



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 09 JULY 2024

CONTENTS

ANNOUNCEMENTS

PAPERS LAID

QUESTIONS (*Oral*)

MOTIONS

BILLS (*Public*)

ADJOURNMENT

QUESTIONS (*Written*)

THE CABINET

(Formed by Hon. Pravind Kumar Jugnauth)

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

Integration and International Trade

Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Information Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training
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
Dr. the Hon. Mrs Marie Christiane Dorine Chukowry	Minister of Commerce and Consumer Protection
Dr. the Hon. Anjiv Ramdhany	Minister of Public Service, Administrative and Institutional Reforms
Hon. Ms Naveena Ramyad	Minister of Industrial Development, SMEs and Cooperatives

PRINCIPAL OFFICERS AND OFFICIALS

Mr Speaker	Hon. Sooroojdev Phokeer, GCSK, GOSK
Deputy Speaker	Hon. Mohammad Zahid Nazurally
Deputy Chairperson of Committees	Hon. Ashley Ittoo
Clerk of the National Assembly	Ramchurn, Ms Urmeelah Devi
Adviser	Dowlutta, Mr Ram Ranjit, CSK
Deputy Clerk	Gopall, Mr Navin
Clerk Assistant	Seetul, Ms Darshinee
Clerk Assistant	Naika-Cahanee, Mrs Prishnee
Clerk Assistant	Tayelamay, Mr Niteshen
Adviser, Hansard	Allet, Mrs Marie-Hélène Caroline
Assistant Hansard Editor	Hurdoss, Miss Doushika
Parliamentary Librarian and Information Officer	Jeewoonarain, Ms Prittydevi
Acting Serjeant-at-Arms	Seegobin, Mr Somduth

MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 19 of 2024

Sitting of Tuesday 09 July 2024

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

The National Anthem was played

(Mr Speaker in the Chair)

ANNOUNCEMENTS

TAYELAMAY, MR NITESHEN - CLERK ASSISTANT - APPOINTMENT

Mr Speaker: I have to inform the House that Mr Niteshen Tayelamay has joined the Clerk's Table as Clerk Assistant.

Mr Tayelamay joined the Civil Service as Management Support Officer in August 2014.

He was subsequently appointed as Court Officer at the Judiciary in October 2017 and Court Usher in January 2019.

Prior to joining the National Assembly, he held the post of Analyst at the Ministry of Finance, Economic Planning and Development.

He holds a Bachelor degree in Law and Management from the University of Mauritius, a Master of Business Administration from the Open University of Mauritius and a Master of Laws in Financial and Commercial Law from the University of Central Lancashire.

On behalf of the House and in my own name, I extend a warm welcome to Mr Niteshen Tayelamay and wish him a successful professional career.

I now invite Mr Niteshen Tayelamay to join the Table.

HON. BHAGWAN'S SUSPENSION - PRESS ARTICLE - *L'EXPRESS*

Hon. Members, I have another announcement to make.

I have taken cognizance of a press article entitled "*La sanction contre Rajesh Bhagwan considérée comme injustifiée*" which appeared in *l'Express* of today.

In the said article, referring to the suspension of hon. Bhagwan, the hon. Shakeel Mohamed is reported to have stated that I have given a wrong interpretation of the Standing Orders.

I wish to set the record straight.

Hon. Members, the House will recall that at the Sitting of Friday 05 July 2024, I made an announcement in regard to the intervention of hon. Bhagwan during a press conference whereby he uttered undignified words to my address.

I accordingly requested the hon. Bhagwan to present his unreserved apologies to the House, failing which, I will be left with no other alternative than to ask him to withdraw from the Chamber.

The hon. Bhagwan, instead of presenting his apologies, replied the following –

“I call a spade a spade and I won’t withdraw. It is a fact *ou enn azan politik; to enn azan politik.*”

In the light of the reaction of the hon. Member and considering that this amounted to a grossly disorderly conduct and to disregarding the authority of the Chair, I took the decision to name him under Standing Order 49(4), and there was no need to proceed under the National Assembly (Privileges, Immunities and Powers) Act as grossly disorderly conduct occurred in the House itself.

I further wish to inform the House that any Member who is aggrieved by the decision of the Speaker may challenge same by way of a substantive motion.

Therefore, the remarks made by the hon. Shakeel Mohamed in today’s article in *l’Express* are not justified.

PAPERS LAID

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

A. Ministry of Land Transport and Light Rail

The Motorways and Main Roads (Amendment No. 3) Regulations 2024. (Government Notice No. 116 of 2024)

B. Ministry of Finance, Economic Planning and Development

The Annual Report and Report of the Director of Audit on the Financial Statements of the Mauritius Revenue Authority for the year ended 30 June 2023.

C. Attorney General

Ministry of Foreign Affairs, Regional Integration and International Trade

The Annual Report and Report of the Director of Audit on the Financial Statements of the Independent Police Complaints Commission for the year ended 30 June 2023.

D. Ministry of Commerce and Consumer Protection

- (a) The Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) (Amendment) Regulations 2024. (Government Notice No. 113 of 2024)
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 15) Regulations 2024. (Government Notice No. 114 of 2024)
- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 16) Regulations 2024. (Government Notice No. 115 of 2024)
- (d) The Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) (Amendment No. 2) Regulations 2024. (Government Notice No. 117 of 2024)

ORAL ANSWERS TO QUESTIONS

PRIVY COUNCIL JUDGMENT – ECO-SUD v MINISTER OF ENVIRONMENT, SOLID WASTE AND CLIMATE CHANGE – MEASURES

The Leader of the Opposition (Dr. A. Boolell) (*by Private Notice*) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the protection of the Environment, he will state the measures he proposes to take following the judgment delivered by the Privy Council in the matter of Eco-Sud and two others (Respondents) v Minister of Environment, Solid Waste and Climate Change and another (Appellants) (Mauritius) on 04 July 2024.

Mr Ramano: Mr Speaker, Sir, Members will recall that during the summing-up of the debate on the Environment Act 2024 at Parliament's session of 14 May 2024, I informed the House that a judgment from the Board of the Judicial Committee of the Privy Council was being awaited on this particular case with a view to provide clarification on interpretation of the law regarding the right of appeal by a person to challenge decisions on issuance of an EIA licence. The Ministry has never objected to any NGO or aggrieved party to appeal against the decision of the Ministry before the Environment and Land Use Appeal Tribunal.

For the benefit of the House, allow me to recall the chronology of events around this issue.

- a) On 23 November 2017, my Ministry received an application for an Environment Impact Assessment (EIA) Licence from Pointe d'Esny Lakeside Company Ltd for an integrated residential development under the Property Development Scheme (PDS) on a freehold land of an extent of 709,648.26 metres square at Pointe d'Esny, Beau Vallon. The proposed development comprises the construction of the following principal components –
 - i) 172 villas, 278 apartments and penthouses, 100 duplexes, and
 - ii) 105 serviced lots with educational, sport, leisure and commercial facilities.

- b) On 31 January 2019, an EIA licence was issued to the proponent, which was subject to a set of 48 conditions. Allow me here to emphasise that Section 24(3) of the EPA 2002 provides, I quote –

“Notwithstanding the approval of an EIA, the Minister may at any time –

- (a) revoke an EIA licence, or amend the conditions of an EIA licence, where he has reason to believe that –
 - (i) circumstances reasonably justifying such revocation or amendment of the conditions have arisen since the granting of the EIA;
 - (ii) the proponent is contravening the conditions attached to his licence;
 - (iii) proponent had failed to disclose any material information or had provided false or misleading information in the EIA report;”
- c) On 28 February 2019, Eco-Sud appealed at the Environment and Land Use Appeal Tribunal (ELUAT) against the decision to grant the EIA licence to the proponent. The main ground of appeal was that, according to an expert’s report issued by the Centre for Wetland Research and Training, there were peatlands, that is, terrestrial wetlands, in the proximity of the development site which have not been identified in the EIA report. Accordingly, the Appellant moved that the EIA licence be revoked.
- d) In August 2021, a preliminary objection was raised by the State Counsel representing the Minister of Environment, Solid Waste Management and Climate Change and the same Ministry that Eco-Sud lacked standing under section 54(2) of the EPA 2002 to lodge the appeal.
- e) On 06 October 2021, the Environment and Land Use Appeal Tribunal upheld the preliminary objection raised and set aside the appeal by Eco-Sud on the grounds that the Appellant failed to show that it was an “aggrieved party” and how it suffered “undue prejudice” from the proposed development.
- f) On 26 October 2021, Eco-Sud appealed against the ruling of the ELUAT at the Supreme Court.
- g) On 18 July 2023, the Supreme Court quashed the ruling of the ELUAT on the basis that the latter had given an unduly interpretation of section 54(2) of the EPA 2002 as to who can appeal against the decision of the Minister to grant an EIA licence before the ELUAT. In fact, the Supreme Court adopted a more liberal interpretation based

on jurisprudence of the British Supreme Court. Consequently, organisations such as NGOs which allegedly had expertise and sufficient knowledge of the subject matter in which it seeks to protect may appeal against decision of the Minister to issue an EIA Licence. The case has been remitted back to the Tribunal for it to decide whether Eco-Sud had sufficient standing under the Act in the light of the principles laid down in its judgment.

- h) On 03 August 2023, further to advice of the Attorney's General Office, the Minister and the Ministry of Environment, Solid Waste Management and Climate Change appealed to the Judicial Committee of the Privy Council (JCPC) pursuant to section 81 of the Constitution of the Republic of Mauritius, and a special leave was granted by the Judicial Committee of the Privy Council.

Mr Speaker, Sir, after hearing the case on 05 May 2024, the Board of the JCPC delivered its judgment on 04 July 2024. In essence, the Board dismissed the appeal of the Minister and the Ministry of Environment, Solid Waste Management on, *inter alia*, a number of grounds –

- 1) The Environment and Land Use Appeal Tribunal incorrectly required Eco-Sud to prove prejudice to its private interests in order to establish standing under section 54(2)(b) of the Environment Protection Act of 2002.
- 2) A test of property rights or of economic interests is not appropriate in an environmental context when considering standing under section 54 (2)(b) of the EPA 2002. The Board held that in the environmental context, prejudice in the sense of harm can be applied to an interest in the environment, as well as prejudice to either an economic interest or to a private interest.
- 3) For that case in hand, the Board recognised Eco-Sud as an aggrieved party possessing sufficient standing given –
 - i) it has shown genuine concern and interest in the environmental aspects that it seeks to protect, and
 - ii) Eco-Sud has shown it possessed sufficient knowledge of the subject matter at hand albeit no individual property right or interest has been affected. The Board observed that Eco-Sud has expertise and experience with regard to

matters pertaining to wetlands and the region of Pointe d'Esny, and this is backed by an "expert's report".

- 4) If prejudice is confined to economic prejudice and prejudice to a private interest, such a narrow interpretation would defeat the larger purpose of the Environment Protection Act of 2002 of protecting the environment particularly in situations where a proposed development would take place in a private remote area which is less likely to impact on an individual's personal interest.
- 5) In relation to the merits of the appeal, the substantive objections raised by Eco-Sud are not trivial, frivolous or vexatious. Rather, the merits are backed by Eco-Sud's own considerable expertise and by the 'expert's report.' More so, ELUAT did not consider the merits of the claim, including the importance of the issue raised or its consequences. The standing requirement in section 54(2)(a) should not, therefore, be used to filter out arguable environmental issues. Furthermore, ordinarily, a hearing on the question of standing should not descend into a protracted preliminary hearing.
- 6) Last, the National Ramsar Committee's clearance to the development was subject to a condition that the Environment and Sustainable Development Division of the Ministry be requested to undertake an Environmental Impact Assessment on the project. Accordingly, the National Ramsar Committee considered that Eco-Sud's objection had sufficient merit to require not only an EIA by the proponent but also an EIA by the Ministry.

I wish to point out that it is not for the Ministry to undertake an Environment Impact Assessment of the project but the proponent himself. This has been the position of the Ministry before the ELUAT. Moreover, given that the EIA assessment process is multi-disciplinary by its nature, the different aspects relating to environment have been duly assessed during the EIA process by various concerned competent Ministries.

Mr Speaker, Sir, based on those arguments, the Board of the JCPC held that the Supreme Court quashed the ruling of the Environment and Land Use Appeal Tribunal and ordered that the matter be remitted back to the ELUAT for it to decide whether Eco-Sud had sufficient standing in the light of the principles laid down in its judgment.

Mr Speaker, Sir, further to the judgment delivered, I wish to highlight the following –

- 1) This judgment has brought further clarity on what defines an “Aggrieved Party” under section 54(2) of the EPA 2002 to the effect that an NGO which is able to demonstrate sufficient undue prejudice may challenge the decision to grant an EIA licence although no private or economic interest has been affected.
- 2) It is important to recall that amendments were brought to Section 54(2) of the EPA 2002 through the Environment and Land Use Appeal Tribunal Act 2012 to introduce standing requirements to prevent arguably busybodies, that is, persons unduly interfering and unconnected with the project, from abusing the appeal process thereby causing considerable delay in projects. The judgment relates to the interpretation to be given as to who is an aggrieved person under Section 54(2) of the EPA 2002 in respect of a NGO and would not have any impact on this policy of preventing such busybodies to make frivolous appeals against EIA licences granted to legitimate undertakings that have successfully gone through proper environmental impact assessments. What this verdict of the JCPC gives is clarity on how NGOs who have no private or economic interest which will be impacted by a project, may be able to demonstrate sufficient prejudice to be able challenge the project, by proving that they have –
 - (a) a genuine interest in aspects of the environment that they seek to protect, and
 - (b) sufficient knowledge of the subject will be able to show that a decision to approve the issue of an EIA licence is likely to cause them undue prejudice in relation to their interest in that aspect of the environment.
- 3) The judgment highlighted “Environment Stewardship” as one of the strengths of the EPA 2002, which urges every citizen to use his best endeavours to preserve and enhance the quality of life by caring responsibly for the natural environment of Mauritius. I wish to point out to Members of the House that 'Environment Stewardship' has been maintained in the new Environment Act 2024 and is a vibrant proof of Government’s intent to pursue inclusive good environmental governance.

- 4) As opposed to claims being relayed in the press, the judgment of the JCPC is in relation to the EPA 2002, as amended. The Environment Act 2024 is new and its provisions have not yet been tested before a court of law. Accordingly, it would be presumptuous to state that the Environment Act 2024 is undermined in any way. Rather, as previously mentioned, this judgment has brought clarity on interpretation of specific terms in a provision of the EPA 2002, as amended.
- 5) I wish to highlight that the Environment Act 2024 has already provided for a host of other measures to even further improve environmental governance in the Republic of Mauritius, and which will come into force as from 01 August 2024 –
- We have the re-introduction of Strategic Environmental Assessments, whereby Government will lead by example by exposing several of its own key sectorial public policies, and programmes to evaluation of their environmental impacts is an illustration of this.
- Strategic Environmental Assessment aims at supporting proactive consideration of environmental and sustainable development objectives at the outset of plans and programmes in various sectors such as agriculture, ESAs, fisheries, energy, industry, transport, waste management, water management, town and country planning, developments above 20 hectares, port development as well as multiple undertakings.
- Strategic Environmental Assessment will ensure that environmental considerations are integrated into plans and programmes right from the planning stage, and will provide a wider perspective by ensuring that socio-economic issues are treated at par with environmental protection and sustainability.
- Furthermore, we are also expecting that SEA will be instrumental in the early consideration of potential impacts (Precautionary and Preventive Action Principles), including cumulative and synergistic impacts that are often difficult to identify at low tiers/project level.
- We have also the EIA and Preliminary Environment Report (PER) processing mechanisms which have been reviewed in-depth within the Environment Act

2024 to ensure and enhance transparency. As from 01 August 2024, whereby the Environment Act 2024 will be proclaimed, the public will also be able to submit views and comments on PER applications, as described at Section 34 of the Act. This contrasts with the EPA 2002 whereby PERs were not subject to public inspection.

In order to further enhance transparency, additional information or studies undertaken during processing of EIA and PER applications will be made accessible to the public on the National Electronic Licencing System for consultation.

- Furthermore, the Environment Act 2024 provides for improvements in the assessment of environmental integrity of environmental assessments. To that end, and with a view to complete the cycle of environmental assessments, proponents would now be required to apply for a Completion Certificate prior to operating any undertaking in line with Section 52 of the Environment Act 2024. Moreover, the new Act also provides for enforcing agencies to submit monitoring reports on a quarterly basis. This aims to ensure close monitoring by authorities and regular monitoring thereof.
- It is to be stressed that, as was the case in the EPA 2002, the Environment Act 2024 also provides for the Director of Environment to be able to extend the time limit to submit public comments to afford reasonable opportunity for any person to submit comments on a Preliminary Environment Report/Environment Impact Assessment/Strategic Environmental Assessment, as and when required.
- Mr Speaker, Sir, allow me to point out that funding has been appropriated in the last budgetary exercise for the ground truthing and finalisation of the Environmentally Sensitive Areas mapping of the following ESAs: coastal marshlands, upland marshlands, mangroves, as well as formulation of policy recommendations with regard to sand dunes.
- Moreover, under the UNDP Global Environment Facility and Government project on Sustainable Land Management, the draft Environmentally Sensitive

Areas Bill of 2009 is being reviewed. A legal expert has been hired to that end. A revised draft is expected to be formulated by December 2024.

- Last, it is to be also pointed out that the environment sector is one characterised by its dynamic nature. Hence, new issues or challenges may and will call for frequent reviews and possible legislative amendments. That approach will continue.

Thank you.

Dr. Boolell: Can I ask the hon. Minister whether he will inform us if the National Ramsar Committee is chaired by the Permanent Secretary of the Ministry of Agro-Industry?

Mr Ramano: Yes.

Dr. Boolell: He made the request for an EIA to be carried out and that was set aside. Why is it then that advice was not sought from the Ramsar Advisory Mission, knowing perfectly well that there is encroachment upon the wetlands?

Mr Ramano: Mr Speaker, Sir, in my main reply, I pointed out that it is not for the Ministry to undertake an Environmental Impact Assessment of the project but the proponent himself. This has been the position of the Ministry before the ELUAT. Moreover, given that the EIA assessment process is multi-disciplinary by its nature, the different aspects relating to environment have been duly assessed during the EIA process by various concerned competent authorities.

Dr. Boolell: Does the Minister realise that in taking the lead in the appeal proceedings, he has, in a way, substituted himself for the promoter whose direct interests were involved?

Mr Ramano: Mr Speaker, Sir, as I said earlier, we welcome the decision of the Privy Council as the Privy Council has given a wider interpretation of *locus standi* in such matters. Had we not appealed on this matter, we would not have had the benefit of having such a broader interpretation of *locus standi*.

Dr. Boolell: Broader interpretation does not mean that Government has to side with the promoter. Does the Minister realise that in siding with the promoter during the appellate

proceedings, both before the Supreme Court and the Privy Council, he was opting for the destruction of pristine environment by the promoter rather than preservation by Eco-Sud?

Mr Ramano: M. le président, je pense que j'ai été très clair dans ma réponse. Donc, je ne vais surtout pas répéter la réponse que j'ai donnée. Il y a eu l'application de l'*EIA licence* le 23 novembre 2017. Le 31 janvier 2019, l'*EIA licence was issued to the proponent, which was subject to a set of 48 conditions*, et j'ai aussi mentionné que le 23 février 2019, l'Eco-Sud a fait appel *at the Environment and Land Use Appeal Tribunal*. Ensuite, il y a eu le cas devant la Cour suprême, etc.

M. le président, je pense que l'honorable Leader de l'opposition doit quand même se rappeler. Il a été lui-même membre et aussi ministre, dans le passé, d'un gouvernement. Dans le gouvernement mauricien, dans le principe démocratique à Maurice, il a toujours existé le principe de la permanence de l'Etat, et ce, quel que soit le gouvernement ou le ministre qui se succède.

J'ai mentionné dans ma réponse que toute la procédure a été suivie. Ce n'est pas une question de qui est le ministre qui a délivré le permis, etc. En tant que ministre de l'Environnement, j'assume pleinement ma responsabilité tout comme le ministère de l'Environnement fait partie du gouvernement ; nous assumons pleinement notre responsabilité.

Mais permettez-moi aussi de rappeler au Leader de l'opposition - je pense que le Leader de l'opposition doit aussi se rappeler ...

Dr. Boolell: I put a specific question.

Mr Ramano: Laissez-moi terminer, M. le président. Laissez-moi rappeler au Leader de l'opposition ; c'était bien en 2012 lorsque lui-même faisait partie du gouvernement, il y a eu l'amendement de l'*Environment and Land Use Appeal Tribunal* où, M. le président, dans l'*Environment Protection Act de 2002*, à la Section 54 - *Jurisdiction of the Tribunal*, c'est mentionné –

(1) *The Tribunal shall hear and determine appeals against –*

(a) *a decision of the Minister (...)*

Où à la section 2, c'est dit que –

« *Any person may appeal within 30 days of the decision (...)* »

Ensuite, il y a eu l'amendement de 2012, précisément où c'est mentionné noir sur blanc *that* –

“(2) *Where the Minister has decided to issue an EIA licence, any person who –*

(a) is aggrieved by the decision;

(b) is able to show that the decision is likely to cause him undue prejudice,

may appeal against the decision of the Tribunal.”

Donc, M. le président, ce n'est pas une question de venir dire que la faute impute à un tel ou tel gouvernement, etc. Il y eu des décisions successives qui ont été prises par le Parlement, successivement par plusieurs gouvernements. Nous nous retrouvons dans un cas de figure d'interprétation de la loi. Et moi, personnellement, en tant que ministre de l'Environnement, je suis très heureux que le *Privy Council* a pu se prononcer sur cette question de *locus standi* et moi, je suis très content que nous avons eu cet avis du *Privy Council*, M. le président.

Dr. Boolell: But I can't understand why is it that the Minister has not allowed the promoter to fight its own case before the Privy Council. Why is it that the Minister had to side with the promoter? In so doing, his Ministry has been complicit in undermining the procedural safeguards of an appeal to the Tribunal by allowing the promoter to proceed with the development as this amounts to a failure to care responsibly for the environment.

Mr Ramano: *M. le président, il n'est pas normal de dire qu'on est en train de permettre tel ou tel développement, etc. Mais je dois quand même dire que c'est vrai que le judgment of the Judicial Committee of the Privy Council mentions works ongoing on the site, mais we take note of remarks that need consideration. As far as we are aware, there has not been any formal request of a Stay Order by Eco-Sud before the Supreme Court or before ELUAT.*

Je dois aussi dire que le ministère de l'Environnement – the proponent submitted an EMP for approval on 14 December 2021. In view of the ongoing court case, the advice of the Attorney

General's Office was sought on 07 July 2021 as to whether the EMP can be processed, and the Attorney General's Office informed on 27 July 2021, 'provided that there has been no application for stay of the implementation of the project made by an interested party before either the Environment and Land Use Appeal Tribunal or the Supreme Court, there would be no legal impediment to proceed with the implementation of the proposed development.'

Donc, M. le président, nous ne sommes pas en train de travailler en isolation, mais, bien sûr, en conformité et aussi en consultation avec toutes les autorités concernées.

Dr. Boolell: Mr Speaker, Sir, this is shocking; shocking in light of what the Minister has said. The case has been heard before the Supreme Court, was pending before the Privy Council, and would eventually be sent back, as I said, to the Environment and Land Use Appeal Tribunal. How could the Minister still allow the promoter to proceed with the development? Don't you have some respect at least for the Supreme Court and the Privy Council in the light of the judgment pronounced?

Mr Ramano: M. le président, je ne vais surtout pas répéter la même réponse que je viens de donner.

Dr. Boolell: In the meantime...

Mr Ramano: Je pense que j'ai été très clair dans ma réponse, M. le président.

Ms J. Bérenger: *Pena repons ! Kot gete li sove !*

Dr. Boolell: Mr Speaker, Sir, I have stated very clearly that action has to be taken; call it stay order. In the meantime, the promoter is carrying on with his work. Why is it that the promoter is allowed to carry on with the work? This goes against what the Privy Council and the Supreme Court have stated! There should be stay of action till the case is referred to the Environment and Land Use Appeal Tribunal.

Mr Ramano: M. le président, je pense que dans le jugement du *Judicial Committee of the Privy Council*, cela est clair que le *Judicial Committee of the Privy Council* a pris note du fait que le promoteur est en train de continuer son projet.

M. le président, c'est clair dans le jugement que l'affaire sera référée au *Environment and Land Use Appeal Tribunal*...

Dr. Boolell: In the meantime, he is carrying on with the construction.

Mr Ramano: ... où l'ONG Eco-Sud aura l'occasion de venir prouver et défendre ses points, etc. Ce n'est pas à mon niveau de venir préempter, de venir prédire quelle sera la décision de l'*Environment and Land Use Appeal Tribunal*. Je pense qu'il faut laisser les différentes instances du pays fonctionner, et à la lumière de la décision de l'*Environment and Land Use Appeal Tribunal*, le ministère sera appelé à prendre toute décision qui s'impose.

Ms J. Bérenger: *Be twa to pa servi nanie?*

Dr. Boolell: Do we have a Ministry of Environment or the Ministry and the Government pro the promoter?

Ms J. Bérenger: *Exactement!*

Dr. Boolell: You have wasted more than Rs5 m. of taxpayers' money in an appeal which, had you won, would have restricted the citizens' right to protect the environment. Can you inform the House who advised you to appeal against the decision of the Supreme Court and what was the reasoning which convinced you to do so?

Mr Ramano: M. le président, je ne vais surtout pas répéter la question qui a été dite. C'était important pour nous d'avoir une bonne définition en ce qui concerne cette question de *locus standi*. On a eu la décision du *Privy Council* ; bien sûr, nous serons toujours *guided* par la décision du *Judicial Committee of the Privy Council*. Et, bien sûr, l'affaire sera référée au *Environment and Land Use Appeal Tribunal*. Moi, je pense qu'il va falloir qu'on puisse respecter toute décision qui va être prise par l'*Environment and Land Use Appeal Tribunal*.

Ms J. Bérenger: *Pena minister lanvironnman !*

Dr. Boolell: Has the Minister...

Mr Speaker: Order there!

Dr. Boolell: Has the Minister made an assessment of the total costs implied?

Mr Ramano: Total costs of?

Dr. Boolell: Total costs that have to be paid to all parties since Government has lost the case.

Mr Ramano: M. le président, la question de *costs* n'a pas été soulevée jusqu'à présent. Donc, non, nous ne sommes en présence d'aucune indication dans ce cas précis, M. le président.

Dr. Boolell: Mr Speaker, Sir, it stands to reason that facts are damning and the Ministry has favoured the promoter and has not respected the decision...

Mr Speaker: No! Hon. Dr. Boolell!

An hon. Member: Imputing motives! You are imputing motives!

Dr. Boolell: As...

Mr Speaker: Hon. Dr. Boolell!

Mrs Luchmun Roy: Remove that! Withdraw!

Mr Speaker: Hon. Dr. Boolell, put your questions directly, without any observations, any remarks. Question!

Dr. Boolell: Question! I come to the question.

Mr Speaker: Question!

Dr. Boolell: Is the Minister aware that in doing so and by not implementing what the Privy Council has stated, Mauritius may be considered as a rogue State by allowing those who have flouted the law to get away with murder?

Mr Speaker: Let the Minister reply!

Mr Ramano: M. le président, cette question de faire appel au *Privy Council* est une pratique courante dans le pays.

As I said earlier, we welcome the decision of the Privy Council as the Privy Council has given a wider interpretation of *locus standi* in such matters. Had we not appealed on this matter, we would not have had the benefit of having such a broader interpretation.

M. le président, ce n'est pas la première fois que l'État fait appel au *Privy Council*. Il s'agit d'une pratique courante qui nous permet de faire appel à la plus haute instance juridique du pays qu'est le *Privy Council*. Dans ce cas précis, cela nous a permis d'avoir une conclusion constructive.

Toutefois, il est bon de rafraîchir la mémoire du Leader de l'opposition. Dans le passé, dans le cas MedPoint, la Cour suprême avait donné gain de cause à l'honorable Pravind Kumar Jugnauth, mais le DPP d'alors avait, néanmoins, fait appel contre le jugement de la Cour suprême aux frais de l'État, aux frais des contribuables, M. le président.

Le *Privy Council*, il faut bien le rappeler, a confirmé le jugement de la Cour suprême et donné gain de cause à l'honorable Pravind Kumar Jugnauth.

(Interruptions)

Il ne faut aussi pas oublier que la pétition électorale de Suren Dayal contestant les résultats des élections dans la circonscription numéro 8, la Cour suprême avait confirmé qu'il n'y avait aucune maladresse dans le processus électoral.

(Interruptions)

An hon. Member: *Zot per!*

Mr Ramano: Mais Monsieur Dayal a fait appel au *Privy Council*, avec la bénédiction de son Leader. Mais nous savons tous que le *Privy Council* avait confirmé que ces élections se sont déroulées d'une façon *free and fair*.

Ce que je veux souligner, M. le président, c'est que dans ce cas également, plusieurs instances gouvernementales, notamment l'*Electoral Supervisory Commission*, l'*Electoral Commissioner* ont dû déboursier des frais pour restaurer leur image que certains ont voulu ternir.

An hon. Member: Shame!

Mr Ramano: M. le président, il faut bien que l'honorable membre puisse savoir cela.

Hon. Members: *La honte !* Shame!

Mr Speaker: Order!

An hon. Member: *Al konteste...*

Mr Speaker: Time over! Prime Minister's Question Time!

The Prime Minister: They have not paid costs!

(Interruptions)

Paye!

Mr Speaker: The House is informed that PQ B/552...

The Prime Minister: *Rembourser!*

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

The Prime Minister: *Paye! Paye!*

Mr Speaker: Your time is finished! Your time is finished! Okay!

Dr. Boolell: But is he allowed to talk?

Mr Speaker: No, no! Both sides of the House!

Dr. Boolell: But what...

Mr Speaker: Both sides of the House! Both sides I said!

Dr. Boolell: Then be fairer.

Mr Speaker: At all times I said!

PQ B/552 has been withdrawn. So, I call hon. David!

MBC – DIRECTOR GENERAL – USE OF OFFICIAL VEHICLES

(No. B/552) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Director General of the Mauritius Broadcasting Corporation, he will state if he has been made aware of any complaint regarding the use of the official vehicles of the Corporation for personal use by the latter and, if so, indicate the actions, if any, envisaged in relation thereto.

(Withdrawn)

NEW MOBILE IDENTITY CARD – GENERAL ELECTION – VOTERS’ AUTHENTICATION

(No. B/553) Mr F. David (First Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the new mobile identity card, he will, for the benefit of the House, obtain information as to if provision has been made for the use thereof for the authentication of voters electronically in the next General Election and, if so, indicate the –

- (a) technical framework devised therefor, and
- (b) type of equipment to be used to read the card.

The Prime Minister: Mr Speaker, Sir, I wish to refer the hon. Member to my reply to Parliamentary Questions B/989 and B/1001 on 11 July 2023 on the revamping of the Mauritius National Identity Card project and Parliamentary Question B/1442 on 14 November 2023 on the use of the New Digital Identity Card in the next General Elections. Since the Parliamentary

Question regarding the use of the New Digital Identity Card, which I am informed, is the same as the New Mobile Identity Card, has been put again, I will seize this opportunity to provide additional information regarding the Mobile Identity Card and at the same time, address the implications regarding the use of the Mobile Identity Card during the National Assembly Elections.

Mr Speaker, Sir, the Mauritius National Identity Card Scheme was introduced and implemented in Mauritius in 2013 under a Government to Government Agreement between the Republic of Singapore and the Republic of Mauritius. The hon. Member would recall that in my reply, I also informed the House that following the Private Notice Question of the then Leader of the Opposition, hon. Paul Raymond Bérenger, at the sitting of 30 October 2012, the then Minister of Information and Communication Technology informed the House that in 2009, the State Informatics Limited launched a Request For Proposal for a new Mauritius National Identity Card Project to seven shortlisted suppliers in accordance with section 3(1) of the Public Procurement Act which provides that procurement is to be undertaken by the most competitive method of procurement available in all circumstances.

In response to that tender exercise, three out of the seven shortlisted bidders submitted proposals and the Bid Evaluation Committee recommended that award be made to SAGEM for a value of 7.2 million euros, amounting to approximately Rs317 million at that time.

However, after the visits of the then Prime Minister to Singapore in September and subsequently, in December 2010, he gave instruction to cancel the bidding exercise for unknown reasons and to enter into a G to G agreement with Singapore through the Singapore Corporation Enterprise in partnership with Crimson Logic Private Limited for the provision, in the first instance, of consultancy services for the sum of Rs10,916,204.

Thereafter, on 17 October 2012, an agreement for implementation of a new National Identity Card System was signed between the Government of Mauritius and the Singapore Corporation Enterprise for a sum of Rs1,111,256,305 as capital cost. So, we come from Rs317 million to Rs1,111,256,305. So, it is worth noting that the contract signed between the parties contained a non-disclosure clause.

Mr Speaker, Sir, following the advice received from the Ministry of Information Technology, Communication and Innovation that the hardware and software of the former system had reached their end-of-support and end-of-life, my Government decided, in March 2020, to revamp the previous system.

Hence, following a bidding exercise launched on 12 April 2022, the contract for the supply, implementation, operations and maintenance of a turnkey solution for the National Smart Card Based Identity System and a Smart App Based Mobile ID Solution was awarded to the Consortium Thales/Harel Mallac Technologies. The contract was signed on 15 February 2023 with an implementation period of one year for a capital cost of approximately Rs374 million as compared to the more than Rs1.1 billion which was incurred in 2013 as capital cost. As such, the new Mauritius National Identity Card system, which was launched on Friday 23 February this year, is aligned with international trends and provides several new facilities.

Mr Speaker, Sir, so far, the physical version of the Mauritius National Identity Card 3.0 has been introduced. The Mobile ID, which is part of the system, will be launched shortly after the final required technical verifications have been completed and the necessary process from Google Playstore and Apple Appstore for the publishing of the Mobile ID applications is completed. The National Identity Card Unit of my Office is working in close collaboration with the Central Informatics Bureau of the Ministry of Information Technology, Communication and Innovation and the Consortium Thales/Harel Mallac Technologies Ltd to finalise the coming into operation of the Mobile ID. I am informed that same will be stored securely in the Digital Wallet on a smart device. The Digital Wallet is a secured application which can be downloaded on a smart mobile device and is used to store digital documents.

The introduction of the Digital Wallet and the Mobile ID will complement the advancements in identity card technology, reflecting global trends in mobile-based identity solutions and digital transformation initiatives. Thus, with the implementation of the Mobile ID, Mauritius will become the first country on the African continent to bring in a fully interoperable Digital ID Wallet, based on international ISO standards.

Similar Digital Wallets are already deployed in Australia and the United States of America and will soon be introduced in Europe. It is worth noting that our country will embrace this

Digital Wallet App to hold an electronic version of their identity card, that is, the Mobile ID even before the European Union, since these ISO compliant electronic deployments will only start in the EU countries as from 2026, as part of new EU Regulations.

Thus, the Mobile ID, which is the electronic version of the physical ID card will soon be available on the citizens' mobile devices, enhancing accessibility, security, and usability, and will be one of the digital documents to be stored on the Digital Wallet. The Mobile ID contains the same information found on a physical ID document, but with state-of-the-art security features available through digital technology. In view of the prevalence of smart devices in Mauritius, citizens will be able to use their Mobile ID in lieu of their physical ID as a proof of Identity. Furthermore, a Mobile Verifier App would be available free of charge to any citizen or organisation to verify the genuineness of the Mobile ID.

The Mobile ID will provide a convenient and secure technology for citizens, within an infrastructure which will ensure security, privacy and integrity of data from enrolment to the in-field verification process. It will also contain several facilities such as the option of reporting change of address or loss of identity cards. Moreover, it will include digital signing of electronic documents, amongst others.

In this context, the National Identity Card Act was amended through the Finance (Miscellaneous Provisions) Act 2023 to ensure that both the physical identity card and the Mobile ID operate within a legal framework. The amended Act provides that the new identity card system shall have the necessary features to ensure the security and confidentiality of information contained therein and to give the same legal standing to the physical identity card and the Mobile ID as proof of identity. Provision was also made in the Act that any citizen registering for a Mobile ID shall already be holder of a physical National Identity Card.

Mr Speaker, Sir, moreover, the National Identity Card Regulations 2024 have been promulgated to regulate the layout of the new ID Card and new features such as the option to have digital certificates. In the same vein, the National Identity Card (Mobile ID) Regulations 2024 were introduced to, *inter alia*, regulate the use of the Mobile ID. Also, a new set of Regulations is being prepared by the Attorney General's Office in consultation with the National

Identity Card Unit and the Ministry of Information Technology, Communication and Innovation, pertaining to card reading.

I am further informed that the Digital Wallet application which will store the Mobile ID in the first instance will be able to accommodate other digital documents such as the Birth Certificate and the Marriage Certificate. Discussions are ongoing between my Office, the Ministry of Information Technology, Communication and Innovation and other stakeholders to explore the possibility of storing other documents in the Digital Wallet. The Digital Wallet is protected by the existing security features on the smartphone of the citizen. Furthermore, the consent of the citizen is needed to access his/her Mobile ID. Therefore, the Digital Wallet will be managed by the citizen himself/herself.

Mr Speaker, Sir, as regards parts (a) and (b) of the question, I have already stated in my reply to Parliamentary Question B/1442 on 14 November 2023 regarding the use of the New Digital Identity Card in the next General Elections that the Electoral Commissioner has a well-established and regulated procedure already in place for the authentication of voters at the time of voting.

Given that this question is coming again, let me remind the hon. Member that pursuant to section 41 of the Constitution, the constitutional powers to organise elections rests in the Electoral Supervisory Commission. Section 41(1) of the Constitution provides that, and I quote –

“The Electoral Supervisory Commission shall have general responsibility for, and shall supervise, the registration of electors for the election of members of the Assembly and the conduct of elections of such members and the Commission shall have such powers and other functions relating to such registration and such elections as may be prescribed.”

Moreover, Regulation 27 of the National Assembly Elections Regulations 2014 provides that, and I quote –

“(1) Every elector desiring to record his vote shall present himself to the presiding officer in the appropriate voting room at the polling station at which he is entitled to vote, state his name and produce his National Identity Card or any other acceptable proof of his identity. ”

(2) The presiding officer, after satisfying himself that the name of the elector appears on the copy of the part of the register containing the names of electors entitled to vote in that voting room, shall, subject to regulation 29, deliver a ballot paper to the elector.”

Mr Speaker, Sir, as already stated earlier in my reply to Parliamentary Question B/1442 on 14 November 2023, there is a well-established process for authentication of the voter on the voting day, which is as follows –

- (i) in order to cast his vote, a voter has to produce his National Identity Card or Passport as acceptable proof of his identity, to the Presiding Officer in the voting room, at the polling station where he is entitled to vote;
- (ii) before issuing a ballot paper to the voter, the Presiding Officer verifies the ID number and the name of the voter in the Presiding Officer’s Copy of register of electors. The Presiding Officer’s Copy of Register contains the surname and other names, NID, address, gender of the elector, as well as the elector’s number; and
- (iii) verification if the photo appearing on the National Identity Card or Passport of the voter corresponds with the voter. This physical verification of the National Identity Card or Passport is made to ensure the identity of the voter.

I did also make reference to the fact that in both the 2014 and 2019 National Assembly Elections, the following documents were used as acceptable proof of identity –

- 1. National Identity Card;
- 2. Passport;
- 3. Driving Licence, and
- 4. Bus Pass.

Mr Speaker, Sir, Regulation 2 of the National Assembly Elections Regulations 2014 defines “acceptable proof of identity” as such document establishing the identity of a person as the Electoral Commissioner may, after consultation with the Electoral Supervisory Commission, determine.

Thus, based on Regulation 2 of the National Assembly Elections Regulations 2014, the only acceptable proof of identity, is, since the Village Council Elections 2020, either a National Identity Card or Passport. This measure was also adopted for the Rodrigues Regional Assembly Elections of 2022.

Mr Speaker, Sir, the House would recall that I also mentioned that Regulation 30(6) of the National Assembly Elections Regulations 2014 provides that, and I quote –

- (a) “ No person shall, by means of –
 - (i) a camera;
 - (ii) a mobile phone;
 - (iii) a photographic or an electronic device, or any other device through which a photograph may be taken or a film may be made,

take a photograph, or make a film, of a ballot paper, whether the ballot paper is marked or unmarked.”

However, I am informed by the Electoral Commissioner that an elector may be in possession of his mobile phone or any other devices mentioned in Regulation 30(6) in the voting room but he is not allowed to use same in the voting or counting room.

As I have already stated, the Mobile Identity Card is being finalised. However, once it is launched, the possibility to use it for authentication of voters will require, in the first instance, the conduct of a feasibility study regarding, amongst others –

- (i) manpower and training requirements;
- (ii) equipment including verification devices in the voting rooms of all polling stations;
- (iii) procedures regarding the authentication process, and
- (iv) financial implications thereof.

I am informed by the Electoral Commissioner that in view of the wide-ranging implications for the introduction of Mobile ID as proof of identity in the voting room, it will not be possible to make use of Mobile ID for the coming elections.

Thank you.

Mr David: *Merci, M. le président. J'ai écouté avec attention les 22 minutes de réponse du Premier ministre.* The Prime Minister stated in his answer that citizens will be able to use their Mobile ID in lieu of the physical ID as a proof of identity. And in the meantime, we have now this new National Identity Card (Mobile ID) Regulations February 2024 which states, Section 5 (e): *the mobile ID can be used to authenticate the holder.*

I have listened very carefully, hon. Prime Minister, to your last sentence. May I, therefore, ask the hon. Prime Minister to take a commitment today in this House that no Mobile ID shall be used to authenticate at any time, any voter, in any voting room, for the next National Assembly Elections?

The Prime Minister: M. le président...

(Interruptions)

Mr Speaker: Point of order?

The Prime Minister: M. le président, je pense que peut-être j'aurais besoin de plus de 22 minutes, parce que ce que j'ai dit est tellement clair, et si, en 22 minutes, l'honorable membre n'a pas compris et me repose la même question, c'est que peut-être que je dois avoir une demi-journée pour m'expliquer.

J'ai bien dit à la fin de ma réponse. *Let me repeat!* Et c'est surtout à la fin de ma réponse. *I am informed* – ce n'est pas à moi de prendre la décision ; *I am informed*. Je le dis en français pour qu'on puisse peut-être mieux comprendre. *So, I am informed by the Electoral Commissioner* – c'est le commissaire électoral – *that in view of the wide-ranging implications for the introduction of Mobile ID as proof of identity in the voting room, it will not be possible to make use of Mobile ID.* Ce ne sera pas possible d'utiliser le *Mobile ID* pour aller voter. Qu'est-ce que je peux dire de plus que ça?

(Interruptions)

An hon. Member: *Konpran !*

The Prime Minister: Si vous me donnez la permission, je peux répéter cela en *Kreol* ; en *Kreol Morisien* !

Hon. Members: Oui, oui !

(Interruptions)

Mr Doolub: Thank you, Mr Speaker, Sir. I pick it from the last sentence that the Prime Minister just mentioned. The Prime Minister mentioned wide-ranging implications. Can the Prime Minister thus inform the House whether there are technical and legal implications with regard to the use of Mobile ID for the purpose of voting? Thank you.

The Prime Minister: Mr Speaker, Sir, the Regulation 27(1) of the National Assembly Elections Regulations 2014, provides that, and I quote –

“(1) Every elector desiring to record his vote shall present himself to the presiding officer in the appropriate voting room at the polling station at which he is entitled to vote, state his name and produce his National Identity Card or any other acceptable proof of his identity.”

So, if the Mobile ID is to be used and is determined by the Electoral Supervisory Commission to be ‘any other acceptable proof’ of a voter’s identity, it would, of course, then be legally in order to use the Mobile ID. However, there are major technical constraints for the use of the Mobile ID for the purpose of voting. In order to verify, first of all, electronically, the authenticity of voters using the digital identity card, all voting rooms at all the polling stations – and there are around 2,300 – will have to be equipped with verification machines. That entails also financial implications; that is why the Electoral Commissioner has said that for the coming elections, that would not be possible.

Mr David: In his reply, the hon. Prime Minister mentioned about a Mobile ID Verifier App. May I know whether the MNIC Unit, which falls under the purview of his Office, has already procured this Mobile ID Verifier App?

The Prime Minister: Well, the hon. Member should know, according to Standing Orders, when he puts a specific question with regard to voting at the next general election, he should restrain and limit himself to that question.

Dr. Boolell: *Aler...*

The Prime Minister: Well, the Leader of the Opposition is the last one to speak; he does not even know how to put questions.

(Interruptions)

He is making comment!

(Interruptions)

Mr Speaker: Order! What is happening, hon. Uteem? Where is your concern in this? Can you show me your *locus standi*?

(Interruptions)

So, the Table has been advised that PQs B/555, B/556, B/557, B/561, and B/562 have been withdrawn.

Hon. Members, time over! We now move to Questions to Other Ministers. I will call hon. Juman!

NATIONAL PENSION FUND & NATIONAL SOLIDARITY FUND – PLACEMENTS

(No. B/563) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the National Pension Fund and the National Solidarity Fund, she will, for the benefit of the House, obtain information as to placements thereof effected as at date, respectively, giving details thereof.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, I wish to inform the House that the National Pension Fund (NPF) is a pension scheme established in 1978 covering private sector employees in Mauritius. Contributions into the Fund were being made by both employers and employees to the rate of 6% and 3%, respectively.

With the introduction of the *Contribution Sociale Généralisée (CSG)* as from 01 September 2020, contributions are now made to the Mauritius Revenue Authority. The details of

placement of NPF are being tabled. As far as the National Solidarity Fund is concerned, I wish to inform the House that this Fund is not related to the National Pension Fund.

Mr Juman: Thank you, Mr Speaker, Sir. Can I know from the hon. Minister the total amount invested by the NPF, whether as fixed deposit or corporate bonds, in Hold Attitude, since 2016 and the return perceived to date?

Mrs Jeewa-Daureeawoo: As far as I know, any surplus remaining in the National Pension Fund may at any time be held on deposit with the Government or invested in such manner as the NPF and NSF Investment Committee may determine. But one thing is certain; the investment is being made in a best and safe manner, with high returns.

Mr Juman: Mr Speaker, Sir, thank you. *On parle de l'argent des travailleurs. On parle de plusieurs milliards de roupies.* Mr Speaker, Sir, can I know from the hon. Minister the total amount – my question is clear – of interest due since March 2022 to date, despite two letters sent to the Manager of Hold Attitude, to settle the interest amount due since 21 March to December 2023? I am tabling a copy of the letters sent and also, if the Minister is aware that the total amount ...

Mr Speaker: No...

Mr Juman: Yes.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, the supplementary question...

Mr Juman: I have not finished, Mr Speaker, Sir!

Mrs Jeewa-Daureeawoo: ... is very far from the original question. The original question is about placement. So, I...

Mr Juman: Investment! Placement!

Mrs Jeewa-Daureeawoo: Yes, but...

Mr Speaker: You don't discuss!

Mrs Jeewa-Daureeawoo: But I have already tabled the ...

Mr Speaker: I am ruling. I am ruling. You know, in a Parliament, there is a Speaker. A Parliament is not like a boutique. Don't make Parliament become a boutique!

Mr Juman: Yes, I know. But we have a ...

Mr Speaker: You see what you are doing?

Mr Juman: We are not in a boutique!

Mr Speaker: You see. So, I stop ...

Mrs Luchmun Roy: *Pa Notre Dame sa! Dir li pa laboutik Notre Dame!*

Mr Juman: A boutique hotel!

Mr Speaker: Please! While I am giving my ruling, you are discussing with me. Can you please walk out from this Chamber?

Mrs Luchmun Roy: *Al lakaz! Al lakaz!*

(Interruptions)

Mr Speaker: Walk out from this Chamber! This is not the dignity of a hon. Member!

Mr Juman: Cheap!

Mr Speaker: The dignity of this House!

Mr Juman: You are cheap! You are a shame!

Mr Speaker: I am naming you!

Mr Juman: You are a shame!

Mr Speaker: I am naming you!

Mr Juman: Do whatever you want!

Mr Speaker: I am naming you!

Mr Juman: Do whatever you want!

Mr Speaker: Serjeant-at-Arms, collect this man! He is becoming dangerous! Collect him!

Mr Juman: I am not going away!

Mr Speaker: Withdraw him! All Police Officers, go and collect this man! He is becoming too rough for this Parliament!

An hon. Member: *Ale trankil!*

Mr Juman: *Kouver! Komie to pu kapav kouver? Biento to pou deor!*

Mr Speaker: Go out from here!

Mr Juman: *Twa ki pou deor!*

Mr Speaker: Go out from here!

Mr Juman: *Twa ki pou deor!*

Mr Speaker: Go out from here! You are too rough for Parliament!

Mr Juman: *Twa ki pou deor! Biento! Biento!*

Mr Speaker: You are a rough man in this Parliament! Go out from here! Serjeant-at-Arms, collect him!

Mr Juman: *Kouver! Komie to pu kapav kouver?*

Mr Speaker: Collect him!

Mr Juman: *Ki pe arive? Atan!*

Mr Speaker: Collect him! You have the right, Serjeant-at-Arms!

Mr Juman: I am not going away!

Mr Speaker: You have the right!

Mr Juman: I am not going away!

Mr Speaker: He does not have the right! Collect him!

Mr Juman: I am not going away!

An hon. Member: *Aler...*

Mr Speaker: Collect him!

An hon. Member: *Aler ta! Aler!*

Mrs Luchmun Roy: Shame! Shame!

Mr Speaker: All Police Officers, go there and collect the man!

Mr Juman: I am not going away!

Mrs Luchmun Roy: Shame! *Laont! Laont!*

Mr Speaker: Collect the man, Serjeant-at-Arms! This is your work! Don't fail in your duty!

(Interruptions)

You have Police duties in this Chamber!

Mrs Luchmun Roy: *Pe fer akter! Pe fer cinema la! Pe fer cinema parski sa Live la !
Laont ! Such a shame !*

Ms J. Bérenger: *Sa pa cinema sa!*

Mrs Luchmun Roy: *Ki sa pa cinema ? Pe koz ar twa la, non ? Inn' koz ar twa ? In'nn koz
ar twa ? To meme pa ti la!*

Ms J. Bérenger: *Mwa mo koz ar twa !*

Mrs Luchmun Roy: *Mo pa koz ar twa! To koz ar Speaker!*

Ms J. Bérenger: *Mwa mo koz ar twa !*

Mrs Luchmun Roy: *To koz ar Speaker, to pa koz ar mwa, okay?*

Mr Ameer Meea: *Mr Speaker, guet ki pe derouler lao laba, pa pe tande?*

Mrs Luchmun Roy: *Deor twa si!*

Mr Ameer Meea: *Mr Speaker, ki pe derouler laba?*

Ms J. Bérenger: *Gran-laguel li!*

An hon. Member: *Pli gran-laguel twa!*

Mrs Luchmun Roy: *Mr Speaker, Sir, on a point of order...*

Mrs Mayotte: *Vulgaire!*

An hon. Member: *Bérenger, vulgaire!*

Mrs Luchmun Roy: *Mr Speaker, Sir, on a point of order.*

(Interruptions)

Ki gran-laguel? Mr Speaker, Sir, li pe dir mo enn gran-laguel!

Mr Juman: *Monn vin la pou travay.*

Mr Speaker: *Hon. Members, in view of the situation, the situation is becoming more and more difficult...*

Mrs Luchmun Roy: *On a point of order...*

Mr Speaker: *I am suspending the Sitting for a few minutes!*

Mrs Luchmun Roy: *Mr Speaker, Sir, I have a point of order.*

At 12.48 p.m., the Sitting was suspended.

On resuming at 2.34 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated!

ANNOUNCEMENT

HON. JUMAN – UNPARLIAMENTARY CONDUCT – NAMING

Mr Speaker: Hon. Members, earlier today, I ordered hon. Juman to withdraw from the Chamber for arguing with the Chair.

Thereafter, hon. Juman stated –

“You are cheap! You are a shame”.

Thereupon, I named hon. Juman.

Hon. Juman continued to argue with the Chair in a grossly disorderly manner and challenged the authority of the Chair in a most undignified manner by uttering the following words –

“Do whatever you want! *Kouver! Komie to pu kapave kouver!*
Bientot to pou dehors!”

to the address of the Speaker. I ordered hon. Juman to leave the Chamber several times and the hon. Member refused to leave and the Sitting became unruly.

I, therefore, suspended the Sitting.

MOTIONS – S.O. 17(3) & S.O. 29(1)

The Deputy Prime Minister: Mr Speaker, Sir, in view of your decision to name the hon. Juman, I beg under Standing Order 17(3) to take the time of the House for urgent business.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.

The motion was, on question put, agreed to.

The Deputy Prime Minister: Mr Speaker, Sir, having obtained your permission, I beg to move under Standing Order 29(1) to present a motion without notice.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.

The motion was, on question put, agreed to.

The Deputy Prime Minister: Mr Speaker, Sir, in view of your decision to name the Fourth Member of Port Louis Maritime & Port Louis East, hon. E. Juman, I beg to move that the Fourth Member of Port Louis Maritime & Port Louis East, hon. E. Juman, be suspended from the service of the Assembly for today's Sitting and the next six Sittings unless unreserved apologies are tendered to the House.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.

The motion was, on question put, agreed to.

Mr Speaker: We move to the next question! Hon. Léopold!

RODRIGUES – HOME LOAN SCHEME

(No. B/564) Mr J. B. Léopold (Second Member for Rodrigues) asked the Minister of Finance, Economic Planning and Development whether, in regard to the refund under the Home Loan Scheme, he will state if same will be extended to Rodrigues.

Dr. Padayachy: M. le président, le *Home Loan Payment Scheme* est l'une des mesures phare introduites dans le budget 2021-2022. Mise en place pour soutenir la vision du gouvernement d'une société plus inclusive, elle a permis de faciliter l'accès à la propriété abordable pour des citoyens de la République de Maurice.

Dans le cadre de ce programme, une personne éligible qui contracte un prêt immobilier garanti pour construire sa résidence bénéficie d'un remboursement de 5 % du prêt jusqu'à un

maximum de R 500 000. Le programme est administré par le *Registrar General* et a été prolongé dans le dernier budget.

Cette mesure a eu un impact significatif sur le taux d'investissement, c'est-à-dire le ratio investissement sur le PIB. Pour rappel, le taux d'investissement est passé de 18,5 % en 2014 à 23,5% en 2023 et devrait atteindre les 25% en 2024.

M. le président, je souhaite rappeler à l'Assemblée que ce programme a toujours été applicable à Rodrigues. Je suis informée par le *Registrar General* que depuis le début du plan, six demandes sous le *Home Loan Payment Scheme* ont été reçues des citoyens qui ont contracté un prêt immobilier garanti à Rodrigues. Afin de traiter les demandes, une copie de l'acte de prêt est demandée à l'institution prêteuse respective. Après le processus de vérification, les six demandes ont été approuvées et les paiements effectués. Merci.

Mr Speaker: Next question! Hon. Wochit!

**TRIOLET, TROU AUX BICHES, POINTE AUX PIMENTS & MORC ST ANDRÉ –
WATER CUTS**

(No. B/565) Mr R. Wochit (Third Member for Pamplemousses & Triolet) asked the Minister of Energy and Public Utilities whether, in regard to the recurrent water cuts affecting the regions of Triolet, Trou aux Biches, Pointe aux Piments and Morcellement St. André, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the measures being implemented to address same.

Mr Lesjongard: Mr Speaker, Sir, the Central Water Authority (CWA) supplies water in six water supply zones across the island and the regions of Triolet, Trou aux Biches, Pointe aux Piments, and Morcellement St. André fall under the Water Supply Zone (North), which has a total of 15,031 subscribers.

These regions are serviced from Bois Mangués Reservoir, New Plaine des Papayes Reservoir, Solitude Borehole and a Containerised Filtration Plant at Bassin Solitude. The daily hours of supply are 10 hours.

I am informed by the Central Water Authority that the intermittency in water supply in these regions is primarily due to the following reasons –

- a) presence of old and defective Asbestos Cement (AC) or Galvanized Iron (GI) pipes that frequently burst, causing low water pressure or no supply, especially in elevated areas;
- b) inadequate water resources;
- c) periodic interruptions for repairs on damaged main service pipes or to facilitate new connections carried out by the CWA;
- d) disruptions from low service reservoir levels due to pump breakdowns, extended power outages, or decreased production from the Irrigation Authority's pipeline, and
- e) water supply disruptions during the dry season as surface and groundwater levels drop.

Mr Speaker, Sir, in my reply to PQ B/1184 at our Sitting of 17 October 2023, I had informed measures being taken by the CWA to address these issues.

The commissioning of one containerised pressure filter with a capacity of 2,500 m³/day at Bassin Solitude in December 2022 along with the installation of HDPE pipeline from Bassin Solitude to Triolet has contributed to an improvement in water supply. Another containerised pressure filter with a capacity of 2,000 m³/day is being installed at Bassin Solitude to enhance the water supply in Triolet and Pointe aux Piments. A third containerised pressure filter is planned to be commissioned at New Plaine des Papayes Reservoir to channel additional water towards Triolet, Trou aux Biches and Pointe aux Piments.

Moreover, old and defective pipelines have been replaced and new dedicated pipelines have been laid to improve water supply and pressure. The laying of a dedicated HDPE 200mm pipeline, approximately 3 km long, from New Plaine des Papayes Reservoir to Triolet upper parts, that is, Camp Motee and Tagore Road, is near to completion.

Additionally, the replacement of old and defective pipelines is ongoing in the affected regions. Specific projects include the replacement of some 1,450 meters of old pipelines in Dodo

Lane and Tagore Lane, Pointe aux Piments and some 5,220 meters in Morcellement St. André. Replacement of some 2,220 meters has already been completed in areas such as Kalimaye Road, Flamboyant Street, and Filao Street.

Mr Speaker, Sir, the CWA is also contemplating to come up with additional boreholes at Solitude and New Plaine des Papayes Reservoir to further improve the water supply.

I thank you, Mr Speaker, Sir.

Mr Woochit: Is the hon. Minister aware that the issue of water cuts in these regions was reported in l'Express newspaper on Sunday, highlighting the dissatisfaction with the service provided the CWA, and if so, has the Ministry conducted any assessment to address these concerns?

Mr Lesjongard: Yes, Mr Speaker, Sir, I am aware of the situation just mentioned by the hon. Member. I have queried the CWA and I was told that this was due to a problem that occurred on the Irrigation Authority's network and that had caused several water cuts in that region over a period of number of days. Mr Speaker, Sir, this is behind us. Supply has been restored and I understand the situation is back to normal.

Mr Speaker: Next question!

NATIONAL SKILLS DEVELOPMENT PROGRAMME – SUM DISBURSED & PARTICIPANTS

(No. B/566) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Labour, Human Resource Development and Training whether, in regard to the National Skills Development Programme, he will state the amount disbursed therefor since October 2022 to date, indicating the number of participants having benefited therefrom.

Mr Callichurn: Mr Speaker, Sir, the National Skills Development Programme (NSDP), which was announced in Budget Speech 2016-2017, is implemented by the Human Resource Development Council. The main aim of this programme is to train unemployed individuals to better match skills with demand of enterprises.

Mr Speaker, Sir, I am informed by the HRDC that the NSDP is implemented following applications for training programmes from industry associations and an enterprise or a cluster of enterprises. Training programmes have to be approved by either the Mauritius Qualifications Authority or Higher Education Commission and delivered by training institutions duly registered with the Mauritius Qualifications Authority or HEC.

All training programmes should also comprise the placement component during or at the end of training. Generally, training programmes span between 3 and 12 months. The NSDP targets unemployed individuals, having studied from Primary School Achievement Certificate (PSAC) to a Diploma level and aged between 16 and 59 years.

Mr Speaker, Sir, the HRDC, under this programme, covers the eligible training cost and a monthly stipend of Rs8,000 is paid per trainee.

Mr Speaker, Sir, I am informed that from 01 October 2022 to 30 June 2024, there were 634 trainees under the NSDP and since October 2022 to 30 June 2024 the HRDC has disbursed an amount of Rs40.5 m. under the NSDP out of which Rs22.8 m. representing stipend paid to trainees and Rs17.7 m. representing training cost paid to training centres which include amongst others fee for trainers, cost of training venue and training facilities, training material cost, development cost, administration, overhead and other training related cost.

Mr Speaker: Next question!

FORT GEORGE POWER STATION – HYUNDAI CO. LTD – PAYMENT DETAILS

(No. B/567) **Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Energy and Public Utilities whether, in regard to the Fort George Power Station, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the scope of works to the tune of 12 million rupees undertaken by Hyundai Co. Ltd., thereat, giving details of the payment schedule thereof.

Mr Lesjongard: Mr Speaker, Sir, I am informed by the Central Electricity Board that there are five engines of the capacity of 30 megawatt each at the Fort George power station namely, 2 from manufacturer Sulzer and the other 3 from MAN. I am further informed by the

Central Electricity Board that following a procurement exercise for the provision of services for 10 years periodical maintenance of Alpha Lubricating System on the 3 MAN engines, a contract was awarded to Hyundai Global Service Europe B.V for an amount of USD 261,301.53 on 02 February 2023.

The scope of works comprised –

- (a) The maintenance of the Alpha Lubricator System for the 3 engines;
- (b) Supply of spare parts required such as, angle encoder filters, coupling, non-return valves, solenoid valves, accumulator and feedback censor;
- (c) Programming of the 3 sets of electronic cards as spare for the units, and
- (d) Handing over of all programming devices, associated documentations, programming software, communication cables, list of plant, set values, license certificate and other accessories used to commission the equipment for their subsequent use.

Execution of the maintenance on all three engines was scheduled to take place over the period 09 August to 15 September 2023.

Mr Speaker, Sir, I have been informed that spare parts except for the three sets of control cards which were intended for subsequent use were delivered in several batches by Hyundai Global Service Europe B.V to Fort George power station between 04 to 09 August 2023. As for the three sets of control cards, Hyundai Global Service Europe B.V had informed CEB that it would in the first instance configure those that CEB had procured in 2021. Subsequently, the maintenance works on the three engines were successfully completed on 15 September 2023 by two technical teams from Hyundai Global Service Europe B.V.

Mr Speaker, Sir, with respect to the payment scheduled, I am informed by the CEB that the agreement provides for claims to be settled within 30 days after completion of service and upon submission of appropriate invoice. CEB has informed that in October 2023 two invoices amounting to USD 193,801.53 and USD 67,500, respectively, were received. Mr Speaker, Sir, I

am informed that on 07 December 2023, CEB settled the two invoices through a bank transfer of USD 258,944.99 to the supplier's bank account according to the details provided by the supplier.

Mr Speaker, Sir, with a view to confirming the payment, CEB transmitted copies of the outward remittance advice and SWIFT copy to the supplier on 14 December 2023. However, in April 2024 the supplier informed the CEB that since March 2024, Hyundai Global Service Europe B.V had been renamed as HD Hyundai Marine Solutions Europe B.V and that payments for the two invoices amounting to USD 261,301.53 had not been received at their end. Following exchange of correspondences regarding payment documents between 02 May to 21 May 2024, HD Hyundai Marine Solutions Europe B.V informed CEB on 21 May 2024 that the previous emails sent to CEB were erroneous and did not belong to the email domain of the company.

The internal audit department of the CEB was requested to carry out an investigation into the above matter on the 22 May 2024. Due to the seriousness and technicality of the issue, the internal audit department submitted a preliminary report on 23 June 2024. It concluded among others that the internal audit did not come across any element which could indicate a direct implication of CEB personnel in the phishing scam and the most probable cause is a hacking of Hyundai computer system. The internal audit department is currently carrying out an in-depth and thorough investigation in the payment process. The matter has also been reported to the police. I thank you, Mr Speaker, Sir.

Mr Assirvaden: M. le ministre vient de confirmer la Chambre, M. le président, que R 12 millions près de R 13 millions ont été payées à une compagnie fantôme, fictive, *scam*. Est-ce que le ministre peut dire la Chambre, quand est-ce que le CEB a rapporté le cas à la police ou à la *Financial Crimes Commission*?

Mr Lesjongard: In my reply I said that, they have reported the case to the police and I understand that same was done last Friday.

Mr Assirvaden: Puisque ce paiement – on ne sait pas combien de paiements il y a, aujourd'hui on sait qu'il y a un paiement de R 12 millions – puisque ce paiement a été approuvé par le *Head of Finance* du CEB qui gère des milliards de roupies et par le *General Manager*. Est-ce que M. le ministre compte prendre des sanctions concernant ce paiement de R 13 millions qui

s'est évanoui dans la nature contre le *Head of Finance* et le *General Manager* qui ont eux deux approuvé ce paiement à la hauteur de R 13 millions?

Mr Lesjongard: Mr Speaker, Sir, I cannot take this decision. It is for the Board of the CEB to take that decision and I have said, there is an on-going enquiry, let us have the conclusion of that enquiry then whatever decision has to be taken, will be taken, Mr Speaker, Sir.

Mr Speaker: Next question!

VERGER BISSAMBAR & MONT ROCHES – DRAIN CONSTRUCTION – CONTRACT

(No. B/568) **Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of National Infrastructure and Community Development whether, in regard to the construction of drain network at Verger Bissambar, Mont Roches, he will, for the benefit of the House, obtain from the Land Drainage Authority, information as to where matters stand, indicating –

- (a) when contract therefor will be allocated, and
- (b) the expected completion date thereof.

Mr Hurreeram: Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the National Development Unit that the contract for the construction and upgrading of a network of drains in Constituency No. 20 comprising the construction of drain at Verger Bissambar Lane at Mont Roches, construction of drain along Charles Jolivet and Chanoine Rivalland Street, construction of drain along Lady Twinning Street, Beau Bassin and reconstruction of drain at Colonel Maingard Street, Beau Bassin was awarded to J. Dookhun & Sons Ltd on 14 April 2018 for a total amount of Rs5,352,025.75, inclusive of VAT.

The cost of the works at Verger Bissambar Lane was estimated at Rs272,956.64, inclusive of VAT.

The three projects along Charles Jolivet and Chanoine Rivalland Streets, Lady Twinning Street, Beau Bassin and along Colonel Maingard Street, Beau Bassin were completed by the Contractor.

As regards the project at Verger Bissambar, the Contractor had mobilised on site in May 2018 and the works were scheduled to be completed by 07 June 2018. However, following representations made by the inhabitants, consultations were held with the then hon. Parliamentary Private Secretary of Constituency No. 20 and representatives of the Municipal Council of Beau Bassin – Rose Hill whereby it was decided that the drainage system in the locality would be reconsidered in a holistic way. The contract for works pertaining to Verger Bissambar was, consequently, cancelled.

Mr Speaker, Sir, the services of Luxconsult Ltd as Consultant under the Framework Agreement for Consultancy Services were enlisted on 07 September 2018 to study the region of Verger Bissambar taking into consideration the complaints from the inhabitants and the problems reported namely –

- a) infiltration of water from the irrigation canal into the private properties;
- b) overflowing of the irrigation canal during heavy rainfall resulting in flooding of lateral roads and private properties;
- c) accumulation of water in the region and along Verger Bissambar Road, and
- d) overflowing of existing absorption drain along Subramanien Bharati Road at its junction with Verger Bissambar.

Luxconsult Ltd submitted the feasibility study report on 10 January 2019 and same could not be finalised for implementation of works as another study was being carried out upstream of St Martin Road by another consultant, Servansingh Jadav & Partners Consulting Engineers Ltd under the mega project 'Flood mitigation measures in the region of Plaisance, Roches Brunes, Mont Roches and La Chaumiere'. This project had a direct incidence on the drain work project at Verger Bissambar.

The design for the project at Verger Bissambar had to be, consequently, kept on hold since Servansingh Jadav & Partners Consulting Engineers Ltd had recommended that the proposed solutions for the mega project would entail channeling part of the flow from the upper region of Mont Roches through Subramanien Bharati Road and downstream, hence impacting on the overflow and surface runoff of storm water at Verger Bissambar.

Mr Speaker, Sir, I wish to inform the House that the regions of Plaisance, Roches Brunes, Mont Roches and La Chaumiere are fully built-up areas with extensive underground services and low-lying in topography with no natural watercourse to be used as outlet. Therefore, addressing the flooding issues in this region is very complex, challenging and time consuming in order to find a sustainable solution.

Mr Speaker, Sir, I wish to highlight that initially, the proposed design catered for the discharge of stormwater into La Ferme Reservoir through Trianon Grosse Roches Feeder Canal. However, the Water Resources Unit has, on 09 September 2021 objected to the use of the reservoir as a final discharge point, due to its precarious state. The Water Resources Unit, instead, proposed that the River Belle Isles be used as a discharge point on 28 September 2023.

However, on 14 February 2024, the Water Resources Unit has informed that the project for the upgrading of La Ferme Reservoir has been finalised and has requested the NDU to reconsider a new alignment to cross nearer to La Ferme Reservoir to cater for the outflow from the reservoir into our drain until the discharge point at River Belle Isles. This has considerably delayed the finalisation of the design for this mega project. It is only after finalisation of the design of this project that consideration for the drain project at Verger Bissambar could be reconsidered.

Mr Speaker, Sir, regarding part (b) of the question, it is premature at this stage to confirm the completion date of the project. However, at this juncture, I am informed that the project has a lifespan of 12 months upon appointment of a contractor.

Thank you.

Mrs Foo Kune-Bacha: Comme mentionné par l'honorable ministre, en 2018, le consultant Luxconsult Ltd avait mené une étude et avait soumis son rapport préliminaire afin de trouver des solutions au problème d'inondation dans la région basse de Mont Roches. Mais, par la suite, durant ces six années, il n'y a eu aucun développement que ce soit, et entre-temps les habitants de Verger ont beaucoup souffert des inondations.

L'honorable ministre peut-il donc déposer une copie du rapport final du consultant et aussi donner l'assurance que les travaux vont débiter et que les habitants vont bientôt être soulagés des inondations ?

Mr Hurreeram: Mr Speaker, Sir, I think it is too easy to come and say nothing has been done for six years. I have said well that we are here in a build-up area, we have challenges. Dealing with flooding issues is not dealing in an aquarium where you take the water from point A you put it to point B. In fact, here we are trying to find a sustainable long term solution. In fact, as I have mentioned, there is no outlet in that part of the country. So, the consultants are working and I don't think it is correct to come and ask for a copy of the report. We should know that this report will finally go on a tender document where we will have to have contractors to come and tender for that project. How can we make that report public at this stage?

Mr Speaker: Next question!

BAIE DU TOMBEAU – CHILD DAY CARE CENTRE – CLEANING LOGISTICS & MAINTENANCE

(No. B/569) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the Baie du Tombeau Child Day Care Center, she will, for the benefit of the House, obtain information as to the cleaning logistics put in place for the maintenance of the yard thereof.

Mrs Koonjoo-Shah: Mr Speaker, Sir, the Baie du Tombeau Child Day Care Centre which is run by the National Children Council was set up with a view to offering quality Early Child Day Care to babies and toddlers in a deprived area so that we can enable the mothers of these children the possibility to undertake gainful employment.

With regard to cleaning logistics of the CDCC, I am informed that for up keeping and regular maintenance of the yard, the following arrangements are in place –

- There is a nursery attendant who is responsible for the daily general cleaning of the centre.

- There is also a handyman on the establishment of the National Children Council who is posted there twice weekly for the cleaning of the yard.
- A general worker is also posted twice weekly to assist in the general cleaning of the Child Day Care Centre.
- Grass cutting is effected by an attendant from the National Children's Council twice monthly or as and when required depending on the season.
- Acquisition has also been made for power tools and equipment such as water pressure cleaner of high capacity, a bush cutter and gardening tools amongst others.

Mr Speaker, Sir, furthermore, whenever the need arises, the forestry service is contacted for the trimming or the felling down of trees around or nearby the CDCC. I am informed that on the 05 June this year, upon the request of the National Children Council, officers of the Special Mobile Force brought down a tree found in the premises of the pre-primary school which is located at the rear of the Child Day Care Centre because the roots of that tree were causing cracks in the concrete block wall which separates the pre-primary school and the CDCC. Arrangements, Mr Speaker, Sir, are also being made for trimming of another tree found in the yard of a grotto adjacent to the Child Day Care Centre.

Mr Speaker, Sir, I wish to inform the House that the Child Day Care Centre is found in a building which also houses a Women Centre on the first floor. With a view to ensuring a clean and conducive environment at the centre, regular monitoring visits are effected by the staff of the National Children Council and the licensing section of my Ministry. And, to date, no complaint whatsoever has been received regarding the condition of the yard which is kept clean and tidy.

The last visit effected by senior staff of my Ministry was on 04 July this year, confirmed that the state of the yard is in good condition.

Thank you, Mr Speaker, Sir.

Ms Anquetil: M. le président, une question supplémentaire, s'il vous plaît. Deux supplémentaires, pardon.

Mr Speaker: Who can decide? You decide 2, 3, 4, 5 supplementary questions?

Ms Anquetil: *Ok, très bien.* I am just asking, Mr Speaker, Sir,

Mr Speaker: You should not ask.

Ms Anquetil: *Okay.* Alors, M. le président, je suis juste un peu choquée par rapport à la réponse de la ministre qui dit que la cour est en très bon état, et ce n'est pas les informations que j'ai. Par contre, je suis d'accord avec la ministre quand elle dit que c'est suite à ma question...

Mr Speaker: No, put your question!

Ms Anquetil: ...que le management est descendu le lendemain et en urgence, les travaux ont été entrepris. La ministre peut-elle indiquer à la Chambre pourquoi le poste de *General Worker* est resté vacant depuis 10 ans ? Trouve-t-elle acceptable que la *NCC* fasse appel à une *Attendant* de manière sporadique, soit du *Shelter L'Oiseau du Paradis* ou du *Mahebourg Child Creativity Centre*, pour assurer l'entretien de la cour ?

Mrs Koonjoo-Shah: Mr Speaker, Sir, in my original reply to the PQ, I have made it very clear on what basis, twice weekly it is, that there is a General Worker and an Attendant who assist in the general cleaning of the said Child Day Care Centre. Thank you.

Ms Anquetil: M. le président, peut-on avoir le nom...

Mr Speaker: Please! You can't just say '*M. le président*' and you start talking! I should give you the floor!

Ms Anquetil: Okay. Please, Mr Speaker, Sir!

Mr Speaker: Don't make an abuse of your right to put questions!

Ms Anquetil: Please, Mr Speaker, Sir!

Mr Speaker: Now, the next question is from hon. Abbas Mamode!

Ms Anquetil: Il n'y a pas de *General Worker*!

REGISTERED COOPERATIVES SOCIETIES – SCHEMES & FISCAL INCENTIVES

(No. B/570) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the cooperatives societies registered at her Ministry, she will state the different schemes and the respective fiscal incentives extended thereto, indicating in each case the criteria to benefit therefrom.

Ms Ramyad: Mr Speaker, Sir, since this Parliamentary Question and B/574 refer to the same subject matter, I shall, with your permission, reply to both of them together.

Mr Speaker, Sir, I am informed that as at date, there are 1,592 registered cooperative societies, out of which, 1,390 are active. Six schemes are available to support these cooperative societies.

As regards the incentives associated with these schemes, I presume that the hon. Second Member for Port Louis Maritime and Port Louis East would wish to know what are the financial incentives under the different schemes which the cooperative societies can benefit therefrom.

Mr Speaker, Sir, these schemes with their corresponding financial incentives, which I must point out are grants and are as follows –

- (i) The Boost to Local Production Scheme. This scheme offers a grant of up to Rs300,000 per cooperative society for the acquisition of new agricultural, agro processing and value addition equipment and machinery and/or the purchase of livestock, excluding goat and sheep, to enhance local production.
- (ii) The Livestock Farming Project Scheme which provides cooperative societies engaged in goat/sheep rearing with necessary support for the construction, upgrading or extension of sheds and the purchase of goats/sheep for breeding and fattening. Each cooperative society in this activity can benefit from a grant of Rs200,000.
- (iii) The Zero Budget Natural Farming Scheme, which aims at promoting green and sustainable agriculture. It encourages cooperative societies to adopt new farming

techniques and produce natural fertilisers at a reduced cost. Each cooperative society can be allocated Rs200,000 as grant for the purchase of cows and the construction of cow sheds.

- (iv) The Waste Recycling Scheme. This scheme motivates cooperative societies to diversify their activities and adopt sustainable practices by participating in circular economy. A 50% grant up to a maximum of Rs500,000 per cooperative society can be provided for the purchase of recycling equipment and transportation vehicles from local suppliers.
- (v) The Seedlings Production Scheme which supports cooperative societies in establishing or upgrading a seedling production unit for vegetables and fruits. Each cooperative society can avail itself of a grant for an amount of Rs200,000 for the purpose.
- (vi) The Digitalisation Scheme which offers a 50% grant up to a maximum of Rs100,000 per cooperative society to facilitate the adoption of digital tools, application and technologies.

Mr Speaker, Sir, for a cooperative society to be eligible to benefit from the grant schemes, which I have just enumerated, it would need to satisfy the following common criteria –

- (i) it should be an active and operational society and not a dormant one;
- (ii) it should not be in arrears with regard to payment of annual fees;
- (iii) it should not be under liquidation, and
- (iv) it should submit a detailed project write up, including the project's objectives, expected outcomes, budget and implementation plan.

Mr Speaker, Sir, as regards part (a) of PQ B/574, that is, quantum disbursed for the Financial Year 2023-2024, I have been informed that letters of award have already been issued to 146 beneficiaries for a total amount of Rs33.8 m. Disbursement is effected as and when valid invoices are being submitted by the respective beneficiary cooperative societies to my Ministry.

Mr Speaker, Sir, insofar as the last part of PQ B/574 is concerned, that is, the processing time for the allocation of funds, I wish to inform the House that applications received are processed in a timely manner and is contingent upon their completeness and accuracy. The processing of an application involves the following steps –

- (a) a review of the application and project write up with the view to ensuring that besides complying with the established eligibility criteria, it has submitted all the required documents and information;
- (b) the evaluation of the project by a technical committee set up;
- (c) the approval and issuance of a letter of award once the evaluation is complete, and
- (d) the disbursement of funds upon submission of valid invoices and confirmation of project milestones.

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister provide a breakdown of the number of beneficiaries under each grant scheme and the corresponding amount approved for disbursement for the Financial Year 2023-2024?

Ms Ramyad: As I said in my reply, 146 cooperative societies benefitted for an amount of Rs33.8 m. For each of them –

- (i) for Boost to Local Production Scheme, a total amount approved was Rs20.5 m. for 78 cooperatives;
- (ii) for Livestock Farming Project Scheme, Rs3.5 m. was approved for 18 cooperative societies;
- (iii) for Zero Budget Natural Farming Scheme, Rs1.5 m. was approved for eight cooperative societies;
- (iv) for Waste Recycling Scheme, Rs205,000 for one cooperative society, and
- (v) for Seedlings Production Scheme, Rs7.8 m. for 41 cooperative societies.

As for the Digitalisation Scheme, this is a new scheme announced in the Budget Speech and the criteria allocation for grant of this scheme is being worked out.

Ms Tour: Thank you, Mr Speaker, Sir. Can the hon. Minister state if there is any training component associated with the grant schemes to ensure that cooperative societies are well prepared to implement their projects effectively?

Ms Ramyad: Yes, at the Division of Cooperatives, there is a comprehensive training programme associated with each grant scheme. The societies have to undergo training programmes at the National Cooperative Society which is the training arm of my Ministry.

Mr Speaker: Next question!

ISRAEL-PALESTINE CONFLICT – SOUTH AFRICA’S ICJ CASE – MAURITIUS’ STAND

(No. B/571) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Attorney General, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the case filed by the Republic of South Africa at the International Court of Justice for alleged violation by the State of Israel of its obligations under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide in relation to Palestinians in the Gaza Strip, he will state the stand the Government of Mauritius proposes to take thereon.

Mr Gobin: Mr Speaker, Sir, the Government of Mauritius is actively following at least two cases at the level of the International Court of Justice concerning the cause of Palestinian people. The first case is the case of the Advisory Opinion and the second case is the case concerning the Genocide Treaty.

Mr Speaker, Sir, on the first case of the Advisory Opinion, it is to be recalled that on 22 February of this year, Mauritius participated in the oral hearings at the International Court of Justice on the request for an Advisory Opinion pursuant to the United Nations General Assembly Resolution 77/247 pertaining to the question of Palestine.

On the second case namely under the Genocide Treaty, it is to be recalled that on 29 December 2023, South Africa filed an application instituting proceedings against Israel concerning alleged violations by Israel of its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, commonly referred to as the Genocide Convention in relation to Palestinians in the Gaza Strip. In its application, South Africa also requested the Court to indicate provisional measures in order to protect against further severe and irreparable harm to the rights of the Palestinians: people under the Genocide Convention and to ensure Israel's compliance with its obligations under the Genocide Convention not to engage in genocide and to prevent and to punish genocide.

In that case, Mr Speaker, Sir, public hearings on South Africa's request for provisional measures were held on 11 and 12 January 2024. The ICJ delivered two orders on provisional measures, Mr Speaker, Sir, the first one on 26 January 2024 and the second one on 24 May 2024.

Mr Speaker, Sir, in line with its principles stands for the upholding of international law, Government of Mauritius supports all initiatives with the aim of upholding the respect for international law including on the question of Palestine.

Thank you, Mr Speaker, Sir.

Mr Osman Mahomed: Thank you. Since the hon. Minister has mentioned about support, can I ask him whether Government will support and sign a petition that was coordinated by Mrs R. L. of Movement Liberation Femme, dated 12 of June 2024 and submitted to the hon. Prime Minister through his Office seeking support across the political spectrum to support the South African ICJ case just like leaders of all the political parties in Mauritius have: Mauritius Labour Party, MMM, PMSD, L'Union Maurice and LALIT and even Nouveaux Démocrates?

Mr Gobin: Mr Speaker, Sir, I will need a specific question because I have not seen that petition; I understand from the question that it was addressed to the hon. Prime Minister; I can surely look into that. The House and the population at large will appreciate the stand taken by Mauritius as a country which has been consistent over the years. It has not evolved with this Government or that Government. The State of Mauritius has consistently supported the Palestinian people in all forum. If I have to name all the resolutions and in different forum

whether in Geneva or New York, I will have to take hours of the House but there has been consistency.

In fact, let me recall also that formal diplomatic relations were established between Mauritius and the State of Palestine ever since 1988, Mr Speaker, Sir, and we have been consistently supporting the Palestinian cause.

Mr Speaker: Question has sufficiently canvassed! Hon. Bodha, next question!

LOCAL FOOD PRODUCTION – QUANTITY IMPORTED – COSTS

(No. B/572) **Mr N. Bodha (Second Member for Vacoas & Floréal)** asked the Minister of Agro-Industry and Food Security whether, in regard to local food production, he will state the quantity thereof produced yearly since 2019 to date, indicating the –

- (a) total quantity imported, and
- (b) costs thereof.

Mr Seeruttun: Mr Speaker, Sir, ensuring availability of quality and nutritious food and access thereto, have always been a priority of this Government. In this respect, we have been, and are still making every possible effort to at least sustain the local production in sectors where we are already self-sufficient, and to increase production in other sectors to meet our requirements.

Mr Speaker, Sir, currently, some 40 different types of vegetables, root crops and spices are cultivated by both small planters and corporate growers across the island, so much so that with a production of over 150,000 tons per year, we are today self-sufficient in fresh food crops. Indeed, Mr Speaker, Sir, since 2019 onwards, our local production has increased from 96,900 tons to reach approximately 154,000 tons in 2023, representing an increase of 58.8%. This has been possible, amongst others, due to –

- (i) an increase in the area under cultivation from around 7,400 to 9,000 hectares over the period 2019 to 2023;

- (ii) increased production under sheltered farming, such as hydroponics and net houses, which in general produce more and better yields and have a higher productivity under the same area, and
- (iii) also numerous facilities, support and assistance given to planters through a panoply of schemes being operated by my Ministry.

For the period January to April 2024, Mr Speaker, Sir, I am informed that only 31,199 tons of fresh food crops have been produced. This is mainly due to the extreme weather conditions that have prevailed since the beginning of this year.

Mr Speaker, Sir, Mauritius, like many Small Island Developing States, is dependent on the importation of food. In fact, we import almost 75% of our food requirements. Although most of our fresh vegetables needs are locally produced, items such as rice, wheat flour and cereals which constitute our staple food, cannot be cultivated locally due to our limited size and because these specific crops are not adapted to the local climate and thus have to be imported. Some vegetables are also imported for niche markets and after calamities, such as cyclones, when our local production is affected.

According to figures from the Mauritius Revenue Authority, the quantity of imported vegetables, excluding potato, onion and garlic, decreased from around 24,204 tons in 2019 with a cost, insurance and freight (CIF) value of approximately Rs1.1 billion to around 22,987 tons in 2023 with a CIF value of approximately Rs1.8 billion. It is to be noted that the increase in CIF value is largely due to an increase in freight costs.

I am informed that from January to 03 July of this year, around 14,779 tons of vegetables have been imported for a CIF value of approximately Rs1.2 billion. In fact, a larger quantity of vegetables such as carrots, cabbages, sweet peppers, beans and beetroots amongst others, had to be imported following the passage of cyclone Belal and the adverse weather conditions I mentioned earlier.

I should also mention, Mr Speaker, Sir, that to boost our local production, a range of measures, schemes and support are being extended to farmers. However, our scope for action is severely constrained by the vagaries of climatic conditions and its related consequences. For

instance, water scarcity, droughts, soaring temperatures, precipitations, floods, cyclones, and increasing incidence of pests, all of which affect our local production. This is the reason why my Ministry is encouraging planters to adopt climate-resilient practices.

Mr Speaker, Sir, with regard to our strategic crops, which consist essentially of potato and onion, and the local production of which represents a significant component of our agricultural industry, I am informed that the local production of potato increased by 11.4% from 14,822 tons in 2019 to 16,518 tons in 2022. A slight decrease to 13,719 tons was recorded for the year 2023 in view of unfavourable climatic conditions, which brought about an increase in the incidence of pest and diseases and bacterial wilt, for which there is no remedy so far.

As for onions the local production increased from 3219 tons to 5402 tons from 2019 to 2023, representing an increase of 67.8%.

Furthermore, potatoes and onions being seasonal crops, we are compelled to import these off seasons to supply our local market. In 2019, we imported 6960 tonnes of potatoes while 8004 tonnes were imported in 2023 for an amount of Rs233.9 million and for the period January to June this year, around 12,669 tons of potatoes were imported as local production had been destroyed again following the passage of cyclone Belal and adverse weather conditions.

For onions, Mr Speaker, Sir, imports decreased by 20.7% from 14,727 tonnes in 2019 to 11,676 tonnes in 2023 costing us Rs312.8 million. Concerning the local production of fresh fruits, Mr Speaker, Sir, such as bananas, pineapples, melon, pawpaw, watermelon, strawberry, litchi, *longan*, mango and avocado, same was 20,791 tonnes for the year 2019 and the production increased by 10.6% to reach 22992 tonnes in 2023. Since most of our fruits are seasonal and are not available all year round, we have to import fruits as well. In 2019, we imported 27,632 tonnes of fresh fruits. This decreased to 26,945 tonnes in 2023. The importation figure for the period January to 03 July 2024 stood at 15,391 tonnes for a CIF value of Rs1.1 million.

Mr Speaker, Sir, it is not a secret to anyone that the livestock sector faces many challenges such as the decline in traditional backyard production which operates singly on a low-input-low output system of production, the lack of breeders due to an ageing population of breeders, decline of interest in this field, scarcity of land for grazing and pasture and the environmental threat that livestock breeding pose to our ground water.

Nonetheless, Mr Speaker, Sir, we are since some years now self-sufficient in poultry. In fact, the production of poultry increased from 51,000 tonnes in 2019 to 59,200 tonnes in 2023. As regards to beef, goat, mutton and pork meat, the local production has remained quasi-constant over the past five years, with a production of 2,667 tonnes in 2023. On the other hand, our milk production has increased by around 11.5% from 2.5 million litres in 2019 to 2.8 million litres in 2023.

As regards local honey production, Mr Speaker, Sir, which also forms part of the livestock sector, an increase of 32% has been recorded from 25 tonnes in 2019 to 33 tonnes in 2023. The importation figures in the livestock sector have also been on the decreasing trend. Around 17,115 tonnes of items such as frozen meat, frozen poultry products, chilled processed and precooked meat, canned beef, mutton and poultry products, and natural honey amongst others, were imported in 2020. This figure decreased to 16,454 tonnes in 2023.

Thank you, Mr Speaker, Sir.

Mr Bodha: I thank the hon. Minister for his extensive reply. The hon. Minister said that the crop acreage has increased. So, I wanted to know whether it had increased among the small planters or whether it has increased among the big producers.

Mr Seeruttun: Well, for me, it is both; both the small planters and also the corporate growers as well. As you are probably aware, some have moved out of sugar cane and went into other crops. So, we have seen that trend both among the corporate growers and also among the small farmers.

Mr Bodha: One more question. Can the Minister consider the possibility of having price support to boost production in certain specific areas, in certain specific crops?

Mr Seeruttun: We are already subsidising a number of crops, what we call 'strategic crops'. If we look at potatoes and onions the prices are in a way controlled if I may say so and you will recall that during the post Belal period, we had to intervene through the Ministry of Finance to provide that a number of crops other than potatoes and onions like carrots, bean, cabbages and even chilies were being imported and were put on the market at a subsidised price. So, the Government does intervene as and when the need is felt.

Mr Speaker: Next question!

**WHO – ANTIMICROBIAL RESISTANCE – GLOBAL HEALTH THREAT –
MEASURES TAKEN**

(No. B/573) **Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to the Antimicrobial Resistance (AMR) declared as one of the global public health threat by the World Health Organisation, he will state the measures envisaged to combat same in Mauritius.

Dr. Jagutpal: Mr Speaker, Sir, Antimicrobial Resistance (AMR) occurs when bacteria, viruses, fungi and parasites mutate over time and no longer respond to medicines documented for their therapeutic use.

At the G20 Meeting held in 2022, it was unanimously agreed that antibiotic resistance is among the top ten global public health threats and represents an urgent health challenge for the next decade. The Committee, inter-alia recommended that to better address the Antimicrobial Resistance (AMR) threat, robust surveillance and monitoring are required globally. In addition, scaling up collaborative, coordinated, One Health AMR surveillance, risk assessment and interventions have to be reinforced by all member countries.

In this context, a One Health Steering Committee on AMR and Zoonosis was set up in 2023 to oversee the implementation of action plans related to AMR and to ensure that the prevalence of AMR decreases in the country. Thereafter, a new National Action Plan on AMR has been developed in collaboration with the World Health Organisation and same was approved by my Ministry in 2024.

The Action Plan focuses on the One Health approach which comprises multiple strategies that the country will employ to combat AMR. As such, it ensures the continuity of successful evidence-based treatment and prevention of infectious diseases with effective, safe and rational use of medicines.

Mr Speaker, Sir, firstly, it has been observed antibiotics are misused through unnecessary prescriptions from doctors who prescribe them to treat flu, bronchitis and other illnesses not caused by bacteria, or without properly testing and diagnosing the patient first.

Secondly, self-medication by patients who take leftover antibiotics from other people is very well known in the country, while some patients do not complete their course of antibiotics, as prescribed by their doctor.

Thirdly, some pharmacists dispense antibiotics to the public without a doctor's prescription as established in the Pharmacy Act, while some doctors prescribe under-dosed antibiotics or antibiotics for an exceedingly long duration.

And, fourthly prophylactic use, that is, utilisation as a preventive measure, in the agricultural or veterinary sectors can lead to anti-microbial resistance.

Mr Speaker, Sir, in order to better evaluate progress, national indicators on AMR were created in 2023. Outbreaks of AMR occurring in all regional hospitals are notified every month and investigations are carried out by Infection Prevention Control (IPC) teams. Furthermore, isolation rooms are under construction in several hospitals, while the one at SSRN Hospital is already operational. In addition, isolation bays were also added to the NICU of SSRN Hospital in 2023 so as to isolate infants infected with multi-drug resistant organisms.

Mr Speaker, Sir, my Ministry submits data on AMR annually to WHO's Global Antimicrobial Resistance and Use Surveillance System (GLASS), while antibiograms created using this data are being uploaded on the *MoBienet* app for use by healthcare workers.

Mr Speaker, Sir, Antimicrobial stewardship teams comprising of Specialist in internal medicine, Registered Medical Officer, IPC Nursing Officer and Pharmacist have been set up in 2024 for each health region with a view to reducing the misuse of antibiotics.

In the same breath, a national guideline on antibiotics was endorsed by the Ministry in January 2024 with a view to helping to guide healthcare workers to optimally use antibiotics.

Mr Doolub: Thank you, Mr Speaker, Sir. From his reply, the Minister mentioned that there is a misuse of antibiotics. May we thus know what is being done at the level of his Ministry to prompt medical practitioners to prescribe antibiotics optimally? Thank you.

Dr. Jagutpal: Mr Speaker, Sir, as I have already stated, Antimicrobial Stewardship Teams have been set up this year in each region. This will help to reduce the misuse of antibiotics. National guideline on antibiotics was endorsed by my Ministry this year. Again, this

will help to guide health care workers to optimally use antibiotics. CMEs on AMR were conducted in 2023. New presentations on AMR are being developed this year. Antimicrobial stewardship teams are expected to carry out new CMEs in each region as well. A Diploma course on IPC and AMR was organised by MIH and Bordeaux which ended in June 2024.

Mr Speaker: Next question! MP Ms J. Bérenger, absent.

MP David!

COOPERATIVE SOCIETIES – GRANT SCHEMES

(No. B/574) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to cooperative societies, she will state the number thereof registered at her Ministry as at date, indicating the grant scheme available thereto, further indicating the –

- (a) quantum disbursed for financial year 2023-2024, and
- (b) processing time for the allocation of funds thereto.

(Vide Reply to PQ B/570)

KENSINGTON, POINTE AUX SABLES – WATER SUPPLY – DISRUPTION

(No. B/576) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Energy and Public Utilities whether, he will state if he has been made aware of recurrent water supply disruptions in the region of Kensington in Pointe aux Sables and, if so, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the remedial actions envisaged therefor.

Mr Lesjongard: Mr Speaker, Sir, I am informed that Kensington in Pointe aux Sables, falls under the CWA's Water Supply Zone (Port-Louis). The regions of Grand River North West and Port Louis West are supplied with potable water from three sources, namely Pailles Water Treatment Plant (which receives raw water from Municipal Dyke), Bagatelle Water Treatment Plant (which is fed with water from Bagatelle Dam) and Pierrefonds Tunnel.

The Pointe aux Sables region, including Kensington, is primarily supplied with potable water sourced from the New Bosquet Reservoir. This reservoir receives water from the Pierrefonds tunnel and the La Forge Borehole. Currently, the water supply to approximately 4,100 subscribers in Pointe aux Sables is on a 24-hour basis, except the Kensington area, where some 100 CWA subscribers experience intermittent water supply during peak hours, resulting in low water pressure since it is located on the highest part.

In response to this challenge, the CWA has planned improvement works. These include pipe laying works to boost pressure and flow to the Kensington area from the La Forge Borehole. Additionally, there will be an upgrade to the La Forge Borehole pump, thereby increasing daily production for Pointe aux Sables region from 2100m³/day to 4000m³/day. I am informed that these enhancements are expected to be completed by the end of July 2024.

Once these works are implemented, it is expected that residents in the Kensington area will have a significant improvement in water supply and pressure. I thank you, Mr Speaker, Sir.

Mr David: Merci, M. le président. J'ai bien entendu que le calendrier des travaux prendra fin en fin de juillet, donc, à la fin de ce mois-ci. En attendant que ces améliorations soient faites et soient effectives sur le réseau de distribution d'eau à Kensington, puis-je demander au ministre s'il pourrait envisager auprès de la CWA une fourniture d'eau plus régulière à travers les camions citernes à ces 150-160 familles qui sont réellement en souffrance quotidiennement ?

Mr Lesjongard : Yes, Mr Speaker, Sir, I shall convey the request of the hon. Member to the CWA.

Mr Speaker: Next question!

NATIONAL TRAINING & RESKILLING SCHEME – COST & BENEFICIARIES

(No. B/577) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Labour, Human Resource Development and Training whether, in regard to the National Training and Reskilling Scheme, he will state the training centres having benefitted thereunder for the last five years, giving a list thereof, indicating the total amount paid thereto annually.

Mr Callichurn: Mr Speaker, Sir, in the aftermath of COVID-19 pandemic in 2020 and its impact on workplaces, the National Training and Reskilling Scheme (NTRS) was introduced as one of the components of the economic recovery programme. The main purpose of the scheme is to assist those who have lost their jobs due to the COVID-19 pandemic by training and reskilling them so that they can rejoin the workforce and also to ensure that people are work-ready by improving their employability skills once the economy recovers from the impact of the pandemic.

The NTRS targets unemployed individuals between 16 and 59 years. Training costs and stipend able to trainees under the scheme are borne by the Government through the Ministry of Finance, Economic Planning and Development.

Mr Speaker, Sir, I am informed that the HRDC is implementing the NTRS since January 2021 in collaboration with various stakeholders. The courses are dispensed from training institutions registered with the MQA or the Higher Education Commission. In principle, the HRDC receives application for training courses from industry associations, government funded institutions with training capabilities and Rodrigues Regional Assembly. Courses under the NTRS have to be approved by either the MQA or the HEC. Industry associations choose their own registered training institutions based on their skills, need and capabilities of registered training institutions to mount NTRS courses. The MITD also partners with the HRDC to implement courses under the NTRS.

Mr Speaker, Sir, I am informed by the HRDC that since the start of the scheme in 2021 to 30 June 2024, 16 registered training institutions have been providing training under the scheme. During the same period, a total amount of Rs78,662,045 was paid to these 16 institutions during 3 financial years as follows –

- 2021-2022: Rs18,452,365;
- 2022-2023: Rs30,317,778;
- 2023-2024: Rs29,891,902.

Mr Speaker, Sir, as requested by the hon. Member, I am tabling the list of the training institutions and the amount paid to each of them under the NTRS during the last three financial years.

Dr. Gungapersad: Thank you, Mr Speaker, Sir. Will the hon. Minister inform the House if any research or survey has been carried out to identify the areas where skills developments are needed in view of the emerging demands of the labour market?

Mr Callichurn: Well, Mr Speaker, Sir, the hon. Member must come with a specific question as this question pertains to the economic recovery programme and the course delivered under the NTRS.

Mr Speaker: Next question!

PIPE REPLACEMENT PROGRAMME – GREAT STANDARD SOLUTION LTD – CONTRACTS

(No. B/578) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the Pipe Replacement Programme, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the number of contracts awarded thereunder to Great Standard Solution Ltd., since the inception thereof to date, indicating, in each case, the –

- (a) contract value thereof, and
- (b) number of kilometres of pipe laid.

Mr Lesjongard: Mr Speaker, Sir, the Central Water Authority (CWA) operates an extensive potable water distribution network, covering all sectors of the economy with a total length of 5,246 km. Within this network, approximately 1,500 km of pipelines, ranging from 50 to 80 years old, are outdated and exhibit significant deficiencies, including substantial losses, frequent bursts, and inadequate carrying capacity. These aging pipes, composed of Asbestos Cement (AC), Cast Iron (CI), Galvanised Iron (GI), Steel (ST), and Polyvinyl Chloride (PVC), are challenging to repair and account for 50-60% of the system's wastage.

To address this issue, the CWA has prioritised the replacement of about 500 km of these critical pipelines across all six water supply zones for the calendar years 2023 and 2024. The CWA's strategy for the replacement programme comprises the following –

- a) In-House Replacement Plans that focuses on the replacement of pipelines less than 1 km in length;
- b) through Small and Medium Contractors that target pipe replacements between 1 km and 3 km, specifically on medium lateral roads and unclassified roads throughout the island, and
- c) Capital Projects that concentrate on the replacement of pipelines exceeding 3 km, primarily on classified RDA roads.

Mr Speaker, Sir, I am informed by the CWA that Great Standard Solution Ltd has been awarded five contracts for the renewal of service mains and replacement of pipeline under the Pipe Replacement Programme in the regions of Bramsthan, Bel Air, Isidore Rose and Plaine Magnien.

Mr Speaker, Sir, the CWA has informed that Bramsthan region receives its potable water supply from Reservoir Bonne Mere and a Containerised Filtration Plant at Bramsthan. To address leakage in the existing water distribution network, CWA has planned a comprehensive pipe replacement project spanning approximately over 6.9 km. This project has been divided into four phases. I am informed that Great Standard Solutions Ltd has been awarded contracts for two phases, namely –

- (i) Renewal of Service Main in the region of Bramsthan – Zone 4 awarded on 09 February 2024, with a contract value of Rs7,758,098.25. The project began on 18 March 2024 and is scheduled to be completed by end of July 2024. CWA has informed that 1.8 km of pipelines is planned for replacement. The project covers several roads in Zone 4 of Bramsthan such as La Gaiete Road and laterals, and Shivala Road.

- (ii) Renewal of Pipeline in the region of Bramsthan along Dominique Road, Kalimaye Road No. 1, Jeebun Lane and laterals, awarded on 25 March 2024. The contract is valued at Rs7,537,962.08. The project started on 13 May 2024, with a scheduled completion date set for 11 August 2024. As of now, 0.23 km of the planned 1.3 km of pipelines have been laid.

Mr Speaker, Sir, the Bel Air region is supplied with potable water from Reservoir Belle Rose and Borehole 42 C. Its aging network is subject to frequent leaks and bursts that disrupt water supply and to address these issues, CWA has identified approximately 7.7 km of pipes for replacement. The project is divided into four phases. I am informed that Great Standard Solutions Ltd has been awarded, on 01 April 2024, the contract for one phase namely, the renewal of the service main along Railway Road, Damree Road, D'orbec Road, and their respective laterals in the region of Bel Air Flacq. The contract is valued at Rs8,429,908.20. The project started on 19 June 2024 with a scheduled completion date set for 18 September 2024.

Mr Speaker, Sir, the region of Isidore Rose receives its potable water supply from Constance and Bonne Mere Reservoirs. The aging AC Pipes in the current network cause significant disruptions in water supply due to frequent bursts and leakage. To address same, CWA has identified approximately 1.4 km of pipelines for replacement in the region.

The contract for Renewal of Pipeline along Swami Vivekananda Road, Palmier Road, Kalimaye Road and Byssoa Road in the region of Isidore Rose was awarded to Great Standard Solutions Ltd on 31 May 2024, with a contract value of Rs8,462,334.30. The tentative start date is the end of July 2024, with a scheduled completion date by the end of September 2024.

Mr Speaker, Sir, I am informed that the region of Residence Balance in Plaine Magnien relies predominantly on aged AC Pipes for its water supply infrastructure. Frequent bursts and leakages severely affect water distribution in the area. To alleviate these issues and enhance water supply reliability, approximately 1.25 km of pipelines have been identified for replacement in the region.

I am informed that the project for Renewal of Pipeline at Residence Balance (Ex-Cité) – Plaine Magnien has been awarded to Great Standard Solutions Ltd on 28 March 2024 for a value

of Rs7,407,235.50. Works started on 13 May 2024, with a scheduled completion date of 10 August 2024. As at date, I am informed that 600 meters of HDPE pipe have already been laid.

I thank you, Mr Speaker, Sir.

Mr Assirvaden: M. le président, si mon compte est bon, plus de R 37 millions à Great Standard Solutions Ltd, incorporée, Monsieur le ministre, en février 2023. La question qui se pose, Monsieur le ministre – puisque ces *pipes*, ces tuyaux sont sous terre – quelle garantie la CWA a que Great Standard Solutions Ltd, avec quelques mois d’existence, a l’expérience voulue pour la pose de ces *pipes* à la hauteur de R 37 millions ?

Mr Lesjongard: Mr Speaker, Sir, I cannot reply because I do not have the details with me. It is for the CWA to assess the contractor whenever they are allocating contracts to that contractor, whether he has the required experience to carry out works that will be entrusted to him.

Mr Speaker: Next question!

CENTRALISED WORK PLACEMENT SCHEME – INTRODUCTION

(No. B/579) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the introduction of the Centralised Work Placement Scheme by the Ministry for university students seeking job placement in the Public Service, he will state where matters stand, indicating the date of the coming into effect thereof.

Dr. Ramdhany: Mr Speaker, Sir, it has been a long-standing practice over the years for students following full-time courses at tertiary institutions to have a job placement in organisations, including in the public sector. In some cases, the job placement may form part of the mandatory academic requirements of the universities concerned. However, the job placement for the university students was being done in the public service without a proper framework.

In that context, my Ministry has come up with a defined structure where a centralised digital platform has been developed to facilitate work placement of university students in the

Public Service. The objective of this initiative is to promote transparency, accountability, visibility, equity and fairness in the treatment of request for job placement.

Mr Speaker, Sir, in spite of the fact that working in the Public Sector is hectic and demanding, many young graduates are willing to join and embrace a career in the Public Service. My Ministry recognises that young talents have an instrumental role to play in the socio-economic development of our country. Indeed, the Public Sector provides an unmatched and attractive work environment in view of its diversity, complexity and a stable organisation setup. Such an environment represents a unique value proposition for our university students to gain valuable insight.

Mr Speaker, Sir, my Ministry issued a Circular Letter No. 50 of 2 July 2024 to all Ministries and Departments to inform them of the operationalization of the Centralised Work Placement Scheme. Some of the salient components of this scheme are as follows –

1. The scheme target undergraduate and postgraduate Mauritian students who are enrolled on full-time courses in Tertiary Education Institutions in Mauritius, and which are accredited by the Higher Education Commission;
2. Application for work placement should be submitted by the Tertiary Education Institutions on the Centralised Digital Platform form and on behalf of the students;
3. My Ministry will thereafter channel the student to the respective Ministry/Department of the Parastatal Organisation;
4. The work placement will not exceed three months;
5. A monitoring and evaluation mechanism will be put in place by my Ministry to ensure the work placement undertaken by students in their respective Ministry and Department and Parastatal Organisation are relevant and have contributed to the employability.
6. Stipends amounting to Rs750 per week inclusive of transport which may be subject to revision will be met under the vote item of the respective Ministry and Department and Parastatal Organisations.

Mr Doolub: Thank you, Mr Speaker, Sir. May we know from the Minister when the scheme will be launched?

Dr. Ramdhany: Mr Speaker, Sir, I am informed that my Ministry will officially launch the scheme on 18 July 2024 followed by a training session for all users nominated by the University, Ministries and Departments in order to ensure a seamless implementation of the scheme.

Thank you.

Mr Speaker: MP Wochit!

VEGETABLES, FRUITS, FISH & MEAT – SELF-SUFFICIENCY – STRATEGIC PLAN

(No. B/580) Mr R. Wochit (Third Member for Pamplémousses & Triolet) asked the Minister of Agro-Industry and Food Security whether, in regard to vegetables, fruits, fish and meat, he will state the strategic plan put in place by his Ministry to achieve self-sufficiency in the production thereof.

Mr Seeruttun: Mr Speaker, Sir, food security remains the priority of this Government. As indicated in my reply to Parliamentary Question B/518 last week, efforts of my Ministry are geared primarily towards the improvement of our food security especially with the repercussions of global strife and adverse climatic conditions which bring about food shortage.

This explains the reason why my Ministry has elaborated a Strategic Plan on our food system for the years 2024-2030.

Mr Speaker, Sir, this Plan has been worked out following *une Assise de l'agriculture* held in March last year and which was attended by some 150 experts, academia, researchers and stakeholders from the public and private sectors, including farmers, Outer Islands Development Corporation and the Rodriguan Commission for Agriculture.

The Strategic Plan is aligned with the Sustainable Development Goal (SDG) 2, which is to end hunger, achieve food security and improved nutrition and promote sustainable agriculture. It highlights all the current and upcoming challenges in the agricultural sector and the related areas

of intervention. It also builds on achievements and on lessons learnt over the last five years, while addressing and mitigating the identified shortcomings.

In this respect, cluster analysis have been made for the food crop sector comprising of potato, onion, garlic, cucurbits, crucifers, legumes and pulses, starchy crops, tomato and fruits, and our livestock cluster that is on the production of poultry, cattle, deer, goat, sheep, pig and apiculture.

Provision for Rodrigues and Agaléga has also been made in the Plan.

It is to be highlighted that the plan excludes fish production, which falls under the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping.

As per the plan, our agricultural sector is expected to grow at an average rate of 6% per year over the next 7 years.

Mr Speaker, Sir, to achieve this target, the Plan makes provision for a three-pronged approach –

- Firstly, boosting production for resilient food security - the targets are to increase production of food crops by 15% under open field, increase production by 100% under protected structures, increase meat production by 50% and increase honey production by 20%. The areas of intervention are to develop and upgrade appropriate production infrastructures, improve access to inputs: like planting materials and animal feed and research and development;
- Secondly, promoting sustainable and resilient production - the targets are to train all farmers in sustainable agricultural practices and increase by 10% acreage under sustainable agriculture. The areas of intervention are geared towards sustainable agricultural practices, integrated pest and disease management, promotion of bio-farming and developing smart and innovative production systems, and
- Thirdly, encouraging entrepreneurship and agro-processing the targets are to train 100 agro-entrepreneurs per annum with a view to increasing by 10% per annum the number of entrepreneurs involved in agribusiness. The areas of intervention are to

promote value addition, develop appropriate market structures and capacity building and professionalisation of operators and institutions.

Mr Speaker, Sir, it is good to note that the targets have been set in line with the Government Programme and Vision 2030. In addition, the areas of interventions in the Strategic Plan are pursuant to international and regional commitments such as United Nations SDGs, the United Nations Food Systems Summit (UNFSS), the Comprehensive Africa Agriculture Development Programme (CAADP), the Southern African Development Community (SADC), SADC Plant Genetic Resources, SADC Harmonized Fertilizer Regulatory Framework, SADC Harmonized Seed Regulatory System, the World Organization for Animal Health, the Indian Ocean Commission Regional Programme for Food Security and Nutrition, as well as, the agricultural commitments to the United Nations Framework Convention on Climate Change (UNFCCC) as outlined in the Nationally Determined Contributions (NDC 2021).

Mr Speaker, Sir, the Strategic Plan will thus ensure inclusive participation of all stakeholders, in line with the United Nations approach to 'Leave No One Behind' in the transformation of our agri-food systems into a more efficient, inclusive, resilient and sustainable one and for better production, better nutrition, as well as, for a better environment and better quality of life.

I must also say, Mr Speaker, Sir, that the Strategic Plan acknowledges the constraints and challenges faced by the agricultural sector. As we all know, the sector is continuously facing several threats and emerging challenges, namely climate change and its adverse impacts, health emergencies, land scarcity, ageing farming population, lack of quality standards as well as, international conflicts, amongst others. As a consequence, building resilience is critical for vulnerable Small Island States like ours.

Mr Speaker, Sir, the strategic plan also focuses on strengthening the governance, regulatory and institutional capacity of the agricultural sector at local, regional and international levels. There is thus need to develop appropriate legal and institutional frameworks to enable its effective implementation as well as, create a right and enabling environment for the agriculture sector development and a sound governance system. Same are underway.

Pending the release of the strategic plan which will be soon, Mr Speaker, Sir, various measures have been taken to boost the agricultural sector The details of which I have provided in my reply to Parliamentary Question B/572. The House may wish to note that we are self-sufficient in local food crops and poultry. Our milk and honey production are increasing gradually, while our importation in fresh fruits is on the decreasing trend. Thank you, Mr Speaker Sir.

Mr Wochit: Thank you, Mr Speaker, Sir. Given that the Government has been in power for nearly 10 years now, is the Minister aware of the growing public dissatisfaction and loss of confidence in Government's ability to achieve...

Mr Speaker: No, come on! This is not a supplementary question! You should know by now what a supplementary question is, hon. Member! You cannot make comments and observations, and supplementary question and debate. Where have you learned all this? Where did you see that? Put your question if you have one!

Mr Wochit: What measures are being taken to restore public confidence and provide a tangible result in self-sufficiency?

Mr Seeruttun: Well, Mr Speaker, Sir, had the hon. Member listened to the previous question put to me by hon. Bodha, he would have got the reply already!

Mr Speaker: So, we move to the next question!

CWA PIPES REPLACEMENT WORKS – COSTS

(No. B/581) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Energy and Public Utilities whether, in regard to the in-house pipes replacement works undertaken by the Central Water Authority, he will, for the benefit of the House, obtain from the Authority, information as to the amount –

- (a) paid for the procurement of pipes, fittings and equipment, and
- (b) of fees paid in terms of manpower therefor for the financial year 2023-2024.

(Withdrawn)

MINOR DRUG-USERS – REPORTED CASES & REHABILITATION PROGRAMMES

(No. B/582) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to minor drug-users, he will state the –

- (a) reported number of cases thereof since 2019 to 2023 on a yearly basis and for the period January 2024 to date, indicating their respective age and sex;
- (b) number thereof having been successfully treated against drug addiction, giving details of the rehabilitation programmes therefor, and
- (c) number of deaths thereof resulting from overdose, if any.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that for the period 2019 to date, a total of 449 drug users under the age of 18 of which, 7% were girls were admitted in our public health institutions, namely Nénuphar, Frangipane and Orchidée for detoxification and rehabilitation and also in hospitals as follows –

- 138 in 2019;
- 89 in 2020;
- 59 in 2021;
- 54 in 2022;
- 77 in 2023,
- 32 in 2024, that is, up-to-date.

Moreover, for the same period, 309 minors of which, 7% were girls have attended the Addiction Treatment Units of my Ministry as follows –

- 74 in 2019;
- 74 in 2020;

- 85 in 2021;
- 36 in 2022;
- 31 in 2023,
- 9 in 2024.

Mr Speaker, Sir, as regards part (b) of the question, I am informed that at the Nénuphar Centre, in 2019, among 99 cases, 53 were re-admissions. In 2020, there were 65 admissions and 22 were re-admissions. 2022, 85 admissions and 53 were re-admissions. In 2023, among 89 admissions, 46 were re-admissions, that is, around 50% of youngsters who have been admitted at Nénuphar Ward have been stabilised for a period of time or are in the process of being stabilised.

Addiction is a chronic illness characterised by the possibility of relapses and which requires long-term and in some cases lifelong care. The main objective of any treatment given to a drug user is to stabilise the patient on medical, psychological, family, societal, social and professional level to enable the latter to reintegrate the mainstream society. However, such treatment, care and support vary from one individual to another.

The Harm Reduction Unit of my Ministry currently offers the following treatment programmes for drug users, including minors –

- (a) Medication-Assisted Treatment (MAT), including Methadone Substitution Therapy (MST) and detoxification using suboxone and naltrexone, and
- (b) Residential Rehabilitation Centres at Long Mountain, Centre Nénuphar, Centre Frangipane and Centre Orchidée at Beau Bassin.

The psychosocial aspect in the management of drug users is carried out by psychologists and healthcare professionals with the collaboration of a number of Non-Governmental Organisations. In addition, the following therapies are also provided to the patients –

- (a) Family Therapy;
- (b) Group Therapy;

- (c) Art Therapy;
- (d) Emotion management;
- (e) Sports;
- (f) Cognitive Behavioural Therapy;
- (g) Music, and
- (h) Basic Life Skills, among others.

Mr Speaker, Sir, with regard to part (c) of the question, I am informed that according to statistics received from the Police Medical Unit, 6 deaths due to overdose have been recorded among those below 18 years old from 2019 to November 2023. Thank you.

Mrs Foo Kune-Bacha: L'honorable ministre peut-il nous dire s'il existe des mesures d'accompagnement aux parents des enfants usagers de drogues qui sont en détresse?

Dr. Jagutpal: Yes, Mr Speaker, Sir, as already stated in my reply, therapies include family therapy, group therapy and all the other therapies that exist, that is, *l'accompagnement pour les parents*.

Mr Speaker: Next question!

ARTIFICIAL INTELLIGENCE – TERTIARY EXAMINATIONS – STANDARD & PROTOCOL

(No. B/583) Mr J. B. Léopold (Second Member for Rodrigues) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to Artificial Intelligence, she will state the measures/protocols her Ministry proposes to develop to control the use thereof at the tertiary education level with a view to maintaining the standard of the examinations in our educational system.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, artificial intelligence is

increasingly transforming various aspects of education, providing new opportunities to enhance learning, teaching and administrative processes.

However, generative AI with its ability to autonomously create content presents both exciting opportunities and significant challenges in education. Post pandemic, a wide array of open AI sources, software and applications such as Chat GPT and Microsoft Copilot have been increasingly used.

In the education sector, students have readily embraced these AI tools as part of their educational journeys to enhance their learning and so have educators and lecturers as part of their teaching experiences. Mr Speaker, Sir, as stated in the UNESCO document, Generative Artificial Intelligence in education: Think piece; despite its numerous benefits, the integration of generative AI in education presents several challenges.

Ethical concerns are significant, ranging from over reliance on AI tools, reduced engagement and active learning and a possible decline in critical thinking and problem solving skills to issues related to data privacy and intellectual property rights. There is a need to harness AI's potential while safeguarding educational standards and ethical considerations. It must be highlighted that at the international level, UNESCO recently produced the first ever global standard on AI ethics: the Recommendation on the Ethics of Artificial Intelligence, a framework adopted by all 193 Member States. It stresses that governments must ensure that use of AI always adheres to the principles of safety, inclusion, diversity, transparency and quality.

In fact, not later than in May 2024, a UNESCO global survey of over 450 schools and universities found that fewer than 10% have developed institutional policies or formal guidance concerning the use of generative AI applications. Mr Speaker, Sir, controlling the use of AI in tertiary education to maintain examination standards is indeed complex and yet crucial. Our high education institutions are aware of the challenges and risk associated with AI tools, particularly regarding, assessments, student's evaluation and academic integrity.

To address these concerns, high education institutions have so far proactively integrated technological tools and established internal guidelines such as regulations on academic dishonesty to safeguard the standards of assignments, coursework, projects and examinations.

Tools like Turnitin and SafeAssign are employed to ensure academic integrity and originality in students' projects submissions. These software, along with the traditional role of checking for plagiarism, are now also able to detect contents created with it AI. It is important to note that there are acceptable limits for similarity indices concerning generative AI matches in dissertations and other assignments. In addition to these digital safeguards, higher education institutions in Mauritius have clear guidelines on *viva voce* examinations for all students. Universities appoint external examiners to moderate scripts and examinations ensuring that marking schemes and results are of the highest standards and free from bias.

Mr Speaker, Sir, my Ministry is currently working on the use of AI in higher education. An internal technical committee has been set up to prepare the relevant guidelines based on the guidance document from UNESCO for policy-makers. HEIs in Mauritius will need to review the evaluation process to ensure that students have a good mastery of the topics they are dealt with in their assignments. More weighting will be placed on value addition by candidates on topics presented than on content. Thank you, Mr Speaker, Sir.

Mr Speaker: Yes, please.

Mr Léopold: Thank you, Mr Speaker, Sir. Can the hon. Vice-Prime Minister inform the House whether there will be new role for educator in regard to AI Automating Processes?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, educators will obviously have to be trained because it is a new situation and the educators, as I have just stated, as well as the lecturers – because we were talking about the tertiary sector – will be recommended to review their assessment mode, their evaluation mode and to lay more emphasis on value addition than on content. With the new Apps that are available, it is now possible to even detect whether any piece of work has been generated from AI.

Mr Speaker: Next Question!

**ENHANCEMENT OF WORK ENVIRONMENT PROGRAMME – PROJECTS –
AMOUNT DISBURSED**

(No. B/584) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the Enhancement of Work Environment Programme, he will state –

- (a) the number of projects funded thereunder for financial year 2023-2024, indicating;
 - (i) the types thereof, and
 - (ii) the amount disbursed in each case, and
- (b) if the scheme will be maintained for financial year 2024-2025.

Dr. Ramdhany: Mr Speaker, Sir, there is no doubt that performance, productivity and delivery of service are linked with the well-being of public officers, thus, the work environment plays a critical role. The Safety and Health Division set up under my Ministry is responsible for the safety and health matters in respect of public officers in ministries and departments.

To this effect, a team comprising of 45 trained and dedicated officers of the Occupational Safety and Health Division is deployed to carry out inspection visits to places of work falling under the broad umbrella of the Public Service with a view to advising the different ministries and departments on how to comply with the provision of the safety and health legislations.

Their role is to ensure that public officers operate in a physical conducive environment which has a direct bearing on their performance. Each Ministry and Department, from its own budget, promotes safety and health within its workplace.

Mr Speaker, Sir, the Enhancement of Work Environment Programme is geared towards uplifting the safety and health standards in the working environment of ministries and departments through funding by my Ministry. The Enhancement of Work Environment Programme refers to a scheme that brings some incremental improvements on a yearly basis to the physical working environment so that public officers can operate in their best possible manner. It provides a meaningful opportunity to the ministries and departments in identifying relevant projects and implementing them. With the required funding from the budget of my Ministry within one financial year, a fixed amount of Rs4.5 m. has been provided under this scheme for the last 3 years.

Since its inception, all ministries and departments have no doubt benefited from the scheme for the implementation of numerous projects aimed at enhancing the work environment of public officers. I am pleased to announce that all the budgeted amount has been fully utilised and have benefited some 78 ministries and departments.

Mr Speaker, Sir, as regard part (a) of the question for financial year 2023-2024, 205 projects have been funded to the tune of Rs4.37 m. under the Enhancement of Work Environment Programme. The projects funded were categorised under projects for greening of the public sector and safety and health related projects.

With your permission, Mr Speaker, Sir, I am tabling a list of projects funded and the amount disbursed in each case.

Mr Speaker, Sir, with regard to part (b) of the question, I am pleased to announce to the House that the scheme has been maintained with a total amount of Rs4.5 m. for this financial year 2024-2025. I take this opportunity to thank my colleague, hon. Minister of Finance, Economic Planning and Development, who has provided this amount to my Ministry. Should the need arise, a request will be made Ministry of Finance, Economic Planning and Development for additional funds in the light of the number of projects that will be received from my Ministry and departments in this financial year.

Mr Speaker, Sir, enhancing the work environment involves addressing multiple factors that contribute to the overall well-being job satisfaction, and productivity of public officers. This initiative promotes eco-friendly practices within the workplace, improves the physical work environment and fosters a good safety and health culture.

Mr Speaker: Next Question!

LANDSCOPE MAURITIUS LTD – 2000 ARPENTS OF LAND – BENEFICIARIES

(No. B/585) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of Finance, Economic Planning and Development whether, in regard to the 2000 arpents of land which are managed by Landscape Mauritius Ltd., he will, for the benefit of the House, obtain information as to the number of planters who have benefitted therefrom, indicating the number thereof in the regions of La Marie, Glen Park and Plaine Sophie.

Dr. Padayachy: M. le président, j'ai été informé par Landscape Mauritius Ltd que les terrains détenus se trouvent principalement dans la région de Côte d'Or, Bagatelle, Hermitage, Valetta et Belle Rive. À ce jour Landscape Mauritius Ltd a loué environ 731 arpents de terrains agricoles à 79 planteurs dans les régions mentionnées.

Landscape Mauritius Ltd ne possède pas des terres dans les régions de La Marie, Glen Park et Plaine Sophie. Merci.

Mr Bodha: Est-ce que je peux demander à l'honorable ministre quels sont les critères pour l'allocation de ces terrains?

Dr. Padayachy: M. le président, je n'ai pas ces renseignements avec moi. Je vais trouver les informations et déposer a la Chambre.

Mr Bodha: M. le président, est-ce que je peux demander à l'honorable ministre le nombre d'applications pour ces terrains ?

Dr. Padayachy: Encore une fois, M. le président, je vais trouver les informations et déposer a la Chambre.

Mr Speaker: Next Question!

POINTE AUX SABLES – WATERCOURSE - OIL SPILL

(No. B/586) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the oil spill incident in a watercourse at Pointe aux Sables on Tuesday 02 July 2024, he will state the –

- (a) source and volume thereof;
- (b) consequential damages caused to the environment and the ecosystem, if any;
- (c) cleaning and restoration action plan put in place therefor, indicating the costs thereof, and
- (d) measures being envisaged to avert the recurrence thereof.

Mr Ramano: Mr Speaker, Sir, on Tuesday 02 July 2024 at round 10hrs, my Ministry was informed by the Pointe aux Sables police station of the presence of heavy fuel oil in a watercourse located next to the Pointe aux Sables public beach. A team of research comprising officers of the department of environment of my Ministry, the *police de l'Environnement*, the Special Mobile Force and the National Coast Guard immediately proceeded on site. Two patches of heavy fuel of an area of about 10 square metres were observed near the bridge and along the banks of the watercourse upstream. No oil was observed in the lagoon.

Subsequently, other stakeholders including the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping, the Water Resources Unit, the Forestry Service, the Solid Waste Management Division of my Ministry, the City Council of Port-Louis, the Beach Authority and the Mauritius Ports Authority were informed and requested to initiate actions at their level.

Following an enquiring on the matter, the *Police de l'Environnement* served a fixed penalty notice of Rs25,000 on 03 July 2024 for causing to be deposited heavy fuel oil into watercourse at Pointe aux Sables, La Tour Koenig region.

Mr Speaker, Sir, as regards part (a) of the question, preliminary investigation conducted by my Ministry and the *Police de l'Environnement* sourced the oil spill from FM Denim Co. Ltd located at SLDC Industrial Park, La Tour Koenig. Around 20 litres of heavy fuel oil leaked into a storm water drain leading to a watercourse.

With regard to part (b) of the question, in accordance with the Environmentally Sensitive Areas GIS Datasets 2013, this stormwater drain is classified as a canal without any categorisation and is therefore not considered ecologically sensitive. Following prompt intervention, the spill has been contained in the stormwater drain and test carried out by the National Environmental Laboratory of my Ministry showed that there has been no contamination of the lagoon and sea water.

Likewise, ambient air monitoring exercise conducted at five sites comprising the affected area and nearby residential areas revealed that all toxic gases measured were below interdiction limits and no odour was discerned in the surrounding. Monitoring of water quality and ambient air quality is being maintained by the National Environmental Laboratory.

Mr Speaker, Sir, monitoring of sea water quality was also conducted by the Albion Fisheries Research Centre at three stations located along the shoreline at Pointe aux Sables on 02 and 03 July 2024. I am informed that the test results of samples analysed were within the limits of Coastal Water Quality Guidelines for parameters tested. No oil and grease were detected at the monitoring stations.

According to the National Parks and Conservation Service of the Ministry of Agro-Industry and Food Security, a site visit conducted on 04 July 2024 revealed that no damage occurred to wetlands, migratory birds, endemic plants and any freshwater living organisms during the oil spill.

Mr Speaker, Sir, concerning part (c) of the question, the following actions were taken on site –

- (i) a total of 477 metres of sorbent booms and 515 absorbent pads were placed in the watercourse to contain and recover the spilled heavy fuel oil by the SMF, National Coast Guard along with Vivo Energy Mauritius Ltd and Polygreen (Mauritius) Ltd, whose services have been enlisted by FM Denim Co. Ltd;
- (ii) some 1.5 tonnes of wastes have been collected and carted away for safe disposal;
- (iii) follow-up of the cleaning operations being conducted by Vivo Energy and Polygreen is being maintained on site by my Ministry.

The costs incurred by the various stakeholders are being compiled and will be submitted to FM Denim Co. Ltd, the owner of the pollutant.

Mr Speaker, Sir, as regards part (d) of the question, I am informed that FM Denim Co. Ltd is envisaging to construct a bun wall around its heavy fuel oil pump in the boiler room to avoid any risk of oil spill in the future.

In terms of preparedness and response to potential accidental spill of liquid fuel and/or any chemicals of hazardous nature, my Ministry started an assessment of industry since 20 March 2024 to ensure that adequate preventive measures are being taken by these industries where liquid fuel and/or chemicals of hazardous nature are being stored in order to prevent any potential spill or other accidents.

In line with section 33 of the Environment Protection Act 2022, in March and April 2024, 146 industries were accordingly requested to submit information in respect to their contingency plan. I am further informed that joint site visits by officers of my Ministry along with concern authorities, namely the Mauritius Fire and Rescue Service, the National Parks and Conservation Service, the National Disaster Risk Reduction and Management Centre, District and Municipal Councils to 14 industries have been conducted since 12 April 2024 to assess any risk of liquid fuel or spill of chemicals.

According to section 60 of the new Environment Act 2024, which will come into force on 01 August 2024, any person conducting an activity associated with storing or using of liquid fuel within their premises shall undertake a risk assessment to identify all potential hazards, risks associated with storage of the liquid fuel and prepare and submit to the Director of Environment a contingency plan to address those risks. The Director may also direct any person conducting an activity associated with storing or using of liquid fuel to review the contingency plan at a specified frequency depending on the level of risk and location of the activity. For an existing activity, the contingency plan shall be submitted within a timeframe of 3 to 12 months after the coming into force of the Act. For any new activity, the contingency plan shall be submitted prior to its coming into operation. Any person who fails to comply with this requirement shall commit an offence.

Mr David: M. le président, vue la vulnérabilité écologique de la région de par sa proximité avec cette zone industrielle qui a été donc la cause de cette pollution dans ce cours d'eau, puis-je demander au ministre de l'Environnement s'il compte mettre en place au niveau des officiers de son ministère, des visites de contrôle surprises chez les opérateurs industriels pour empêcher que de tels accidents de déversement industriel ne se reproduisent dans la région de Pointe aux Sables ?

Mr Ramano: M. le président, comme je l'ai mentionné dans ma réponse, il y a cette enquête qui est en train d'être faite et aussi l'inventaire des industries qui manipulent actuellement ce qu'on appelle les *heavy fuel oil*, etc. Donc, toutes ces industries ont cette obligation de soumettre un *contingency plan* en cas de *oil spill*, en cas de déversement. Donc,

nécessairement, il y a ce contrôle qui est fait par les officiers du ministère de l'Environnement. Ça peut être des contrôles avec préavis, mais ça peut être aussi des contrôles sans préavis.

Mr Speaker: So, time over! The Table has been advised that PQs B/587, B/592 and B/593 have been withdrawn.

MOTION

SUSPENSION OF S.O. 10(2)

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

The Deputy Prime Minister seconded.

Question put and agreed to.

PUBLIC BILLS

Second Reading

THE CONSTITUTION (AMENDMENT) BILL (NO. V OF 2024)

&

THE POLITICAL FINANCING BILL (NO. VI OF 2024)

Order read for resuming adjourned debate on the Constitution (Amendment) Bill (No. V of 2024) and the Political Financing Bill (No. VI of 2024).

Question again proposed.

Mr Speaker: Hon. Vice-Prime Minister!

(4.33 p.m.)

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, let us at the very outset be clear about the purpose of the two Bills before the House. They guarantee fair and transparent elections. They favour accountability. It is as simple as that.

Indeed, Mr Speaker, Sir, true democracy thrives on the prevalence of fair and transparent elections and for elections to be best seen, we must promote a level playing field. When parties compete for electoral seats, Mr Speaker, Sir, there is always an expectation for fairness and honest practices and we have to see to it that all attempts made to skew the process are stymied and nipped in the buds.

Mr Speaker, Sir, I will not time and again repeat that Members of the Opposition decide to leave the Parliament whenever there is a serious discussion, a serious debate on.

Mr Abbas Mamode: *Zot pa serye!*

Mrs Dookun-Luchoomun: In fact, shows their mindset: nothing is good; everything is fine as long as I am not disturbed. They feel better sitting in the drawing room or sitting in the lobby than to be here and to represent the people that have elected them to sit into this Parliament.

Mr Toussaint: *Zot vinn Nando!*

Mrs Dookun-Luchoomun: They have absolutely nothing to say and when they open their mouth to say things – I will not use improper words, Mr Speaker, Sir – but it is worth nothing. Mr Speaker, Sir, the issue is in fact a very simple one. When we look at the legislation, the Explanatory Note explains that clearly. It states the following –

“(...) the Representation of the People Act is being amended –

- (a) to impose a limit on the election expenses of a political party or party alliance at a National Assembly election and that party or party alliance will [...] have a legal obligation to submit a return of such election expenses;
- (b) for an increase in election expenses that a candidate may incur at a National Assembly election, Rodrigues Regional Assembly election or local government election [as well];”

Mr Speaker, Sir, the third is for the regulation of temporary political headquarters and campaign quarters commonly known as *baz* during a National Assembly Election, the Rodrigues Regional Assembly Election or Local Government Election. Mr Speaker, Sir, it’s true that it’s

the last year of our mandate. We are most probably in an election year and we all in this House would want to see elections being conducted in a sound and transparent manner. In short, we want the financing of elections to be transparent.

Now, Mr Speaker, Sir, how do you explain the Opposition Members refusing to accept transparency and accountability? I see no reason why the hon. Members on the other side of the House should be so reticent as to outright reject voting in favour of this Bill. This is more than surprising, Mr Speaker, Sir. *Ont-ils oublié les pétitions électorales qu'ils sont venus avec pour semer le doute dans la tête des Mauriciens et qui ont toutes été rejetées par la cour ? Quand nous agissons pour prévenir des dérapages et assainir la situation, ils refusent de soutenir le projet de loi.*

On one hand, they are crying out loud that things should be changed, and when actions are being taken, they back out, Mr Speaker, Sir. They view this Bill as inadequate, restrictive and to crown it all, engaging mudslinging. All this without bearing in mind the number of positive that are highlighted in this Bill. They talk about political mileage we are trying to gain. What is the bottom-line? Elections, Mr Speaker, Sir, are a costly process and some occult forces may seize us as a boom to use their financial leverage to squeeze personal benefits.

Mr Speaker, Sir, when we find bank notes stumbling down the safes, the coffers, when we see acres of land being leased to certain close friends without any post-tendering procedures – I won't go into the details right now, I will come later to it – so, the questions are –

- Who is funding the elections;
- Where does the funding comes from, and
- How much?

The Bill makes clear provision so that everybody knows where the money comes from; the amount and its utilisation. *J'éviterai, M. le président, de reprendre les remarques faites par l'honorable Attorney General. Je ne parlerai pas moi des millions dépensés sur les produits Louis Vuitton ou Chanel.* Now, Mr Speaker, Sir, with this Bill, we shall know for sure through this legislation that promises to dot the i's and cross the t's for political financing. The recipients of monetary donations will have to keep a register with the dates they have received the files,

with the names of the donors and their addresses and they will also have to state and report on any unused, unutilised donations.

Mr Speaker, Sir, the hon. Members on the other side of the House should not come back with their lame excuses of *manque de consultation ou de consensus*. The hon. Prime Minister made it very clear during his Second Reading of the Bills that plenty of opportunities had been provided for comments and proposals from within and outside the House as far back as in April 2024. Views, opinions and proposals were definitely received from many bodies: the International Institute for Democracy and Electoral Assistance, Transparency Mauritius, Business Mauritius, the Electoral Commissioner and the FCC. They all commended the Bill. The International Institute for Democracy and Electoral Assistance went further stating that the provisions were very much in line with the global regulatory trends, Mr Speaker, Sir.

But Members on the Opposition did not deem it important to bring in their contribution. It was too underneath them to do so, and I am being mild, Mr Speaker, Sir. *Quel culot de venir maintenant parler de manque de consultation, de manque de consensus ! M. le président, quelle hypocrisie ! Ils ont tous reçu ces projets de loi, but they didn't deemed it fit for them to come and to give any proposal or to make any suggestions. Le leader du MMM, l'honorable Paul Bérenger, nous demande d'attendre qu'il vienne lui avec un bon projet de loi ; un projet de loi, M. le président, digne de ce nom. Mais franchement, soyons sérieux ! Pour quelqu'un qui a passé sa vie à dire que nous avons un devoir de venir avec une législation par rapport au financement des élections, lui-même, il a, dans pas moins de trois fois, dressé les barrières, des obstacles et a refusé de voter ces projets de loi !*

Cela même quand il était Premier ministre ! Quand les recommandations du Select Committee présidé par l'Attorney General, l'honorable Leung Shing, à l'époque, sont venus, on n'a jamais pu venir avec un projet de loi à l'Assemblée parce qu'il y a toujours eu des barrières. Il y a toujours eu de la réticence, M. le président. J'ai parlé de l'époque de 2000 à 2005. Ensuite, en 2019, quand le projet de loi fut présenté à l'Assemblée nationale, encore une fois, non, ils ne voteront pas. Et cette année-ci, aujourd'hui, en 2024, ils gardent toujours la même position.

Mr Speaker, Sir, it is unfortunate, but true that traditionally and over the years, many negatives have been associated with political financing. When the financing is unregulated, a number of ills may well arise, Mr Speaker, Sir. Some donors may well be expecting favours in return for financial support provided. If these donors happen to belong to the sectors like business and the like, there may be a perception that such financing may influence policies in their favours, in the interest of some corporate donors and often to the detriment of public interest.

Mr Speaker, Sir, scandals linked to political financing need to be addressed urgently to avoid risks of clientelism. We have in this very House, Mr Speaker, Sir, heard of the infamous case of unsolicited bid or should I rather say the handing out of State land at Agaléga as lease for projects for the construction of chalets without any call for interest or any tendering procedures, Mr Speaker, Sir.

Mr Speaker, Sir, we are talking about 87 acres of land, followed by 25 acres of land with a total of 400 meters of beach frontage to a private operator without any call for interest. If this is not clientelism, Mr Speaker, Sir, then what is! Mr Speaker, Sir, in effect, if we make a brief recapitulation of the Bill, it simply seeks to regulate donations such that when they are handed over to political parties or individuals, these are registered. Limits on expenses during the electoral period are imposed as are the number of temporary campaign quarters, *baz*, during elections.

This Bill, Mr Speaker, Sir, covers a vast territory. It does not only set clear guidelines regarding donations: monetary and in kind; it also imposes obligations relating to the keeping of records for a sound submission of returns of election expenses.

Mr Speaker, Sir, the purpose should be clear to all, an uptick for fairness and accountability and a downtick for improper influence in political financing. And, the Bill presented to the House, Mr Speaker, Sir, is in line with the recommendations of the United Nations Convention Against Corruption and the African Union Convention on Preventing and Combatting Corruption.

Therein, Mr Speaker, Sir, lies the relevance of reading the Constitution (Amendment) Bill and the Political Financing Bill together since the role of the Electoral Commissioner

becomes now even more prominent. The Commissioner is being empowered to assume a supervisory role to oversee the financing and is being vested with investigative powers. The production of a report on political donation is also part of the Commissioner's responsibility.

M. le président, permettez-moi d'ouvrir une parenthèse pour souligner que j'apprécie fortement le changement d'attitude des membres de l'opposition vis-à-vis le Commissaire électoral. Ceux qui demandaient tantôt sa démission ont changé d'avis. *I am glad to note that his integrity is no longer doubted nor questioned and that brings hope to the diligence in the fulfilment of his future role. Mr Speaker, Sir, I have listened to hon. Uteem taking exception to section 22 (3) of the Bill that states –*

“(3) Where writs for a general election have been issued, no application for registration shall be entertained by the Commission during the period starting 5 days after the day on which the writs are issued and ending on the day on which the election results are proclaimed.”

The contention rests, according to the hon. Member, on the fact that, and I quote, Mr Speaker, Sir, –

“(...) un parti politique n'a que quatre jours, (...) quatre jours pour s'enregistrer et dans ces quatre jours-là, ils doivent trouver le leader, leur trésorier, les office-bearers, le président, le secrétaire. Ils doivent aussi pouvoir ouvrir un compte bancaire.”

Mr Speaker, Sir, he caps it all by wondering whether le but de ce projet de loi n'est pas d'empêcher un maximum des partis de l'opposition et des candidats des partis de l'opposition d'avoir de l'argent pour les élections. Mais franchement, M. le président, ces gens doivent vraiment vivre dans un autre monde. Si un parti à l'intention de participer à une joute électoral, de surcroît une élection générale, on s'attend à ce que ce parti soit déjà structuré et ce n'est pas la dernière minute qu'il ira chercher son leader, son trésorier et je ne sais quoi encore. Do we really expect that political parties that are genuine and committed to their identified missions to wait for the writs of election to be issued for them to look for their office-bearers.

At one time in the 2019 Political Financing Bill, the argument was also brought forward by the Opposition and it was that in case of rejection an application for registration by the ESC, there was no right of appeal. Mr Speaker, Sir, this point was well taken and heard and now this

has been taken care of in this present Bill. The crux of the matter, Mr Speaker, Sir, where financing of political parties is concerned resides ultimately in the matter of donations made.

Donations, we all know, may well come from deep ideological conviction or to multiple other reasons. Sadly, however, they are not all provided in a spirit of disinterestedness. This is why section 9 clearly delimits the frontiers of acceptability. Who in this House, Mr Speaker, Sir, can or will quarrel with the fact that donations cannot be accepted from a religious body or a statutory body or again a non-Government organisation which is in receipt of subsidy or grant from Government. Can we ever say 'yes' to an offer of donation when it is suspected to originate from the proceeds of crime?

There are others as well that have to be placed on the other side of the wall. A foreign Government, a foreign entity whose motives may well be eminently suspect. Allow me here, Mr Speaker, Sir, to highlight that as a sovereign nation the very idea of external interference in the internal affairs of our country and elections should be obnoxious to us all in this House. I also appreciate that one cannot accept donations from an anonymous source for, Mr Speaker, Sir, once we start there is no knowing where and when to stop. *Soit on a assimilé la situation, soit on ne le fait pas.*

Seen from that angle, Mr Speaker, Sir, it is evident that other guard rails are necessary to ward off the potential of lack of transparency; these have also been put in this Bill. The private companies have to get their official imprimatur before from their boards prior to the sanctioning of a donation. Again, the principle of disclosure in financial statements of amount of donation given, monetary or in-kind as well as bestowments to be made in cash, by cheque or by electronic means would help to ensure the above board nature of the donation.

Mr Speaker, Sir, there is one element underlying the Bill before the House that I would wish to highlight. It is something that has been hardly talked about and thus rarely heard. Anonymous or even undisclosed donations tend to nail the coffin of transparency. This Bill fixes the spotlight on the necessity to eliminate the negative effects of non-accountability for funds received by political parties. Some may not be happy about that but then again that is the legitimate expectation of the population. Let me ask a question, is it not a right for voters to know who are those individuals or entities or organisations that fund political campaigns? Is it not a duty on part of political leaders and their parties to be transparent?

We know that misappropriation of funds or any such fund related scandal has adverse effects resulting in misgiving and mistrust of a political body. Should that ever happen, once the harm is done, once the slanders take root, efforts in sanitising the system will ultimately prove to be inadequate and futile. Would we genuinely wish to witness an erosion of the public trust in not only the elected officials but in the entire system? Have we not shocked people enough with the bank notes tumbling down the coffers?

M. le président, il faut être de mauvaise foi pour venir dire qu'on ne votera pas ce projet de loi et cela pour des raisons farfelues telles que les élections sont proches, parce que c'est contre l'intérêt des petits partis et j'en passe. Il n'y a pas un membre de l'opposition qui est venue avec des propos solides ou des commentaires raisonnables. C'est en effet une reconnaissance implicite du fait que ce projet de loi présenté par ce gouvernement contient les propositions qui sont très valables, juste et assurant la transparence. Eux ils ne trouvent rien de concret à dire, pas un seul argument, M. le président.

Je suis à la fois peinée et choquée d'entendre ces honorables membres d'en face – enfin ils ne sont plus là – venir dire que pour assimiler la situation, ils viendront eux avec un projet de loi, leur projet de loi à eux. Ils ont tous vu ces sommes faramineuses, ces nouveaux billets bien coupés, *kram kram* sortant des coffres de leur allier. Mais ils ne veulent guère éviter une répétition de ce spectacle à travers les garde-fous énoncés dans ce projet de loi. Ces honorables membres de l'opposition qui sont venus avec plus d'une dizaine de pétitions électorales insinuant qu'il y a eu du *money politics* sont paradoxalement réticents aujourd'hui à voter ce projet de loi qui prône la transparence dans le financement des élections.

C'est l'hypocrisie à son apogée, M. le président, et comment ne pas parler de cette ironie? On vient pointer du doigt le *Sun Trust* un quartier général qui sert comme lieu de rencontre, de rassemblement de tous les membres et les adhérents de ce parti car ils méritent bien un lieu digne et accueillant pour organiser ses activités.

Le Sun Trust démontre clairement à ceux qui ont contribué pour le parti que les donations ont été utilisées à bon escient. On n'a pas rempli les coffres-forts, M. le président. C'est une autre culture ; la culture MSM est une culture transparente. Pendant que ces gens de l'autre côté de la Chambre, eux, préfèrent entasser des liasses de billets, que dis-je des millions de roupies, des devises étrangères jamais utilisées sur le circuit local et cela, dans les coffres-forts. Et quand

on questionne l'origine de cet argent – d'où provient-il? Mystère, mystère, M. le président. Silence assourdissant !

Car, M. le président, le leader du Parti travailliste, ancien Premier ministre, a choisi de garder le silence. Généreuse donation, M. le président. Je pense que le peuple suit de près ce qui se passe et la population sera en mesure de juger la sincérité de ces honorables membres de l'opposition. Leur réticence d'apporter plus de transparence en refusant de voter ce projet de loi sera aussi inscrit dans l'histoire, M. le président.

Mr Speaker, Sir, supporting and voting this Bill is an unequivocal step towards strengthening our democracy and ensuring the integrity of our political process. The robust oversight provisions embedded in this Bill guarantee effective monitoring and enforcement leaving no room for doubt about the effectiveness. Opposing such initiatives without any valid reason is nothing but a blatant attempt to undermine our efforts to enhance transparency and accountability in our electoral system.

By backing this Bill, the Leader of the House and members on this side of the House are championing a more transparent, accountable and democratic future for our nation. And let me Mr Speaker, Sir, thank the hon. Prime Minister for his courage and his determination for presenting this pieces of legislation to the House.

L'histoire retiendra que l'honorable Pravind Kumar Jugnauth, Premier ministre, a eu le courage, la détermination de venir en avant avec cette législation à deux reprises mais que le Parti travailliste, le MMM et l'opposition dans son ensemble, a refusé de voter pour ce projet de loi, de voter pour la transparence, de voter pour la redevabilité dans le financement des élections. They are voting Mr Speaker, Sir, against transparency and accountability in political financing.

L'histoire retiendra cela aussi. M. le président, merci pour votre attention.

Mr Speaker: Hon. Members allow me to welcome hon. Collendavelloo, who is attending this Sitting although not completely recovered from his illness.

I will now call the hon. Deputy Prime Minister.

(5.00 p.m.)

The Deputy Prime Minister: Merci, M. le président. La démocratie est-elle en péril? La démocratie est-elle menacée? C'est la question que je pose aujourd'hui. C'est la question que je

me pose et que je pose à notre Assemblée nationale, car, M. le président, je crains que la démocratie, fondée sur le principe d'une personne, un vote, doit faire face à un grave danger, celui d'être pris en otage par l'argent privé. Je ne me réfère pas à la seule République de Maurice. Je me réfère à toutes les démocraties ; des États-Unis d'Amérique au Chili, de la Grande-Bretagne ou la France jusqu'à l'Afrique du sud, de l'Inde à l'Australie.

La réalité c'est que les candidatures, les campagnes électorales et même le libre arbitre de l'électeur sont désormais sous l'influence sans cesse croissante du pouvoir de l'argent, ce que les observateurs, les commentateurs appellent le *Money Politics*.

Et voilà donc le pourquoi de notre démarche. Afin de résumer mon argumentaire M. le président, je vais me reposer sur cinq constats que j'emprunte à Julia Cagé, Professeur d'Économie à Science Po Paris pour vous livrer l'analyse sans complaisance qui est la mienne après sept participation aux législatives et deux participations aux municipales au cours des derniers 33 ans.

Premièrement, la démocratie a un coût. De fait, les parties politiques et les candidats aux élections doivent faire face à d'énormes dépenses et ce ne sont pas nos plus jeunes députés qui me démentiront ; à d'énormes dépenses dont ils ne peuvent s'acquitter sans un apport financier qui disqualifie le citoyen moyen et défavorise les partis antisystèmes.

Deuxième constat, les citoyens ne sont pas égaux quant à la profondeur de la poche. Je cite –

« Seuls les candidats connectés peuvent se présenter avec une chance de l'emporter. Un homme politique sera d'autant plus susceptible d'accepter pots-de-vin et financements occultes s'il doit dépenser plusieurs millions pour avoir une chance d'être élu. »

Troisième constat, cette lacune favorise certaines dérives et permet aux partis politiques bénéficiant de financements occultes de la part des riches et des puissants, d'avoir un avantage certain ce qui pousse les observateurs à nous dire que –

« La démocratie, c'est à qui paye gagne. »

Quatrième constat, si on ne limite pas le poids de l'argent privé dans le jeu politique alors les hommes politiques seront condamnés à continuer à courir derrière les chéquiers et ce sont les seules préférences de plus favorisées qui seront représentées demain.

Et cinquièmement, il y a donc urgence à mener des réformes afin que soit contenu le rôle de l'argent privé dans le fonctionnement de la démocratie et restaurer le principe fondateur de toute démocratie: *Une personne, une voix !*

Donc, ce qui m'amène à dire M. le président, quand l'absence de financements publics, la démocratie risque d'être prise en otage par le financement privé. Voyez le rôle croissant joué par l'argent dans nos démocraties. Un des chercheurs que je lisais constatait que l'argent se tient désormais au centre du jeu politique. Et les dons privés des plus favorisés ont un impact non négligeable sur les résultats des élections. Le Rapport Sachs il y a 20 ans, 20 longues années, nous le rappelait déjà. Je cite –

“There is no need to insist on how powerful and rich corporations have, through financial pressure, tried the world over to influence those likely to exercise political decisions”.

Rapport Sachs, il y a plus 20 ans. Quelques exemples –

- Savez-vous qu'en France comme au Royaume-Uni, les 10 % des plus gros donateurs représentent plus de deux tiers du total des dons?
- Savez-vous qu'en Allemagne, la firme Philip Morris finance à la fois la CEDEAO, la CSU, le FDP et le SDP? Et, fait exceptionnel en Europe, on a dû attendre 2022 pour que l'Allemagne interdise finalement la publicité pour le tabac – Philip Morris.

La démocratie, nous dit Julia Cagé, repose sous une promesse d'égalité, qui trop souvent vient se fracasser sur le mur de l'argent.

Voyons les dépenses électorales moyennes des candidats victorieux aux élections parlementaires –

- Aux États-Unis, les dépenses moyennes pour un candidat victorieux élu au Sénat seraient en 2016 de plus de 10 millions de dollars. En 2016 !
- En France, il est estimé cette année qu'un candidat aurait dû dépenser jusqu'à 60 000 euros pour se faire élire.

- Au Royaume-Uni, une étude de 2018 nous dit que les candidats du Parti conservateur ayant remporté les élections avaient dépensé en moyenne plus de 121 000 livres sterling. Le journal *The Independent* qui commente “*Ordinary people are being priced out of standing for Parliament by the huge personal cost of becoming a party candidate (...).*”
- En Inde, en 2018, on a calculé que les dépenses moyennes d’un candidat victorieux se montaient à 1,7 million d’euros.

Voilà la réalité des faits, M. le président !

À Maurice, nos dispositions existantes datent de la Constitution de 68 et de la *Representation of People Act* de 1958, même s’il y a eu plusieurs retouches, dont la dernière remonte à 2016. Les dépenses autorisées des candidats se montaient en 1958 à 800 roupies, mais uniquement pour *living expenses et petty expenses*. Puis, pour les *party candidates*, les candidats appartenant à des partis politiques, elle passe à 20 000 roupies en 1985 et à 200 000 roupies maximum pour les législatives en 1989. 35 ans après, le plafond est fixé. Il n’y a pas eu de mises à jour depuis. Et même là, c’est le plafond de 1989. 12-13 ans plus tard, le rapport *Sachs* nous dit “*it is common knowledge that these ceilings on expenditure are observed only in their breach*” ; le rapport qu’avait cité notre Premier ministre lors de la présentation des projets de loi qui sont devant nous.

Donc, la dernière fois que le plafond a été relevé, c’est 35 ans de cela. Dans les faits, il n’y a que deux obligations qui s’imposent aux candidats –

- i. de respecter ce plafond, et
- ii. de présenter un rapport à un magistrat dans un délai imparti après les élections.

Ensuite, bien sûr, il y a dans notre législation des dispositions relatives aux infractions à la loi, telles que la fraude électorale, mais aucune mention concernant la limite de dépenses d’un parti ou d’une alliance. Cela n’existe tout simplement pas dans notre loi électorale.

C’est à se demander s’il y a réellement, dans les faits, une réglementation quelconque des dépenses électorales. Et que nous apprend l’histoire ? La Genèse de ce débat relatif au financement des partis politiques remonte, je crois, aux années 80. Je me souviens très bien

qu'en 1995, lors de l'Alliance Parti travailliste-MMM qui se proposait de moderniser Maurice et de tout changer, le discours programme présidentiel prononcé donc après l'arrivée au gouvernement du Parti travailliste- MMM disait déjà en 95 : *“Government is concerned with the influence of private political funding of political parties and its potential effect on the decision making process.”* 95 ! Pratiquement 30 ans de cela. Lourd sens.

Et que se passe-t-il par la suite? Je suis tombé sur un document du MMM produit en avril de l'année 2000 dont le titre, c'est *‘The Financing of Political Parties in Mauritius : MMM’s proposals for Reform and Regulations.’* Ce document rappelle les engagements du manifeste Parti travailliste-MMM de 95. C'est dommage que nos amis du Parti travailliste et du MMM ne sont pas là. Le rapport du MMM, je cite, disait –

“Like so many other crucial aspects of national interest, no action has been taken by the Labour Government on political funding. The MMM condemns the Labour Party for its refusal to engage in a reform of political finance to strengthen democracy in our country.”

En avril de l'année 2000 ! Le MMM d'antan, et que des documents oubliés !

Par contre, 2000 à 2005, dès le discours programme de l'année 2000 du gouvernement MSM-MMM, on annonce la couleur, la commission *Sachs* se met en action et soumet son rapport tout au début de 2002. Il est suivi du comité d'élite du *Select Committee* présidé par notre ami, M. le député, Ivan Collendavelloo – dont je salue le retour au sein de l'Assemblée – et aussi le rapport Leung Shing de 2004, si je ne m'abuse.

Donc, arrivé en 2005, l'on est prêt pour avancer avec des recommandations précises. Le chemin est tout tracé. Après intervient le régime travailliste de 2005 à 2014. La politique du *bouz fixe* ! Rien, absolument rien, pour traiter de cette question du financement de la politique à Maurice. Une léthargie, une absence d'action qui est sévèrement condamnée à nouveau par le MMM, auquel j'appartenais durant toute cette période, comme Alan Ganoo et d'autres de ce côté de la Chambre.

Ensuite, c'est le retour aux affaires du MSM en compagnie du PMSD et du ML, et tout de suite, l'action du régime 2000-2005 reprend. D'ailleurs, il est intéressant qu'en 2014, qu'à la fois, le manifeste de l'Alliance MSM-PMSD-ML et le manifeste du Parti travailliste-MMM se

réfèrent à une nouvelle loi, mais aussi à l'octroi de pouvoir accru non seulement de l'*Electoral Commission*, mais aussi à l'*Electoral Supervisory Commission* qu'ils ont venus par la suite critiquer.

Il y a eu le comité interministériel présidé par le Premier ministre adjoint d'alors, M. le député, Xavier-Luc Duval, puis celui présidé par Sir Anerood Jugnauth, qui débourse sur le projet de loi de 2019. J'ai fait l'objet d'attaques de la part du leader de l'opposition quant à un prétendu volte-face, *a big U-turn!* Donc, je voudrais, avec votre permission, M. le président, retourner sur les prises de position de mon parti, la Plateforme Militante, qui fait de cette question un élément central de notre programme politique dès notre création, donc dès le début de 2019.

Alors, afin de diminuer le rôle pernicieux de l'argent privé dans la politique, la Plateforme Militante propose de s'attaquer aux items de dépenses, aux principaux items de dépenses, donc de diminuer la somme d'argent que doit dépenser un candidat. Quels sont les items principaux ? Nous les connaissons, les *baz*, ces quartiers généraux qui poussent comme des champignons à tous les coins de rue lors d'une campagne électorale ; l'organisation de meetings et de réunion ; location de salles ; moyens de transport ; campagne de communication ; banderoles ; oriflammes ; affiches ; transport des électeurs et rémunérations des agents quand cela s'avère nécessaire lors des campagnes électorales.

Deuxième proposition c'était d'assurer le financement public de la démocratie, par exemple : le transport des électeurs, la mise à la disposition des salles de l'État, de registres électoraux, etc. Troisièmement, limiter les dons privés ; le montant des dons monétaires et en nature. Quatrièmement, limiter les dépenses autorisées et cinquièmement, renforcement des sanctions allant jusqu'à la disqualification. C'est ainsi qu'au lendemain de la présentation des projets de loi en 2019, nous tenons une conférence de presse citée par le leader de l'opposition mais avec des citations sélectives et ce que nous disons alors, c'est que le fait d'agir du gouvernement de l'époque, le simple fait d'agir était positif en soi et que c'était un pas historique.

Nous avons alors regretté le timing parce que le projet de loi avait été introduit quatre ou cinq mois avant des élections générales en disant que cela créait un soupçon de dessin de partisans mais aussi pour l'opposition une tentation de posture démagogique, *pandering to public*

opinion et nous regrettons le financement de l'État évacué pour cause d'impopularité parce que les médias ont souvent présenté le financement public comme donner de l'argent du contribuable au leader des partis politiques. Et nous réclamions donc des mesures immédiates telles que l'interdiction du transport des électeurs, vous savez, M. le président, sans doute que cela est considéré en Grande-Bretagne depuis 1988 comme une forme de corruption et le transport d'électeurs est interdit en Inde. Nous proposons un seul quartier général par centre de vote, reprenons les dispositions, les propositions de la loi, l'interdiction d'oriflammes et de banderoles dans les lieux publics tels que recommandé par le rapport Leung Shing de 2004, l'interdiction d'agents rémunérés tels que recommandé par le rapport de Leung Shing, l'interdiction des dons de l'étranger. À l'époque nous étions en faveur des dons des mauriciens à l'étranger mais aujourd'hui je suis convaincue que cela ouvre la porte à des financements, occultes, illicites et cela peut-être très dangereux pour la transparence. Et nous proposons aussi l'interdiction des dons des compagnies d'État, donc des items, des éléments qui se retrouvent dans la loi de 2019 et dans les projets de loi d'aujourd'hui.

Ensuite, arrivent les élections de 2019, je crois que le Premier ministre l'a souligné. La proposition d'introduire une nouvelle loi sur le financement figure dans notre manifeste de l'Alliance Morisien, dans le manifeste du MMM mais pas dans celui du parti Travailleiste. Rappelez-vous l'absence d'action de 1995 à 2000, le fait que rien ne se passe de 2005 à 2014 et coïncidence, le manifeste électoral du Parti travailliste en 2019 ne se réfère pas à une loi sur le financement des partis. Que se passe-t-il après 2019 ? Il se passe la Covid et pendant deux ans à deux ans et demi, tous les efforts du gouvernement se focalisent sur le comment de surmonter le risque, le danger posé par la Covid et de relancer notre économie mais dès 2022, un comité interministériel présidé par le Premier ministre lui-même se met en place. Et ce comité interministériel, j'en suis témoin, va commencer par analyser dans le détail les prises de position des députés de l'opposition en 2019 pour voir si et comment on peut inclure ces propositions, grandes propositions il y avait.

Ensuite, au début de cette année, les consultations deviennent possibles. Les projets de loi que nous avons devant nous sont expédiés à chaque député de cette Assemblée et ceux sont disponibles en ligne. Certaines organisations, certains individus réagissent mais silence radio du côté de l'opposition, aucun commentaire, aucune réaction, aucune proposition.

Néanmoins, le Comité interministériel et j'en suis témoin, je peux en témoigner, analyse au cas par cas toutes les représentations qui nous sont faites et le projet de loi évolue parce que là où cela s'avère possible, nous incorporons les propositions qui nous sont faites pour aboutir sur les projets de lois qui sont devant nous. Donc, la plateforme militante, évidemment aurait souhaité dans l'idéal que nous allions beaucoup plus loin et beaucoup plus vite pour limiter les dépenses et introduire le financement public des élections ou de la démocratie. Mais la question essentielle aujourd'hui c'est : quelles sont les réformes qui doivent sans tarder être reconduites afin que soit contenue le rôle de l'argent privé dans le fonctionnement de la démocratie ?

La réalité nous impose de saisir les forces en jeu aujourd'hui et de proposer des alternatives concrètes, crédibles et efficaces et c'est ici que je voudrais saluer l'initiative du gouvernement présenté par le Premier ministre et dire toute notre solidarité entière avec les propositions qui sont devant l'Assemblée nationale aujourd'hui. Ces deux projets de loi qui sont devant nous constituent un pas en avant, un pas sans précédent et quel pas ? Un pas historique, qui vient proposer l'obligation obligatoire des partis qui prétendent recevoir des dons, pas de don sauf à un parti ou individu enregistré à cette fin auprès des instances régulatrices et j'ai entendu le député Uteem exprimer son désaccord. Deuxièmement, la définition dans la loi des dons en nature, une définition encore plus large que celle de 2019. Troisièmement, l'obligation pour une entité privée de divulguer tous dons à des fins politiques et j'entends les protestations de Monsieur le député Ramful mais qui veut en même temps réguler le financement de la politique sans nous dire comment. Quatrièmement, l'obligation de déclarer les dons en nature. Cinquièmement, l'interdiction de don anonyme ou d'entreprise d'État ou d'un corps religieux ou de l'étranger à cause du risque de financement illicite et l'impératif de préserver l'indépendance et la souveraineté du processus électoral mauricien.

Ensuite, l'obligation faite aux récipiendaires de dons politiques de tenir des comptes financiers transparents et les soumettre à un contrôle régulier par les organismes compétents. Ensuite, l'obligation faite au Commissaire électoral de faire rapport auprès de l'Assemblée nationale, donc auprès du législatif. Ensuite, les amendements constitutionnels pour permettre la dotation au pouvoir de contrôle de *l'Electoral Commissioner* et de *l'Electoral Supervisory Commission* et je crois que j'ai entendu M. le député Xavier Duval souligner l'évolution positive

dans le dernier projet de loi à cet effet. D'ailleurs, des pouvoirs de contrôle qui seraient sujet néanmoins aux recours garantis au judiciaire.

Ensuite, les sanctions pour agissements non conformes aux dispositions légales. Donc, avec des effets dissuasifs. Et finalement, les amendements au *Representation of People Act* pour revoir les limites de dépenses imposées aux partis et alliances de partis, la limitation des dépenses associées aux élections telles que la prolifération des bases, véritable trou sans fond.

Là aussi, j'ai écouté les calculs d'arithmétiques de certains députés de l'opposition nous disant que cela équivaut à trop d'argent mais aucune contre-proposition, nous disant concrètement si ce n'est le plafond proposé par le gouvernement, que devrait-il y avoir comme plafond? C'est ainsi que nous avons, il y a quelques jours de cela, lancé un appel public à l'opposition pour qu'elle assume ses responsabilités en démontrant d'abord un sens de responsabilité et deuxièmement, pour qu'elle fasse preuve de sérieux et troisièmement, qu'elle fasse preuve de cohérence.

Sens de responsabilité de par sa présence lors des débats à l'Assemblée nationale. Certes, ils ont participé aux débats jusqu'à la dernière fois mais regardez aujourd'hui, le spectacle pitoyable que nous offre les bancs de l'opposition. Merci au PMSD et Monsieur le député, Bodha d'être au moins là, présents Au moins eux, ils ont le sens de la responsabilité de député. Nous avons tous un devoir de présence que l'on soit de la majorité ou de l'opposition.

Deuxième appel c'était faire preuve de sérieux, de venir avec des propositions alternatives et constructives. Avez-vous entendu une seule contre-proposition de Monsieur le leader de l'opposition? Aucune! De M. le député Paul Bérenger? Aucune ! De M. le député Ramful? Aucune. De Monsieur le député Mohamed? Aucune ! Et l'honorable Ramful nous parle de maintenir *the privacy of the donor*. Et comment, dès lors réguler le financement de la politique? Donc, du sérieux ; je n'ai pas constaté du sérieux de la part de l'opposition. Ensuite j'ai demandé à ce qu'on fasse preuve de cohérence parce que lors du débat de 2019, il y avait différentes prises de position. Au sein même du Parti travailliste, les députés se contredisaient. Cette fois-ci, il y a eu encore moins de propositions mais néanmoins, j'ai entendu le député Bérenger lors de son discours plus qu'expéditif prendre l'engagement comme à son habitude de proposer une bonne loi une fois qu'ils seront au gouvernement. C'est leur mission au gouvernement.

Quelle est cette bonne loi? Personne ne le sait. Mais le pire c'est que parmi les autres députés de l'opposition, personne n'a pris un tel engagement sauf le leader de l'opposition mais lui semblait favoriser plutôt un *serious fraud office*. Ce qui semble suggérer qu'il n'y a pas eu à ce stade aucune réflexion sérieuse au sein de l'alliance Parti travailliste/MMM. Quand un projet de loi hypothétique pour traiter de cette question du financement de la politique, un engagement du MMM qui reflète tous les manifestes électoraux du MMM depuis 2015 mais une timidité frappante du Parti travailliste de s'engager dans ce sens. Et le résultat final, je me dis pourquoi l'opposition n'aurait-elle pas pu voter ces deux projets de loi comme un premier pas plus qu'elle nous dit être sûr d'être au gouvernement après les prochaines élections, elle l'aurait fait évoluer.

Pourquoi ne pas avoir présenté un projet d'amendement à nos projets? Pourquoi vous n'êtes pas venus avec une contre-proposition précise en nous disant – si vous acceptez cette proposition, nous votons la loi? Mais, il n'y a eu rien, parce que la vérité c'est qu'il n'y a aucun accord entre eux, aucun projet commun et une fois de plus, je constate que le MMM se fait avoir par le Parti travailliste. Je ne crois pas qu'il pourrait remporter une élection mais si par malheur, cela se faisait dans le pire des cas, le Parti travailliste ne ferait rien pour adopter un tel projet de loi et mes collègues de ce côté de la Chambre ont bien expliqué pourquoi. Je ne vais pas y revenir.

Donc, en conclusion, M. le président, la réalité c'est que la démocratie, oui est en péril si nous n'agissons pas. Nous dire que la démocratie repose sur une promesse d'égalité qui trop souvent vient se fracasser sur le mur de l'argent n'est que trop vrai. Il faut agir, il faut agir concrètement et il faut agir vite.

Rien n'obligeait le Premier ministre et le gouvernement à présenter ces projets de loi. Il aurait été tellement aisé que nous venions dire à cause du Covid on n'a pas eu le temps. À cause de l'attitude de l'opposition, c'est peine perdue. Mais non, c'est dans le respect des engagements pris que nous nous sommes sentis le devoir de présenter les projets de lois qui sont devant la Chambre.

Les projets de loi qui introduisent pour la première fois, qui se proposent d'introduire pour la première fois, mise à part le projet de loi de 2019, le principe de la transparence et de la redevabilité comme l'a dit si bien avant moi, Madame la ministre de l'Éducation, dans le financement de la politique. Une fois de plus, ce qui, pour le MMM reste une déclaration

d'intention jamais concrétisée, nous la traduisons dans la réalité, dans le concret. L'histoire retiendra le comportement indigne et irresponsable de l'opposition Travailleuse/MMM. Ce que nous proposons de faire était un pas historique et sans précédent mais une fois de plus, cela sera probablement une occasion ratée à cause du comportement de cette opposition Travailleuse/MMM.

Mais l'histoire retiendra aussi cet acte de courage de la part de notre Premier ministre et de notre gouvernement.

Mr Speaker, Sir, let history judge! Merci, j'en ai terminé.

Mr Speaker: Hon. Members, I suspend the Sitting for 30 minutes.

At 5.34 p.m., the Sitting was suspended.

On resuming at 6.13 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated!

Now, I call the hon. Prime Minister!

(6.13 p.m.)

The Prime Minister: M. le président, nous continuons les débats sur *The Constitution (Amendment) Bill* et *The Political Financing Bill* ; deux projets de loi extrêmement importants pour le pays, pour la population, et pour les partis politiques. Que voyons-nous aujourd'hui ? Alors que moi, en tant que Premier ministre qui a présenté ces deux projets de loi, je fais mon *summing-up*, à l'exception du PMSD, dont l'honorable Xavier-Luc Duval et l'honorable Armance, et l'honorable Bodha, tous les bancs de l'opposition sont vides. Le Parti travailliste, le MMM et les Nouveaux Démocrates, à l'exception de ceux que j'ai mentionnés, sont tous absents !

Et savez-vous où ils sont ? Nous étions là pendant le *tea break*, tandis que certains sont en train de se reposer dans le salon, le *receptorium*, et d'autres qui ont eu faim et soif sont à la buvette.

M. le président, je le dis avec tout le sérieux, et non parce que j'ai envie de faire une blague, car, moi, j'étais là, à écouter tous les intervenants. Au moins, ceux qui sont intervenus du

côté de l'opposition - comme je l'ai dit, à l'exception de l'honorable Xavier-Luc Duval et de l'honorable Bodha - auraient dû être là pour m'écouter, parce qu'ils ont fait des critiques ; au moins pour écouter ma réaction, mes explications, les éclaircissements, et répondre à ce qu'ils ont dit. C'est cela la version, la définition de la démocratie de la part du Parti travailliste, du MMM et des Nouveaux Démocrates. Je dis, M. le président, c'est une opposition, MMM-Travailliste-Nouveaux Démocrates, indigne pour représenter cette population.

Mais, néanmoins, nous, nous avons un travail sérieux. Comme je l'ai toujours dit, nous savons exactement où nous allons, nous savons exactement nos responsabilités, nous savons *that we have to deliver on what we have promised to the people* et c'est ce que nous sommes en train de faire aujourd'hui.

So, let me first thank all the hon. Members first from this side of the House, who have intervened and those who are outside the House, who are enjoying themselves, who have intervened and contributed to the debate on these, as I said, two historic Bills.

Mr Speaker, Sir, as I stated in my Second Reading Speech on Tuesday last, these two Bills have the lofty objectives of enhancing transparency and accountability in political financing and strengthening our democracy. I stressed on the fact that, for too long, political donations in our country have been shrouded in secrecy and opacity, leaving our political system exposed to the risks of policy capture and distortion of the democratic process. I also explained how the absence of an effective regulatory framework for political financing not only precludes a scrutiny of the sources of funding of parties, but it also prevents an assessment of the lawfulness of such donations and fuels all sorts of suspicion around this issue.

Mr Speaker, Sir, I have listened carefully to all the interventions, and I must say, that I am, once again, extremely disappointed by the stand taken by the Opposition on such important pieces of legislation with laudable objectives. I must also say that I am surprised at the tenor and superficiality of their so-called arguments, most of which are totally untenable, and I would say some are simply ridiculous. *Heureusement que le ridicule ne tue pas, M. le président.* In fact, they have no arguments at all. What we have heard from the other side since Tuesday last, were only lame excuses, which betray their hypocrisy and bad faith. I was honestly not expecting anything better from the Labour Party. But for a party like the MMM, which has always claimed

to be “*progressiste et avant-gardiste*”, one would expect that they would, on such an important matter, stay true to their values, which they usually boast of, and would not, at least this time, betray their own identity. I was hoping that they would rise above petty politics, and allow the national interest to prevail over political and personal ego. But, perhaps I was a bit too optimistic. The whole Opposition, once again, missed the forest for the trees and failed lamentably to see the bigger and more important issues around political financing embodied in these Bills. *C’est, encore une fois, une occasion ratée*. It is indeed a sad day for our democracy.

Mr Speaker, Sir, Members from this side of the House have very proficiently rebutted all their arguments and exposed their bad faith. Nevertheless, I would like to respond to a few points, which were raised by some Members from the other side, in order to call their bluff and also to dispel any remaining doubt or confusion that they may have created in the minds of the people.

Mr Speaker, Sir, the Leader of the Opposition and several other speakers from the Opposition have stated that there were no proper consultations on these Bills before their introduction. I think they did not pay enough attention to the content of my Second Reading speech. I very clearly explained, and the whole nation is aware, that Government had indeed carried out wide consultations on its proposals on political financing. As a matter of fact, on 29 April 2024, copies of the Bills were sent to –

- (i) each and every Member of the National Assembly personally;
- (ii) the Electoral Supervisory Commission;
- (iii) the Electoral Commissioner;
- (iv) the Financial Crimes Commission;
- (v) Business Mauritius, and
- (vi) the International Institute for Democracy and Electoral Assistance (International IDEA).

I also mentioned that a copy each of the two Bills was also posted on the website of the Prime Minister's Office and members of the public were invited to submit their views, comments and/or counter-proposals.

Mr Speaker, Sir, following the consultation exercise, my Office has indeed received comments and counter proposals from several stakeholders, including International IDEA, who made some very favourable comments on the Bills. All the constructive counter-proposals received were duly examined and taken on board. This is precisely the reason why certain aspects of the present Bill are different from the 2019 Bill. This is also testimony of the fact that we are a Government that favours dialogue, are ready to listen, and open to proposals, contrary to what hon. Mohamed wanted to make believe.

But I must remind that the Ministerial Committee did not receive a single counter-proposal from any political party in the Opposition represented in the National Assembly. And listening to this Opposition, I have the impression that, for them, consultation means a right to impose their own point of view.

Mr Speaker, Sir, the Leader of the Opposition and others from the Opposition side also accused the Government of introducing this legislation on the eve of the dissolution of the Assembly. I do not know how they come to know when the Assembly is going to be dissolved, first of all. But let me remind them that the Government has a five-year mandate, the end of which is still four months away. In any case, the Opposition adopted the same negative stand for the 2019 Bill, which was introduced in July 2019, that is, well before the dissolution of the National Assembly in 2019.

But, Mr Speaker, Sir, four months before the National Assembly will automatically be dissolved is, according to the Opposition, on the eve of dissolution. When is it not on the eve of dissolution? Six months? One year? One and a half years? Two years? Three years? Four years? Five years? They will always have a pretext and like the Leader of the MMM, hon. Paul Raymond Bérenger used to say, after every general election, he will keep on saying: "*eleksion deryer laport*" and when he says that, it seems that then, no Government can function because we will be on the eve of general election. Forget about those bills, we won't be able to bring any

bill to Parliament because we would be on the eve of general election. I don't know how, what kind of reasoning is that.

Well, Mr Speaker, Sir, I like watching football and especially, at this time, but a football match is over when the referee blows the whistle and says 'that's over' but in the meantime, you can score, well, you can try to score.

So, our mandate is five years. We are still working and we will continue to work very hard till the end of this mandate!

So, Mr Speaker, Sir, this Government, as I say, is still within its mandate and we have every legitimate right to fulfill the promises which we made to the nation in 2019. These Bills, as I said earlier, are in the national interest as they seek to reinforce our democracy. It is a huge step in the right direction. And as Martin Luther King Jr. used to say, and I quote –

“The time is always right to do what is right”.

And any argument, as frivolous and untenable as it may be, will be good, if one does not have the intention to support these Bills. As Albert Camus said, and I quote –

“Those who lack the courage will always find a philosophy to justify it”.

Mr Speaker, Sir, hon. Paul Raymond Bérenger pleaded in favour of increasing the representation of women in the National Assembly. I heard him saying, loud and clear, that once in power, they will introduce, what he calls “*une vraie réforme électorale avec au moins un tiers des femmes sur la liste des candidats pour les élections générales*”. Mr Speaker, Sir, the House will recall that the same hon. Paul Raymond Bérenger refused to vote in favour of the Constitution (Amendment) Bill of 2018, which precisely one of the aims was to guarantee a better representation of women in the National Assembly. What an irony! Had the Opposition supported the initiative at that time, most probably the configuration in the National Assembly today would have been different.

Mr Speaker, Sir, the House will also recall that it is the MSM-led Government which amended the law to increase participation of women in the Rodrigues Regional Assembly elections. However, it is a matter of deep regret that our attempt to replicate the same formula for

the National Assembly elections was thwarted by the same Opposition which is today pretending to be an advocate of gender balance in politics.

Mr Speaker, Sir, after all, there is no need for legislation for political parties to align more female candidates. It all depends on the parties' philosophy, their foundational values and their sincerity of purpose. I, therefore, hope that hon. Paul Raymond Bérenger will stay true to his words and lead by example by fielding at least one-third or more female candidates for the forthcoming general elections.

Mr Speaker, Sir, I also heard most of the speakers from the opposing side stating that the Bill should have been referred to a Select Committee for a more in-depth discussion.

As I said earlier, the Government did not receive a single suggestion or counter-proposal from this Opposition during the consultation process. They have made extensive comments on the Bills in the media. They were heard on the private radios giving interviews and making all sorts of accusations and imputing ulterior motives to this initiative of Government. But they never deemed it necessary, or cared to make any suggestion or counter-proposals when invited to do so. So, we do not see the rationale of referring the Bill to a Select Committee.

And in any case, there is no guarantee that a Select Committee would have been able to iron out all the issues and secure a consensus over these Bills, given that, in 2019, there were, as we all know, profound dissension among the parties in the Opposition on certain major aspects of the Bill, to which hon. Deputy Prime Minister has referred earlier.

So, we really do not believe that a Select Committee would have been able to resolve all the important differences and find a consensus. I believe that what we need now is action, and this requires courage, determination and strength of purpose, which we do have.

Mr Speaker, Sir, the House must have noted that, at no point in time did the Leader of the Opposition or hon. Paul Raymond Bérenger make any comment on the content of the Bill. They did not mention even a single clause in the Bill. So we are not aware of what are they really contesting in the Bill. Hon. Paul Raymond Bérenger simply said "*nous voulons une bonne loi, une loi digne de ce nom*" which they are going to bring once they come to power. But he did not

give the slightest clue about the content of that “*bonne loi*” and how it would be different, compared to the present one.

Mr Speaker, Sir, the fact of the matter is that, any political financing legislation, worth the name, has got to have certain essential elements for it to be effective, namely an independent oversight mechanism, appropriate record keeping and reporting, sufficient disclosure, and dissuasive sanctions for breaches of the rules. The Political Financing Bill, which is before the House today, does include these fundamental elements that guarantee its effectiveness. There is, therefore, no reason really not to vote for this Bill.

Mr Speaker, Sir, I would like to take a point raised by hon. Ramful and I think hon. Uteem also made the same remark, insinuating that there have been only cosmetic changes in the proposed Bill compared to the 2019 version. This is simply not true. I must say, Mr Speaker, Sir, that the Ministerial Committee has brought certain important changes to the Bill, which are far from cosmetic ones. Some of them were suggested by the Opposition themselves in 2019. And I must say that the Ministerial Committee, Mr Speaker, Sir, has worked very hard and I am happy today to see my friend hon. Ivan Collendavelloo who was part of the Ministerial Committee, who has made valuable contribution.

Together, we looked at each and every criticism that was made by the Opposition then. Let me mention a few of those changes that have been incorporated in the new Bill –

- (i) the ESC will now have to give reasons in case it decides to reject an application for registration made by a political party;
- (ii) provision has been made for a right of appeal in case of refusal of registration by the ESC;
- (iii) the definition of donation in kind has been widened to include high cost items such as marquise, transport and public address system;
- (iv) a party leader, candidates and their agents are now allowed to accept political donations, thus eliminating the apprehended bottlenecks when all donations were required to be channelled through the treasurer only;
- (v) any loan written off will be considered as a cash donation and will have to be accounted for accordingly;

- (vi) in order to reduce burden on political parties, they will no longer be required to have their statement of accounts audited by a qualified auditor before submission to the Electoral Commissioner;
- (vii) non-resident citizens are being included in the list of prohibited donors;
- (viii) enhanced powers are being vested in the Electoral Commissioner for monitoring and investigation purposes;
- (ix) tougher sanctions are being provided for breaches of the rules in terms of fine, which is being increased from up to Rs1 m. to up to Rs5 m.;
- (x) this new Bill mentions all the specific information which the ESC will be required to submit in its Annual Report to the National Assembly on the statement of accounts of registered political parties;
- (xi) the monetary value of donations in kind received has been integrated in the allowable expenditure ceilings of parties and candidates;
- (xii) the expenditure ceiling for the Rodrigues Regional Assembly elections has been revised upwards to Rs300,000; and
- (xiii) for better traceability of funds, a bank account will be a requirement for registering a party.

Mr Speaker, Sir, these are important changes that have been brought to the Bill in order to enhance its implementability and effectiveness, compared to the one which was presented in 2019. The Ministerial Committee, as I said, has invested a lot of time and efforts to bring these improvements on various aspects of the Bill. It is certainly not a Bill which has been '*réchauffé*', as mentioned by hon. Uteem, and the changes brought to the Bill are not cosmetic by any standard.

Mr Speaker, Sir, several speakers from the other side, including hon. Uteem and hon. Ramful, criticised hon. Obeegadoo and hon. Ganoo for changing their initial stand on the Political Financing Bill. Both hon. Obeegadoo and hon. Ganoo have already given a fitting rebuttal to their accusations during their interventions. However, on my part, I would like to refer hon. Uteem and hon. Ramful to what Dr. Desmond Ford rightly said, and I quote –

“A wise man changes his mind sometimes, but a fool never. To change your mind, is the best evidence that you have one.”

Mr Speaker, Sir, I also wish to dissipate the confusion which may have been created in the minds of people following certain statements made from the other side. Mr Speaker, Sir, there will be no obligation on political parties to disclose the identity of donors, whether big or small, whilst submitting their return to the Electoral Commissioner. However, the parties will have an obligation to maintain a register of donations which will record, *inter alia*, the name of the donors, and the Electoral Commissioner will have the right to have access to that Register in the course of any of his investigation.

In regard to corporate donations, hon. Ramful criticised the Bill for not imposing an obligation on the corporate entity to obtain the agreement of its shareholders before making a political donation. Mr Speaker, Sir, the Bill requires any private entity to secure a written resolution of its governing body before making a political donation. The Bill also enjoins a private entity to disclose all political donations, whether in cash or in kind, in its financial statements. These provisions are there precisely to safeguard the interest of shareholders. In any case, it will always be open to a private entity to seek their shareholders’ agreement prior to making a political donation.

Hon. Xavier Duval, on his part, argued that the conditions being imposed on private entities through this Bill will discourage them from making political donations given that they will have to disclose, in their financial statements, the names of the recipients. Mr Speaker, Sir, this is an erroneous interpretation of Clause 7(2) of the Bill. In fact, the private entity will only be required to disclose in their financial statements the amount of monetary donation and the monetary value of donation in kind. They will not have to disclose the identity of the recipients, as wrongly stated.

Hon. Xavier Duval also stated that disclosure provisions in the Bill are excessive and will do more harm than good. Mr Speaker, Sir, let me remind that one of the main objectives of this Bill is precisely to introduce transparency in political financing, and as the former Secretary General of the United Nations, Mr Kofi Annan said, and I quote –

“If corruption is a disease, transparency is a central part of its treatment.”

Mr Speaker, Sir, I must say that I also find very regrettable the remarks made by hon. Xavier Duval who is still indirectly questioning the integrity and independence of the Electoral Supervisory Commission, in spite of the several Supreme Court and Privy Council judgments dismissing all the electoral petitions lodged by this Opposition following the last general election, and which, at the same time, I must say, did also one great thing, which probably we have not enough emphasised. Those judgments have restored the credibility and reputation of the Electoral Supervisory Commission.

Mr Speaker, Sir, hon. Ramful and few others have also argued that there should have been a ceiling on corporate donations. Well, this issue of imposing a cap on political donations from private entities was carefully examined at the level of the Ministerial Committee. We need to understand that political parties are an essential element of our democracy. They play a crucial role, whether in Government or in the Opposition. And, for this, they, of course, need adequate funding. This is a fact; this is reality, if they are to play their role as effectively as possible. So, our aim is not to undermine any party in any way, as some speakers from the other side want to make believe. On the contrary, through these Bills, we are ensuring that parties obtain their funds in ways which are free of suspicions of favours or improper influence.

It is also to be noted that, in the absence of public funding, which we have not recommended, for the reasons I have explained last week, political parties will have to rely, therefore, only on private donations. The fear of hon. Ramful that uncapped corporate donations will unlevel the playing field and corrupt the political process is unjustified for the simple reason that there is a limit on the amount that a party or candidate can spend during an election period. As long as there is such a cap on expenditure and, of course, an effective oversight mechanism, the apprehended risk of undermining the integrity of the political process, I must say, is greatly minimised.

Hon. Ramful also raised an issue regarding the need to bring a consequential amendment to the Declaration of Assets Act to take into account political donations received by a party member or candidate. I would like to clarify that there would be no need for any such amendment given that political donations received is not an asset of the candidate as it is

considered that the donation was made to him in his capacity as a member or candidate of a party. This is also the reason why, in case he is not elected, he is required to remit any unutilised monetary donation to the leader or treasurer of his party. This is also why when a party member dies, any balance of the monetary donation held in his separate bank account shall be deemed to belong to his party because the donation is either to the party or for the candidate being as member of the party for the specific use for campaigning for an election or for election expenses. Therefore, the question of amending the Declaration of Assets Act does not arise.

Another issue which was raised by hon. Ramful was whether a party or candidate can accept cash donations in excess of Rs500,000. I mean, I am really surprised coming from a barrister because the answer is clearly no, as it would constitute an offence under section 37(1) of the Financial Crimes Commission Act 2023 for any person to give or to accept an amount in excess of Rs500,000 in cash. This means that all cash donations in excess of Rs500,000 would have to be made by cheque or electronic transfer.

Let me now take a few issues raised by hon. Uteem. In fact, I need to dispel a confusion created by hon. Uteem through his wrong interpretation of Clause 22(3) of the Bill. According to him, a political party would have only four days to register with the ESC after the issue of writs and past that delay, a party would not be able to get registered. In the same breath, he accused Government of attempting to oust its political opponents from participating in the democratic process by depriving them access to adequate financial resources. Mr Speaker, Sir, hon. Uteem has either totally misread Clause 22 or, which I presume is more so, it is a deliberate attempt on his part to instil fear and confusion in the minds of people, because being a barrister, he should have known better.

(Interruptions)

I thought some Members of the Opposition would have come back.

In fact, Mr Speaker, Sir, registration of political parties under this Act would be open at all times, except during the period starting five days after the day on which writs have been issued and until the proclamation of results. A party does not have to wait for the issue of the writs of elections to get itself registered. This is clearly stated in Clause 22(2), which provides as follows, and I quote –

“Subject to subsection (3), an application for registration shall be made at any time to the Commission in such form as may be prescribed and shall contain the following particulars –”.

Mr Speaker, Sir, I wish to highlight the fact that for the purpose of fielding candidates for a general election, Regulation 7 of the National Assembly Election Regulations 2014 provides that a political party shall register itself with the ESC at least 10 days before the Nomination Day. This means that a party may not apply or get registered prior to the issue of writs and after the proclamation of the results, contrary to Clause 22 of the present Bill which allows registration at all times, except during the period which I have just mentioned.

Hon. Uteem also spoke about the advantage of incumbency of the Government, arguing that the latter having the prerogative to decide on the date of the elections would have an unfair advantage over other contestants. He wanted to create the impression that somehow this law would not apply to the party in power. Mr Speaker, Sir, this law, if passed and proclaimed, would apply equally to all political parties, without discrimination, and we, on this side of the House, have absolutely no issue about complying with the provisions of this law.

Mr Speaker, Sir, hon. Xavier Duval and hon. Uteem both raised concerns, unjustified, of course, regarding the expenditure ceilings, which they said have been increased further in the present version of the Bill and are, therefore, very much on the high side, according to them. Mr Speaker, Sir, let me clarify this matter. Indeed, in the 2019 version of the Bill, the expenditure ceiling for a party was set at Rs1 million per constituency and for party candidates, it was Rs1 million per candidate. But, what hon. Duval and hon. Uteem do not seem to realise is that these ceilings initially excluded donations in kind, which was set at 50 per cent of the allowable cash ceilings. Now, with a view to simplifying the accounting and reporting of donations in kind, the Ministerial Committee, in its wisdom, considered that it would be more appropriate for the monetary value of the donations in kind to be integrated into the allowable expenditure ceilings of a party and candidates. It means, therefore, that the expenditure ceilings for a party and candidates have not actually been increased. It has remained the same.

Regarding the assertion of hon. Duval and hon. Uteem that the proposed new ceilings are on the high side, I would like to refer them to the observations and proposals made in the Leung

Shing Report in this respect. And, to put things in the right perspective, let me read the relevant part from the Leung Shing Report of 2004, and I quote –

“Limits must undoubtedly be set on the maximum amount of money that may be spent by an individual candidate or by a political party during a general election. However, the spending limits for individual candidates and political parties are currently set at unrealistically low levels” and constitute a mighty inducement to candidates to under declare their expenditure when making their returns. To quote the Sachs Report, these ceilings are observed only in their breach. It is the opinion of the Select Committee that those levels should be revised upwards to a level which a campaign would reasonably cost in order to abate and reduce the potential for violations.

At the request of the Select Committee, the Central Statistics Office has carried out an exercise to estimate the costs borne by candidates in 2000 and the costs expected to be borne by candidates in 2005. The results of the exercise show that the estimated mean expenditure in 2000 was Rs. 633,700 and the expected mean expenditure in 2005 will be around Rs. 1,000,000. In the light of the exercise of the Central Statistics Office, the Select Committee is of the opinion that the spending limit should be set at a more realistic ceiling in order to remove the perception that such ceiling is observed only in their breach. The spending limit at a general election should accordingly be set uniformly at Rs. 1,000,000 for individual candidates as well as candidates forming part of a political party. It must further be made possible to revise this figure by way of regulations.”

Yes, by candidates in 2005! Can you imagine, at that time?

Mr Speaker, Sir, according to the Report, the expected mean election expenditure in 2005 would have been around Rs1 million. That figure of Rs1 million, if adjusted for inflation, would today stand at nearly Rs2 million. Therefore, Mr Speaker, Sir, clearly, the new ceilings, which are being proposed, 25 years later, in the present Political Financing Bill, are very realistic, fair and reasonable and they cannot, by any standard, be said to be unreasonable or exaggerated. May I also remind hon. Xavier-Luc Duval and hon. Uteem that the present ceiling of Rs250,000 per candidate was set as far back as 1989, that is, almost 35 years ago. That is why I say, we need to move with time.

Mr Speaker, Sir, I also heard hon. Uteem questioning the rationale behind prohibiting non-resident citizens from making political donations. As I mentioned during my Second Reading speech on Tuesday last, this issue was thoroughly examined by the Ministerial Committee, and the Committee came to the conclusion that, if non-resident citizens were allowed to make political donations, it would constitute a serious loophole in the law as it would allow other prohibited sources to circumvent the law and allow the channelling of illicit or tainted money from other prohibited sources and corrode the local political process.

Hon. Uteem and hon. Lobine also spoke in favour of diaspora voting and financing. Mr Speaker, Sir, I have, I think, on more than one occasion in this House, explained the implications and challenges associated with diaspora voting. I am not going to repeat all of that today. But let me remind hon. Uteem of the content... It is unfortunate that he is not here to listen to my rebuttal to everything that he has been saying but...

An hon. Member: *Kapav zot pe ekoute!*

The Prime Minister: Well, I hope they are listening elsewhere, in their cosy *salon*.

Mr Speaker, Sir, I was referring to the reply to a Parliamentary Question on diaspora voting which was given in August 2006 by the then Acting Prime Minister, and I quote –

“ (...) according to section 42 of the Mauritian Constitution, in order to qualify as an elector, a person must be a Commonwealth citizen, not less than 18 years and must have resided in Mauritius for a period of not less than 2 years before such date as may be prescribed by Parliament.

For the purpose of residence qualifications, section 4 and 4A of the Representation of the People Act provides that the residence qualifications for the purpose of eligibility to vote, the qualifying date, in respect of the register compiled in a year, is 01 January of that year.

Unless a person satisfies these criteria, he or she will not be allowed to vote. Government is not in favour of voting outside Mauritius. One must have a commitment to the country in order to vote. Experience in other countries has shown that voting outside the country is open to irregularities.”

This is Labour Party!

Mr Speaker, Sir, hon. Uteem made several other erroneous statements such as his assertion that the proposed law will lead to a dictatorship of the leader, as all political donations will ultimately have to be remitted to the leader, which of course is not the case. It is not the case in the Bill but, may I ask him - well, he is not here, there is no incentive to ask questions - how is it now? What happens now? And for the past so many years, is it not the leader who has been getting most of the political donations? Let us be honest! Yes, Members also do get political donations but compare the donations that are given to candidates as opposed to leader of the party. Why leader of the party? Because it is for the party and it is the leader that has, let us say, the influence on the party. So, we should be honest. It is as if, now, with this law, it is going to be, let us say, different, giving and allowing candidates also to be able to get financial donations and not only financial donations, other donations as well.

As I said, a candidate can accept and retain political donations meant for him and the only obligation that he has is to submit a report to his leader. Last week, I explained that the rationale behind this provision is to give a legitimate “*droit de regard*” to the leader to ensure that the party and its reputation are protected, especially from dirty money.

Hon. Uteem also accused that the objective test which was present in the 2019 Bill in regard to acceptance of suspicious transaction involving proceeds of a crime has been replaced by what he calls ‘a subjective test’. Again, it is clear that hon. Uteem has once again misread the Bill. As a matter of fact, Clause 10 provides that a recipient must not accept a donation even if he merely suspects that it may originate from the proceeds of a crime.

Mr Speaker, Sir, hon. Xavier Duval and few others spoke in favour of state funding, underlining that it did form part of the Government’s initial proposals in 2016 and that it is a current practice in many countries.

In my Second Reading speech on Tuesday last, I delved extensively on the issue of public funding, explaining that this was carefully examined by the Ministerial Committee which took note of the international practice in this regard and also, previous reports precisely on this issue of public funding. I explained that the main argument in favour of public funding is that it can

contribute to ensure a certain level playing field. However, the Ministerial Committee considered that it could be otherwise also because public funding may well exacerbate the disparity between major political parties and emerging ones, the reason being that a qualified threshold will necessarily have to be imposed for the allocation of public funding, and it is unlikely that smaller parties will be able to attain that threshold.

And consequently, even with fair eligibility and allocation criteria, we may end up with polarisation of the political arena with the risk of smaller parties being driven out from the political contest.

In this regard, let me again quote the relevant observations from the Leung Shing report, and I quote –

“The limitative application of the Fund may result in two outcomes which we deem would do injustice to the whole electoral process. Firstly, the strict application of the funding mechanism recommended by the Sachs Report would mean that essentially major political parties would benefit from the Fund, thus denying emerging political parties the opportunity for development. This may lead to a ‘natural selection’ process taking place in the political arena and resulting in the ‘ossification’ of older political parties which have been in power for a long time. In other words, there will be little or no possibility of turn over of political parties sitting in the National Assembly as a result of this. The reader will certainly appreciate how vital the ease of turn over of political parties in power is in a dynamic democracy.”

Mr Speaker, Sir, when advocates of public funding claim that this is a common practice in many countries, they also fail to highlight the fact that there are great variations in the way such funds are allowed to be utilised by the recipients. Studies carried out in 2012 by International IDEA revealed that 42 per cent of countries having state funding do impose certain limitations on its use. In some countries, the funds are to be used only for campaign purposes, while in others they may be used for ongoing non-electoral party activities as well. In other countries, the funds are to be used only for fostering international relations, civic education or for research purposes. Mr Speaker, Sir, these are important questions which we need to carefully reflect upon, before envisaging the introduction of public funding.

M. le président, l'opposition a, encore une fois, choisi de se ranger du mauvais côté de l'histoire. Elle a choisi la fuite en avant pour s'opposer à la transparence et maintenir l'opacité sur ses sources de financement.

Les prétextes des membres de l'autre côté de la Chambre ne tiennent pas la route. Eux, les donneurs de leçons, ont démontré que leurs belles paroles ne sont que des chimères, alors qu'en fait, ils sont les défenseurs de ces différentes mafias qui remplissent leurs coffres-forts.

M. le président, personne n'a oublié les tristement célèbres coffres-forts contenant R 220 millions découverts au domicile de l'ancien Premier ministre, le Dr. Navinchandra Ramgoolam. Les images des dollars et autres monnaies déferlant de ces coffres-forts ont choqué la nation. C'était l'expression même du niveau de corruption qui avait gangrené notre société durant le règne du Parti travailliste entre 2005 et 2014. Jusqu'à présent, le Dr. Navinchandra Ramgoolam, leader du Parti travailliste et leader de l'alliance Travailliste/MMM/Nouveaux Démocrates, n'a fait que fournir des explications contradictoires sur les sources de ce pactole et encore plus, sur la provenance des 3,1 millions de dollars neufs et jamais mis en circulation qui avaient atterri dans son coffre-fort à Riverwalk. Il est sur le coup de très graves charges, incluant le blanchiment d'argent, mais agit comme si de rien n'était. Il se permet des tactiques dilatoires pour retarder – là, je prends les mots servis dans le passé - les délibérations en cour et gagner du temps. Et son grand frère auto-proclamé, l'honorable Paul Raymond Bérenger, trouve tout cela normal et acclame ces arguments bancals.

Fait marquant, M. le président, le MMM est aujourd'hui complice de cette conspiration du Parti travailliste pour justifier la corruption et l'opacité. Quelle honte! Certaines sections de la presse trouvent tout cela normal, alors que l'affaire des coffres-forts de Ramgoolam, c'est ça le vrai scandale du siècle. C'est prendre les Mauriciens pour des imbéciles, M. le président, et l'avenir nous dira quel sera le sort de tous ceux qui se sont ligués pour cautionner la corruption sous sa forme la plus révoltante.

Ce sont ces mêmes personnes – politiciens et certains journalistes – qui se sont ligués pour présenter les projets de loi devant la Chambre comme mort-nés avant même de prendre connaissance de leur contenu. Quelle insulte à l'intelligence de nos compatriotes!

M. le président, les vraies raisons derrière la position adoptée par l'opposition parlementaire contre la réforme du financement politique demeurent leur allégeance envers les mafieux qui remplissent leurs caisses. J'ai dit et je redis que la mafia de la drogue finance cette opposition Parti travailliste/MMM et le Nouveau parti Subutex, je crois, parce que mon gouvernement agit sans pitié contre les marchands de la mort. Il faut se rappeler qu'au temps du Parti travailliste au pouvoir, cette mafia était montée en puissance, tellement elle est protégée. La preuve, le Parti travailliste et son leader, le Dr. Navinchandra Ramgoolam, n'ont jamais voulu instituer une commission d'enquête sur la drogue. C'est un fait, et la population en connaît la raison, surtout que la connexion entre le Parti travailliste et des individus mêlés au trafic et possession de drogue saute aux yeux.

J'avais donné des exemples lors de mon *summing-up* sur le *Financial Crimes Commission Bill*. Et je crois utile, en la circonstance, de rappeler certains faits indéniables qui établissent cette connexion mafieuse –

- un certain Ashish D. – Ashish, je ne parle pas de la drogue, je parle du prénom -, protégé de Nita et grand agent du Parti travailliste à Belle Rose/Quatre Bornes a été condamné aux Assises à 40 ans de prison pour trafic de 2 kilos d'héroïne d'une valeur de R 30 millions.
- un certain Jonathan A., alias 'ti-papier', très proche du leader du Parti travailliste, le Dr. Navin Ramgoolam, a fait l'objet d'une enquête concernant le trafic de drogue et le blanchiment d'argent. Il a été condamné pour outrage à la Cour.
- Vimen S., *Body Guard*; pas seulement *Body Guard*, manger, boire avec le leader du Parti travailliste, le Dr. Navin Ramgoolam, a été arrêté pour possession de 10,35 kilos d'héroïne d'une valeur de R 155 millions.
- Un certain Michael Ricardo Gilbert K. C. T. M., chauffeur attitré de l'honorable P. A. dans la circonscription No. 18 durant la campagne électorale de 2014, a été ...

An hon. Member: Patrick *lanpoul*!

The Prime Minister: Alias *lanpoul*, peut être !

... arrêté pour possession et trafic de drogue après la saisie à son domicile de 7,3 kilos de cannabis d'une valeur marchande de R 6.5 millions et de 9,166 graines de cannabis.

- Un certain Akil B., – celui-là c'est une *star*, il est membre du Parti travailliste, parce qu'il a été filmé ; nous avons tous vu comment il essayait de se débarrasser de sa cargaison, – a été arrêté en compagnie de sa concubine pour possession de 53 grammes de drogue synthétique d'une valeur de R 260 000. Ce même individu a été encore arrêté pour l'importation de drogue, en l'occurrence 1,022 comprimés d'ecstasy d'une valeur supérieure à R 20 millions.
- Un autre individu adoré et ouvertement défendu par le leader du Parti travailliste, le Dr. Navin Ramgoolam, et d'autres dirigeants, notamment le Dr. Arvin Boolell, leader de l'opposition, un certain Bruneau. L. a été arrêté pour possession de 44,25 kilos d'haschisch d'une valeur supérieure à R 221 millions.

Et ajoutez à cela maintenant, comme-ci pour renchérir ce groupement, nous avons Nouveaux Démocrates. Qui ne connaît pas la proximité de son leader, Richard Duval, avec une certaine Cindy Legallant qui transitait par le *VIP Lounge* à l'aéroport, sur l'intervention de cet honorable membre de l'Assemblée nationale, pour faire entrer des milliers de comprimés de Subutex dans le pays.

M. le président, la position adoptée par les députés du MMM décline encore une fois leur connexion, hypocrisie, malhonnêteté et complicité.

Et a-t-on oublié comment avec quelle verve le député Uteem avait défendu un caïd de la drogue sur le plan international, un certain Peter Uricek, que les autorités mauriciennes avaient logiquement remis aux autorités slovaques ? Ce criminel que d'autres membres de l'opposition avaient aussi défendu dans cette Chambre a été condamné à 22 ans de prison en Slovaquie pour fabrication, possession et trafic de drogue. La population avait pu constater comment ces membres de l'opposition s'étaient mis dans le camp d'un marchand de la mort.

Dois-je encore rappeler que le MMM, qui se gargarise du slogan 'la main propre, la tête haute',...

Mr Ramano : *Cheque dan pos !*

The Prime Minister : ... n'a pas hésité une seconde à encaisser les R 10 millions venues de la *BAI*, qu'il avait pourtant dénoncée en premier pour des transactions financières illicites opérées par le biais d'un *Ponzi Scheme* !

Et ce n'est pas tout concernant le MMM.

J'ai dit à plusieurs reprises dans cette auguste Chambre que le MMM bénéficie de financement occulte d'une compagnie privée, parmi plusieurs – là, je parle d'une compagnie spécifique –, et chaque mois un pactole atterrit dans ses caisses à travers les bons services d'une compagnie dans le secteur des services financiers que connaît très bien l'honorable Ameer Meea. J'ajouterai aujourd'hui un autre élément à ce dossier. Ce financement occulte découle d'un deal secret concocté depuis 2001 au temps où un certain J.M.G. officiait comme *General Manager* de ladite compagnie et au moment de l'interdiction de l'extraction du sable corallien pour la construction au profit du *rocksand*. Les protagonistes avaient profité d'une cause environnementale pour exécuter leur agenda caché. L'honorable Bhagwan sait de quoi je parle.

(Interruptions)

Mr Hurreeram: *Bizin met helmet aster.*

The Prime Minister: Et le MMM c'est le parti le plus pauvre, plus pauvre que les partis extraparlimentaires aussi ; ils n'ont pas d'argent. Ils n'ont pas d'argent ! Et vous savez, M. le président, où se tiennent leurs conférences de presse, leur réunion chaque semaine ? Dans des hôtels ! Je ne sais pas si c'est *gratos* ; si c'est offert *gratos*. On connaît également le financement occulte dont ont bénéficié le MMM et le Parti travailliste du réseau mafieux des courses hippiques. Il n'y a qu'à voir la liste des membres d'un certain club privé pour se rendre compte des connexions tissées au fil des années.

Voilà ce que le MMM et le Parti travailliste veulent cacher ; voilà pourquoi ils s'opposent à la transparence que les deux projets de loi veulent apporter en ce qui concerne le financement politique.

M. le président, on a aussi témoigné comment les membres de l'opposition se sont prononcés avec véhémence contre le réenregistrement des cartes SIM. Pourtant, cette initiative découle d'une recommandation de la commission d'enquête Lam Shang Leen sur le trafic de la drogue. Que veulent-ils protéger encore une fois ? Il n'est pas difficile d'en tirer la conclusion !

L'opposition s'est aussi opposée au texte de loi sur la création de la *Financial Crimes Commission*. Elle continue de s'opposer à cette nouvelle institution. Leur motif, une nouvelle fois, est lié à leur proximité avec les mafieux qui contribuent à leur 'war chest politique'. Cette opposition ne veut pas que la population découvre les tenants et aboutissants des coffres-forts de Navinchandra Ramgoolam. Le Parti travailliste veut continuer à cautionner les abus de son leader qui s'est permis de dévaliser même l'argent de son parti pour séjourner dans des palaces en Europe et s'acheter des produits super luxueux mentionnés par l'*Attorney General*. Donc, je ne vais pas répéter aujourd'hui.

Encore une fois, comme en 2019, les membres de l'opposition s'attaquent aux projets de lois sur la réforme du financement politique pour les mêmes raisons, loin de se soucier des intérêts nationaux et celui de leur propre parti. C'est cela la vérité !

L'*Attorney General* l'a bien dit : les donneurs de leçons de l'opposition qui prônent la transparence depuis belle lurette s'opposent à des projets de loi qui justement visent la transparence en ce qui concerne le financement et les dépenses politiques.

Contrairement à eux, nous traduisons nos paroles et nos engagements en des actions concrètes. Nous n'avons aucune mafia à défendre. Nous n'avons rien à cacher. Nous avons la conscience claire. C'est pourquoi nous agissons avec fermeté, courage et détermination.

Les allégations faites par l'opposition en relation au financement qu'aurait reçu le MSM d'un businessman sont totalement fausses. La personne en question a lui-même déclaré qu'il n'a pas donné un sou à mon parti. C'est cela la vérité.

M. le président, c'est un fait que la lutte contre les barons de la drogue et autres groupes mafieux, immensément riches et puissants, n'est pas une bataille facile. Mais mon gouvernement ne ménage aucun effort pour traquer ces individus et groupes, et mettre fin à leurs activités illicites. Nous sommes résolument engagés à lutter contre toute forme de mafia qui menace notre société et nos traditions démocratiques.

De par leur comportement et la position adoptée contre les projets de loi devant la Chambre, l'opposition se démasque davantage. La population sait maintenant qu'elle a affaire à des défenseurs de multiples mafias qui veulent perpétuer l'opacité au détriment de la transparence, l'Etat de Droit, et la bonne gouvernance. En choisissant de ne pas voter en faveur

de ces projets de loi, c'est un autre clou qu'enfonce l'opposition dans son cercueil politique. Le peuple enfoncera le dernier clou au moment venu, j'en suis convaincu. *Time will tell whose chapter will be closed!*

M. le président, l'opposition, en particulier l'honorable Uteem a qualifié le projet de loi sur le financement politique comme étant un mort-né. Permettez-moi de vous dire que ce projet de loi restera vivant dans la mémoire de la nation. Mais hélas oui, l'histoire retiendra qu'il y a eu un assassin qui est nul autre que la présente opposition. Quant à nous, nous n'avons fait que notre devoir envers notre pays. Mais comme disait l'humoriste français, Raymond Devos et je cite –

« On a toujours tort d'essayer d'avoir raison devant des gens qui ont toutes les bonnes raisons de croire qu'ils n'ont pas tort ».

Mr Speaker, Sir, there is no doubt that political funding has the potential to undermine democratic governance. Corruption, through undue influence, is arguably more insidious and damaging to the democratic process than explicit forms of corruption, where the receipt of private funds leads directly to political power being used to favour financial contributors. When campaigns are fueled by uncontrolled or undisclosed money, the outcome may not reflect the will of the voters.

This is why in recent times, all democracies — both advanced and emerging have embraced broad-based reforms in political finance. Countries have been active in creating more transparent and accountable political finance systems to enhance the integrity of the political process and ensure a level playing field. Mauritius cannot afford to remain an exception.

As far as this Government is concerned, it has consistently tried to improve accountability and transparency in the management of public affairs. The passing of the new Declaration of Assets Act in 2018 and more recently, the Financial Crimes Commission Act are two major and concrete initiatives, amongst others, which testify to our commitment to enhance our overall governance framework.

Mr Speaker, Sir, as I said in my speech last week, regulating political finance raises complex and challenging issues, especially in a small country like ours. Nevertheless, the Ministerial Committee has painstakingly, but effectively addressed all these issues and finally

come up with the proposals embodied in the Political Financing Bill. I must say it was a complicated task, requiring much of our time and efforts as we had to take into account, and strike a fair balance between different factors such as the specific nature of our electoral system, our institutional regime, our unique combination of political, historical, economic and societal factors. The Bill has therefore been carefully shaped to fit our local context and realities. It is also carefully balanced against the need to respect freedom of expression and association. It is simple, yet robust and implementable. This Bill represents a major and decisive step in the right direction and the measures embodied therein will only fortify the pillars of our democracy and it is therefore a Bill that serves the national interest.

Therefore, Mr Speaker, Sir, it is really a pity that this Opposition is bent on thwarting, once again, such a laudable initiative aimed at introducing the much needed transparency in the political life of this country. The consequence of the irresponsible boycott by this Opposition of this initiative will mean that control and supervision of political financing in Mauritius will continue to remain a dead letter.

Mr Speaker, Sir, I find no better way to conclude my speech than by quoting the philosopher and political thinker, Mr Edmund Burke who said, and I quote –

“Nobody makes a greater mistake than he who does nothing because he could only do a little.”

Mr Speaker, Sir, we on this side of the House, we have decided not to commit the mistake of doing nothing. We have decided to act for the sake of our country and our response is embodied in the two Bills which we have presented to this House.

Thank you.

I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The following Bills were considered and agreed to –

(a) The Constitution (Amendment) Bill (No. V of 2024).

(b) The Political Financing Bill (No. VI of 2024).

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

Third Reading

On motion made and seconded, the Constitution (Amendment) Bill (No. V of 2024) was read a third time.

The Prime Minister: Mr Speaker, Sir, I move for a division of votes.

Mr Speaker: Madam Clerk, please proceed with the division of votes.

(Division Bells were rung)

On question put, the House divided.

AYES

1. Hon. Y. Sawmynaden
2. Hon. J. B. Léopold
3. Hon. R. Dhaliah
4. Hon. I. Collendavelloo
5. Hon. S. Abbas Mamode
6. Hon. S. Dhunoo
7. Hon. Mrs S. Luchmun Roy
8. Hon. Mrs S. Mayotte
9. Hon. S. Nuckcheddy

10. Hon. F. François
11. Hon. Mrs T. Diolle
12. Hon. G. Bablee
13. Hon. P. Ramchurrun
14. Dr. the hon. I. Rawoo
15. Hon. S. Ramkaun
16. Hon. Ms J. Tour
17. Hon. A. Ittoo
18. Hon. R. Doolub
19. Hon. Z. Nazurally
20. Hon. Ms N. Ramyad
21. Dr. the hon. A. Ramdhany
22. Dr. the hon. Mrs Chukowry
23. Hon. A. Teeluck
24. Hon. Mrs K. Koonjoo-Shah
25. Hon. S. Maudhoo
26. Dr. the hon. K. Jagutpal
27. Hon. S. Callichurn
28. Hon. D. Balgobin
29. Hon. M. Hurreeram

30. Hon. S. Toussaint
31. Hon. M. Gobin
32. Hon. M. Seeruttun
33. Hon. K. Ramano
34. Hon. S. Bholah
35. Hon. Mrs F. Jeewa-Daureeawoo
36. Hon. G. Lesjongard
37. Dr. the hon. R. Padayachy
38. Hon. A. Ganoo
39. Dr. the hon. A. Husnoo
40. Hon. Mrs L. D. Dookun-Luchoomun
41. Hon. S. Obeegadoo
42. Hon. Prime Minister

NOES

1. Hon. R. Wochit
2. Hon. R. Uteem
3. Hon. D. Ramful
4. Hon. F. Quirin
5. Hon. D. Nagalingum
6. Hon. M. Osman Mahomed

7. Hon. Mrs K. Foo Kune-Bacha
8. Hon. F. David
9. Hon. Ms Joanna Bérenger
10. Hon. Ms S. Anquetil
11. Hon. A. Ameer Meea
12. Hon. P. Assirvaden
13. Dr. the hon. A. Boolell

ABSTENTIONS

1. Hon. Xavier-Luc Duval
2. Hon. N. Bodha
3. Hon. P. Armance

ABSENT

1. Hon. M. Yeung Sik Yuen
2. Hon. Mrs A. Navarre-Marie
3. Hon. Shakeel Mohamed
4. Hon. K. Lobine
5. Hon. E. Juman
6. Dr. the hon. M. Gungapersad
7. Hon. Richard Duval
8. Hon. R. Bhagwan

9. Hon. Paul Bérenger
10. Dr. the hon. F. Aumeer
11. Hon. Ms T. Jutton

Mr Speaker: Hon. Members, *résultats officiels*, no Privy Council. The results of the Division are as follows –

Ayes: 42 **Noes:** 13 **Abstention:** 3 **Absent:** 11

Hon. Members, I have to inform the House that the Constitution (Amendment) Bill (No. V of 2024) has, on final voting, obtained 42 votes, that is, has not been supported by a three-quarter majority as required by Section 47(2) (b) of the Constitution. I, therefore, declare that the Bill has not been read a third time and passed.

(Interruptions)

Hon. Members: *La honte!* Shame!

On motion made and seconded, the Political Financing Bill (No. VI of 2024) was read a third time.

The Prime Minister: Mr Speaker, Sir, I move for a division of votes.

Mr Speaker: Clerk, please proceed with the Division!

(Division Bells were rung)

On question put, the House divided.

AYES

1. Hon. Y. Sawmynaden
2. Hon. J. B. Léopold
3. Hon. R. Dhaliah
4. Hon. I. Collendavelloo

5. Hon. S. Abbas Mamode
6. Hon. S. Dhunoo
7. Hon. Mrs S. Luchmun Roy
8. Hon. Mrs S. Mayotte
9. Hon. S. Nuckcheddy
10. Hon. J. François
11. Hon. Mrs T. Diolle
12. Hon. G. Bablee
13. Hon. P. Ramchurrun
14. Dr. the hon. I. Rawoo
15. Hon. S. Ramkaun
16. Hon. Ms J. Tour
17. Hon. A. Ittoo
18. Hon. R. Doolub
19. Hon. Z. Nazurally
20. Hon. Ms N. Ramyad
21. Dr. the hon. A. Ramdhany
22. Dr. the hon. Mrs D. Chukowry
23. Hon. A. Teeluck
24. Hon. Mrs K. Koonjoo-Shah
25. Hon. S. Maudhoo

26. Dr. the hon. K. Jagutpal
27. Hon. S. Callichurn
28. Hon. D. Balgobin
29. Hon. M. Hurreeram
30. Hon. S. Toussaint
31. Hon. M. Gobin
32. Hon. M. Seeruttun
33. Hon. K. Ramano
34. Hon. S. Bholah
35. Hon. Mrs F. Jeewa-Daureeawoo
36. Hon. G. Lesjongard
37. Dr. the hon. Padayachy
38. Hon. A. Ganoo
39. Dr. the hon. A. Husnoo
40. Hon. Mrs L. D. Dookun-Luchoomun
41. Hon. Deputy Prime Minister
42. Hon. Prime Minister

NOES

1. Hon. R. Wochit
2. Hon. R. Uteem
3. Hon. D. Ramful

4. Hon. F. Quirin
5. Hon. D. Nagalingum
6. Hon. Osman Mahomed
7. Hon. Mrs K. Foo Kune-Bacha
8. Hon. F. David
9. Hon. Ms J. Bérenger
10. Hon. Ms S. Anquetil
11. Hon. A. Ameer Meea
12. Hon. P. Assirvaden
13. Dr. the hon. A. Boolell

ABSTENTIONS

1. Hon. Xavier-Luc Duval
2. Hon. N. Bodha
3. Hon. P. Armance

ABSENT

1. Hon. M. Yeung Sik Yuen
2. Hon. Mrs A. Navarre-Marie
3. Hon. Shakeel Mohamed
4. Hon. K. Lobine
5. Hon. E. Juman
6. Dr. the hon. M. Gungapersad

7. Hon. Richard Duval
8. Hon. R. Bhagwan
9. Hon. P. Bérenger
10. Dr. the hon. F. Aumeer
11. Hon. Ms T. Jutton

Mr Speaker: Hon. Members, the results of the Division are as follows –

Ayes: 42 **Noes:** 13 **Abstention:** 3 **Absent:** 11

Hon. Members, I have to inform the House that the Political Financing Bill (No. VI of 2024) has, on final voting, obtained 42 votes, that is, has not been supported by a three-quarter majority as required by Section 47(5) (b) of the Constitution. I, therefore, declare that the Bill has not been read a third time and passed.

Second Reading

THE WATER RESOURCES BILL

(No. VIII of 2024)

Order for Second Reading read.

(7.56 p.m.)

The Minister of Energy and Public Utilities (Mr G. Lesjongard): Mr Speaker, Sir, I beg to move that the Water Resources Bill (No. VIII of 2024) be read a second time.

This Bill, Mr Speaker, Sir, is a landmark piece of legislation, one that is highly significant for the Republic of Mauritius.

L'eau est une des ressources essentielles pour l'humain et pour le développement économique d'un pays. Permettez-moi, M. le président, de citer Saint Exupéry –

« L'eau n'est pas nécessaire à la vie l'eau est la vie. »

Cependant sa disponibilité est de plus en plus limitée et le monde est confronté à des défis sans précédent pour approvisionner les citoyens et aussi à nourrir les populations vu l'importance de l'eau dans l'alimentation et l'agriculture. Aujourd'hui on l'appelle « l'or bleu ». L'eau devient de plus en plus rare et à travers les décennies, à Maurice et dans le monde, l'accès à l'eau est de plus en plus difficile avec les effets du réchauffement climatique et la pollution des ressources en eau.

Nous faisons face à un double défi pour les années à venir, prévoir l'approvisionnement en période sèche et répondre à une demande qui continue à augmenter chaque année. Au-delà d'être précieuse, l'eau est au cœur du développement durable. Elle est capitale pour assurer un développement socio-économique inclusif. L'importance de ce sujet n'est plus à démontrer. Les gouvernants dans le monde sont appelés à mieux conserver, à mieux utiliser, à mieux gérer et à mieux protéger les réserves en eau. L'eau en tant que domaine publique nécessite que sa gestion soit régie par des principes d'équité et de justice sociale.

En gérant judicieusement cette ressource précieuse, nous assurons un approvisionnement équitable au peuple, la stabilité économique et la résilience face aux défis environnementaux. Ce projet de loi, M. le président, va dans cette direction et comme dans d'autres pays du monde, il y a eu l'intervention de l'état pour un contrôle sur les ressources en eau afin que la population et le secteur agricole puisse avoir un approvisionnement adéquat en période de sécheresse. M. le président, cela nous a pris du temps pour la préparation de ce projet de loi vu la complexité du secteur de l'eau et les différentes lois régissant ce secteur.

Actuellement, plusieurs ministères et organismes du gouvernement sont concernées par les législations par rapport à l'utilisation, la protection et la conservation de l'eau et ce, avec des objectifs différents notamment –

- The Rivers and Canals Act de 1863;
- The Public Health Act de 1925;
- The Ground Water Act de 1969;
- The Central Water Authority Act de 1971;
- The Irrigation Authority Act de 1979 ;

- The Forests and Reserves Act de 1983;
- The Environment Protection Act of 2002; (*Maintenant*, the Environment Act 2024)
- The Local Government Act de 2011.

Pendant longtemps, ces lois sont restées inchangées. Certaines ne répondent plus aux exigences socio-économiques actuelles et aux défis liés à la gestion de l'eau, particulièrement dans le contexte d'un état insulaire. D'autres sont vétustes, et ne permettent pas une approche intégrée et durable pour la gestion de nos ressources.

M. le président, il n'existe, à ce jour, aucun cadre légal global régissant la gestion intégrée et durable de nos ressources en eau. C'est impératif pour mon ministère de présenter une politique de gestion intégrée de ressources en eau, et un cadre légal moderne capable de répondre à ces défis. Nous devons considérer l'ensemble du cycle de l'eau dans nos politiques et nos pratiques, depuis la collecte jusqu'à la distribution en passant par la réutilisation, la préservation et la protection. Le cadre légal doit prévoir des réglementations sur l'utilisation des ressources en eau, la protection des sources d'eau, la gestion des eaux usées, ainsi que des mesures de conservation.

Il doit également encourager l'innovation et l'adoption de technologies durables pour une meilleure efficacité dans l'utilisation de nos ressources.

Mr Speaker, Sir, all this is clearly reflected in the main object of the Water Resources Bill in the Explanatory Memorandum. The Bill thus provides –

- (1) A legal framework for the use, management, control, protection, conservation, and sustainable development of water resources in Mauritius;
- (2) It seeks to safeguard the immediate and long-term public interest for an equitable access to water;
- (3) Ensures water security and resilience;
- (4) Establishes a water resources commission under the aegis of the ministry;
- (5) Promotes the efficient use of water, and

- (6) Makes provision for, and in connection with, matters incidental and connected thereto.

Mr Speaker, Sir, before I go on to explain the various provisions of the Bill to the House, I must say *à cette Chambre en toute humilité*, that today is a momentous occasion for me. This is the second time in my political career that I am bringing to this August Assembly another landmark legislation.

In year 2002, under the leadership of late Sir Anerood Jugnauth, I introduced the Regional Assembly Bill for the decentralised system of administration for our brothers in Rodrigues. Today, under the able leadership of hon. Pravind Jugnauth, I have yet again the honour to pilot the Water Resources Bill, another crucial piece of legislation that seeks to address perennial issues in the water sector with a view to building our water security and resilience, thus providing the necessary strong foothold for our Republic to pursue its socio-economic growth for the benefit of our population.

M. le président, la gestion des ressources en eau doit être bénéfique pour tous. Les conventions internationales préconisent que les ressources limitées doivent être partagées au bénéfice et à la prospérité de tous les citoyens. Nous avons aussi en tant que citoyens la responsabilité de mieux utiliser et protéger cette ressource. Le changement climatique impacte grandement nos ressources en eau. Au cours de mon mandat comme ministre des Services publics, j'ai été témoin de deux épisodes de sécheresse prolongée causées par des changements dans les régimes de pluies et le volume des précipitations.

L'île Maurice est déjà classée comme un pays en situation de stress hydrique et devrait entrer dans la catégorie des pays pauvres en eau d'ici 2030.

M. le président, la gestion intégrée et durable de l'eau est donc essentielle pour construire un secteur de l'eau résilient. Les périodes prolongées de sécheresse affecte à la fois les sphères sociale et économique. M. le président, plusieurs facteurs expliquent l'interruption de l'approvisionnement en eau, notamment la disponibilité des ressources en eau, l'inefficacité dans les systèmes de distribution, un manque de planification dans l'utilisation des ressources en eau, une gestion non intégrée du secteur et une demande des citoyens et des opérateurs économiques qui augmente annuellement.

Une des solutions serait une approche axée sur une meilleure gestion et utilisation de nos ressources limitée, leur conservation et protection. Il n'existe actuellement pas d'approche planifiée ou intégrée pour les projets d'investissement des secteurs publique et privé. Nous avons noté plusieurs manquements à ce niveau. Le résultat d'une manque de planification et de coordination en somme, M. le président – une approche “en silo” et inefficace. Il est donc primordial d'adopter une nouvelle politique de l'eau capable de s'adapter aux changements climatiques, d'augmenter nos ressources en eau de manière efficace et durable afin d'améliorer l'approvisionnement en eau et répondre aux besoins croissant des différents secteurs.

M. le président, augmenter nos ressources en eau seulement ne suffira pas. Il nous faut impérativement réduire le niveau élevé de pertes sur le réseau. Ce qui rendra plus viable financièrement le service de distribution de l'eau.

Il est aussi nécessaire de mettre en place un cadre légal pour le développement de sources d'eau non conventionnelles telles que le dessalement, la collecte des eaux pluviales, l'utilisation de la technologie pour la production de l'eau, le recyclage et la réutilisation des eaux usées traitées.

Ce nouveau cadre légal viendra aussi renforcer les mesures de protection de nos ressources en eau en raison de la menace causée par l'augmentation des activités industrielles, agricoles et commerciales. Pour ce faire, le projet de loi prévoit la mise en place d'une entité nationale, doter d'un mandat clair et des pouvoirs réglementaires, qui sera chargée de gérer de manière durable et équitable l'allocation des ressources en eau qui appartiennent à l'état, de manière juste et transparente, en tenant compte des besoins des différents utilisateurs tels qu' agriculteurs, industriels, commerciales et domestiques.

En outre, elle veillera à la mise en œuvre des mesures de conservation, tout en promouvant une pratique efficiente, et en encourageant l'adoption de technologies modernes.

La protection des ressources en eau sera également au cœur de ces missions. En assurant une coordination nationale, cette entité garantirait une approche intégrée et cohérente de la gestion des ressources en eau, essentielle pour faire face aux défis actuels et à venir.

M. le président, la croissance socio-économique a redéfini le paysage économique et démographique de notre pays. Selon les chiffres du bureau de statistiques du pays, de l'an 2000 à

2023, c'est-à-dire en 23 ans, le nombre de consommateurs de la CWA est passé de 241,383 à 394,890. Une augmentation de plus de 150,000 consommateurs en 23 ans.

À travers les décennies, il y a eu l'émergence de nouveaux secteurs économiques au détriment d'autres secteurs. Il est donc impératif que le secteur de l'eau s'adapte à ces changements. Il nous faut une nouvelle politique pour rendre le secteur plus soutenable à travers une protection de nos ressources et aussi à travers une distribution plus équitable.

Mr Speaker, Sir, another key rationale underpinning the development of a new and modern water resources legislation is the adoption of a new process in the allocation of water resources.

Our main sources of water currently are ground water and surface water. According to the latest water statistics, rainfall for the year 2023 has been 4,742mm³ of which surface run off is 2,845mm³ and evotranspiration is 1,423mm³. The net recharge to ground water stands at around 474mm³.

According to the same statistics, usage of water resources in year 2023, have been as follows –

- hydropower: 337 mm³ out of 956mm³, representing 35%;
- domestic, industrial and tourism: 313 mm³ out of 956 mm³, representing 33%;
- agricultural: 296 mm³ out of 956 mm³, representing 30%

The domestic sector uses a ratio of 54% surface water and 46% ground water. Agriculture uses 98% of surface water and 2% of ground water, and hydropower uses solely surface water.

Moreover, average domestic water utilisation has increased from 210 mm³/yr. for the period 2000-2012 to 260 mm³/yr for the period 2013-2020. For the same periods, agricultural water utilisation has declined from 390 mm³/yr. to 335 mm³/yr. in the year 2023 it has further decreased to 296mm³. This can be in part explained by the fact that agricultural lands are either being abandoned or converted for residential and commercial purposes.

It is equally fundamental to highlight that some major water users have been claiming an absolute property right of ownership over water as a prescriptive right in the different rivers flowing through their lands on the basis that they have been availing of these waters over the past several decades or even centuries.

Mr Speaker, Sir, utilisation of river waters can be either through titles of concession or by order from the Supreme Court. The judgment of the Judicial Committee of the Privy Council in February 2022, in a case lodged by CIEL Ltd. and Tropic Knits Ltd. against the Central Water Authority clearly establishes that and I quote –

“The waters of the river formed part of the *‘domaine publique’* and could not be acquired by prescription under Mauritian law.”

Moreover, and I quote –

“Public rights cannot be acquired by prescription. The borderers could only hold rights to use water on the basis that their rights could at any time be removed or reduced by the Supreme Court. In any event, it is well established that there can be no prescription against public property.”

The Water Resources Bill accordingly provides that all surface water, including springs which are the sources of a river, the tributary of a river or stream are part of the *domaine publique* and are inalienable and imprescriptible.

M. le président, de plus, à travers le temps, il y a eu des changements considérables dans l'utilisation des terres qui étaient auparavant principalement sous culture de la canne à sucre et d'autres activités agricoles. Il y a donc lieu d'évaluer et de réévaluer les droits de prélever et d'utiliser un certain volume d'eau d'une rivière, à l'origine accordés pour l'irrigation.

L'étendue des terres utilisées sous culture de la canne et agricoles a été considérablement réduite. Il est donc, M. le président, opportun de définir un cadre légal solide et moderne et des mécanismes institutionnels appropriés pour remédier aux incohérences et inefficacités qui se perpétuent et aussi d'entreprendre des changements dans une gestion durable pour assurer la sécurité d'approvisionnement de l'eau à Maurice pour les secteurs économiques, mais particulièrement pour le besoin domestique.

Le texte de loi, je dois le souligner, M. le président, met l'accent sur une gouvernance efficace, intégrée et durable des ressources en eau ainsi qu'à l'intérêt prioritaire de son usage à des fins potable et domestique, conformément au ODD (Objectifs de Développement Durable).

M. le président, je dois préciser que mon ministère a eu plusieurs sessions de travail avec les différentes institutions publiques et les organisations du privé dans le cadre de la préparation de ce projet de loi. Les ministères concernés, les collectivités locales, les associations des consommateurs, Business Mauritius, la Chambre d'agriculture et les représentants des petits planteurs ont été consultés. J'ai également eu une réunion avec les représentants de Business Mauritius, la Chambre d'agriculture et l'*AHRIM* où ils m'ont fait part de leurs commentaires et propositions.

M. le président, mon ministère a eu recours aux services d'un consultant en l'occurrence Monsieur Melvin Woodhouse qui a plus de 40 ans d'expérience dans ce secteur et qui a participé à la rédaction de plusieurs lois pour le secteur de l'eau dans plusieurs pays notamment le Nigeria, la Tanzanie, le Népal et le Chili, entre autres. Nous avons aussi eu recours à l'expertise de l'ancien Chef juge, Son Excellence Monsieur Asraf Ally Caunhye comme Conseiller légal pour la préparation et la finalisation de ce projet de loi.

Mr Speaker, Sir, I will now go through the main provisions of the Water Resources Bill which comprises eight parts. At the outset, I would like to outline that the provisions of the Bill will apply to the Republic of Mauritius with specific provisions regarding Rodrigues at Part VII of the Bill. It advocates an integrated and holistic approach to the management of water resources.

Mr Speaker, Sir, water secure planning relies on coherent water policy. The globally accepted framework for the holistic and sustainable management of water resources is the IWRM, that is, the Integrated Water Resources Management. This is a process organised on three principles namely, social equity, economic efficiency and ecological sustainability. It is endorsed by the UN Water Conference, the World Water Forum and reiterated in the UN Global Sustainable Agenda under SDG 6. The global endorsement of IWRM underscores its importance in achieving sustainable development goals and addressing the complex challenges of water security in the 21st century.

Thus, Mr Speaker, Sir, the objects of the Bill listed at section 4 are, *inter alia*, to –

- promote the efficient use of water and to provide for an integrated management of water resources;
- safeguard the immediate and long-term public interest for an equitable access to water and its beneficial use for social and economic development;
- promote and coordinate the coherent, orderly and optimal use of water resources for the public benefit;
- develop preparedness, adaptation and resilience strategies to address the adverse effects of climate change in relation to water resources;
- adopt appropriate management approaches and technologies for the purpose of reducing the waste or loss of water, promoting water recycling, reuse, desalination and alternative water sources;
- encourage and require water users to contribute towards the protection of the quality of water and to carry out their activities by way of cooperation and a mutually shared understanding of the growing stress upon finite water resources.

Mr Speaker, Sir, it is important to outline that this Bill provides a clear demarcation of responsibilities in respect of development and mobilisation of water resources on one hand, and the treatment and distribution of water by the CWA for potable use and other uses on the other hand. Infrastructure that belongs to the Central Water Authority or that is being run by the Central Water Authority for the purpose of supplying treated water, on the coming into operation of the Act, will continue to be vested in the Central Water Authority. Hence, the CWA will continue to develop, operate and maintain its boreholes, pumping stations, service reservoirs, water treatment plants, containerised pressure filtration plants and distribution network.

On the other hand, infrastructure used for mobilisation and development of water resources such as dams and feeder canals will be vested in the Water Resources Commission. These are listed in the First Schedule.

Part II, Mr Speaker, Sir, deals with the “Framework for Water Resources Management”. Mr Speaker, Sir, Part II of the Bill elaborates on how water resources would be managed, the

establishment of a Water Resources Commission with a legal entity as a department within my Ministry as well as the powers and duties of the Minister. The current Water Resources Unit will be revamped into the Water Resources Commission.

This Commission will be responsible for the management of all surface water, underground water, springs which are part of *domaine public* and the vested publicly-owned water resources infrastructure. The Commission will be responsible to the Supervising Officer of the Ministry for the proper discharge of its functions. The main functions of the Water Resources Commission are –

- (a) to be responsible for the use, management, control and development of water resources in relation to water use for all purposes;
- (b) to monitor and enforce measures for the conservation, efficient use and protection of water resources and their related environment;
- (c) to be responsible for management of bulk raw water;
- (d) construct or cause to be constructed, dams, barrages and such other works, structures and devices as may be necessary to provide bulk raw water supplies;
- (e) elaborate and implement plans for the development, mobilisation and sustainable use of water resources, which incorporate Integrated Water Resources Management, optimal utilisation of water resources, schemes for desalination and other alternative water sources;
- (f) maintain and update a national inventory and database of water resources and hydrological data and registers of the water use permits and existing water rights;
- (g) monitor the quality of surface and underground water and ensure protection against the discharge of effluents or any other activity which may adversely impact upon the quality of any water resource;

- (h) ensure safety and maintenance of vested water resources infrastructure and inspect, and monitor privately owned water resources infrastructure on safety requirements;
- (i) maintain, monitor and manage restricted areas, buffer zones and reserved uses of water as are prescribed and required, and
- (j) undertake measurements and analyses to determine availability of water resources.

In the discharge of its functions, the Water Resources Commission can enter into agreements with public departments for supply of bulk raw water, establish and maintain accredited laboratories and monitoring stations as well as establish hydrological areas and define river basins for proper water resources management.

Mr Speaker, Sir, the duties and responsibilities and powers of the Minister in this governance structure are decisive. The Minister will set national objectives and goals to ensure long term water security and sustainability of water resources, and will have developed and implemented the relevant strategies and policies.

Given that water resources cut across several institutional jurisdictions, there is a duty to ensure cooperation and coordination among public and private stakeholders as well as monitor activities in relation thereto.

With a view to ensuring that adequate water is available for public consumption and to meet the water requirements of the population, the Minister will have the power, upon the recommendation of a multi-sectoral committee established under section 16 of the Bill, to –

- Vary temporarily the use of water granted to a user,
- Authorise drawing of surface or underground water for a specific period of time,
- Authorise drawing of water from surface and underground or desalination of seawater until a permit is issued,

- Initiate procedure for land acquisition in accordance with the Land Acquisition Act for the management, use and protection of water resources, if deemed necessary in the public interest.

It will be the Water Resources Technical Committee comprising stakeholders from various ministries and institutions that will make recommendations for the Minister to exercise such powers.

The actions referred to at section 7 (g) are of a temporary nature and for a specific period of time, and are dependent on circumstances.

Mr Speaker, Sir, as I have mentioned previously, I have witnessed two prolonged drought periods during my tenure as Minister responsible for Public Utilities. It has been deemed important to include the above section in order to ensure that necessary action can be taken promptly in times of emergency or dry season to prioritise potable water for public consumption through mobilisation of adequate water resources from surface or ground.

In fact, Mr Speaker, Sir, there have been instances of public outcry over the past years, particularly in water-stressed regions, where there is an inadequate volume of water mobilised by the CWA due to a declining levels of boreholes and reduced flow in rivers during prolonged dry period.

The above provision in the Bill should provide the necessary leverage for the Minister and the Commission to intervene positively and affirmatively in the public interest.

Mr Speaker, Sir, one of the reform areas in the governance of water resources is the introduction of a Water Allocation System whereby all the waters in the *domaine publique* or vested in the State, would be shared with water users in accordance with clearly spelt out and transparent criteria. This process and its mechanism are defined at parts (ii) and (iii) of the Bill.

Any person wishing to draw water from a surface source or underground will have to apply for a Water Use Permit to the Water Resources Commission.

A Multi Sectoral Committee – that is, the Water Resources Technical Committee – comprising representatives from concerned Ministries (such as Agriculture, Environment,

Housing, Local Authorities, etc...) will examine applications received in compliance with procedures specified in the Bill and make recommendations to the Minister.

The criteria to be taken into consideration by the Committee in determining the water entitlement is already laid out in the Bill at Section 8 and include the following –

- Priority to be given to ensuring adequate supply of water for the needs of the population and for purposes of public utility and safety in the national interest;
- Current and future social and economic needs;
- Availability of water resources in the catchment or hydrological area;
- Need for conservation and protection of water resources;
- Environment protection of ecosystem, and
- Preparedness for climate change.

In addition, section 23 of the Bill specifies the factors to be taken into consideration for the purpose of making a recommendation and these include, *inter alia* –

- a) The availability, intended volume and purpose of use of water;
- b) The requirements laid down in section 8 for the purpose of determining the entitlement to the use of water;
- c) Whether any construction work, abstraction or discharge of surface or underground water, or the abstraction of brackish or seawater is in a location or area protected by law from such development or use;
- d) Whether the use of the water, discharge of water or any associated construction work would contravene, or is likely to contravene this act or any other enactment;
- e) Whether the use of the water or the consequences of its use would pose a direct risk to the public health or the environment, and

- f) Whether the applicant has the ability and capacity to comply with and to fulfill all the requirements under this Act.

Sections 8 and 23 of the Bill together ensure a transparent and objective approach to determining water allocation to applicants and water users.

Mr Speaker, Sir, the composition of the Water Resources Technical Committee is such that it will enable it to fulfill its functions as per section 19 of the Bill.

Mr Speaker, Sir, all recommendations of the Water Resources Technical Committee made to the Minister will be submitted for approval of Cabinet.

The House may note that water allocation through permits for a defined period, subject to renewal, is a global trend. It is an internationally adopted practice where existing entitlements are appraised and reassessed for increased efficiency.

Mr Speaker, Sir, an article published in 2021 in the “Review of European, Comparative and International Environmental Law” journal analyses 220 policies and laws governing water use permits of 60 anglophone and francophone countries of Africa and Asia. The article concludes that most States have put water in the *domaine publique* and governments are the custodians of the nation’s freshwater.

Mr Speaker, Sir, as regards the duration of the Water Use Permit, the key issue is to strike an appropriate balance between the security needed to encourage investment and the need for flexibility as regards future allocations of water. The article also concludes that permits of indefinite duration are not considered feasible.

Mr Speaker, Sir, several countries that have transitioned away from traditional water regimes have adopted such modern frameworks to better manage water resources, especially taking into account factors that influence water resources such as climate change, seasonal variations, shifting of societal needs and priorities, efficiency of use, technological advancements, economic considerations and ease of regulatory oversight.

A noteworthy point to highlight is that unlike the “Right to use water” under the Rivers and Canals Act of 1863, which was for an indeterminate duration and for a fixed purpose which

is irrigation, the water use permit provided under the Water Resources Bill, is flexible first in terms of volume allocated and purpose and duration of use. Mr Speaker, Sir, part 3 of the Water Resources Bill caters for the process of applying for a water use permit, processing and examination of the application under a pre-defined criteria by the Water Resources Technical Committee, payment to be effected and alterations to be made to the permit.

Under section 26, a Water Use Permit is valid for a period not exceeding five years and may be renewed for successive periods of five years or less. The validity period is a function of the rate of decrease of surface/underground water flows generated by climate variability, simultaneous increase in demand for the resource and the proposed regular review of the hydrological areas. Sub section 26 (4) lists out what the permit will cover such as period of validity, purpose of use, any special conditions during dry season or for environmental concerns and fees applicable.

Sections 26 and 30 set out the obligations of each permit holder and conditions attached to the permit. This includes regulating the use of water during times of shortage or emergency or in the public interest and obligating the permit holder to actively conserve, protect and use water efficiently and have recourse to alternative water sources as may be available, for example, using recycled water to reduce strain on conventional water sources. Mr Speaker, Sir, yet another provision of the Bill which contributes towards making available adequate water resources for the needs of the population during times of water shortage or emergency, is at section 29 in respect of “Variation of Permit in Public Interest.”

Section 29 specifically authorises the Minister, acting on the recommendations of the water resources technical committee, to direct the water resources commission to limit, in whole or in part, the water allocated under any existing water use permit where the minister has reasonable cause to believe that it is in the public interest during times of water shortage or emergency, to vary or modify the terms and conditions of any entitlement to the use of water in order to supply water for the needs of the public.

Such action will call, Mr Speaker, Sir, for a protocol to be put in place by the commission so as to safeguard the interests of concerned stakeholders, while keeping in view priority to be given to water for public consumption. Mr Speaker, Sir, this protocol will be elaborated in close consultation between the public and private stakeholders. The protocol will provide for the

setting up of a joint committee to assess and monitor the water resources situation prevailing during the year and the forecast of availability of resources prior to onset of rainy season. A persistent deficit in the rainfall situation and its impact on our water resources will trigger appropriate actions under the protocol.

The Water Resources Technical Committee will thereafter make relevant recommendations to the Minister in the event that the Minister will have to exercise his statutory powers under the Bill. Section 32 of the Bill exempts the commission from the requirement to obtain or hold a water use permit in respect of any enterprise or activity undertaken in the discharge of its duties and functions under this Act, for example, for the construction of a dam. Sub-section (3) exempts the CWA from the requirement to obtain or hold a water use permit in respect of water which is already being abstracted or taken or used by the CWA on the commencement of this part of the Act.

However, for the purpose of maintaining a National register of water resources, the CWA will have to submit all details of water abstraction to the Water Resources Commission. Moreover, the Bill provides at section 25 for a water resource to be declared as reserved use, that is, to be used only to supply water for public consumption or for purposes of public utility and safety. Mr Speaker, Sir, in order to cater for the immediate supply of water for public purposes during times of acute water shortage or emergency, the Bill further provides for CWA to be exempt from the requirement to hold or obtain a permit for both surface and underground water so as not to allow it to act promptly and expediently in such challenging times.

For all projects undertaken during times of acute water shortage or emergency, the CWA will be required to submit to the commission, details such as the location of such water sources and volume abstracted to enable the commission to update its inventory/register of water sources, and for subsequent water allocation to applicants.

Mr Speaker, Sir, part 4 of the Bill is divided into four sub-parts namely relating to general provisions, rivers and canals, dams and underground water. The Water Resources Bill at section 36 supports small planters in their agricultural activities by exempting them from a water use permit, when using water from any river, stream or watercourse. However, the small planter has to notify the water resources commission accordingly. Mr Speaker, Sir, currently there is no legal framework to govern non-conventional uses of water or alternative water sources,

especially relevant in light of fluctuating rainfall patterns that affect seriously the surface and underground water situations.

The Water Resources Bill will promote as per section 35, the development of alternative water sources such as desalination, reuse of treated water, rain water harvesting and other technologies. The Bill makes provision

for such non-conventional water to be promoted and the commission may, as part of the conditions of a water use permit, require a water user or applicant to avail of such non-conventional resources where available, thereby making optimal use of the National water resources mix that would, over time, comprise surface water, underground water, harvested rainwater, recycled water, desalinated water and others.

In addition, a promoter who has set up a desalination plant or who is producing water by any non-conventional means can also sell its water to the CWA and to approved buyers. The CWA Act will, in this connection, be amended to allow the authority to enter into water purchase agreements with such developers of alternative water sources. Mr Speaker, Sir, there is in fact adequate volume of wastewater treated yearly at different levels at the wastewater treatment plants.

Mr Speaker, Sir, there is, in fact, adequate volume of wastewater treated yearly at different levels at the wastewater treatment plants. However, for acceptability factors, about 15% of the yearly treated effluents are being used for irrigation. This figure will be required to evolve in the water resources mix.

In addition, it must be outlined that some private and public entities such as hotels, shopping malls, IRS, hospitals, prisons and the airport, are already using on-site tertiary treated wastewater for irrigation of lawns and green space. It is considered that the potential of wastewater for re-use is significant, the more so as it is a constant and secure source of water not dependent on rainfall and can substantially reduce pressure on freshwater balance, thus leading to increased water availability for potable use.

Mr Speaker, Sir, Sub-Part C of this Section of the Bill relates to Dams. Currently, there is no legal provision regulating the construction, operation and maintenance of dams, including private dams. These structures are very sensitive and need to be monitored regularly for

continued safety and structural integrity. The Commission will keep a register of all dams. The Bill further places responsibilities on dam owners, for instance, to prepare Emergency Preparedness Plan and carry out regular check and safety assessment to ensure no prejudice is caused to downstream occupants or users of water.

Mr Speaker, Sir, provisions in respect of management and regulation of Underground Water and Boreholes are made at Sub-Part D. Currently, it is the Ground Water Act 1969 and regulations made under it that regulate this water source. With the coming into operation of the Water Resources Act, the Ground Water Act will be repealed. However, a person holding a Ground Water licence before the commencement of the Act would be deemed to be holder of a water use permit. He will have to apply for a fresh permit before expiry of his Ground Water licence.

Mr Speaker, Sir, given that our precious water resources have to be managed in an optimal manner, it will be ensured that water use permits provided for exploitation of underground water is properly utilised. Thus, in the public interest or for the purpose of providing water for domestic purposes, special arrangements have been made at Section 46, for the Commission to enter into an arrangement with a permit holder in case a borehole has not been used for at least three consecutive years or no permit has been issued or renewed in its respect during the last three years preceding the commencement of the Act.

Moreover, in times of acute water shortage or emergency, and for the purpose of ensuring adequate water for public purposes, the Commission may use underground water or water from a borehole situated on a private land/premises by giving reasonable advance notice to the owner/occupier thereof. This is in accordance with provision at Section 46 of the Bill. In case a person fails to comply with this Section, the Bill provides for the director to apply for a Judge's Order.

Mr Speaker, Sir, due care has been taken while drafting the Bill to ensure the preservation of constitutional rights of a person, whether holder of a concession or as borderer who shows legal documentary evidence of an entitlement to take water from a river or stream, or by an order of the Supreme Court. These are commonly called Water Rights Holders. Such persons have to apply for registration of existing water rights with the Water Resources Commission within six months of the commencement of Section 48.

While processing an application for registration, the Water Resources Commission may require an applicant to furnish additional information as may be necessary, or make such enquiry as deemed necessary, or require the applicant to give public notice of the application, or consider an objection made by an interested party. The Commission will keep a register of existing water rights as set out at Section 51 containing information such as the name of the person holding the existing water right, the site plan of the water source, the volume of water entitled and the purpose for which he is entitled to use the water.

Mr Speaker, Sir, provision is also made in the Bill for application for constitutional redress to the Supreme Court where a person alleges that any provision of the Constitution has been contravened or likely to be contravened in respect of an existing water right. In case the Supreme Court determines that there has been contravention of any provision of the Constitution and that the claimant has been affected thereby, the Supreme Court would fix the amount of compensation to be paid, make such order as necessary for the payment of the compensation and secure the constitutionally protected right or interest of the claimant.

Mr Speaker, Sir, in the case of existing Water Rights Holders, if considered necessary and urgent in the public interest, the Bill makes provision for the Director of the Water Resources Commission to make an *ex-parte* application for a temporary or immediate order from the Supreme Court, for the supply, control or protection of water resources.

Part VI, Mr Speaker, Sir, deals with the Enforcement. Mr Speaker, Sir, under the Fifth Schedule of the Environment Act 2024, formerly Environment Protection Act, my Ministry is the enforcing agency for “effluent discharge” and “inland waters”. The environment dimension of water supply is internationally gaining ground as a major concern in water legislations as water becomes scarce relative to demand and externalities increase. The need to control deterioration of water quality and protect water sources becomes vital.

The Water Resources Bill will provide the legal and institutional framework for my Ministry to better protect and conserve our water resources. The enforcement mechanisms are similar to the ones applicable under the Environment Act 2024 in as much as they provide for a spectrum of enforcement actions, ranging from “notice to remedy” in case of a likely contravention, up to “stoppage” of the activity causing the offence with respect to both quality and quantity. Under the law, the authorised officers of the Commission are designated to exercise

enforcement and monitoring duties. Such officers also have powers of prosecution under Section 70 of the Bill.

Mr Speaker, Sir, should a person fail to comply with a notice or order, the Director of the Commission may make an *ex-parte* application to a judge for an interim and immediate order necessary for the conservation or protection of any water resources or infrastructure or for the emergency supply of water for public purposes.

An activity that adversely impacts the quality of water resources, or causes damage to a water structure is severely punishable with a fine not exceeding Rs2 m. and to imprisonment for a term not exceeding five years.

Mr Speaker, Sir, Part VII deals with Rodrigues. Mr Speaker, Sir, as I have already indicated, the Water Resources Act will apply to the Republic of Mauritius. The island of Rodrigues will be required to comply with the general principles of Integrated Water Resources Management while catering for the island's specificities. The Rodrigues Regional Assembly will be responsible for all matters relating to the management and administration of water resources on the island and will develop plans and put in place such mechanisms for the integrated management of water resources in accordance with the Act.

Part VIII Miscellaneous – Mr Speaker, Sir, under Part VIII of the Bill, the Minister will be empowered to make regulations regarding, *inter alia*, –

- the effective management of water resources including during periods of water shortage;
- efficient use of water;
- conservation of water and protection of water resources;
- alternative water sources;
- reserved use of water, and
- providing measures to ensure the cleaning, clearing, maintenance, safety and security of watercourses.

Mr Speaker, Sir, given the complexity of the water sector, to allow for the smooth implementation of this Act, the proper coordination and cooperation with all stakeholders, as

well as the putting in place of all mechanisms and processes, a transitional period of 18 months is provided for under Section 81. Mr Speaker, Sir, any license or permit or authorisation which has been granted under a repealed or amended legislation, or is deemed to have been granted under this Act, shall lapse after a period of 18 months from the commencement of the Act.

Mr Speaker, Sir, consequential amendments will be made to the Rivers and Canals Act, CWA Act, Irrigation Authority Act and CEB Act. The Ground Water Act would be repealed. Duties relating to mobilisation and development of water resources under the CWA Act, which are already being performed by the Water Resources Unit, will now be reflected in the Water Resources Bill. Except for desalinated water, CWA remains the sole undertaker for supply of treated water for domestic, industrial and commercial purposes.

M. le président, en guise de conclusion, c'est avec un sentiment du devoir accompli que je termine mon intervention. Je tiens à remercier premièrement, le Premier ministre pour son soutien et le personnel de mon ministère, celui du bureau de l'*Attorney General* et aussi l'ancien Chef juge, son excellence, M. Ashraf Ally Caunhye pour l'élaboration de ce projet de loi.

Mr Speaker, Sir, I am done. I now commend the Bill to the House. Thank you.

Mr Toussaint seconded.

Mr Speaker: Hon. Members, I now suspend the Sitting for one hour.

At 8.59 p.m., the Sitting was suspended.

On resuming at 10.03 p.m. with Mr Speaker in the Chair.

Mr Speaker: So, I decide to give you the floor.

(10.04 p.m.)

The Leader of the Opposition (Dr. A. Boolell): Mr Speaker, Sir, the Bill has wide implications. The Minister has been explicit and has sent some positive signals to reassure stakeholders. The setting up of the protocol for private public sector gives a zone of comfort in relation to apportionment of water during emergencies. The fear of compulsory acquisition of land which has boreholes through which rivers or canals pass has been temporarily allayed; the onus is on equitable sharing.

Water, like sea, forms part of public property; it is defined in our Civil Code and it cannot be subject to private property. No water right, as it is, can be for an indefinite period; no holder has absolute right. Those who have rights should know that he or she is entitled to a share of water, proportional to the extent of his or her irrigable land or for industrial purposes. Water scarcity is indeed economic decline and water has to be well managed.

Against this backdrop, I will comment on the Bill. The first casualty of the Bill is the Water Resources Unit, it will be defunct. The Water Resources Commission becomes a departmental division the Ministry. The functions are clearly spelt out, but it remains a lapdog. It is the Minister of Energy and Public Utilities who is the lord of the manor. Government is government, and government so decides. The agenda of the regime is clear; it will pull all the strings.

I must say there are some safeguards, but the Minister may argue that the Technical Committee will scrutinise applications. But the Minister so decides and he submits the approved cases as an information paper to Cabinet. If a person's right is forfeited, the aggrieved person can always seek redress under Section 55, but it is a tedious and costly process. Sometimes, clear-cut evidence is not available because of documents which are difficult to retrieve or because of lost documents.

Now, water, as the Court said, is public domain, and this was said by the Court of Appeal in the case of Ciel vs. CWA. And let me highlight, public interest overrides and is overwhelming. The rights of the individual are fundamental and he/she who constructs the canal has a right to draw water, be he a planter or a former sugar magnate. Rights and obligations are intricately linked. Drawing of water is not unconditional when there is *force majeure*. If in doubt over management of water, as we say, go to Court; let the Magistrate rather than Supreme Court so decide.

Government is the custodian, but the allocation of water rights should not be a cash cow for the regime. It is unacceptable that this regime was prepared without protracted discussion with stakeholders; I am not talking of soft meetings but of protracted discussion. There was hardly any effective talk from what I have been told. The Minister maintains that discussions were ongoing since 2022. Why do I say protracted? Because the historical facts and

constitutional rights cannot be ruled out or sometimes established. The regime has already upset domestic and commercial consumers.

Let me now come to the history of water rights, and this dates back from the original concessionary period of the King of France when settlers were provided with portion of King's land, what they call *concession double ou grande concession, et demi-concession*, for agricultural production and water was attached thereto. Therefore, rights to water are protected as property rights under the Constitution. Some of the said rights, dating back from the French and British periods, have clearly delineated the powers of the State and the courts, and the only authorities empowered to allocate or remove those rights have always been the Court. What should be the object? To ensure fair and just allocation of resources and there cannot be discrimination nor special differential treatment allocated. Those rights have been used in a continuous manner although some original documents dating back as far as 1778 have become untraceable.

The CWA has, with the support of Water Rights Administrator, Mr Rajen Kauppamuthoo and an expert from New Zealand, Thomas Fancourt carried out a census of those rights in 1980 and 1981. The census has re-established those rights in the absence of documentary evidence of the courts, which unfortunately have been damaged over time. A register of water rights has been established accordingly. Some water rights holders have re-established their rights through water rights reports, some of which have been registered with the landed property deeds, and section 51 gives some comfort to existing water rights of holders.

A second census has been carried out by the authorities in 2013 to update the list of water rights holders. The data are available. I agree that the holders of water rights have not always been fair games, some have been reluctant to enter into effective negotiation or to act responsibly in moments of needs but, a responsible Government has to go for effective dialogue.

Mr Speaker, Sir, some major provisions of the Bill are controversial, they instil fear and create uncertainties. The judgement that I have stated given by the Privy Council on 20 February 2022 in favour of CWA against the respondent Ciel Ltd and other Appellants make good jurisprudence. *Le domain public* ruled the Privy Council. Water rights are governed by Rivers and Canals Act. The Act provides that rivers and streams are public property but even with the

legislation which is being introduced, and rightly so, there cannot be certainty over Rivers and Canals Act. The land owners have a right of *jouissance*. Nothing is for an indefinite period as I have stated earlier, but every holder, every user has an obligation to return unpolluted water to the canals and rivers. Polluters must pay. The ruling of the Privy Council is a guiding lantern but the regime is taking advantage of the ruling to act arbitrarily. The risk of constant challenge or litigation in Court is high with the provisions of the legislation. It is not a question of them or us; it is about obligation, rights and overriding public interest.

Mr Speaker, Sir, providing extensive powers to political appointee and in this case, a Minister, for a matter which is related to public property and property rights protected by the Constitution of Mauritius, may constitute a dangerous precedent.

As I have stated earlier in relation to the Rivers and Canals Act, the Central Water Authority Act, governing the rights to water, remain the main pieces of legislation governing these historical property rights but time is to revisit to democratise; but there should be no violent disruption and I will refer to section 46 of the Bill. Any attempt to remove the power from independent courts to allocate or remove such rights would therefore constitute a shift in the constitutional balance between legislative, executive and judiciary powers, which are paramount for a functional democracy.

Moreover, water, as I have stated earlier, forms part of public domain, is equally essential to sustain life as well as food security and agricultural related activities of our country. A law providing a permit issued by the authority will therefore provide a discretionary power. Unfortunately, it is ripped from the Supreme Court. It is complex and wide consultation at all levels would have assuaged and mitigate difficult circumstances. I grant you, no one should tamper with the constitutional rights, but the Constitution should be amended by two third or three-quarter of the majority, and unless this is obtained, the rights will stay as they are.

There are changing times and policies have to be revisited to ensure fairness and equity. There are priorities in times of needs or urgency and CWA and CEB have to act with fairness on fees to be paid for pumping of water from boreholes, apportioning of water for domestic and irrigation and rights of holders. Operators cannot be summoned and told to submit their projects

for no apparent reason. It should not be an opportunity for corrupt practices. There is a call for decent dialogue and to make sure public interests are served first.

Let me tell you the story of a food producer, and I quote –

“I also need to inform you, the production of sugar, vegetables, nursery and loan we are doing is very limited due to lack of water. CWA is talking about conductivity and water quality to reduce the level of water to be pumped from boreholes. When the Bill which is going to be passed is going through, they will take whatever water they want from everywhere by abusing the rights.”

This is what was said by a farmer. The farmers will be in more difficult situations and I hope there will be interactive session to assuage, to mitigate and to create a climate of certainty.

Mr Speaker, Sir, let me refer to specific clauses. Clauses 7, 24 and 32 make the holders of water rights uneasy. In section 7, the planters, AHRIM and other stakeholders have expressed concerns over the power to vary and waive usage vested in a member of the Executive. It may be politically motivated because the fear that the political arm of the Executive has been in the habit of exercising unfettered, unlimited power. The power to initiate compulsory land acquisition is worrying given the fact that many real estate promoters, businesses and individuals have rivers and other natural sources flowing through their private property but the legislation has to be crystal clear in relations to a compensation or to entitlement which are due if ever there is acquisition of the land.

Mr Speaker, Sir, to recall, the regime can act but it has to act forcefully and I feel sorry that there has been no protracted dialogue with all the stakeholders. There is also no guarantee for procedural rights of those affected by compulsory land acquisition, including right of notice, right to be heard and right to appeal.

Mr Speaker, Sir, in section 24 - Determination by Minister, where clarity in relation to right of appeal, there is a high perception of abuse of power, corruption and favouritism. One may argue that the Minister has to take into consideration the advice tendered by the Technical Committee. The word “may” circumscribes his power; he ultimately shall. It is neither the

Commission nor the Committee which stay action even if a decision is controversial. Let us make sure that the Commission does deliver.

Now section 32 –

“(2) The Minister may, in the public interest, exempt any person from the requirement to hold a permit under this Act.”

The power of the Minister is absolute. He may exempt supporters of the regime and turn down other applications.

Section 48. Existing water rights –

“(i) as the holder of a concession in accordance with his title of concession;”

There may be an issue with the Supreme Court as records regarding water rights have been lost as they date back to the 1900.

Mr Speaker, Sir, let me conclude by asking a few questions. As the Minister has said, water right is human rights and it is becoming an expensive commodity. But lately, the new water meter which is being installed registers, unfortunately, an unusual level of consumption. I do not know whether this is due to recalibration, but there have been complaints and the monthly bills of many commoners have gone up manifold. Complaints have been filed at the CSU and the CWA Office. I hope that it is not a disguisery to rip off consumers.

A Water Reform Bill, defining the policy of Government towards water, one of the very few natural resources of a country which belong to all of us, precede the *mise en place* of such an ambitious objective as 24/7. Mr Speaker, Sir, now that we are almost on the threshold of the dissolution of Parliament, the verdict is that the Government has failed miserably. Almost all areas of Mauritius are now on a water cut regime. The regime is insensitive to the plight of consumers. One has to listen to the radio, day in, day out, to the complaints from the public about the poor water quality supply.

The water losses in the CWA network are now at an abysmal level, above 65%. It is one of the highest in the world, and highest since we became independent as a nation. For each 10 cubic metres of water produced, 6 cubic metres is unaccounted for.

Mr Speaker, Sir, the CWA uses some water tankers to service consumers. Today, the dams are full and yet the population is still subjected to water cut regime, and drastic in some areas. It should take into consideration the amount of water available and its spread across the island. Here, we also have Rodrigues and the outer islands in mind. The immediate and projected requirement of each sector is important. Our district water zone has to be levelled up. We have to set realisable target which is yet to be done.

In the Budget 2015-2016, the MSM Government projected to spend Rs20 billion to bring 24/7 water supply to the country. The major projects were –

- Rs429 m. for a new Treatment Station at La Nicolière;
- Rs425 m. for the Pont Lardier Project in the East and the Rivière des Anguilles Dam,
- The construction of 21 storage reservoirs. These are reservoirs located across the island for storing treated water before distribution to the population.

Unfortunately, they have failed! They have failed abysmally, and they have failed on all counts. Now, they come forward with this Bill, which sounds like an admission of guilt and outright failure.

Mr Speaker, Sir, predictability and reliability of water supply on a 24 hour basis is a luxury in Mauritius. What promises were not made since 2015 over the 24/7 water supply? It could have been a reality, but unfortunately, we are far from the real world. Water supply was the beginning of a rift between the Prime Minister and the former DPM over privatisation; an *affermage*. No lessons have been learnt from the recent scandal of allocation of contracts for pipe laying programmes. The provoked departure of the Internal Auditor of CWA opened the door to corruption of allocation of contract of Rs6 billion. CWA has advertised to recruit an Internal Auditor who will have to report to the Manager.

Mr Speaker, Sir, as I said, thank God, the days of this Government are numbered. Thank you very much.

Mr Speaker: Hon. Minister Seeruttun!

(10.22 p.m.)

The Minister of Agro-Industry and Food Security (Mr M. Seeruttun): Thank you, Mr Speaker, Sir. Mr Speaker, Sir, I stand before this House to support the Water Resources Bill (No. VIII of 2024), a landmark legislation which is poised to bring transformative change to the way we manage and utilise our precious water resources.

Indeed, Mr Speaker, Sir, the Water Resources Bill, which is to be passed in this august Assembly, marks a significant milestone in our journey towards sustainable and efficient water management.

As Minister of Agro-Industry and Food Security, I am acutely aware of the critical role that water plays in sustaining our agricultural activities. Water is not just a resource; it is the lifeblood of our fields, the foundation of our endeavour towards food security and a crucial element in the livelihood of our planters. Hence, the need for it to be properly managed.

From an agricultural perspective, Mr Speaker, Sir, I consider this Bill to be a monumental shift towards a more equitable and prosperous future for the agricultural sector as a whole.

This new Bill, Mr Speaker, Sir, with its comprehensive legal framework, promises to address the long-standing challenges we have faced under the Ground Water Act, Rivers and Canals Act and the Central Water Authority Act.

For too long, our water resources have been managed in silos with different agencies operating under separate acts without proper coordination. In fact, the existing legislations all deal with portions of the water sector, but fail to adopt a holistic and integrated approach. This fragmented system has led to inefficiencies and thus made it difficult for planters to have equitable access to water resources.

Mr Speaker, Sir, the Water Resources Bill represents a significant step forward by providing a comprehensive framework that will ensure water security and sustainability for all, including planters. This Bill, in comparison to the existing legislations, brings forth several key improvements. Allow me to highlight some of these and how they will contribute to the growth and development of our economy, including our agricultural sector.

Most importantly, Mr Speaker, Sir, the Bill recognises water as a finite resource that needs to be protected for both current and future generations. Its emphasis on conservation, efficient

use, monitoring, protection of catchment areas and aquifers will go a long way in ensuring long term water security for Mauritius.

This is crucial for our agriculture which relies so heavily on consistent access to water supplies. Indeed, Mr Speaker, Sir, this Bill establishes a comprehensive legal framework for the use, management, control, protection, conservation, and sustainable development of our water resource. Its objective is to safeguard our immediate and long-term interest by ensuring equitable access to water by one and all.

The Bill also ensures that planters have a reliable and fair allocation of water resources, through a clear and transparent framework, thus enabling them to better plan and optimise their agricultural practices. One of the most commendable aspects of this Bill, Mr Speaker, Sir, is its focus on the sustainable development of our water resources. The agricultural sector has often been and is now more frequently at the mercy of erratic weather patterns and inconsistent water supply due to climate change.

With the emphasis that it lays on the promotion of the efficient use of water, this Bill encourages planters to adopt innovative and sustainable irrigation practices, given the increasing challenges posed by climate change and the need to ensure water security and resilience. By promoting the efficient use of water, we can reduce wastage, conserve our precious resources, and encourage a more environmentally friendly agricultural sector. I must say, Mr Speaker, Sir, that with a view to improving the efficient utilisation of water to enhance vegetable and fruit crops production at farmer's level, my Ministry has been encouraging farmers to adopt climate resilient methods of production through the development and implementation of novel water and energy saving irrigation technologies which prevent wastage of irrigation water by offering a water economy of 40 to 50%. Several initiatives/facilities have been provided to planters to enable that shift. With the implementation of these water and energy-efficient technological packages, farmers are able to increase crop yield both in terms of quantity and quality.

Another significant and visionary feature of this Bill, Mr Speaker, Sir, is the establishment of the Water Resources Commission. This Commission will serve as the central body to oversee the management, control, protection, and conservation of our water resources. By bringing all water-related activities under a single umbrella and framework, we can ensure better coordination, avoid duplication of efforts, and streamline the processes that are vital for

proper water management. This holistic approach which was lacking in the previous legislations, where responsibilities were fragmented across different entities, will ensure sustainable management of our surface as well as ground water, dams and other water infrastructure in an integrated manner.

This independent body will provide expert guidance, monitor water usage, and promote the implementation of best practices in water management. The Commission's presence will ensure that the interests of the agricultural sector are properly represented and protected, which will lead to a more efficient allocation of water resources for agricultural purposes. By vesting ownership and administration of water resources under the Water Resources Commission, far better coordination between all stakeholders in the sector will undoubtedly follow, thus leading to more efficient allocation of water.

I also note, Mr Speaker, Sir, that this Bill makes provision for the concept of water use permits, which will replace the existing system of water rights. This system will bring much-needed regulation and accountability to the use of water resources. This shift will streamline the administrative processes and provide water users, including planters, with a more transparent and accessible mechanism for securing water resources. Processing applications and regulating water usage in a transparent, organised manner will eliminate many of the ambiguities that currently exist.

Through the introduction of permits for water use, the monitoring and management of water will be done in a more effective and efficient manner, whilst ensuring that the agricultural sector receives its fair share. This Bill will therefore, Mr Speaker, Sir, bring about a robust mechanism for regulating water use, thereby putting an end to inequities and conflicts. I have no doubts that planters will have greater certainty and security of having a consistent water supply, for their agricultural activities.

The Bill also introduces the concept of buffer zones and restricted areas, which are pivotal for protecting our water resources from contamination and overuse. Regulating activities in these zones, will, without any doubt, prevent the degradation of our water bodies and ensure that the nation has access to clean and safe water. This level of protection, which is not sufficiently covered in the existing legislations, will help in controlling pollution and resource depletion.

In addition, Mr Speaker, Sir, the Bill lays emphasis on the protection of aquifers with a view to ensuring that they are not over-exploited. This will help of course to safeguard the long-term availability of underground water for both agriculture and other uses. The Bill recognises the importance of alternative water sources. It acknowledges that surface and groundwater alone may not always be sufficient to meet the increasing demands of the various socio-economic sectors. Therefore, the Bill encourages the exploration and utilisation of sustainable sources of water, such as desalination and other innovative technologies. While promoting water recycling, reuse, desalination and alternative water sources, the Bill will act as a game-changer, as it will open up new avenues for the agricultural sector.

These innovative approaches will surely reduce the stress on our existing water resources. The enforcement powers as provided under the Bill will help crack down illegal abstraction and wastage of water which deprive other users, including planters, of this precious resource. By clearly spelling out the responsibilities, penalties and compliance protocols, the Bill will call upon all water users including the agricultural sector to adopt more sustainable practices and make efficient use of our water resources.

Mr Speaker, Sir, Section 36(2) of this Bill makes reference to special considerations given to small planters. Indeed, it specifically exempts small planters from the requirement to use water from rivers, streams, or watercourses only for the purposes specified in their water use permit. This implies that small planters will not be restricted to using water for specific purposes as provided in the permit. They will have the flexibility to use water for any agricultural purpose they deem necessary, as long as they notify the relevant authority. This provision will ease off the regulatory burden of small planters and will give them access to river water for irrigation purposes.

While still keeping their water usage subject to terms and conditions to be set by the Director of the Water Resources Commission, the Water Resources Bill acknowledges the contribution of planters to our social and economic development.

In conclusion, Mr Speaker, Sir, I must emphasise on the fact that the Water Resources Bill embodies a comprehensive, sustainable, and forward-thinking approach to water management.

This Bill will bring about an unprecedented reform that was long overdue to strengthen water governance in our country. It paves the way for an efficient and equitable water management, and thus ensuring that all the socio-economic sectors of the country have the necessary water resources to thrive in an ever-changing environment.

I, therefore, urge all members of the other side of the House to raise above politics and support this Bill.

Let me to end Mr Speaker, Sir, to commend my colleague, the mover of this Bill for coming forward the speech of avant-gardist legislation to prepare for the adequate and equitable supply of water for our future generation.

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

Mr Speaker: Before you take the floor, let me give you the floor first! Let me put the traditional question. You did not pay respect to the Chair this morning. You kept sitting when I came in. So, I would ask you one question now. Are you prepared to respect the Chair?

Mr Uteem: I have always respected the Chair.

Mr Speaker: Always. Very good!

Mr Uteem: The Standing Orders have been amended to allow Members to speak from a sitting position. All speakers speak from a sitting position.

Mr Speaker: No, this is not the point. The point is that when I came in the Chamber in the morning, you did not stand up to pay respect to the Mace, to the Chair, to the House, to the National Assembly; you did not pay respect. My question is simple. Are you now prepared to pay respect to the Chair?

Mr Uteem: We follow the Standing Orders, Mr Speaker, Sir. Whatever we are told to do by the Standing Orders, we do. If the Standing Orders tell us to stand up, we will stand up.

Mr Speaker: No...

Mr Uteem: If the Standing Orders tell us to sit when we talk, we sit.

Mr Speaker: No! No! This is the tradition in all Parliaments all over the world. This is practice in all Parliaments. There is no Standing Orders; it is a practice in all Parliaments all over the world. The Mace is the symbol of authority. So, you are not paying respect to the Chair as such, you are paying respect to the Mace and the authority of the Mace and the House where you took oath of allegiance to the House, to respect the rules and regulations, the discipline, the practice going on in the House.

So, my point is: are you prepared to show respect now?

Mr Uteem: I said, Mr Speaker, Sir, I have always respected the Mace.

Mr Speaker: So, on that count, you can speak now.

(10.42 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): M. le président, souvenez-vous de 'dilo 24/7' ? Où est passée la belle promesse de fournir de l'eau 24 heures sur 24, 7 jours sur 7 ? Plusieurs régions de l'île ne sont toujours pas convenablement alimentées. L'eau est distribuée dans certaines régions au compte-gouttes pendant seulement quelques heures par jour.

Mr Speaker: Make sure you are speaking on the Bill!

Mr Uteem: Water Resources ...

Mr Speaker: You know what the Bill is?

Mr Uteem: Yes.

Mr Speaker: Yes. This is not the CWA problem. This is the concentration of water resources.

Mr Uteem: Mr Speaker, Sir, I bow to your ruling but I will draw the attention of the House to Section 80 – Consequential Amendments where the Central Water Authority Act is being amended by repealing and replacing the Object of the Authority . So the Object of the Authority was to ensure proper distribution of water and now this is being taken away. So, I have

to make the *bilan* of the CWA and that is why we are amending the Object Clause of the CWA in this.

Mr Speaker: You may talk on the amendment to be brought to the CWA but not about this political issue of 24/7 water or whatever thing. Continue!

Mr Uteem: M. le président, n'en déplaise à l'honorable ministre, nous sommes à Maurice, une île bénie, nous avons de la pluie en abondance, bien plus que nous n'en avons besoin. Nos collines, nos montagnes sont vertes, et cela témoigne de l'abondance d'eau. On a même des inondations, mais comment alors expliquer qu'en début d'année, on a des pluies torrentielles, des inondations mais arrivé en fin d'année, on a des coupures drastiques d'eau ? La réponse est évidente. La mauvaise gestion de nos ressources en eau, pour ne pas dire une gestion catastrophique !

Et la situation s'est considérablement empirée ces 10 dernières années sous le gouvernement MSM et ses groupuscules. Pourtant, chaque année nous votons un budget de plusieurs centaines des millions de roupies voire des milliards de roupies pour améliorer la conservation et la distribution de l'eau, qui est le sujet de ce débat.

Le gouvernement avait même prélevé R 4 sur chaque litre d'essence et de diesel pour remplacer les vieux tuyaux. Résultats : aucune amélioration ! Fuites d'eau récurrentes ! *Non-revenue water* à la hauteur de 60 %, un des taux les plus élevés au monde. C'est-à-dire 60 % d'eau qui quitte nos réseaux des distributions ne sont pas facturés. C'est ça la mauvaise gestion de nos ressources en eau.

Aucun nouveau réservoir construit ! Ce *Bill* parle de la construction des réservoirs et des *dams*. Aucun réservoir construit ! Dans ma circonscription, M. le président, que ce soit à Vallée Pitôt, à Tranquebar ou à Pailles, il nous faut de nouveaux réservoirs pour alimenter les réseaux des distributions qui sont saturés. Et, je suis sûr qu'à travers l'île, il faut plus des réservoirs parce qu'il y a les nombres des maisons, d'apparetements, des morcellements qui ont augmenté dans plusieurs de ces régions mais le volume d'eau distribué, la pression de l'eau n'ont pas suivis.

Chaque année, M. le président, durant le budget et ce, depuis 10 ans, le ministre de Finances, sans le moindre embarras ou gêne, nous sort le projet de construction du barrage à Rivière des Anguilles – aujourd’hui, les *dams* seront *vested en étapes*.

Chaque année, les membres du gouvernement tapent la table en attendant Rivière des Anguilles Dam.

Mr Speaker: No! I know you would be coming on that point, but listen to me, once more, once again. Talk on the Bill. It is a Water Resources Bill. You have an Explanatory Memorandum which states everything the Bill will treat. So, don’t go away from the Bill; stay with the Bill!

Mr Uteem: Mr Speaker, Sir, Sub-Part C...

Mr Speaker: I will be patient with you up to a point.

Mr Uteem: Absolutely. Sub-Part C of the Bill –

- Section 39 – Private and other dams
- Section 40– Responsibilities of dam owners
- Section 41 – Assessment of safety risk
- Section 42 – Dams declared a safety risk
- Section 43 – Protection of dams

Five sections, three pages on dams, and I am not allowed to talk about dams?

Mr Speaker: Hon. Member, don’t try to be demagogical! ‘Dams’ means existing dams and control over dams!

Mr Uteem: No! ‘Dams’ means future dams also. This is the Bill, Mr Speaker, Sir; construction of new dams. Who can construct new dams? Private or public. Where does that dam vest into? So, we are talking about Rivière des Anguilles Dam.

Mr Speaker: I give you a last chance! Go direct to the Bill!

Mr Uteem: It is the Bill! I am...

Dr. Boolell: You have been damned!

Mr Uteem: Aujourd'hui, la gestion de nos ressources hydrauliques est sous la responsabilité de la *Central Water Authority*. Semaines après semaines, à travers les *PNQ* et les *PQs* et à l'ajournement, la population constate avec colère la mauvaise gestion de nos ressources en eau par la *CWA*, de mal en pis ! Et avec la venue du nouveau directeur général, qui comme nous l'a rappelé l'honorable Premier ministre durant le *Committee of Supply*, est toujours son conseiller, la situation à la *CWA* est tout bonnement chaotique ! Comment espérer...

Mr Speaker: No, I will stop you there! You are going too far! You don't want to speak on the Bill? I am asking you for the last time: do you want to speak on the Bill?

Ms J. Bérenger: *Pe koz lor Bill la!*

(Interruptions)

Mr Speaker: No, I am not asking you the question! You keep quiet!

An hon. Member: *Ayo! Ki ti bizin gagne sa la!*

Mr Speaker: I am asking you: do you want to speak on the Bill?

Mr Uteem: Yes!

Mr Speaker: Okay, I will listen to you!

Mr Uteem: M. le président, le point que j'essaye de faire, c'est qu'au lieu de venir avec cette loi, on aurait pu laisser la *CWA* continuer à gérer les ressources en eau, mais de changer la façon dont les gens qui opèrent à la *CWA* sont nommés. *Putting the right people!*

Mr Speaker: No, no! Okay, I will stop you there! Now, I am lacking patience with you! You are making an abuse of your time in Parliament!

Mr Uteem: I am...

Mr Speaker: Would you like to try again on the Bill?

Mr Uteem: Okay, I will try.

Mr Speaker: No demagogy!

Mr Uteem: Okay, no demagogy!

La *Water Resources Commission* prévue à la section 9 du projet de loi n'est même pas une commission en tant que tel, c'est un département d'un ministère. Donc, ce n'est pas une commission indépendante. La commission sera gérée par un directeur, a *one man army*, un fonctionnaire.

Ce projet de loi donne tous les pouvoirs au ministre et c'est très dangereux. Le ministre a énuméré tous les pouvoirs à la section 7. C'est le ministre qui, dorénavant, décidera ou non d'accorder un permis pour l'utilisation d'eau des rivières, des canaux, des *boreholes*, des nappes phréatiques. C'est le ministre qui décidera le volume d'eau que vous pouvez utiliser. C'est le ministre qui décidera des *fees*, des redevances que vous paierez pour ces *water rights*. C'est le ministre qui peut unilatéralement, sous la section 29, modifier les termes et conditions de votre permis d'utilisation d'eau, et ce, sans payer de compensation. C'est à la section 29. Mais, c'est aussi le ministre qui décidera d'exonérer toute personne de la nécessité d'avoir un permis sous cette loi, section 32.

C'est toujours ce même ministre qui, sous la section 27 (2), peut accorder une exonération du paiement des redevances des *fees*. Oui, le ministre peut le faire dans l'intérêt public. Et qui décide que c'est dans l'intérêt public ? Bien sûr, c'est le ministre. Donc, le ministre, M. le président, sous la section 27 (2) de ce projet de loi, peut décider de ne pas réclamer des *fees* pour l'utilisation des eaux des rivières, des ruisseaux, des *boreholes*. Non, mais, vous vous rendez compte ce qu'on est en train de faire en donnant tous ces pouvoirs au ministre ? Le pouvoir de donner un permis ou pas. Le pouvoir de faire payer ou pas !

M. le président, l'eau qui coule dans nos rivières, dans nos ruisseaux, sur la terre, sous la terre, nos nappes phréatiques, l'eau souterraine, toutes ces eaux appartiennent à l'État et nous appartient collectivement. C'est un bien public ! Ce n'est pas le bien propre du gouvernement ou

d'un parti politique. Donc, est-ce vraiment raisonnable de donner tous ces pouvoirs à un politicien qui peut être sujet à de nombreuses pressions ? C'est ça le point que je veux essayer de faire, M. le président.

Aujourd'hui, sous la *Rivers and Canals Act*, une loi qui date de 1863, c'est la Cour suprême qui accorde à une personne le droit d'extraire de l'eau d'une rivière ou d'un ruisseau ou de dévier l'eau d'une rivière ou d'un ruisseau. Et la Cour suprême n'accorde pas facilement cette autorisation. Je me souviens, quelques années de cela, il y avait un client étranger qui avait un projet touristique qui comprenait la plantation de vanille. Il avait reçu l'autorisation de l'*Economic Development Board*. Il avait reçu l'autorisation de la CWA pour prendre de l'eau de la rivière pour faire de l'irrigation. Il avait eu l'autorisation du ministère des Services publics parce qu'il y avait un seul autre utilisateur, donc, il y avait suffisamment d'argent.

Donc, le monsieur a fait une demande à la Cour suprême pour pouvoir extraire de l'eau pour irriguer ses champs. Et là, vous savez ce qui s'est passé ? La juge de la Cour suprême a rejeté sa demande. La juge n'était pas satisfaite qu'il y ait suffisamment d'eau dans la rivière pour avoir un deuxième utilisateur et que les droits des autres riverains ne soient pas affectés. Je cite ce que la juge a dit –

“It is for this Court [Supreme Court] and not for a third party [c'est-à-dire la CWA] to be satisfied that the legal requirements have been met before a water right is granted.”

C'est à la cour de décider, pas à la CWA.

Et ce principe sera repris quelque part dans la décision du *Privy Council* dans l'affaire CIEL contre la CWA, qui a été cité et par le ministre et le leader de l'opposition. Cette plus haute instance a confirmé que seule la Cour suprême, et auparavant le *Land Court*, peut autoriser une personne à extraire de l'eau d'une rivière ou d'un ruisseau, les riverains, entre autres, ne peuvent pas le faire.

Je suis d'accord avec l'honorable ministre qu'il faut étendre ces pouvoirs, ne pas les limiter seulement dans le cas d'irrigation, d'avoir une date, de ne pas donner un permis sans limitation. Mais au moins, laissez ce pouvoir entre les mains de la Cour suprême. C'est une protection parce

qu'on est en train de parler de bien public et on ne peut pas avoir des considérations politiciennes lorsqu'on est en train de distribuer les biens publics.

Un autre manquement très flagrant, plus flagrant dans ce projet de loi, M. le président, c'est l'absence de procédure d'appel, l'absence de droit d'appel d'une personne lésée. Aujourd'hui, sous le *Ground Water Act* de 1969, à l'article 8, si la CWA rejette votre demande pour extraire de l'eau souterraine, *the Ground Water Licence*, la section 8 prévoit un droit de recours à la Cour suprême dans un délai de 21 jours qui suivent la décision de la CWA. Mais dans les dispositions de la section 24 (b) du projet de loi devant cette Chambre, le ministre peut rejeter votre demande de permis et il n'y a aucune procédure d'appel de prévu sur cette loi. Un recul par rapport au *Ground Water Act* de 1969.

Pire, selon la section 54 de la loi qui prévoit un recours à la Cour suprême, si une personne estime que ses droits constitutionnels sont lésés, elle peut avoir recours à la Cour suprême, selon la nouvelle loi, seulement si ses droits constitutionnels sont lésés. Mais le recours constitutionnel est très contraignant et ne s'applique que dans certains cas spécifiques. Si, par exemple, M. le président, le ministre permet la déviation d'un cours d'eau ou l'exploitation d'une nappe phréatique qui peut avoir des conséquences néfastes sur l'environnement ou sur les riverains, personne ne semble avoir le droit sous cette loi de contester la décision du ministre parce qu'il n'y a pas le droit constitutionnel des riverains ou de la population qui est affectée par une décision ministérielle qui peut avoir un effet néfaste.

Et c'est bien dommage, M. le président, parce que ce matin même, on a eu une *PNQ* sur la décision du *Privy Council* qui a statué qu'Eco-Sud avait bel et bien un intérêt suffisant pour contester le permis émis par le ministère de l'Environnement. Donc, aussi, dans cette loi, cet après-midi, on aurait dû avoir un droit de recours de n'importe quelle personne qui s'est sentie lésée par une décision du ministre. Mais ce projet de loi ne prévoit aucun recours dans la plupart des cas. Par exemple : si on suspend votre *water rights*, si on modifie les conditions du *water rights* ou de la quantité d'eau que vous pouvez extraire et tout ça sont sous la responsabilité du ministre qui a le pouvoir de le faire d'une manière unilatérale, vous n'avez pas le droit d'appel. C'est clairement antidémocratique, voire anticonstitutionnel mais vous n'avez pas le droit d'appel sous ce projet de loi. Et c'est la première fois, M. le président, depuis que je suis au

Parlement qu'il y a un projet de loi qui reconnaît explicitement qu'il y a des clauses anticonstitutionnelles et qui prévoit un recours constitutionnel. C'est prévu dans cette loi. Pourquoi ? Parce que le gouvernement est conscient que certaines des provisions et la façon d'appliquer certaines de ces provisions peuvent aller à l'encontre des articles 3 et 8 de la Constitution qui garantissent et je cite –

“(...) the right of the individual to protection (...) from deprivation of property without compensation, (...)”

La Constitution n'empêche pas au gouvernement de prendre possession des biens d'une personne si cela est nécessaire dans l'intérêt public pour les développements sociales, économiques des Mauriciens. La Constitution n'empêche pas au ministre de prendre les *water rights* s'il y a une sécheresse et que le gouvernement a besoin de cette eau. La Constitution n'empêche pas le ministre d'effectuer des *compulsory acquisition*, tout cela est permis mais l'article 8(c) de la Constitution prévoit des garde-fous. La section 8(c) de la Constitution prévoit que la loi doit prévoir une compensation adéquate et un recours à la Cour suprême à la personne lésée. Mais que voyons-nous dans ce projet de loi ? Section 29(3), et je cite –

“The Minister or the State shall not be liable to pay any compensation to a water use permit holder following the variation of any of the terms and conditions of a permit.”

La loi est en train de dire qu'on peut varier les conditions de votre permis, cela peut entraîner des dommages, vous pouvez avoir des pertes. Vous avez investi dans un projet en vous basant sur le permis que le ministre vous a donné, que vous allez pouvoir extraire une certaine quantité d'eau. Le ministre de façon unilatérale décide de changer *the rule of the game* et vous n'avez pas de compensation, la loi le dit clairement – vous n'aurez aucune compensation. Donc est-ce constitutionnel ? N'est-ce pas contre l'article 8(c) de la Constitution ?

Section 57 –

“Nothing in this Part shall be construed as giving rise to a right for compensation, in respect of any decision or action that arises from the application of this Act, other than a decision which may be the subject of an order for payment of compensation by the Supreme Court under this Part.”

Ce droit de recours à la Cour suprême pour toute personne qui se sent lésée sous la section 57 où il peut même réclamer des dommages, une compensation, ne s'applique que pour des violations des décisions du ministre sous « *this Part* » et « *this Part* » concerne seulement les *water rights* mais quid des autres droits ? Si vos droits sont lésés par rapport à des décisions qui ne tombent pas sous ce « *Part* » et je prends un exemple : le *buffer zone* sous la section 33 qui peut être prescrit par le ministre. Il peut le faire, j'ai aucun problème avec la possibilité qu'un ministre puisse déclarer certaines zones de notre pays comme des *buffer zones* pour protéger la rivière, les cours d'eau, les réservoirs, les *dams* – absolument aucun problème mais une fois que vous êtes dans le *buffer zone*, vous n'avez pas le droit d'utiliser votre terrain comme bon vous semble.

La loi maintenant : ce projet de loi vient vous contraindre, vous ne pouvez pas faire ce que vous voulez avec votre terrain, vous ne pouvez pas le développer comme vous voulez, vous ne pouvez pas couper les arbres, vous ne pouvez pas arracher des arbustes sans l'autorisation du ministre. Donc, la valeur de votre terrain suite au décret du ministre de déclarer votre propriété comme un *buffer zone*, perd de la valeur et il n'y a aucun recours, aucun droit d'appel, aucune compensation. Est-ce constitutionnel ? Je ne le pense pas, M. le président, parce que pour moi, n'importe quelle *compulsory acquisition* qui est justifiée doit être accompagnée nécessairement par une compensation pour être constitutionnelle.

M. le président, je terminerai en disant que selon moi, ce projet de loi ne va nullement améliorer la gestion de nos ressources hydrauliques. Au contraire la situation va s'empirer davantage avec tous ces nouveaux pouvoirs qui seront entre les mains du ministre, le pouvoir de brader nos eaux à leurs petits copains, petites copines à la veille des élections. Nous ne serons pas complices, M. le président, d'une loi qui permettra un festival de l'eau à la veille des élections générales.

Merci.

Mr Speaker: Hon. Dr. Jagutpal!

Dr. Jagutpal: Mr Speaker, Sir, I move that the debate be now adjourned.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Deputy Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 12 July 2024 at 4.00 p.m.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.

Question put and agreed to.

Mr Speaker: The House stands adjourned!

Adjournment matters! Hon. Ms J. Bérenger, this morning you didn't stand up when I came in, you remember? You remember you didn't stand up? So, should I give you the floor?

Ms J. Bérenger: Yes!

Mr Speaker: Yes? Are you prepared to apologise?

Ms J. Bérenger: For what?

Mr Speaker: For this wrongdoing this morning. This is Parliament, you know? The practice and how things are done all over the world.

Dr. Boolell: ... Parliament ...

Mr Speaker: To respect the mace. You see the mace there? This is the mace. This is called 'the mace'. So, Members have to respect the authority of the mace. This is the authority of Parliament, the essence, the source of Parliament. So, when Members do not respect the mace, they have no rights.

So, are you prepared to apologise?

Mr Ameer Meea: Apologise for what?

Mr Speaker: Are you prepared to apologise?

Dr. Boolell: For what?

Mr Speaker: You have an adjournment matter to raise?

Mr Osman Mahomed: Yes.

Mr Speaker: Are you prepared, for this morning, you also did not stand up?

Dr. Boolell: There is no reason for apologise!

Mr Osman Mahomed: Apologise for what?

Mr Speaker: For not standing up in the morning.

Mr Osman Mahomed: Last time, you asked me to apologise for laughing. Now, you are asking me to apologise for not standing?

Mr Speaker: Yes, because it is the practice.

Mr Osman Mahomed: Why would you do that? You see, it's quite late...

Mr Speaker: It is the practice in Parliament.

Mr Osman Mahomed: It's quite late, let's get done with this.

Mr Speaker: No, wait! The practice in Parliament...

Mr Osman Mahomed: Yes!

Mr Speaker: ... is that when the Speaker comes in the House in the morning, everybody stands up.

Mr Ameer Meea: It is not in the Standing Orders!

Mr Speaker: So, it's for respecting. This is not a service. You swore oath of allegiance here, in Parliament, to respect the rules, the practice and everything that happens in Parliament. You see how embarrassed you are?

Ms J. Bérenger: *Nou la pou fer nou travay !*

Mr Osman Mahomed: You see...

Mr Speaker: Yes, I do my work also when I come here! I don't come *pro bono*.

Ms J. Bérenger: *Ou pe anpes nou fer nou travay !*

Mr Speaker: I have been elected! Hon. Ms Bérenger, I have been elected by this House...

Mr Ameer Meea: We also!

Mr Speaker: ...to be the Speaker!

Ms J. Bérenger: We also!

Mr Speaker: So, there are rules and regulations, and you swore allegiance. You remember you swore allegiance to observe the rules and regulations in Parliament?

Dr. Boolell: Charity starts at home.

Mr Speaker: So, hon. Dr. Boolell is saying that, as from tomorrow, he will stand up.

Dr. Boolell: I said charity starts at home.

Mr Speaker: So, what to do? Anyone who wants to speak?

Ms J. Bérenger: We have adjournment matters to raise. Can we do our job, please?

Mr Speaker: I am doing my work also! This is my work! Am I joking? This is my work!

Ms J. Bérenger: It is an abuse of power.

Mr Speaker: I am doing my work. You are doing your work, I respect. I respect you are doing your work. I am doing my work. How can you prevent me?

Ms J. Bérenger: I can't do my work.

Mr Speaker: Hon. Ms J. Bérenger, how can you prevent me from doing my work? If I do not have the authority, you do not respect the Chair, how can the Chair listen to you? Why should the Chair listen to a Member who does not respect the Chair?

Mr Ameer Meea: It is two-way traffic!

Dr. Boolell: But we have a legitimate right to raise matters at Adjournment time!

Mr Speaker: So, if you are not prepared to present apologies for that, then...

An. hon. Member: Which apology?

Dr. Boolell: She has a legitimate right to raise a matter.

Mr Speaker: The House! Please!

Ms J. Bérenger: *Nou nou finn eli pu...*

Mr Speaker: Please, you do not know! The House is already adjourned!

Mr Ameer Meea: So?

Mr Uteem: So?

Mr Speaker: The House is already adjourned!

Mr Ameer Meea: This is Adjournment time!

Mr Speaker: Okay? So, Adjournment time, I listen to you, and I am asking you whether you want to apologise for this morning.

Mr Osman Mahomed: Can I tell you something?

Mr Speaker: No!

Mr Osman Mahomed: Since we are speaking candidly...

Mr Speaker: No, no, no! For this kind of...

Mr Osman Mahomed: Standing...

Mr Speaker: For this kind of conversation.

Mr Osman Mahomed: Adjournment Matters to be raised is in the Standing Orders. Standing up is not in the Standing Orders.

Ms J. Bérenger: You are preventing us from doing our job.

Mr Ameer Meea: Exactement !

Mr Speaker: I am applying the rule.

Mr Osman Mahomed: And furthermore...

Mr Speaker: I am applying...

Dr. Boolell: Which rule?

Ms J. Bérenger: Which rule?

Mr Speaker: You may say whatever you want.

Mr Osman Mahomed: And furthermore...

Mr Speaker: You raise the Adjournment Matter.

Mr Ameer Meea: Which Standing Order?

Ms J. Bérenger: Shame!

Mr Speaker: The House stands adjourned!

At 11.02 p.m., the Assembly was, on its rising, adjourned to Friday 12 July 2024 at 4.00 p.m.

WRITTEN ANSWERS TO QUESTIONS

IBA – PRIVATE TELEVISION – APPLICATIONS RECEIVED

(No. B/554) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to private television, he will, for the benefit of the House, obtain from the Independent Broadcasting Authority, information as to the number of applications therefor received since May 2023 to date.

Reply: In my reply to Parliamentary Question B/216 on 18 April 2023, I informed the House that the Independent Broadcasting Authority (IBA) Act does provide for the introduction of private television. I further stated that the First Schedule to the IBA Act provides for the Authority to issue Private Commercial Television Broadcasting Licence to establish and operate a private television broadcasting service in the VHF/UHF Television frequency band and those frequencies allocated to the licensee.

I am informed by the IBA that since May 2023 to date, no application for private television has been received by the Authority.

It is also important to remind that one of the factors preventing the advent of private television was the provision of section 19(3)(h) of the IBA Act, restricting the limit of foreign shareholding in a company applying for a licence to 20%. Consequently, the IBA Act was amended in 2019 whereby the foreign shareholding threshold has been reviewed from 20% to 49% with a view precisely to attract investment in this sector.

PETIT CAMP – ROAD ACCIDENT– INQUIRY

(No. B/555) Ms J. Tour (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to a road accident which occurred on 24 September 2023 at Petit Camp Branch road at around 13 00 hrs, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the Police inquiry initiated thereinto, indicating –

- (a) the number of vehicles involved therein, giving details thereof;
- (b) the casualties resulting therefrom, if any, and
- (c) if the driver/s were subjected to any alcohol and/or drug test.

(Withdrawn)

MR A. B. & MS D. D. M. – ALLEGED DRUG DEALING CASES – INQUIRIES

(No. B/556) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the alleged cases of drug dealing against Mr A. B. and Ms D. D. M., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiries initiated thereinto.

(Withdrawn)

**ELIMINATION OF GENDER-BASED VIOLENCE – HIGH-LEVEL COMMITTEE
– STRATEGIES**

(No. B/557) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether in regard to the High-Level Committee on the Elimination of Gender-Based Violence, he will state the implementation status of the strategies of the National Strategy and Action Plan as at date.

(Withdrawn)

**CONSTITUENCY NO. 5 – DRUG CONSUMPTION OFFENCES – REPORTED
CASES & DEATHS –PERIOD 2019-JULY 2024**

(No. B/558) Mr R. Wochit (Third Member for Pamplemousses & Triolet) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to drug consumption offences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof in Constituency No. 5, Pamplemousses and Triolet, since 2019 to date on a yearly basis, indicating in each case the –

- (a) age group thereof, and
- (b) number of deaths resulting from overdose, if any.

Reply: I am informed by the Commissioner of Police that the offence of ‘drug consumption’ is stipulated under section 34 (Unlawful use of drugs) of the Dangerous Drugs Act.

I am further informed by the Commissioner of Police that since January 2019 to 04 July 2024 three hundred and seventy-four (374) drug cases under section 34 of the Dangerous Drugs Act were detected in Constituency No.5 as follows –

Year 2019 – 90 cases involving 90 persons

Year 2020 – 81 cases involving 81 persons

Year 2021 – 92 cases involving 92 persons

Year 2022 – 63 cases involving 63 persons

Year 2023 – 24 cases involving 24 persons

Year 2024 to date – 24 cases involving 24 persons

(January 2024 to 04 July 2024).

With regard to part (a) of the question, I am informed that out of the 374 persons involved and arrested, 4 were under the age of 18 years, 367 were between the age 18 to 59 years and 3 were aged 60 years and above.

As for part (b) of the question, I am informed by the Commissioner of Police that during the same period, Police attended to 18 cases wherein 18 persons passed away and autopsies carried out attributed the cause of death to acute cerebral/brain/pulmonary oedema.

I am further informed that the toxicology examination of sample of blood, urine and stomach contents undertaken by the Forensic Science Laboratory (FSL) in all these 18 cases, revealed the presence of drugs.

POLICE ENQUIRIES – PENDING COMPLETION – 4 YEARS LONG OR MORE

(No. B/559) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Police enquiries initiated for more than four years ago, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof still awaiting completion.

Reply: The Commissioner of Police has informed that as at 03 July 2024, there are 11,289 police enquiries initiated more than four years ago which are still awaiting completion. These enquiries have been categorized as follows:

i)	Crimes	991
ii)	Misdemeanour	3,125
iii)	Contraventions	4,446
iv)	Other occurrences not classified as either crime, misdemeanour or contravention	2,727

MAURITIUS POLICE FORCE – LAST RECRUITMENT EXERCISE

(No. B/560) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the last recruitment exercise in the Mauritius Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of Police Officers –

- (a) recruited, and
- (b) who underwent training, indicating the number thereof, if any, who left after the training.

Reply: Recruitment in the Mauritius Police Force falls under the purview of the Disciplined Forces Service Commission (DFSC) and, as such, is governed by Regulation 19 of the DFSC Regulations 1997. Accordingly, recruitment of Police Officers in the Mauritius Police Force is made at two levels, namely –

- (a) Entry level of Cadet Officers, and
- (b) Entry level of Temporary Police Constables for both male and female.

In regard to part (a) of the question, I am informed by the Commissioner of Police that following a selection exercise carried out in 2023, the Disciplined Forces Service Commission submitted a list of 647 candidates comprising 542 males and 105 females, who were selected for appointment in a temporary capacity in the grades of Police Constable and Woman Police Constable in the Mauritius Police Force. The selected candidates were, by way of letter, offered

appointment in the Mauritius Police Force, and were requested to report for enlistment on 06 December 2023.

On 06 December 2023, out of the 647 selected candidates, only 615 candidates reported for the enlistment exercise.

Consequently, the matter was reported to the Disciplined Forces Service Commission and, on 12 December 2023, the DFSC submitted another list of 25 candidates with 19 males and 6 females to fill the vacant posts in replacement of those who did not turn up. On 18 December 2023, the 25 candidates were offered appointment in the Mauritius Police Force and were requested to report for enlistment. Subsequently, 24 out of the 25 candidates, with 18 males and six females, reported for enlistment and training.

In addition, two candidates, one male and one female, from the recruitment exercise carried out in year 2022, and who had ceased training on medical grounds and due to pregnancy respectively, joined the training of December 2023. This brings the total to 641 Temporary Police Constables who started their Police training.

In regard to part (b) of the question, I am informed by the Commissioner of Police that during the training, out of 641 Temporary Police Constables, a total of 42 left as follows –

- a) 35 officers resigned either to take up other jobs or to undertake higher studies, amongst other reasons;
- b) Six officers ceased training as they were unable to cope with the training, and
- c) One officer reverted to his previous post.

Accordingly, 599 Temporary Police Constables continued the Police training.

I am informed by the Commissioner of Police that all the 599 Temporary Police Constables completed the training and participated in the Passing Out ceremony held on 19 June 2024. They are now undergoing on the job training on Police duties comprising street duties and station familiarization. As at 05 July 2024, none of them has left the service.

MBC – POLITICAL GATHERING – ALLEGED MOLESTING CASE – INQUIRY

(No. B/561) Ms J. Tour (Third Member for Port Louis North and Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the alleged

case of molesting of employees of the Mauritius Broadcasting Corporation at a political gathering in Port Louis on 01 May 2024, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been initiated thereinto and, if so, indicate if any arrest has been effected as at date.

(Withdrawn)

DR. N. R. – GOVERNMENT VEHICLES – REGISTRATION NUMBER PLATES

(No. B/562) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to government vehicles put at the disposal of Dr. N. R., GCSK, FRCP, former Prime Minister, since 2005 to 2014, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) number thereof, indicating their respective registration number plates and make, and
- (b) number of the said vehicles, if any, used by third parties, indicating if the services of Police officers were provided during the use thereof.

(Withdrawn)

ST BRANDON ISLAND – TAIWAN FISHING BOAT, YU FENG 67 –WRECK (DEC 2022)

(No. B/575) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Taiwan fishing boat YU FENG 67 which wrecked on the reef of St Brandon Island in December 2022, he will state where matters stand as to the –

- (a) removal of pollutants, including diesel oil;
- (b) salvaging thereof, and
- (c) reimbursement of the costs incurred in relation thereto.

Reply: I am informed by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping that on 05 December 2022, at about 04.15 hrs, Fishing Vessel Yu Feng No. 67, owned by Lee Tsang Fishery Co Ltd of Taiwan, with 20 crew members onboard, namely one from People’s Republic of China, five from Philippines and 14 from Indonesia went aground at 0.8 nautical miles off Île du Sud, St Brandon and about 218 nautical miles from Mauritius. The

vessel had previously departed from Port Louis, Mauritius on Saturday 03 December 2022 for the high seas to conduct fishing operations.

All crew members were successfully rescued in the evening of 05 December 2022 by personnel of Raphael Fishing Co Ltd with the assistance of the National Coast Guard officers. They were accommodated at the Mauritius Sailors Home Society, Trevecca House from 10 December 2022 until their repatriation on 19 May 2023.

With regard to part (a) of the question, I am informed by the National Disaster Risk Reduction and Management Centre that about 70 metric tons of diesel fuel oil, five drums (1000 litres) of lubricating oil, 60 tons of fishing baits and other fishing items were onboard.

I am also informed by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping and the Ministry of Environment, Solid Waste Management and Climate Change that in view of the high ecological sensitivity of Saint Brandon and the risk of oil pollution, the Government of Mauritius hired the services of a salvage company, namely Bridge Maritime Ltd for *inter alia* the removal of all oil and pollutants (both solid and liquid) from the vessel and delivery for safe disposal in Mauritius. The salvors were mobilised on site as from 02 January 2023 for depollution and salvage operations, which were however unsuccessful.

The assistance of international experts was also sought to determine the end points of depollution of the grounded vessel. Accordingly, the United Nations Resident Coordinator's Office (UNRCO) provided the assistance of two experts, namely Mr Pablo Pedrosa from the United Nations Development Programme (UNDP) of Spain and Ms Florence Poncet from *Centre de documentation, de recherche et d'expérimentations sur les pollutions accidentelles des eaux* (CEDRE) for monitoring purposes.

Attempts to board the casualty by the United Nations salvage team were successful only on two occasions, namely on 05 and 09 January 2023. On 09 January 2023, accessible pollutants on-board were removed and recovered, namely –

- (a) 25 litres of paints;
- (b) 40 litres of refrigerant;
- (c) 10 litres of grease;
- (d) 40 litres of oil pumped from drums;

- (e) 60 litres of oil across the surface in engine room, and
- (f) nets, boxes of new hooks, stainless fishing tackles.

Furthermore, on 09 and 10 March 2023, the National Coast Guard assisted by Indian Navy Ship ‘Tir’ equipped with helicopter on-board successfully removed 18 waste bags consisting of several fishing lines, floating buoys, ropes, grease and other pollutants from the casualty by air-lifting. A total of 33 Heli borne trips were effected.

I am further informed by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping that as of date, the FV Yu Feng No. 67 has remained grounded at Île du Sud, St Brandon and no pollution incident has been reported.

With regard to part (b) of the question, I am informed that on 14 January 2023, the United Nations expert team submitted their recommendations on the future of the grounded fishing vessel which consisted of five options as follows –

- (a) **Option One:** To leave the grounded fishing vessel as it is. To remove diesel, lubricating oil, fishing lines and gears as much as possible using helicopter support.
- (b) **Option Two:** To leave the grounded fishing vessel as it is. To remove diesel, lubricating oil, fishing lines and gears as much as possible using helicopter support. Then, to burn the ship.
- (c) **Option Three:** To leave the grounded fishing vessel as it is. To remove part of diesel, lubricating oil, fishing lines by building a structure and a zip line in the lagoon then transfer on boats to a ship anchored outside.
- (d) **Option Four:** To leave the grounded fishing vessel as it is. Then, to burn the ship.
- (e) **Option Five:** Do nothing. Let the ship to evolve under natural degradation and by natural elements.

The feasibility of these options was discussed in depth on 25 January 2023 during a National Crisis Committee and only option five was considered viable based on the following –

- (a) minimum risks to the environment;
- (b) availability of reasonable period of good weather and sea state conditions;
- (c) availability of logistics for combined air, land and sea operations;
- (d) taking into consideration the remoteness of the casualty;
- (e) complexity and safety of the salvage operations, and
- (f) huge costs involvement.

It is evident that after so many attempts mentioned above, there is not much scope for undertaking a conventional salvage operation to remove the grounded Fishing Vessel Yu Feng No. 67 from its current position, mainly because of the –

- (a) high ecological sensitivity of St Brandon;
- (b) remoteness of the casualty site;
- (c) persistent rough sea conditions associated with swells and wind waves throughout the year, and
- (d) firm anchorage of the vessel within the reefs where even the passage of the very intense tropical cyclone Freddy at about 120 km to the south of St Brandon Island on 20 February 2023 barely had any impact on its position.

We are leaving no stones unturned in our pursuit in finding a feasible and environmentally friendly solution to this unprecedented grounding. Following the submission of a Pollutant Removal Plan for the grounded FV Yu Feng No. 67 dated 08 July 2023 by Chang Fong Marine Import and Export Ltd representing the owners of FV Yu Feng No. 67, my Ministry called for a first multi-stakeholder coordination meeting on 17 October 2023 under the Chairpersonship of the Officer in Charge at the National Disaster Risk Reduction and Management Centre upon request of the Director of Shipping.

The purpose of this coordination meeting was to take stock on the status of the grounding Yu Feng No. 67 and study the proposal made by Chang Fong Marine Import and Export Ltd to salvage the casualty. It was noted that funding would be borne by Chang Fong Marine Import and Export Ltd and subsequently, reimbursed by P&I Club. There would be thus no cost implications and no liability to the Government.

In the light of discussions held, it was decided that Chang Fong Marine Import and Export Ltd would have to submit the following –

- (a) a full comprehensive and detailed plan for the survey and on any operation envisaged after the survey, including removal of the casualty from its grounded site by Friday 20 October 2023;
- (b) documentary evidence of any arrangements with Raphael Fishing Co Ltd as transportation agent;

- (c) appropriate relevant documentary evidence showing that they are competent to perform such operations and give full particulars of crew members who would take part;
- (d) written authorisation from P&I Club authorising Chang Fong Marine Import and Export Ltd despite the latter is not known to be a salvage company to undertake such operation;
- (e) involvement of assets of the Mauritius Police Force/National Coast Guard in St Brandon and payment thereof, and
- (f) signature of no-liability on the part of the Republic of Mauritius in case of any mishap.

A second multi-stakeholder coordination meeting was held on Monday 23 October 2023 at the level of the National Disaster Risk Reduction and Management Centre after receipt of the survey plan. Chang Fong Marine Import and Export Ltd made a presentation on the approaching method for survey of the grounded Yu Feng No. 67 vessel. This time, the spokesperson of Chang Fong Marine Import and Export Ltd was Captain Konstantinos Panagiotis Pritsolas, a Master Mariner from Pelagios Ltd, who elaborated on the following –

- (a) Chang Fong II would be used to transport the surveyor and divers to the incident site from Port Louis to St Brandon;
- (b) Chang Fong II would be equipped with 2 small shallow water boats with engines equipped, one boat for stand-by (emergency and recovery) and one for transportation from Chang Fong II to the safe side of the casualty;
- (c) depending on weather conditions, they would embark on the survey if the situation permits after the due approval;
- (d) as the weather permits, the approach would be calculated and studied at the spot, using Unmanned Aerial Vehicle for visual inspection in order to calculate and to make a proper risk management that need to be followed to conduct the survey;
- (e) two qualified divers with diving equipment would make the diving inspection, “weather permits” to collect underwater data photos and videos and perform visual inspection of the outer hull bottom and sea topography for further analysis. Only one diver would dive at a time for the survey and one would be on standby in the boat nearby to provide for security;

- (f) they would also use all the necessary equipment, drone and the Sonar Depth Finder for the survey;
- (g) they would be equipped with all medical aids during the survey, and
- (h) all crew members and boats had been insured with Eagle insurance.

Additionally, the Mauritius Meteorological Services informed that the atmospheric condition would not be conducive due to the formation of storms in the region till at least mid-November 2023. However, there might be transiting polar lows which would generate swells affecting the sea state in the vicinity of St Brandon as from the beginning of November 2023. As such, it was proposed to leave for St Brandon early November.

It is to be noted that Chang Fong Marine Import and Export Ltd was requested to submit a document relating to agreement between itself and P&I Club for any operation, including the proposed survey on Yu Feng No. 67 prior to the National Disaster Risk Reduction and Management Centre giving any approval and authorisation. However, Chang Fong Marine Import and Export Ltd did not revert back to the National Disaster Risk Reduction and Management Centre.

Furthermore, on 25 April 2024, the Fisheries Agency of the Ministry of Agriculture of Taiwan made an official request to the Government of Mauritius to look into a workable option to tow and scrap the grounded Fishing Vessel Yu Feng No. 67. This agency has discussed with a company named Seagreen Enterprise Co. Ltd and intends to visit the aground site at St Brandon. Since the request emanates from the Government of Taiwan, the matter is being dealt with at the level of the Ministry of Foreign Affairs, Regional Integration and International Trade on the way forward.

As regards part (c) of the question, I am informed by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping that on 21 May 2024, an email was received from Mr Yu Chen, Taiwan Fisheries Representative in Mauritius informing on the intention of the Taiwan Tuna Association to pay claims of Rs1,105,885.6 in respect of the Mauritius Sailors Home Society and same had been effected on 05 June 2024.

As far as payment is concerned, the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping has paid to Bridge Maritime Ltd an amount of USD 471,761, representing mobilisations costs only.

**DENGUE & CHOLERA OUTBREAK – PUBLIC HEALTH EMERGENCY
OPERATIONS COMMAND**

(No. B/587) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether following the recent outbreaks of Dengue and Cholera in Africa and the neighbouring islands, he will state if the Public Health Emergency Operations Command in Mauritius has been activated for the surveillance thereof, giving details thereof.

(Withdrawn)

MRIC – RESEARCH SCHEME – FUNDS ALLOCATED

(No. B/588) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Information Technology, Communication and Innovation, whether in regard to the Mauritius Research Innovation Council, he will, for the benefit of the House, obtain therefrom information as to the amount of fund allocated to each research scheme for the past five financial years, indicating –

- (a) amount spent thereon in each financial year, and
- (b) processing time for the award a research scheme.

Reply: The information in respect to the amount of fund allocated to each research scheme during the past five financial years as well as the amount spent thereon in each financial year and the average processing time for the award a research scheme are being placed in the Library of the National Assembly.

CEB – GENERAL MANAGER – CONTRACT OF EMPLOYMENT

(No. B/589) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to the General Manager of the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to the terms and conditions of the contract of employment thereof, indicating the date of appointment.

Reply: I am informed that Mr R.C. was appointed as General Manager of the Central Electricity Board, in accordance with Section 6 of the Central Electricity Board Act on a two-year contract basis, with effect from 12 April 2024.

I am further informed that the General Manager draws a monthly basic salary of Rs285,000 per month plus increases at approved rates. He is eligible for an end-of-contract gratuity on completion of twelve months' satisfactory service for every year of contract in lieu of pension to contract officers at the rate of 16.6 % of his salary, i.e., two months' salary.

The General Manager is entitled to a chauffeur driven car of up to 2500 c.c, for both official and private purposes and a petrol allowance in accordance with the regulations in force. The former is further eligible for monthly performance linked bonus, Productivity Bonus as per the same quantum as applicable for CEB employees and as approved by the CEB Board and End-of-year bonus equivalent to one month's salary.

NATIONAL BLOOD TRANSFUSION SERVICE – ALLEGED HARASSMENT CASE

(No. B/590) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to the National Blood Transfusion Service, he will, for the benefit of the House, obtain information as to if any case of alleged harassment has been reported against the Blood Donor Coordinator and, if so, indicate the actions taken in relation thereto.

(Withdrawn)

ALBION – HEAVY RAINFALL – MAIN ROADS INACCESSIBILITY

(No. B/591) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of National Infrastructure and Community Development whether, in regard to the two main roads leading to Albion which become inaccessible during heavy rainfall, he will state the remedial actions envisaged therefor.

(Reply not available)

HUMAN RESOURCE DEVELOPMENT COUNCIL – DIRECTOR DETAILS

(No. B/592) **Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Labour, Human Resource Development and Training whether, in regard to the Human Resource Development Council, he will, for the benefit of the House, obtain therefrom information as to the name and qualifications of the Director thereof, indicating the –

- (a) terms and conditions of the contract of employment, and
- (b) mode of recruitment thereof.

(Withdrawn)

FISHERMEN CARDS – MAHEBOURG REGION

(No. B/593) **Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to fishermen cards, he will state the total number thereof issued since April 2023 to date, island-wise, indicating the number thereof issued for the region of Mahebourg.

(Withdrawn)

IMMIGRATION SQUARE URBAN TERMINAL – CONSTRUCTION

(No. A/45) **Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the construction of the Immigration Square Urban Terminal, he will, for the benefit of the House, obtain information as to where matters stand, indicating when works therefor are expected to start.

Reply: I wish to refer to the reply I made during the Sitting of the House on 31 October 2023 with regard to Parliamentary Question B/1366 on the Immigration Square Urban Terminal Project.

The Immigration Square Urban Terminal Project is one of the seven large scale development projects which would be implemented in the Buffer Zone 2 of the Aapravasi Ghat

World Heritage Property for which, an overarching Heritage Impact Assessment and Visual Impact Assessment was required for submission to the UNESCO.

In this context, the Ministry of Arts and Cultural Heritage enlisted the services of a consultant, namely EcoAfrica Environmental Consultants Pty Ltd to carry out an overarching Heritage Impact Assessment/Visual Impact Assessment. The report of same was transmitted to the UNESCO in May 2023 for clearance.

Subsequently, the Ministry of Arts and Cultural Heritage had informed my Ministry that it had received a Technical Review Report from the UNESCO in July 2023, wherein the latter had submitted its recommendations on the projects falling within the Buffer Zone of the Aapravasi Ghat World Heritage Property. UNESCO is of the view that the design of the Immigration Square Urban Terminal Project would have to be reworked and submitted anew.

In view thereof, it was decided to set up a Technical Committee under the Chair of the Ministry of Arts and Cultural Heritage for examination of the recommendations in the Technical Review Report and discussions on the way forward.

Furthermore, on 08 February 2024, I had chaired a meeting on the above with the promoter and consultant of this project together with the representatives of the Ministry of Arts and Cultural Heritage. Following discussions held, it was decided that –

- a) given that UNESCO did not raise any issue with regard to the implementation of Phase I of the project which would comprise mainly the public component, the promoter could review its design for Phase I in line with the recommendations of UNESCO. Upon finalisation, same can then be submitted to the Ministry of Arts and Cultural Heritage for its consideration, and
- b) once the design would be acceptable to the Ministry of Arts and Cultural Heritage and other relevant stakeholders, the said Ministry would make arrangements for a Zoom meeting with UNESCO for the presentation of Phase I of the project.

On 10 April 2024, the Ministry of Arts and Cultural Heritage informed my Ministry that the Aapravasi Ghat Trust Fund and the National Heritage Fund had assessed the documents

pertaining to the amended design in respect of Phase I, which had been submitted by VISIO Architecture, the consultant of Yihai International Invested Ltd (promoter). However, it was noted that –

- a) the project is still not aligned with the recommendations of the UNESCO;
- b) the overall relationship between the Urban Terminal Project, the development of the Buffer Zone of the Aapravasi Ghat World Heritage Property and the development of the hotel just outside the boundaries of the Buffer Zone have not been considered, and
- c) the matrix of the Heritage Impact Assessment, which was prepared by the promoter to guide the new plans, fails to assess the impacts related to the Outstanding Universal Value of the Aapravasi Ghat World Heritage Property.

In the light of the above, VISIO Architecture was requested to amend the plans in line with the Action Area Plan and Planning Policy Guidance on the Aapravasi Ghat World Heritage Property. Subsequently, VISIO Architecture has sought further clarifications on this matter.

On 15 May 2024, my Ministry has requested the Ministry of Arts and Cultural Heritage to convene a meeting with VISIO Architecture so as to address its queries and submit clarifications. My Ministry is waiting for an update from the Ministry of Arts and Cultural Heritage regarding same.

SOCIAL SECURITY OFFICE, ASTOR COURT BLDG, PORT LOUIS – LONG QUEUES

(No. A/46) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the Social Security Office situated at Astor Court Building in Port Louis, she will state –

- (a) the regions falling under its purview, and
- (b) if she has been made aware of the long queues thereat and, if so, indicate the –
 - (i) the reasons therefor, and

- (ii) remedial measures being envisaged to address same, further indicating if consideration will be given for the setting up of another local office in Port Louis, in view of the increasing number of claimants.

Reply: With regard to part (a) of the question, the Social Security Office situated at Astor Court Building, Port Louis covers all the regions of Port Louis which include Cassis, Grand River North West, Tranquebar, Cité La Cure, Plaine Verte, Camp Yoloff, Ste Croix, Roche Bois, Vallée des Prêtres, Bain des Dames, Cité Vallijee and Pailles.

Regarding part (b) of the question, I am advised that there were six counters operational at Astor Court. With a view to providing a more efficient and timely service, three additional Social Security Officers have been posted thereat, bringing the total number of counters to nine.

With regard to the setting up of another local office in Port Louis, this is not warranted at this stage.

ABDOOL RAMAN ABDOOL GOVERNMENT SCHOOL – RECONSTRUCTION – SCOPE OF WORKS

(No. A/47) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the reconstruction of the Abdool Raman Abdool Government School, she will state the scope of works for Phases II and III, indicating where matters stand for each phase.

Reply: Bids for ‘Phase 2 of the Construction of the Abdool Rahman Abdool Government School at Port Louis’ was launched on 29 January 2024 with closing date 28 February 2024. As per the bidding documents, the construction works shall be carried out in two phases – Phases 2A and 2B and Phase 2B shall start after the construction and commissioning of Phase 2A.

The scope of works for Phase 2A as per the bidding documents is reproduced below –

- (a) Part demolition works of existing buildings and structures as per drawings, demolition notes and special conditions. The cutting down of trees and uprooting of stems as shown on drawing. Construction of temporary shed at existing Toilet Block and access to construction site. Provision of temporary access to students at rear of existing pre-primary classroom block.

- (b) Construction of a Classroom Block (G+2) comprising of classrooms, staffroom, library and a Toilet Block (G+2) in reinforced concrete structure, block walling, aluminium openings, finishes, sanitary appliances, roof waterproofing (including roof screed) and rainwater installation and complete with all services such as electrical works, cold and hot water plumbing and waste water installations. Burglar bars to windows and top lights to be as per drawings and to External doors to be collapsible powder coated metal grills as shown on drawing.
- (c) Site works comprising of a covered link and kiosk in reinforced concrete structure and metal framed roof structure and covering and complete with all finishes, central courtyard paved with interlocking paving blocks, sit-around, drinking water troughs, stormwater drainage works such as covered drains, sumps, catchpits and soakaways. All external services such as electrical works, cold and hot water plumbing and waste water installations including gully traps, manholes and connection to main sewer line. All areas not indicated shall be grass planting as per specifications.

The scope of works for Phase 2B as per the bidding documents is reproduced below –

- (a) Demolition of remaining existing buildings, structures and part of Boundary Walls as per drawings, demolition notes and special conditions. The cutting down of trees and uprooting of stems as shown on drawing.
- (b) Construction of another adjoining Classroom Block (G+2) comprising classrooms and administration unit in reinforced concrete structure, block walling, aluminium openings, finishes, roof waterproofing (including roof screed) and rainwater installation and complete with all services such as electrical works and cold and hot water plumbing and waste water installations. Burglar bars to windows and top lights to be as per drawings and to External doors to be collapsible powder coated metal grills as shown on drawing.
- (c) Site works include construction of a Canteen Block in reinforced concrete structure and metal framed roof structure and covering and complete with all finishes, playfield, volleyball pitch, chain link fencing with gates, parking areas (including line marking with approved road paint), upgrading of existing boundary walls, new boundary walls with gates, new bus lay-by with concrete

pavement and metal handrail, paved areas with interlocking paving blocks, drinking water troughs, sit-around, minor structures such as water tank platform, pump room, garbage bin, storm water drainage works such as covered drains, sumps, catchpits and soakaways. All external services such as electrical works, cold and hot water plumbing and waste water installations including construction of gully traps, grease trap, manholes and connection to soakaways. Existing open drains to be covered as per drawings. All areas not indicated shall be grass planting as per specifications.

On 17 May 2024, a letter of notification was issued in favour of contractor Keep Clean Ltd for award of the project for the sum of Rs124,834,751.00 inclusive of a contingency sum of Rs5,670,000 and exclusive of VAT. Thereafter, on 21 June 2024, a Letter of Acceptance was issued to Contractor Keep Clean Ltd for the project.

ROAD B103, CHAMAREL – WORKS – EIA REPORT

(No. A/48) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to works being undertaken on road B103 at Chamarel, he will state if an Environmental Impact Assessment has been undertaken thereon and, if not, why not and, if so, when, and table copy of the report.

Reply: The Road Development Authority has informed that the B103 Plaine Champagne Road, which is narrow, crosses through mountainous regions and consists of several dangerous bends with steep mountain cuttings on one side and deep ravines on the other. During the past few years, severe rockfalls had occurred during heavy rainfall, hence endangering road users, and the road had to be closed on several occasions and traffic diversions schemes put in place accordingly. Furthermore, it was foreseen that, with the adverse impacts of climate change, particularly heavy rains, the instability of slope would be further accentuated and, if no action was taken, the road would simply disappear.

With a view to enhancing safety along the B103 Plaine Champagne Road, between the Chamarel Rhumerie and Varangue sur Morne, the Road Development Authority hired the services of Consultant Lux Consult Ltd in September 2020 to carry out the detailed design and

provide assistance in supervising the works for the rehabilitation and upgrading part of the B103 Plaine Champagne Road. The contract for the stabilisation works along B103 Road at Chamarel was subsequently awarded to China International Water & Electric Corporation in August 2023. The works which started in October 2023 are expected to be completed by January 2025.

The Road Development Authority has informed that the project comprises rehabilitation, upgrading and slope stabilisation at four critical sections. Sections 1 and consist of upgrading of road over a total stretch of about 800 metres to a minimum width of 7 metres with hard shoulder and improved drainage. The stabilisation works include mechanically stabilised gabion faced structure, rock stabilisation using spot bolting and netting as well as soil stabilisation using nailing methods and erosion control mat. The stabilisation solution for sections 3 and 4 will need more investigation and will only consist of geotechnical investigation and no major construction works. Some felling of native trees/shrubs and site clearance will be undertaken and access roads will be created for mobilisation of equipment.

It is to be noted that as per Environmental Sensitive Areas (ESAs), Geographical Information System (GIS) data sets 2013, the four sections of the road are not affected by ESAs such as forests with High Native Content. Given that the sections of the road where infrastructural works will be undertaken are not affected by ESAs and that upgrading road works is not a scheduled activity requiring an Environmental Impact Assessment (EIA) Licence as per Part B of the Fifth Schedule of the Environment Protection Act 2002 (as amended), an EIA Licence is not required for works being undertaken on road B103 at Chamarel.

However, the Road Development Authority has informed that Consultant Scene-Ries Consult Ltd has prepared an Environmental Assessment Report and submitted same to the Authority. The said report concluded that there was no environmentally sensitive issue and recommended that the felling of trees during the stabilisation works be taken into account in consultation with the Forestry Service. The Road Development Authority has also informed that consultations were held with the National Parks and Conservation Service and the Forestry Service prior to start of works on site.

Prior to the felling of trees on site, the Road Development Authority obtained the approval of the Forestry Service in December 2023 and was informed that for the 50 indigenous trees/shrubs that should be removed during the stabilisation works, 150 plants indigenous trees/shrubs of 1 to 2 metres high will have to be planted on state land to compensate for same. The planting has not yet been undertaken as the project is still ongoing.

COMMITTEE ON THE RIGHTS OF THE CHILD REPORT – RECOMMENDATIONS IMPLEMENTED

(No. A/49) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the last report submitted by the Committee on the Rights of the Child, she will state the recommendations thereof which have been implemented as at to date.

Reply: The United Nations Committee on the Rights of the Child (UNCRC) was set up in early 1991, following the first election of its members by representatives of States parties to the Convention on the Rights of the Child. The Convention itself was adopted by the United Nations General Assembly on 20 November 1989, and entered into force in September 1990. It is the body of 18 independent experts that monitors implementation of the Convention on the Rights of the Child by its States parties.

It also monitors implementation of the Optional Protocols to the Convention on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

The Committee meets in Geneva and normally holds three sessions per year consisting of a three-week plenary and a one-week pre-sessional working group.

In accordance with Article 44 of the Convention on the Rights of the Child, each State party undertakes to submit reports to the Committee on the Rights of the Child on the measures taken to give effect to its obligations under the Convention. The initial report is due within two years of the entry into force of the Convention for the State party, and periodic reports are due every five years thereafter.

The reporting on the UNCRC is done by my Ministry and being a cross-cutting issue, the recommendations are *inter alia* implemented by the following stakeholders –

- The Prime Minister's Office;
- The Ministry of Education, Tertiary Education, Science and Technology;
- The Ministry of Finance, Economic Planning and Development;
- The Ministry of Social Integration, Social Security and National Solidarity;
- The Office of the Attorney General;
- The Ministry of Foreign Affairs, Regional Integration and International Trade (Human Rights Division);
- The Ministry of Youth Empowerment, Sports and Recreation;
- The Ministry of Labour, Human Resource Development and Training;
- The Ministry of Health and Wellness;
- The Ombudsperson for Children, and
- NGOs.

The initial report for Mauritius due for submission on 01 September 1992 was submitted on 25 July 1995 and published on 02 October 1995. The second report due for submission on 01 September 1997 was submitted on 07 May 2004 and was published on 19 July 2005. Mauritius submitted its combined third, fourth and fifth report to the UN Committee on the Rights of the Child in September 2011. The Combined Report was examined by the UN Committee on the Rights of the Child at its 68th Session held on 14-15 January 2015 in Geneva.

The 6th and 7th Combined Periodic Report was prepared in line with the Guidelines on the drafting of Reports under the List of Issues Prior to Reporting Procedure issued by the Office of the High Commissioner for Human Rights in consultation with other Ministries and Departments, including National Human Rights Institutions and Non-Governmental Organisations.

On 16 November 2021, my Ministry submitted the 6th and 7th Combined Periodic Report of the CRC to the Ministry of Foreign Affairs, Regional Integration and International Trade for onward transmission to the Secretariat of the Committee on the Rights of the Child. The report was published on the website of the Office of the High Commissioner on Human Rights

(OHCHR) in June 2022. The combined 6th and 7th Periodic Report for Mauritius on the Convention on the Rights of the Child was examined at the 92nd Session of the UN Committee on the Rights of the Child on 17 and 18 January 2023 in Geneva.

The recommendations and implementation status with regard to the report submitted by the Committee on the Rights of the Child are being placed in the Library of the National Assembly.

For an up-to-date reply, given the number of stakeholders concerned, more time will be required to consolidate the status of implementation of the UNCRC recommendations.

LONG-TAILED MACAQUES – POPULATION SURVEY

(No. A/50) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Agro-Industry and Food Security whether, in regard to the long tail macaques, he will state if –

- (a) the population thereof is being monitored, and
- (b) any survey has been conducted thereon to date and, if so, table copy of the report thereof.

Reply: The long-tailed macaque lives essentially in the wild and is a highly invasive alien species. This makes it very difficult to carry out a proper survey of the macaque’s population.

Same was confirmed by Mr Brian Bertram, Scientist from the Zoological Society of London whose service was enlisted some years back to carry a population census on long-tailed macaques.

Indeed, in his report, published in 1994, entitled “Monkeys in Mauritius; potential for humane control”, Mr Brian Bertram mentioned –

“... that monkeys are extremely difficult to census particularly in Mauritius, where they are wary, highly mobile and often in difficult terrain...”

This explains the reason why no count was undertaken since the last one.

In view of this difficulty, my Ministry has in January 2024, approved a research study to conduct a survey of long-tailed macaques in Mauritius using drone-mounted thermal infrared cameras. This is a novel study method which uses drone for aerial mapping of population density.

It is to be noted drone mounted thermal infrared camera is increasingly used in animal presence and abundance study.

The study, which started in April 2024, is being conducted by Dr. Raphael Reinegger, Research Associate at University of Bristol, UK in collaboration with the National Parks and Conservation Service.

Dr. Raphael Reinegger has specialized in invasive primate and plant impacts on plant-frugivore communities and has conducted his Masters and PhD Research Studies on the impact of highly invasive macaque on forest regeneration in Mauritius. It is to be noted that the researcher will bear all the cost associated with the research study and the Government will contribute in kind.

The main aim of the research study is to provide a baseline population estimate of wild macaque for effective population management in the wild.

The benefits to be derived from the study are –

- (a) a more accurate count of macaque in the wild, which is for the time being estimated to be around 60,000;
- (b) the identification of geographic locations of groups of monkeys in the forest for better monitoring and control;
- (c) understand the behaviour of monkeys in the forest and evaluate the damage done to endemic plants, and
- (d) capacity building of staff in using modern methods for surveying animals in the wild.

The study is of a duration of 14 months and is expected to end in June 2025. Statistical analysis and processing above 200 drone footage to standardise the best fitted model for estimating the macaque's population is being conducted.

A first estimate of the macaque population will be obtained by December 2024.