. 199 of 2019)
- (b) The Annual Report 2017-2018 of the National Productivity and Competitiveness Council, Mauritius. (In Original)
- (c) The Annual Reports 2016 and 2017 for the Insurance Industry Compensation Fund. (In Original)
- (d) The Annual Report 2019 of the National Insurance Company (NIC) General Insurance Co. Ltd. (In Original)
- (e) The Annual Report 2017/2018 of the Financial Reporting Council. (In Original)

K. Ministry of Tourism

The Annual Report of the Tourism Employee Welfare fund for the period 30 June 2018. (In Original)

L. Attorney General, Ministry of Agro- Industry and Food Security

- (a) Cane (Specification of Varieties) (Amendment) Regulations 2019. (Government Notice No. 169 of 2019)
- (b) The Mauritius Agricultural Marketing (Cess) (Amendment) Regulations 2019. (Government Notice No. 176 of 2019)
- (c) The Annual Report 2015 of the Small Farmers Welfare Fund. (In Original)
- (d) The Plant (Importation and Exportation) (Amendment) Regulations 2019. (Government Notice No. 182 of 2019)

M. Ministry of Commerce and Consumer Protection

- (a) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 26) Regulations 2019. (Government Notice No. 178 of 2019)
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 27) Regulations 2019. (Government Notice No. 193 of 2019)

- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 28) Regulations 2019. (Government Notice No. 239 of 2019)
- (d) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 29) Regulations 2019. (Government Notice No. 240 of 2019)
- (e) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 30) Regulations 2019. (Government Notice No. 241 of 2019)
- (f) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 31) Regulations 2019. (Government Notice No. 242 of 2019)

N. Ministry of Youth Empowerment, Sports and Recreation

The Annual Report 2017/2018 of the Trust Fund for Excellence in Sports. (In Original)

O. Ministry of Technology, Communication and Innovation

The Information and Communication Technologies (Clearance to Import ICT Equipment) Regulations 2019. (Government Notice No. 164 of 2019)

P. Ministry of Labour, Human Resource Development and Training

- (a) The Annual Report 2017/2018 of the Human Resource Development Council. (In Original)
- (b) The Occupational Safety and Health (Foundries and Construction Works) Regulations 2019. (Government Notice No. 167 of 2019)
- (c) The Immigration (Permits) (Prescribed Fees, Guarantees and Application Form) (Amendment) Regulations 2019. (Government Notice No. 168 of 2019)
- (d) The Non-Citizens (Work Permits) (Fees) (Amendment No. 2) Regulations 2019. (Government Notice No. 197 of 2019)

- (e) The Attorneys' and Notaries' Workers (Remuneration) Regulations 2019. (Government Notice No. 202 of 2019)
- (f) The Baking Industry (Remuneration) Regulations 2019. (Government Notice No. 203 of 2019)
- (g) The Banks Fishermen and Frigo-workers (Remuneration) Regulations 2019. (Government Notice No. 204 of 2019)
- (h) The Block Making, Construction, Stone Crushing and Related Industries (Remuneration) Regulations 2019. (Government Notice No. 205 of 2019)
- (i) The Catering and Tourism Industries (Remuneration) Regulations 2019. (Government Notice No. 206 of 2019)
- (j) The Cinema Employees (Remuneration) Regulations 2019. (Government Notice No. 207 of 2019)
- (k) The Cleaning Enterprises (Remunerations) Regulations 2019. (Government Notice No. 208 of 2019)
- (l) The Distributive Trades (Remuneration) Regulations 2019. (Government Notice No. 209 of 2019)
- (m) The Domestic Workers (Remuneration) Regulations 2019. (Government Notice No. 210 of 2019)
- (n) The Electrical Engineering and Mechanical Workshops (Remuneration) Regulations 2019. (Government Notice No. 211 of 2019)
- (o) The Export Enterprises (Remuneration) Regulations 2019. (Government Notice No. 212 of 2019)
- (p) The Factory Employees (Remuneration) Regulations 2019. (Government Notice No. 213 of 2019)
- (q) The Field-crop and Orchard Workers (Remuneration) Regulations 2019. (Government Notice No. 214 of 2019)
- (r) The Light Metal and Wooden Furniture Workshops (Remuneration) Regulations 2019. (Government Notice No. 215 of 2019)

- (s) The Livestock Workers (Remuneration) Regulations 2019. (Government Notice No. 216 of 2019)
- (t) The Newspapers and Periodicals Employees (Remuneration) Regulations 2019. (Government Notice No. 217 of 2019)
- (u) The Office Attendants (Remuneration) Regulations 2019. (Government Notice No. 218 of 2019)
- (v) The Pre-Primary School Employees (Remuneration) Regulations 2019. (Government Notice No. 219 of 2019)
- (w) The Printing Industry (Remuneration) Regulations 2019. (Government Notice No. 220 of 2019)
- (x) The Private Hospitals and Other Related Health Services (Remuneration) Regulations 2019. (Government Notice No. 221 of 2019)
- (y) The Private Secondary Schools Employees (Remuneration) Regulations 2019. (Government Notice No. 222 of 2019)
- (z) The Private Security Services Employees (Remuneration) Regulations 2019. (Government Notice No. 223 of 2019)
- (aa) The Public Transport (Buses) Workers (Remuneration) Regulations 2019. (Government Notice No. 224 of 2019)
- (ab) The Road Haulage Industry (Remuneration) Regulations 2019. (Government Notice No. 225 of 2019)
- (ac) The Salt-Manufacturing Industry (Remuneration) Regulations 2019. (Government Notice No. 226 of 2019)
- (ad) The Sugar Industry (Agricultural Workers) (Remuneration) Regulations 2019. (Government Notice No. 227 of 2019)
- (ae) The Sugar Industry (Non-Agricultural Workers) (Remuneration) Regulations 2019. (Government Notice No. 228 of 2019)
- (af) The Tailoring Trade (Remuneration) Regulations 2019. (Government Notice No. 229 of 2019)

- (ag) The Tea Industry Workers (Remuneration) Regulations 2019. (Government Notice No. 230 of 2019)
- (ah) The Travel Agents and Tour Operators Workers (Remuneration) Regulations 2019. (Government Notice No. 231 of 2019)
- (ai) The Information and Communication Technologies and Other Related Services (Remuneration) Regulations 2019. (Government Notice No. 232 of 2019)
- (aj) The Workers' Rights (Amendment of Schedule) Regulations 2019. (Government Notice No. 233 of 2019)
- (ak) The Workers' Rights (Atypical Work) Regulations 2019. (Government Notice No. 234 of 2019)
- (al) The Workers' Rights (Seed Capital) Regulations 2019. (Government Notice No. 235 of 2019)

Q. Ministry of Blue Economy, Marine Resources, Fisheries and Shipping

- (a) The Fisheries and Marine Resources (Import of Fish and Fish Products) (Amendment) Regulations 2019. (Government Notice No. 172 of 2019)
- (b) The Fisheries and Marine Resources (Amendment of Schedule) Regulations 2019. (Government Notice No. 173 of 2019)
- (c) The Fisheries and Marine Resources (Extension of Net Fishing Season) Regulations 2019. (Government Notice No. 174 of 2019)
- (d) The Fisheries and Marine Resources (Export of Fish and Fish Products) (Amendment) Regulations 2019. (Government Notice No. 179 of 2019)

R. Ministry of Gender Equality and Family Welfare

The Child Protection (Place of Safety for the Welfare and Protection of Children) Regulations 2019. (Government Notice No. 170 of 2019)

S. Ministry of Arts and Cultural Heritage

- (a) The Annual Report 2016/2017 of the Chinese Speaking Union. (In Original)
- (b) The Mauritius Telegu Cultural Centre Trust for the year ended 31 December 2015. (In Original)

- (c) The Annual Report of the Aapravasi Ghat Trust Fund for the period July 2017 to 30 June 2018. (In Original)

T. Ministry of Public Service, Administrative and Institutional Reforms

- (a) The Civil Establishment Order 2019. (Government Notice No. 165 of 2019)
- (b) The Civil Establishment (Rodrigues Regional Assembly) Order 2019. (Government Notice No. 166 of 2019)

(12.46 p.m.)

STATEMENTS BY MINISTER

CHAGOS ARCHIPELAGO - MAURITIUS SOVEREIGNTY

The Prime Minister: Mr Speaker, Sir, I have two statements to make. The first statement is with regard to the Chagos Archipelago and since it is quite a long statement, I shall request the indulgence of hon. Members to bear with me.

Mr Speaker, Sir, the House will be aware that, pursuant to a request from the United Nations General Assembly, the International Court of Justice gave on 25 February 2019 its Advisory Opinion on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965. The Opinion supported by 13 of 14 Judges of the Court made clear that the Chagos Archipelago is, and has always been, a part of Mauritius. The fourteenth Judge did not express a contrary conclusion.

On 22 May 2019, the General Assembly adopted, by an overwhelming majority of 116 votes to 6, Resolution 73/295, reaffirming, *inter alia*, in accordance with the Advisory Opinion of the International Court of Justice, that the Chagos Archipelago forms an integral part of the territory of Mauritius; that the decolonization process of Mauritius was not lawfully completed upon its accession to independence in view of the unlawful excision of the Chagos Archipelago from the territory of Mauritius and that the ongoing administration of the Chagos Archipelago by the United Kingdom constitutes a continuing wrongful act entailing the international responsibility of that State. The General Assembly accordingly demanded that the United Kingdom withdraws its colonial administration from the Chagos Archipelago unconditionally within a period of no more than six months from the adoption of its Resolution, that is, by 22 November 2019, that is, tomorrow.

Mr Speaker, Sir, my Government, which greatly values the close relations between Mauritius and the United Kingdom, is deeply disappointed that in recent replies to Parliamentary Questions in the House of Commons and in a written statement on 05 November 2019 to the UK Parliament, the UK Government has made clear that it does not intend to withdraw its unlawful administration from the Chagos Archipelago by the deadline set by the General Assembly.

Government strongly deplores that the United Kingdom has chosen to reject the Advisory Opinion of the International Court of Justice and United Nations General Assembly Resolution 73/295 when it has clearly violated international law.

In so doing, the United Kingdom has resorted to groundless arguments, calling into question the authority of the highest court of the world and the United Nations system as a whole. This situation clearly leaves the United Kingdom as an illegal colonial occupier.

The United Kingdom has been repeating that it does not share the approach of the International Court of Justice and that the Court failed to give sufficient regard to some material facts. Mr Speaker, Sir, it is a fact that the United Kingdom is fully aware that the Court carefully considered thousands of pages of factual material and legal arguments, and heard oral submissions from more than 30 States, including the United Kingdom, and the African Union over four days. The Court carefully examined these facts before reaching its conclusions. In other words, it is the Court that has not shared the approach of the United Kingdom.

The United Kingdom has also argued that, by agreeing to answer the questions put to it by the General Assembly, the International Court of Justice has allowed Mauritius to circumvent the basic principle that the Court should not consider a bilateral dispute without the consent of both States concerned. This position, which was extensively argued by the United Kingdom during the advisory proceedings, was also rejected by the Court. The Court motivated its decision at paragraph 86 of its Advisory Opinion, which reads, and I quote –

“The Court notes that the questions put to it by the General Assembly relate to the decolonization of Mauritius. The General Assembly has not sought the Court’s opinion to resolve a territorial dispute between two States. Rather, the purpose of the request is for the General Assembly to receive the Court’s assistance so that it may be guided in the discharge of its functions relating to the decolonization of Mauritius.”

The Court went on to state at paragraph 90 of its Opinion that it, and I quote –

“does not consider that to give the opinion requested would have the effect of circumventing the principle of consent by a State to the judicial settlement of its dispute with another State.”

Furthermore, in her separate opinion, the Vice-President of the International Court of Justice, Judge Xue, further elaborated the thinking of the Court on that issue.

The United Kingdom has also claimed that the March 2015 UN Convention on the Law of the Sea Arbitral Tribunal Award has confirmed that there was a legally binding agreement between Mauritius and the United Kingdom in 1965 for the excision of the Chagos Archipelago from the territory of Mauritius. This is totally untrue. The Arbitral Tribunal

never held that there was such a legally binding agreement. It expressed no opinion whatsoever on whether Mauritius validly “consented” to the dismemberment of its territory. What it did rule was that the undertakings given by the United Kingdom to return the Chagos Archipelago to Mauritius when no longer needed for defence purposes; to preserve the benefit of any minerals or oil discovered in or near the Chagos Archipelago for Mauritius; and to ensure that fishing rights in the territorial sea of the Chagos Archipelago would remain available to Mauritius as far as practicable and are also binding upon the United Kingdom. As regards what the United Kingdom claims to be the “1965 Agreement”, the International Court of Justice which addressed that issue stated the following at paragraph 172 of its Advisory Opinion, and I quote –

“In the Court’s view, it is not possible to talk of an international agreement, when one of the parties to it, Mauritius, which is said to have ceded the territory to the United Kingdom, was under the authority of the latter. The Court is of the view that heightened scrutiny should be given to the issue of consent in a situation where a part of a non-self-governing territory is separated to create a new colony. Having reviewed the circumstances in which the Council of Ministers of the colony of Mauritius agreed in principle to the detachment of the Chagos Archipelago on the basis of the Lancaster House agreement, the Court considers that this detachment was not based on the free and genuine expression of the will of the people concerned.”

The United Kingdom has further invoked security and defence considerations to justify its occupation of the Chagos Archipelago. Once again, this is a baseless argument. Mauritius has stated on various occasions that it fully recognises the importance of the military base in Diego Garcia and will take no action that will impede its continued operation. Moreover, Mauritius has made clear to the United States that it stands ready to enter into a long-term arrangement in respect of Diego Garcia.

Mr Speaker, Sir, it has been the stand of the United Kingdom that the Advisory Opinion is not a legally binding judgment. While this is technically correct in the abstract, it is actually misleading in the real life circumstances of this case. The Advisory Opinion is an authoritative statement of the law by the highest legal authority of the United Nations system. The Advisory Opinion has, in fact, recognised and confirmed existing legal obligations emanating from international law that are incumbent upon the United Kingdom. In his presentation of the annual report of the International Court of Justice to the UN General

Assembly on 30 October 2019, the President of the Court stated the following with regard to the Advisory Opinion, and I quote –

“Advisory proceedings provide legal clarity by enabling the Court to determine the current status of specific principles and rules of international law. Indeed, following the Court’s advisory opinion, the Assembly affirmed, in accordance with that opinion, that the decolonization of Mauritius had not been lawfully completed, and proceeded to set out the modalities and time frame for the withdrawal by the United Kingdom of its colonial administration, thereby enabling Mauritius to complete the decolonization of its territory.”

The UK Government’s defiant criticism of the International Court of Justice and its blatant disregard for the Advisory Opinion of the Court and the UN General Assembly Resolution 73/295, undermine its long-standing commitment to a rules-based international system. The UK Government’s stand has been condemned by the UK Leader of the Opposition who has made it clear that a Labour Government will respect the Advisory Opinion of the International Court of Justice in full.

The United Kingdom cannot profess to be a champion of the rule of law and human rights whilst maintaining an illegal colonial administration in part of the territory of Mauritius and preventing the return to the Chagos Archipelago of the former inhabitants it forcibly removed five decades ago, thereby being in clear violation of international law. It is not for any country to determine for itself which rules of international law it will abide by and which it will not.

Government calls upon the United Kingdom to comply with its obligations under international law, as clearly set out in the Advisory Opinion of the International Court of Justice and reaffirmed by the UN General Assembly in its Resolution 73/295, and end its unlawful administration of the Chagos Archipelago. Let me remind the House that this resolution was adopted by an overwhelming majority of 116 votes against only 6 votes.

Mr Speaker, Sir, Government will continue to be relentless in its efforts to complete the decolonization process of Mauritius. It also remains strongly committed to implementing a programme for urgent resettlement in the Chagos Archipelago. The systematic refusal by the United Kingdom to allow the former residents of the Chagos Archipelago to return is a particularly grave matter. It violates their most fundamental human rights.

Government will also pursue its efforts to challenge the United Kingdom's membership as a coastal State purporting to represent the Chagos Archipelago in all United Nations bodies as well as in international, regional and intergovernmental organisations pursuant to paragraphs 6 and 7 of the UN General Assembly Resolution 73/295. In this regard, we also look forward to the Secretary-General's report on the implementation of this Resolution which, we understand, is expected in March/April 2020.

Government deeply appreciates the support which Mauritius has received from the African Union and other countries and counts on their continued support for the rapid completion of the decolonization process of Mauritius.

I thank you, Mr Speaker, Sir.

BASIC PENSION RATES - INCREASE

The Prime Minister: I have another statement to make. Mr Speaker, Sir, I would like to make a statement on the increase in the rates of basic pension as pledged in our electoral manifesto.

The increase will take effect as from 01 December 2019.

Some 220,484 pensioners aged between 60-89 will benefit from an increase of Rs2,790 in their monthly Basic Retirement Pension from Rs6,210 to Rs9,000, representing an increase of 44.9% and an increase of Rs5,377 when compared to the monthly rate of Rs3,623 in November 2014.

Some 4,264 pensioners aged between 90-99 years will henceforth draw Rs16,710 while some 157 centenarians will draw Rs21,710.

Around 18,501 Widows and 32,702 Basic Invalidity Pensioners will also draw Rs9,000 per month.

Moreover, Basic Orphans Pension for children under 5 years who are not in full time education will be increased from Rs3,710 to Rs5,000, i.e., an increase of Rs1,290 equivalent to 34.7%, and those aged 3 years and up to 20 years in full time education from Rs5,210 to Rs7,000, i.e., an increase of Rs1,790 equivalent to 34.3% per month.

Mr Speaker, Sir, as a compassionate and caring Government, we are also increasing the Carer's Allowance for beneficiaries of Basic Retirement Pension and those drawing invalidity allowance from Rs3,000 to Rs3,500 with effect from 01 December 2019.

Moreover, other allowances, namely Child Allowance, Guardian's Allowance, and Inmates Allowance will be adjusted for some 54,779 beneficiaries.

Mr Speaker, Sir, a beneficiary of basic pension will draw a total of Rs18,000 for the month of December 2019, which includes the payment of end of year bonus.

The increase in the rates will benefit a total of some 331,333 persons.

Thank you.

ADJOURNMENT

The Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Monday 02 December 2019 at 11.30 a.m.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

Mr Speaker: The House stands adjourned.

At 1.06 p.m., the Assembly was, on its rising, adjourned to Monday 02 December 2019 at 11.30 a.m.