



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 14 MAY 2024

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THE CABINET

(Formed by Hon. Pravind Kumar Jugnauth)

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. 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 Husnood	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-Daareewoo, 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
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MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 06 of 2024

Sitting of Tuesday 14 May 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)

ANNOUNCEMENT**CLERK OF THE NATIONAL ASSEMBLY – MS U. D. RAMCHURN – APPOINTMENT**

Mr Speaker: Hon. Members, I have an announcement.

Hon. Members, I am pleased to inform the House that Miss Urmeelah Devi Ramchurn has been appointed Clerk of the National Assembly in a substantive capacity with effect from Monday 13 May 2024.

In 1996, Miss Ramchurn was awarded a Bachelor of Laws degree at the University of Mauritius. Thereafter, she joined the Best Graphics Law Publishers Ltd as Trainee Jurist under the supervision of the late Louis Edwin Venchard, QC, former Solicitor General.

Miss Ramchurn has also worked in the teaching profession prior to joining the Civil Service as Civil Status Officer in November 2005 at the Central Civil Status Office.

In October 2007, she joined the National Assembly as Clerk Assistant and in April 2014, she was promoted to the post of Deputy Clerk.

In December 2009, she was awarded a Certificate of Orientation by the Lok Sabha for having attended the Parliamentary Internship Programme on the working of the Indian Parliament and its Parliamentary procedures and practices.

On behalf of hon. Members and the staff of the National Assembly, and in my own name, I extend my congratulations to Miss Ramchurn as Clerk of the National Assembly and wish her a successful career.

I thank you.

(Applause)

PAPERS LAID

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

A. Office of the Speaker

The Annual Report and Audited Accounts of the former Independent Commission against Corruption for the year ended 30 June 2023.

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

The Civil Aviation (Hadj 2024 Pilgrims) (Exemption) Order 2024. (Government Notice No. 87 of 2024)

C. Ministry of Finance, Economic Planning and Development

The Financial Statements and Report of the Director of Audit on the Financial Statements of the Lotto Fund for the year ended 30 June 2023.

D. Ministry of Labour, Human Resource Development and Training

The Annual Report and Report of the Director of Audit on the Financial Statements of the National Wage Consultative Council for the year ended 30 June 2023.

E. Ministry of Gender Equality and Family Welfare

The Child (Foster Care) (Amendment) Regulations 2024. (Government Notice No. 86 of 2024)

F. Ministry of Commerce and Consumer Protection

- (a) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 9) Regulations 2024. (Government Notice No. 84 of 2024)
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 10) Regulations 2024. (Government Notice No. 85 of 2024)

ORAL ANSWERS TO QUESTIONS

MR S. K. – DEATH – INQUIRIES

The Leader of the Opposition (Mr S. Mohamed) (*by Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the inquiries initiated by the Police and/or other investigative authorities into the death of late Mr S. K., he will, for the benefit of the House, obtain information as to the progress made –

- (a) regarding the contracts awarded by public institutions in which the deceased was involved, and
- (b) into the contents of the so-called “Kistnen Papers” and “diary”, if any.

The Prime Minister: Mr Speaker, Sir, I refer the Leader of the Opposition to the reply I made to the Private Notice Question on 18 October 2022 and to Parliamentary Question B/412 of 09 May 2023 wherein I informed the House of the inquiry initiated by the Police into the death of late Mr S. K. and also the institution of a Judicial Enquiry which was followed by a further Police investigation.

I am also informed by the Commissioner of Police that on 18 October 2020, an enquiry was initiated by the CCID into the death of late Mr S. K. whose body was found in a sugarcane field, on the same day, at Telfair Moka.

On the same day, one Mrs P. R. M., whilst proceeding to her place at about 17.30 hours through a sugar cane track, noticed that part of the standing sugar cane field was burnt and she further noticed a dead body. She immediately alerted the Police. The case was attended by Police Officers of Moka Police Station and at around 18.00 hours, the inert body of S. K., job contractor residing along Royal Road, Montagne Ory, was discovered thereat. The body was in a supine position and appeared to be burnt together with a part of the sugarcane field. The locus was cordoned off. The Scene of Crime Office and the Forensic Science Office personnel as well as other police agencies attended the scene of crime. The body was removed for autopsy and on 19 October 2020, the death was certified to be due to “Pulmonary Oedema”.

During the examination of the locus, one burnt mobile phone was also secured, which was handed over to the Police IT Unit on the same day for examination.

Mr Speaker, Sir, I am further informed by the Commissioner of Police that during the course of the investigation, the spouse of the deceased stated that her late husband was a job contractor but was not working for the past months as he had undergone a surgery.

During the course of the initial investigation, 98 persons were interrogated by the CCID and their respective statements were recorded.

Mr Speaker, Sir, on 04 December 2020, a Judicial Enquiry was conducted by the Magistrate of the District Court of Moka to look into the cause of death of Mr S. K. The Judicial Enquiry was completed on 21 November 2021. The District Magistrate forwarded her findings to the Office of the Director of Public Prosecutions.

Subsequently, on 26 January 2022, the Office of the Director of Public Prosecutions had requested the Police to carry out an in-depth investigation with a view to exploring avenues as to the possible motives behind the death of late S. K. covering the following issues –

- (i) Employment of the deceased wife as Constituency Clerk;
- (ii) Alleged malpractices during the last General Elections with reference to ‘Kistnen Papers’;
- (iii) Alleged blackmailing by deceased to hon. Yogida Sawmynaden regarding the award of contracts by STC and other parastatal bodies during the COVID-19 lockdown in 2020, and
- (iv) The way autopsy was performed over deceased by the Police Medical Officer.

Mr Speaker, Sir, as regards the issue of employment of the deceased wife as Constituency Clerk, I am informed by the Commissioner of Police that enquiry was carried out by the Central CID and statements from 10 persons were recorded therein. On 26 June 2023, the Office of the Director of Public Prosecutions advised that hon. Yogida Sawmynaden be prosecuted for the offence of ‘Forgery in a private writing’. On 21 July 2023, the case was lodged before the Intermediate Court. The case is now awaiting judgment on 30 May 2024.

Mr Speaker, Sir, as regards the way autopsy was performed on late S. K. by the Police Medical Officer, after the findings of the Judicial Enquiry, further statements were recorded from the Police Medical Officer who has maintained the findings contained in his autopsy report. On 12 July 2022, a request was forwarded to Pathology Institute in Nantes, France, to examine

samples specimen of lungs tissues in order to have a second opinion. On 14 October 2022, the said institute corroborated the report of the Police Medical Officer.

Furthermore, after the request of the DPP, as at date, 56 other persons have been interviewed by the MCIT and their statements recorded.

Mr Speaker, Sir, as regards part (a) of the question, as I have already stated, this aspect of the inquiry has already been transmitted by the Police to the defunct ICAC, now Financial Crimes Commission. In my reply to Private Notice Question on 07 May 2024, I stated by virtue of section 161 of the Financial Crimes Commission Act, no information relating to an ongoing investigation can be divulged. To remind, section 161 of the FCC Act provides as follows, and I quote –

“(1) The Director-General, every Commissioner, every officer, every member of the Parliamentary Committee, every member of the Operations Review Committee, every member of the National Coordination Committee and every member of the Public-Private Partnership Task Force shall take the oath of confidentiality in the form set out in the Second Schedule.

(2) No person referred to in subsection (1) shall, except in accordance with this Act, or as otherwise authorised by law or directed by a Court of law –

- (a) divulge any information obtained in the discharge of his functions or exercise of his powers under this Act;
- (b) divulge the source of such information or the identity of any informer or the maker, writer or issuer of a report given to the Commission.

(3) Every person referred to in subsection (1) shall maintain the confidentiality and secrecy of any matter, document, report and other information relating to the administration of this Act that becomes known to him, or comes in his possession or under his control.

(4) Notwithstanding subsections (2) and (3), the Director-General may disclose, for the purpose of publication in the press, or to a law enforcement authority, such information as he considers necessary in the public interest.”

Mr Speaker, Sir, I am further advised that the exception for the disclosure of information provided for under section 161(4) of the Financial Crimes Commission Act does not apply to Parliamentary Questions.

Mr Speaker, Sir, with regard to part (b) of the question, I am informed by the Commissioner of Police that an enquiry has been instituted at the Central CID following a correspondence from the Electoral Commissioner. The said correspondence, *inter alia*, enclosed a letter dated 09 January 2021 from Resistans ek Alternativ.

The letter referred to alleged breaches of some provisions of the Representation of the People Act, more specifically with regard to expenses incurred by some candidates and election agents during the National Assembly Elections of 2019.

The case is still under investigation and so far, 14 statements from 11 persons have been recorded.

Mr Speaker, Sir, let me reassure the House and the nation that this Government stands committed to pursue its transparency and accountability and corruption-free agenda with renewed vigour and determination. As I indicated in my reply to the Private Notice Question last Tuesday, the Government has taken numerous bold and unprecedented measures to reinforce our overall governance framework.

As a result of these measures taken by Government, Mauritius has achieved notable rankings in various international indices, particularly, standing out as a leader in governance in Africa. As a matter of fact, Mauritius was ranked 55th out of 180 countries globally in the corruption perception index 2023.

Moreover, Mauritius has consistently performed well in the Mo Ibrahim Index of African Governance. According to the latest available data, Mauritius ranks first in Africa with a score of 74.9 out of 100 in Overall Governance.

These rankings demonstrate and reflect the Government's achievements in relation to good governance practices. Thank you.

Mr Mohamed: Mr Speaker, Sir, I thank the hon. Prime Minister for his answer.

I would like to refer him to the 'Kistnen Papers' themselves and I thank him for the details he has given us. In an investigation that had been carried out and published in a daily newspaper

dated 10 January 2021, namely *L'Express* newspaper, written by Axcel Chenney, it is written therein that two people, namely one person going by the name of R. I. was questioned with regard to the 'Kistnen Papers' and the invoices contained therein, and as well as someone else going by the name of J. M. Both of them have confirmed that the invoices in the 'Kistnen Papers' ...

Mr Ganoo: Mr Speaker, Sir, I have a point of order! Mr Speaker, Sir, our Standing Orders are very clear. Standing Order 22 (1)(i) –

“a question shall not contain any arguments, expressions of opinion, inferences, imputations, quotations and extracts from newspapers and periodicals, epithets (...), ironical or offensive expressions (...).”

The material part of the Standing Orders is that “a question shall not contain any quotations and extracts from newspapers and periodicals”, Mr Speaker, Sir.

Mr Speaker: Hon. Member, I remember, on many occasions, I allowed hon. Members quoting from newspapers. But, this time, there is a specific point of order raised by hon. Alan Ganoo and I have to concur that you have no right.

Mr Mohamed: My question therefore is: has the Prime Minister been questioned for having sworn a false affidavit together with hon. Mrs Dookun-Luchoomun and hon. Yogida Sawmynaden by under mentioning ...

Mr Speaker: No! Hon. Member, are you questioning the Prime Minister as a person? Your question is “(...) whether, in regard to the inquiries initiated by the Police (...)”.

Mr Mohamed: Yes!

Mr Speaker: Okay. “and other investigative authorities (...)”.

Mr Mohamed: Yes! So, that is precisely...

Mr Speaker: ... to report on the progress of the inquiry by the Police and other investigative authorities. So, you are putting a question like you are yourself investigating or you are cross-examining the Prime Minister?

Mr Mohamed: I am questioning the Prime Minister!

Mr Speaker: I disallow this type of question! Continue!

Mr Mohamed: Disallow?

Mr Speaker: Yes!

Mr Mohamed: On what basis?

Mr Speaker: You are investigating and cross-examining the Prime Minister as a person!

(Interruptions)

Mr Mohamed: Okay! So, Mr Speaker, Sir, in the DPP's reference to the Commissioner of Police, referred to by the Prime Minister, investigation was carried out and as the hon. Prime Minister said, based on the 'Kistnen Papers', following the decision and the recommendation of the Magistrate of Moka in the Judicial Enquiry. Since he has talked about the 'Kistnen Papers' and he has admitted this issue, the 'Kistnen Papers' make reference to invoices that have to do with electoral expenses. So, do those invoices coming from Mr J. M. and Mr R. I. make reference to certain figures that do not tally with the affidavit he has sworn together with that of hon. Mrs Dookun-Luchoomun and hon. Sawmynaden?

So, my question to the Prime Minister is: how come the invoices in 'Kistnen Papers' make reference to different figures as opposed to his affidavit and that of his two colleagues? Isn't this a potential case of swearing a false affidavit, Mr Speaker, Sir?

The Prime Minister: Mr Speaker, Sir, up till today, there has been no one who has come forward to say that he has recorded information with regard to electoral expenses that were made by me and my two colleagues. No one!

The Resistans ek Alternativ, which has complained to the Electoral Commission, sent whatever allegations they have been making to the Police for enquiry. I put the question: have they come forward to say and to give evidence about these fabricated – I'll call them fabrication – papers or diaries? The hon. Leader of the Opposition, being a lawyer himself, I would have

expected that he would put serious questions, not based on hearsay or what he reads here and there!

Now, I hope he is not selective in what he reads in the newspapers! From what I have also read, when Mrs K. was shown this so-called ‘diary’ or ‘papers’ – I call it a *karne laboutik* –, she said that she could not recognise the handwriting of her husband!

Not only that! It seems that they have evidence which they keep secret and confidential, I believe, because it has not come to public knowledge! A member of the hon. Leader of the Opposition’s party, Mr Suren Dayal, had entered a case of private prosecution before the District Court, alleging what the hon. Leader of the Opposition is alleging now in Parliament, namely that –

“Pravind Kumar Jugnauth, leader of political party, [I will not read everything], residing (...), criminally affirmed false affidavit.”

This is what the Leader of the Opposition is repeating today! What his good friend, party member, Mr Suren Dayal, has been saying and affirming in a private prosecution before a Court of law –

“A false affidavit is where an affidavit is required to wit, solemnly affirm a false declaration of candidate, required under Section 56(5) of the Representation of People Act.”

The case was before the Court. He retained the services of an armada of lawyers! I believe that probably, I say ‘probably’ because it is your party, it is your member, you must have advised him also as a very intelligent and capable lawyer! You must have advised your colleague! What happened? What happened, Mr Speaker, Sir?

(Interruptions)

They were not even able to substantiate anything! Anything! On Friday 17 June 2022, the DPP had notified the Court of the discontinuation of proceedings in that case! Just like all the previous electoral petitions that came forward before the Court of law, everything has been rejected by the Court! The same Suren Dayal, of course, encouraged and supported by the

Labour-MMM Alliance went to the Privy Council. What has been the outcome? Only making frivolous, flimsy, unsubstantiated, baseless allegations that come out from their minds! It is a shame, Mr Speaker, Sir!

Mr Ramano: *Paul Bérenger pa pe trouve li!*

Mr Mohamed: Mr Speaker, Sir, just to get things right, at no time, the private prosecution case was taken on the merit. Therefore, the issue of evidence being assessed is neither here nor there! And the hon. Prime Minister being a lawyer should know better!

Now, with regard to the question of the Commissioner of Police being asked to investigate in line with the recommendations of the learned magistrate, hon. Prime Minister, did the Commissioner of Police carry out an investigation to decide and to question those mentioned therein in order to verify the authenticity of the 'Kistnen Papers' and 'diary'?

The Prime Minister: Mr Speaker, Sir, first of all, let me reply to what the Leader of the Opposition has said. After my reply, he made a comment. He said 'it has not been taken on the merit.' It could not even start! It could not even start and he is talking about merit! Anyway!

Now, it is not the Commissioner of Police who investigates; it is the Central Investigation Department. Anyway, to start an investigation, there must be a declarant. That declarant must be able to substantiate the averments in regard to what he is alleging. Maybe the Leader of the Opposition could tell us who is the maker of this 'diary' or these 'papers'! Tell us! If you are honest and if you are serious, if you are not basing yourself on anything!

Mr Speaker, Sir, anyone can write anything on any paper or diary and bring it and say: this is what hon. Shakeel Mohamed has been doing. Anyone can do that! Is this the kind of justice system that we have?

And I say this particularly to the address of hon. Shakeel Mohamed who knows very well, that before enquiry has to proceed... and he was asking whether the Police have taken a statement from me? How will the Police come and take a statement when they are not able to say: 'you know, Mr so and so has noted and you have given instructions to make certain expenses. What do you have to say?' No one is able to say so! No one till today!

I understand that his Leader – *Monsieur qui fabrique toutes sortes de choses et d’histoires* – apparently had met Mr S. K. a few days before he passed away. This is known; he said it publicly. He was not aware? How come there was this diary and who had put and entered whatever is in the diary? Why is it that Dr. Navin Ramgoolam does not come forward to give a statement to the Police and to say? *C’est de la fabrication pure et simple. Et tout comme la fabrication qu’ils sont en train de continuer à faire, et faire leur campagne, M. le président.*

Mr Mohamed: Mr Speaker, Sir, the hon. Prime Minister seems to be running away from the question. My question, I put it again.

(Interruptions)

So, I get it from him that the Police have not started an investigation in spite of the letter to the Commissioner of Police dated 26 January 2022, as stated by himself, to go in line of all the learned Magistrate’s recommendations. I take note of that and the country takes good note. Is the hon. Prime Minister aware, and my question is that now...

The Prime Minister: Oh, now your question!

Mr Mohamed: Yes, that is my question. The other one is a nail.

With regard to my question now, on the eve of the presentation of pieces of legislation supposedly to come and talk about political financing, how can the hon. Prime Minister reconcile and how can we believe in the credibility of his Government when the Police, in spite of recommendations from the DPP to investigate into those papers, have not even started to check whether the invoices therein are genuine, when the Police Standing Orders clearly state there is no need for a declaration or a declarant, they can themselves open an occurrence in the Occurrence Book based on the Police Standing Orders and the recommendations of the Magistrate?

The Prime Minister: The Leader of the Opposition does not listen carefully to my answer. I have stated that when the DPP instructed the Police to carry out investigation, I have given a number of statements that have been taken with regard to these supposedly electoral expenses that he is talking about. So, I don’t know whether he wants to try to phrase and word my answer in the way that he wants to do it; I must say in a malicious way. But let me say again

that the Police are investigating into the death of Mr S. K. I have given the number of statements which have already been taken. The Police is investigating into the so-called 'diary' or whatever 'Kistnen Papers'. A number of statements have already been recorded.

He says that I am running away? I am not running away my dear hon. Member! I am not running away! And you should be the last one to talk about political financing. The last one! Because we know how his Leader has been amassing; my God, we could never believe the amount of money that was in that coffer! Even what hon. Béranger he said before; he said, 'I am the neighbour of Dr. Navin Ramgoolam, I live next to him; I could never imagine that I was so near that coffer with Rs230 m., with 3 million dollars!' Can you imagine?

An hon. Member: *So frer sa !*

The Prime Minister: *Ce qui est plus comique, M. le président, j'ai entendu, suite aux questions qu'on est en train de débattre ici, à la Chambre, le Dr. Navin Ramgoolam venir dire : 'les 3 millions de dollars, ce sont mes per diem'. Il a dit ça: 'mes per diem'. But we all know, at least those who have been Ministers, I am not talking about...*

Mr Mohamed: Now get back to ...

The Prime Minister: Let me answer *do!*

(Interruptions)

Les mo koze !

(Interruptions)

But when you asked question, have I interrupted...

(Interruptions)

Mr Speaker, Sir...

(Interruptions)

An hon. Member: *Apran ekoute !*

The Prime Minister: Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order! Order!

Mr Mohamed: He is out of fantasy ...

(Interruptions)

Mr Speaker: Order! Please continue.

(Interruptions)

An hon. Member: *Apran ekoute !*

Mr Speaker: Order! Order! I am on my feet hon. Leader of the Opposition!

(Interruptions)

I am on my feet!

Mr Mohamed: I know you are!

Mr Speaker: I am on my feet! You keep quiet!

Mr Mohamed: But he should stop fantasizing!

Mr Speaker: You keep quiet!

Mr Mohamed: But it's fantasy!

Mr Speaker: You keep quiet first!

Mr Mohamed: And when will he?

Mr Speaker: You keep quiet first!

Mr Mohamed: And then him second?

Mr Speaker: You keep quiet!

Mr Mohamed: And him second?

Mr Speaker: You keep quiet!

Mr Mohamed: And him second.

Mr Speaker: You keep quiet! Keep quiet!

Hon. Prime Minister!

The Prime Minister: Mr Speaker, Sir, I hope you will give me extra time to answer.

(Interruptions)

Mr Mohamed: Extra time!

The Prime Minister: They ask for extra time all the time. I need extra time because I want to tell the people, I want to tell this country...

Mr Mohamed: I have already...

Mr Speaker: Order!

The Prime Minister: ...and the public what has been happening.

Mr Mohamed: Extra time!

The Prime Minister: I was saying that hon. P. Bérenger was saying, Rs3 million dollars next to me, I never realised that so much money was being amassed by Dr. Navin Ramgoolam.

An hon. Member: *So frer sa !*

The Prime Minister: And you know, as if to try to explain where he got that money from, he said *per diem*. *3 million dollars de per diem*? We all know, those who have been Ministers in Government, when we get *per diem*, we get a document from the Ministry of Finance and that document allows us to withdraw cash or either bank transfer to our account from a local bank. We don't get *per diem* from a bank outside this country!

An hon. Member: *Manter!*

The Prime Minister: And I can tell you, Mr Speaker, Sir – let the public know – that the 3 million dollars came from abroad, all packed in plastic bags...

Mr Balgobin: *So, so!*

The Prime Minister: ...and was never put in circulation.

An hon. Member: *Be li enn manter!*

The Prime Minister: This is where he got his *per diem*? From abroad? Well, I will fully agree with his late father, Mr Yousuf Mohamed, who, as Counsel, said –

“Mo pa kapav fer mirak”.

Mr Speaker: Time over!

Mr Mohamed: Really?

Mr Speaker: PMQT!

The Table has been advised that PQs B/328, B/339, B/342 and B/362 will be replied by the hon. Prime Minister, time permitting.

I call hon. Bodha!

EXCLUSIVE ECONOMIC ZONE – AGALÉGA – SURVEILLANCE OPERATIONS

(No. B/315) **Mr N. Bodha (Second Member for Vacoas & Floréal)** asked Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to our Exclusive Economic Zone, he will state when surveillance operations therefor will start from the facilities recently put in place in Agaléga, indicating the –

- (a) logistics involved, and
- (b) authority responsible for the command thereof.

The Prime Minister: Mr Speaker, Sir, as the House is aware, the Exclusive Economic Zone (EEZ) of the Republic of Mauritius covers an expanse of 2.2 million square kilometres. In addition, an Extended Continental Shelf of around 400,000 square kilometres in the Mascarene

Plateau region is jointly managed with the Republic of Seychelles. The responsibility of ensuring maritime security within our EEZ is entrusted to the Mauritius Police.

Mr Speaker, Sir, I am informed by the Commissioner of Police that the National Coast Guard (NCG) has five vessels which are equipped for the surveillance of our EEZ and for combating illegal activities at sea.

Additionally, the National Coast Guard possesses three Dornier aircrafts and eight stations of the coastal surveillance radar system, along with other essential equipment and tools, to ensure surveillance of our EEZ. Also, a new Offshore Patrol Vessel is being procured under an Indian Line of Credit with a view to enhancing maritime safety and security in our territorial seas.

Mr Speaker, Sir, considering the vast expanse of our EEZ and the necessity for constant surveillance, Government has established cooperation with foreign countries on maritime security as follows –

- (i) The Indian Naval Ships regularly undertake surveillance and joint patrolling of the EEZ of Mauritius with a view to providing deterrence from any piracy and illegal fishing activities in the region and assisting in Outer Islands support. Additionally, the Indian Navy has been providing technical assistance and training to the personnel of the Police Department, including the NCG.
- (ii) Government is in the process of setting up a National Maritime Information Centre, the objectives of which will be to provide enhanced maritime situational awareness and exchange of actionable information with partnering nations for timely response to potential maritime security threats.
- (iii) The Mauritius Police Force has benefited greatly from cooperation with the Armed Forces in the Southern Zone of the Indian Ocean which is based in Saint Denis, Reunion Island. The Mauritian side and the Armed Forces in the Southern Zone of the Indian Ocean often carry out aero-maritime cooperation actions with NCG aircraft in coordination with French patrol boats in the respective Mauritian

and French aero-maritime space with a view to identifying any vessel whose behaviour is considered suspicious.

- (iv) The United States has, under the Africa Maritime Security Initiative fund and the Foreign Military Financing funds, provided equipment to the NCG with a view to enhancing its Maritime Domain Awareness capabilities and ensuring maritime safety and security.
- (v) The NCG has been sending ships, aircraft and personnel for participation in Cutlass Express which is a joint simulation exercise sponsored by U.S. Africa Command and focusing on addressing piracy through information sharing and coordinated operations among international navies.
- (vi) The United States Authorities have been offering courses on a regular basis to the NCG personnel in international maritime law enforcement, damage control and maritime search and rescue.
- (vii) The Government of Japan has made available a total grant of 1.5 billion Japanese Yen under the Japanese Grant Aid for the Economic and Social Development Programme to the Government of Mauritius to update the Coastal Surveillance Radar System of the National Coast Guard.
- (viii) The Government of Japan has also, under the Economic and Social Development Programme, extended a grant of 300 million Japanese Yen to Mauritius for the procurement of maritime security materials. Two high speed boats were handed over to the NCG on 20 April 2023 and four patrol speed boats on 23 November 2023 to enhance the capabilities of the National Coast Guard.
- (ix) Mauritius has, on 29 March 2023, signed a Memorandum of Understanding with Seychelles to collaborate and enhance cooperation to jointly undertake monitoring and maritime surveillance activities in the Joint Management Area of the Mascarene Plateau region.

Mr Speaker, Sir, I am also informed by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping that Mauritius is pursuing the implementation of the ECOFISH

Programme, funded by the EU and titled “Strengthened capacity to prevent, deter, and eliminate Illegal, Unreported, and Unregulated fishing in the Indian Ocean region, through improved regional coordination mechanisms”.

Mr Speaker, Sir, in regard to maritime surveillance operations from the island of Agaléga, as I have stated previously on several occasions in this House, the main objectives of the Infrastructural Development Projects in Agaléga are to improve sea and air connectivity in Agaléga and also to further protect and reinforce our maritime security needs precisely through the surveillance and monitoring of our vast EEZ and the Joint Management Area.

Mr Speaker, Sir, as the House is aware, the Agaléga projects, which are being entirely financed by the Government of India, involve mainly the construction of a new airstrip and a new jetty. The contract for the execution of these two projects was awarded to AFCONS Ltd by the Government of India.

Mr Speaker, Sir, I am informed that civil works for both the new airstrip and the new jetty have already been completed and as the House is also aware, these two facilities have already been inaugurated on 29 February last and are operational as at date. The works on associated infrastructure, such as Air Traffic Control Tower, Fire fighting Services, Passenger Terminal Building, Aircraft Hangar, and Electrical Station have also been completed, except for certain peripheral works like navigation and meteorological equipment, which are expected to be completed by December this year.

Mr Speaker, Sir, these two projects being ready for operations, the experts from the Government of India are currently checking the inventory and attending to minor snags. The final taking over of the facilities will be effected upon the expiry of the Defects Liability Period.

Mr Speaker, Sir, in accordance with the Agreement signed between the Government of Mauritius and the Government of India, title to all the immovable property being constructed in Agaléga by the Government of India will remain with the Government of Mauritius. These facilities will be eventually vested in our Police Department. However, the Government of India will assist the Government of Mauritius in the operation and maintenance of the facilities.

Mr Speaker, Sir, in regard to part (a) of the question, as I have already stated in the House previously, a Committee at the level of my Office, comprising representatives of all Ministries and Departments concerned, is currently looking into all the aspects of the operationalisation of the new facilities with a view to meeting the objectives of the Agaléga Infrastructural Development Projects, including surveillance operations, and especially the improvement of the quality of life of the Agalegans. It is, therefore, premature for me to state, at this stage, all the logistics that will be involved with respect to maritime surveillance operations.

Mr Speaker, Sir, in regard to part (b) of the question, as I stated earlier, the facilities, that is, the new airstrip and the new jetty, will be vested in the Police Department and all surveillance operations from Agaléga will therefore be coordinated by the NCG under the general command and supervision of the Commissioner of Police.

Mr Speaker Sir, as I stated earlier, the relevant Mauritian Authorities have been maintaining a maritime surveillance system under the command of the Commissioner of Police, with the collaboration and assistance of friendly countries, under different agreements and arrangements, in order to ensure maritime safety and security in our territorial seas.

However, in view of the increasing risks and threats in the region due to various factors, such as, increase in maritime traffic, suspected illegal activities in our territorial seas, as well as an upsurge in piracy attacks and drug trafficking along the Western Indian Ocean region, there was a need to reinforce our maritime surveillance capabilities for greater effectiveness.

It is in response to these increasing risks and threats, amongst others, that the Government sought the assistance of the Government of India for the implementation of the Agaléga Infrastructural Development Projects. The realisation of these projects will significantly enhance our surveillance capacity and capabilities and contribute to ensure maritime safety and security in our EEZ, which is so vital for our economic development.

Thank you.

Mr Bodha: Thank you. I thank the hon. Prime Minister for his answer. He will agree that with all the agreements that we have with different countries in the region and with the facilities

in Agaléga, the surveillance can be more sophisticated, mainly with the maritime patrol aircrafts of the Government of India.

My question is what will be the cost of this increased sophisticated surveillance and whether we have a cost sharing mechanism with the Government of India for the operation of this more sophisticated surveillance of our exclusive zone.

The Prime Minister: Mr Speaker, Sir, I have said in my answer that at this stage, it is premature for me to be able to give further details on how surveillance will be carried out. Therefore, it is very difficult for me to say what will be the cost implication.

Mr Bodha: My question is whether there is a cost sharing mechanism between India and Mauritius with regard to this more sophisticated surveillance.

The Prime Minister: There are certain costs that will be at the expense of India and there will be certain costs that, of course, Mauritius will incur. In terms of the personnel that will be deployed there, it will be of some costs to the Government. There is also going to be personnel from India that will be based there.

Mr Bodha: Mr Speaker, Sir, the Prime Minister mentioned that there are other surveillance exercises being carried out in the Indian Ocean, namely by the US and the UK and the *force navale de l'océan Indien* from Reunion Island. May I ask the hon. Prime Minister how is the coordination being done and whether we can have a better coordination with joint exercises in our exclusive zone for better effectiveness to provide security and fight crime, coordinating all these operations and manoeuvres for a better effectiveness of surveillance?

The Prime Minister: A question has to be put so that I can then get all the information with regard to all the surveillance exercises that are being carried out. The hon. Member asked for Agaléga; now I need notice of that question!

Mr Speaker: So, you need to come with a better question!

Mr Bodha: A more precise question.

The Prime Minister: Precise!

Mr Speaker: Do you have a supplementary? Please!

Mr Bodha: The Prime Minister mentioned the national centre for the command of the operations. So, may I ask the hon. Prime Minister whether all the reports of surveillance exercises in our region are handled by this national command?

The Prime Minister: It is within the purview of the Commissioner of Police. As I said, the Police Force is fully involved. I have cited numerous instances where there are operations that are carried out with a number of countries, which I have also cited. So, obviously, it is under either the command of the Commissioner of Police or there is going to be a joint command.

Mr Speaker: Sufficiently canvassed! We move to the next question. Hon. Ittoo!

SUBUTEX ILLEGAL IMPORTATION – MRS C. L. – INQUIRY

(No. B/316) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the illegal importation of Subutex by Mrs C. L. in 2008, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) number of times she travelled abroad during the period 2005 to 2008, and
- (b) if the inquiry has revealed any of her local contacts.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that on Wednesday 23 July 2008, a team of ADSU Officers proceeded to Sir Seewoosagur Ramgoolam International Airport, following credible information to the effect that Mrs M.C.L. was arriving from France and was suspected to be carrying a large quantity of dangerous drugs.

On her arrival at 05 10 hours, Mrs M.C.L. was identified by Police and the latter started a covert surveillance operation of her movements. Following completion of immigration formalities and recovery of her luggage, she proceeded to the parking area of the airport. There, she met with a certain Mr A.C.M., aged 41.

At 05 50 hours, Mrs M.C.L. was still in conversation with Mr A.C.M. in the parking area and her luggage was on the trolley. Personnel of ADSU approached them and presented themselves. When they were informed of Police suspicion, Mrs M.C.L. admitted that her suitcase contained Subutex tablets meant for one Mr S.C.

Whilst Mr A.C.M. was still with the Police at Sir Seewoosagur Ramgoolam International Airport parking area, Mrs M.C.L. was brought to the Airport Terminal.

With the assistance of Customs Officers, the luggage of Mrs M.C.L. was scanned and it revealed the presence of suspicious parcels. The luggage was then opened in her presence and a considerable number of blister packs labelled Subutex concealed in two gift boxes were found.

A controlled delivery exercise was initiated. Mrs M.C.L. informed that she had to proceed to Port Louis and that she was awaiting a call for the delivery of the Subutex.

Mr A.C.M. was taken by Police to Plaine Verte ADSU Office for enquiry. On the other hand, for the controlled delivery exercise, Mrs M.C.L. accompanied by one Customs Officer and two Police Officers took the private car initially driven by Mr A.C.M. On their way to Port Louis, Police allowed Mrs M.C.L. to use her mobile phone in their presence to communicate with Mr S.C. The latter informed her that someone would come to Jumbo parking area, Riche Terre to collect the drugs.

The ADSU team involved in the controlled delivery reached Jumbo Riche Terre at 07 20 hours. Mrs M.C.L. was left alone at the steering wheel of the car and the gift boxes containing the drugs were placed on the front passenger seat.

Thereafter, at 07 25 hours, a certain Mr B.G.R.J. called at Jumbo Riche Terre in a private van. He approached Mrs M.C.L. to take delivery of the drugs.

Whilst Mr B.G.R.J. was taking over the Subutex from Mrs M.C.L., Police arrested and cautioned him. Mr B.G.R.J. stated that Mr S.C. had instructed him to take delivery of the drugs. Both Mrs M.C.L. and Mr B.G.R.J. were brought to Plaine Verte ADSU Office for enquiry. They were subsequently detained in Police cell. The two private vehicles and the drugs were secured as exhibits. The gift boxes were found to contain 10,640 and 11,115 Subutex 8mg tablets,

respectively in the original blister packs. The street value of the 21,755 tablets was estimated to be around Rs22 m. - and we are talking at that time, in 2008!

After verification, it came to light that Mrs M.C.L. had left her car with Mr A.C.M. prior to leaving the country on 20 July 2008 with instruction to pick her up on her return to Mauritius on 23 July 2008. Moreover, Mrs M.C.L. had, at the time of her arrest at the airport, informed the Police that Mr A.C.M. had no knowledge of the drug transaction. On the same day, the dwelling of Mr A.C.M. was searched and no incriminating article was found. He was allowed to go after enquiry.

Mr Speaker, Sir, on 24 July 2008, a provisional charge of “Unlawful possession of dangerous drug: Buprenorphine (Subutex)” was lodged against the suspects.

On 04 August 2008, Mr S.C. accompanied by his Counsel, surrendered himself to the Police. He admitted that he was acquainted with both Mrs M.C.L. and Mr B.G.R.J. but denied all the allegations made by Mrs M.C.L. against him. He further stated that he would say everything in court. He was arrested and a provisional charge of “Unlawful possession of dangerous drug: Buprenorphine (Subutex)” was lodged against him. He was detained in Police cell and on 18 August 2008, he was remanded to jail.

Mr Speaker, Sir, during the course of the investigation, Mrs M.C.L. revealed to Police that a certain Mr P.C.S.V. introduced her to Mr S.C. and also proposed her to act as courier to transport Subutex tablets from France to Mauritius.

On 21 October 2008, Mr P.C.S.V. was arrested and a provisional charge of “Unlawful possession of dangerous drug: Buprenorphine (Subutex)” was lodged against him on the same day. He denied all the allegations levelled against him by Mrs M.C.L. He was remanded to jail on 12 November 2008 and bailed out on 24 November 2008.

On 09 December 2009, Mrs M.C.L. was sentenced to forty months imprisonment and to pay Rs500 as costs. Mr B.G.R.J. was sentenced to forty-four months imprisonment and to pay Rs500 as costs. They both appealed against the judgement on the same day and were remanded to jail pending the outcome of the appeal.

Mr Speaker, Sir, on 14 June 2010, the Supreme Court dismissed both the appeals with costs. On 23 June 2010, Mrs M.C.L. and Mr B.G.R.J. were remanded to jail to serve their sentence.

Subsequent to a petition made by Mrs M.C.L. to the Commission on the Prerogative of Mercy on 21 September 2011, the then President of the Republic of Mauritius had reduced the sentence of imprisonment from 40 to 34 months. On 22 April 2013, Mrs M.C.L. was released from jail.

Mr Speaker, Sir, I am also informed that Mrs M.C.L. was prosecuted for money laundering on 14 counts and was sentenced to undergo 12 months imprisonment. She appealed against the judgement before the Supreme Court. Her appeal was dismissed and she was remanded to jail on 14 February 2024.

I am also informed by the Commissioner of Police that on 03 November 2009, a formal charge of Conspiracy to import Subutex was lodged against Mr S.C. and Mr P.C.S.V. before the Intermediate Court.

On 10 February 2010, the case was dismissed as the main witness for the prosecution, namely Mrs M.C.L. refused to answer to the questions asked by the prosecution. She was consequently fined Rs2,000 for contempt of Court.

Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that since 2005 to 2008, Mrs M.C.L. undertook 17 overseas trips. Details pertaining thereto are as follows –

- In the year 2006, she effected one trip to France and three trips to Reunion Island;
- In the year 2007, she effected two trips to France and five trips to Reunion Island, and
- In the year 2008, she effected four trips to France and two trips to Reunion Island.

Mr Speaker, Sir, I am informed that Mrs M.C.L. was in regular contact with hon. Richard Duval, when he was Parliamentary Private Secretary during the year 2008. They had travelled on

20 July 2008, on the same flight. Mr Richard Duval proceeded to Zurich via Paris while Mrs M.C.L. travelled directly to Paris.

Mrs M.C.L. returned on 23 July 2008 whereas Mr Richard Duval returned three days later, that is, on 26 July 2008.

Mr Richard Duval often received Mrs M.C.L. and Mr A.C.M. at his office. Moreover, the latter was found by his side whenever he received his constituents at Mahebourg Citizen Advice Bureau.

I am also informed that Mr Richard Duval had even intervened for VIP facilities in favour of Mrs M.C.L. Moreover, on two occasions, she was guest of Mr Richard Duval at the National Assembly.

I am further informed that Mr Richard Duval asked Rs500,000 from her to pay his shares to a horseracing stable and as she was out of funds, Mr Richard Duval made necessary arrangements with the Development Bank of Mauritius for her to contract a loan of Rs700,000 which was approved and disbursed within one week. Out of the Rs700,000, an amount of Rs500,000 was remitted over the counter to Mr A.C.M. on account, I would say, of Mr Richard Duval.

Thank you.

Mr Ittoo: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister inform the House whether there was any relationship between Mr A.C.M. and the former PPS Richard Duval and whether there was any arrest made for a drug case? Thank you.

The Prime Minister: Mr Speaker, Sir, I am informed that Mrs M.C.L. stated to the Police that Mr A.C.M. was, and I quote –

« Li inpe l'homme à tout faire de Richard Duval ».

I am also informed that former PPS Richard Duval often met Mr A.C.M. in the company of Mrs C.L. at his office. Moreover, Mr A.C.M. was regularly found by the side of hon. Richard Duval whenever the latter received his constituents, as I said earlier, at the Mahebourg Citizen Advice Bureau.

I am further informed that Mr A.C.M. was sentenced in 2014 on three counts –

- (i) drug dealing and cultivation of cannabis;
- (ii) drug dealing and possession of cannabis seeds for the purpose of cultivation, and
- (iii) smoking cannabis.

I am further informed that Mr A.C.M. was arrested in 2017 and charged for drug dealing with aggravating circumstances. Police secured 658 plants of cannabis in a *chassé* at Mare aux Vacoas, the street value of which was estimated at nearly Rs2 million. After completion of the inquiry, the case file was forwarded on 01 December 2022 to the Office of the DPP for advice, and it is good to know that Counsel for Mr A.C.M. in this case was Mr Shakeel Mohamed.

Mr Ittoo: Thank you, Mr Speaker, Sir. I have one last question. Can the hon. Prime Minister inform the House whether during the Police investigation, phone conversation of Mrs C.L. was probed and whether incriminating element was found? Thank you.

The Prime Minister: Mr Speaker, Sir, I am informed that after the arrest of Mrs C.L. on 23 July 2008 – it is good to remember the date –, the latter was in possession of a mobile phone. Same was secured and upon downloading of the phone's SIM card, it was found that the phone book contained mobile phone numbers owned by Mr D.M.B., the Constituency Clerk of the then PPS Richard Duval and that of hon. Richard Duval himself. It was established that Mr D.M.B. called Mrs C.L. on 20 July 2008 at 07 37 hrs, 07 50 hrs, 08 03 hrs. Mrs C.L. had called the Constituency Clerk of hon. Richard Duval on 23 July 2008 upon her arrival at 05 27 hrs, 05 40 hrs, 05 48 hrs, 11 32 hrs and 12 03 hrs. The phonebook also revealed that Mrs C.L. called hon. Richard Duval on 19 July 2008 at 19 06 hrs and 20 July 2008 at 08 26 hrs.

Mr Speaker: Time over!

The Table has been advised that PQ B/323 has been withdrawn. The Table has also been advised that PQ B/326 will be replied by Dr. the hon. Minister of Health and Wellness.

Hon. Dr. Aumeer!

LEPTOSPIROSIS – DERATISATION PROGRAMME – HIGH RISK AREAS

(No. B/324) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to Leptospirosis cases in mainland Mauritius, he will state the deratisation programme put in place, if any, at high risk areas mainly at bus terminals, in public buildings, hospitals and food outlets in shopping malls to curb the proliferation thereof.

Dr. Jagutpal: Mr Speaker, Sir, leptospirosis is a zoonotic disease, that is, one which is spread between people and animals with its main reservoirs primarily being rats but also certain livestock such as cattle and goats, and certain domestic animals including dogs. These animals excrete a pathogenic bacterium leptospira, in their urine.

Human contamination occurs through mucous membranes or through damaged skin, by direct contact with the urine of infected animals, or through contact with a humid environment contaminated primarily by rat urine.

Leptospirosis is a globally distributed disease, with its incidence being 50 to 100 times higher in tropical regions. The seasonality of the disease is very pronounced, with a peak during the rainy season. Indeed, the heat and humidity increase the lifespan of the bacteria in the ambient environment.

Mr Speaker, Sir, with climate change, cyclones and heavy rains have been much more frequent this year. The accumulation of rain has flooded the underground tunnels causing rats to emerge to the surface. Furthermore, many fruits have fallen meaning that the rats have an ample food available, leading to increased reproduction.

Females can have offspring as early as three months old. Litters typically range from 8 to 14 offspring and a female can have up to eight litters in a year. More rats, therefore, mean more opportunities for mating and thus, we have a continually rapid multiplication of the rat population. This situation has affected both Mauritius and Reunion Island. In the sister island, the epidemic started earlier and is much more significant this year than the previous years.

In the first four months of the year 2024, the number of leptospirosis cases exceeds the annual rate ever recorded in previous years: 169 cases with 3 deaths in 2022 and 171 in 2023, compared to 204 cases from January to late April 2024. In Reunion Island, several schools have had to close their doors due to rat infestations.

In Mauritius, we have recorded a total of 40 cases in 2022. In 2023 we had a total of 37 cases of Leptospirosis and in 2024, up to date, we have recorded a total of 28 positive cases of leptospirosis.

Mr Speaker, Sir, Leptospirosis can present a wide range of symptoms including fever, rigors, myalgias, headache, nausea, vomiting, diarrhea, non-productive cough, arthralgia, bone pain, sore throat, abdominal pain, and rash, some of which may be mistaken for other diseases.

Diagnosis is made based on a clinical assessment and confirmed by a positive PCR of blood or by positive serologic testing. All infected patients are admitted promptly to a public or private health institution and are administered treatment according to the symptoms and severity of their respective cases. Without appropriate or timely treatment, Leptospirosis can lead to kidney damage, meningitis, liver failure, respiratory distress and death.

Mr Speaker, Sir, with regard to the question, I am informed that there is a Rodent Control Unit which is under the purview of the Public Health and Food Safety Department of my Ministry and which is responsible for rodent control program for all public health institutions such as the hospitals, Mediclinics, Area Health Centres, Community Health Centres and other departments of my Ministry.

The rodent control activities include baiting with rodenticide outside the building, placing of rat glue inside premises and collection and disposal of dead rats by incineration or burial. The same activities are also carried out at Point of Entries, like Port and Airport. Moreover, there are other specific rodent control activities which are carried out such as –

- a. Deratting of vessels at the Port, and
- b. Placing Rat traps in Port Area and sending samples to the Central Health Laboratory or the Vector Biology and Control Division for testing.

In addition, the Public Health and Food Safety Inspectorate carries out regular inspection of Food Operators and both Public or Private institutions under the Public Health Act to check for compliance with Food Act and Food Regulation which includes but is not limited to rat infestation. In case of rat infestation, a Prohibition Order or Notice Prior to Closing Order is issued under the Food Act.

Mr Speaker, Sir, I am also informed that my Ministry is not responsible for rodent control activities for bus terminals and food outlets in shopping malls. Pest and Rodent control activities are also undertaken by various private service providers.

However, my Ministry has, through the Multi-Stakeholders meetings on Dengue, broached on the Ministry's concern on Leptospirosis and an official communication has been issued to relevant Ministries with regard to precautionary measures to be taken.

Mr Speaker, Sir, allow me to take this opportunity to remind the population that they can significantly reduce the risk of having rats at home by taking the following precautions –

- regularly maintaining their yards (that is getting rid of all clutter or waste conducive to rat proliferation);
- collecting and disposing of their wastes regularly in appropriate channels to avoid attracting rats;
- securely closing their bins, and
- eliminating all sources of food for rodents, including pet food leftovers.

Thank you, Mr Speaker, Sir.

Dr. Aumeer: Thank you, Mr Speaker, Sir. So far, our fatality rate seems to be pretty high, ranging in the figures of 10 to 12% as you recently said in a public comment during the International Nurses Day, which is well above what WHO considers acceptable. Can I ask the hon. Minister what specific measures have been taken by his Ministry, both at the level of therapeutics and detection control to avoid that we have such a high surge of fatalities in the event that the cases of Leptospirosis keep increasing in the country, despite the good intentions of the Ministry of health?

Dr. Jagutpal: Mr Speaker, Sir, at this point in time since there are many rats and because these rats have invaded different regions, the Ministry has already given notice to all the other departments where there is the possibility of having rat infestations and in terms of the management of Leptospirosis in the hospital, there are clear clinical guidelines on clinical management on Leptospirosis already being communicated to all offices, to all health officers working in the different regions.

At the same time, we also have to see that the cases of death due to Leptospirosis are due to the vulnerability of patients suffering from chronic diseases and severe diseases. So, that makes patients more vulnerable and that is why, due to Leptospirosis, we have death cases in Mauritius. We also have to consider the diagnosis side at the same time where it is being done at all levels in all the regions and especially as note has been taken, diagnosis is confirmed through specific test that is available in all the public health institutions.

Mr Speaker: Hon Léopold!

Mr Léopold: Can the hon. Minister inform the House whether his Ministry consider the Leptospirosis as a notifiable disease?

Dr. Jagutpal: Mr Speaker, Sir, Leptospirosis is a notifiable disease under the Public Health Act.

Mr Speaker: Next question!

PARA ATHLETICS WORLD CHAMPIONSHIP – ATHLETES’ DELEGATION

(No. B/325) Mr J. B. Léopold (Second Member for Rodrigues) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the forthcoming Para Athletics World Championship to be held in Japan in May 2024, he will state the composition of the delegation of the participating athletes thereinto and the accompanying team thereof.

Mr Toussaint : Mr Speaker, Sir, I would like to first of all wish good luck to our Para athletes who will be participating in the forthcoming Para Athletics World Championship in Japan. With your permission, Mr Speaker, Sir, I will now table the composition of the delegation. Thank you.

Mr Léopold: Can I ask the hon. Minister whether there are Rodriguan athletes forming part of this delegation?

Mr Toussaint: Yes, Mr Speaker, Sir, we have two athletes from Rodrigues and one coach. So, Brigila Claire, Eddy Capdor and the coach is Mr Fabrice Ramsamy.

Mr Léopold: May I ask the hon. Minister whether there is an accompanying medical team and whether he has made the necessary arrangements with the Japanese Health Services, should anything happen to those athletes?

Mr Toussaint: In the list of the delegation, we have one doctor, Mr Damien Stecuik, one psychologist, Mr Ramanjooloo, one massage therapist, Mrs V.B. de Keating, and one fitness coach, Mr Sasolli.

Mr Speaker: MP Mrs Navarre-Marie!

WOMEN DRUG USERS – REHABILITATION MEASURES

(No. B/326) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Gender Equality and Family Welfare whether, in regard to women drug users, she will state the measures taken by her Ministry for the rehabilitation thereof.

The Minister of Health and Wellness (Dr. K. Jagutpal): Mr Speaker, Sir, according to the United Nations Office on Drugs and Crimes (UNODC), women represent one third of drug consumers worldwide and one fifth of the estimated number of injectable drug users. The risks of contracting HIV, Hepatitis C, and other blood-borne diseases are higher among women than men.

My Ministry has taken specific measures to address the issue of women who use drugs.

The Methadone Substitution Therapy Programme, which is a fundamental harm reduction strategy regarding Opioid Use Disorder, was put in place in 2006 following recommendations from the UNODC.

To date, there are 5 Methadone Day Care Centres which are operational around the island where patients are induced on methadone. In three of these centres, induction is exclusively done externally both for men and women, namely at –

- (i) Ste Croix Methadone Day Care Centre;
- (ii) Bouloux Methadone Day Care Centre, and
- (iii) Mahebourg Methadone Day Care Centre.

In two centres, induction is done both externally and residentially, namely, at Centre Frangipane which is exclusively for men and at Orchidée Centre, exclusively for women.

Mr Speaker, Sir, the dedicated female residential centre for detoxification, residential methadone induction and rehabilitation, namely Orchidée Centre, was opened in July 2022 within the premises of the Brown Sequard Mental Health Care Centre. Since its opening to date, some 327 patients have attended the centre, that is, 104 in 2022, 176 in 2023 and 47 from January 2024 to end of April 2024. The service is offered in full confidentiality and is adapted to the type of primary drug of concern.

All the Methadone Day Care Centres have a trained and pluri-disciplinary team comprising a Psychiatrist, a Medical Health Officer/Senior Medical Health Officer, a Specialised Nurse, a Psychologist, a Specialised Health Care Assistant and a Social Worker from NGOs for a proper *prise en charge* of patients.

After a comprehensive, holistic, medical and psychosocial workup, patients are induced on methadone. As at end of March 2024, 8,090 patients were registered on the Methadone Substitution Therapy Programme, of which, 412 were women.

Moreover, as per records available, from January 2023 to April 2024, out of a total number of 2,210 patients induced on methadone, 282 were women.

Mr Speaker, Sir, my Ministry has also set up Addiction Treatment Units since 2018 in the 5 Regional Health Zones and these offer services to some 6,500 attendees annually, of which, some 7%, that is, around 455 are women.

For 2023, there were 907 new cases of which, some 7%, that is, 63 were women drug users. From January to April 2024, there were 16 new cases of women drug users.

Mr Speaker, Sir, women, worldwide, are more vulnerable to poverty, limited access to employment, and economic dependence. Drug use increases women's vulnerability to violence and exploitation, notably due to dependencies that can be exploited.

Therefore, my Ministry has made it a priority to provide special care for the protection, rehabilitation, and reintegration of female drug users. In collaboration with the National Social Inclusion Foundation, the resources of the NGO Chrysalide, dedicated to women for years, have been significantly strengthened by increasing the number and qualifications of its professionals, in order to offer tailor-made and optimal support to drug users who have undergone withdrawal or substitution treatment within the public healthcare system.

It is worth noting that even though women are numerically fewer than men among drug users, very special attention is being given to them. As for all our patients, regardless of their pathology, they are provided with holistic, specific, patient-centred care and a comprehensive care pathway.

Mrs Navarre-Marie: Merci, M. le ministre. Le ministre, est-il au courant qu'il y a actuellement une vidéo en circulation sur les réseaux sociaux où une femme qui se dit usagère de drogue fait un appel pressant pour être réhabilitée ? Si oui, quelles sont les mesures prises par son ministère ?

Dr. Jagutpal: Mr Speaker, Sir, no, I am not aware of any video. I would request the hon. Member to share the video with me. Obviously, I will send the video to the Harm Reduction Unit of my Ministry so that necessary arrangements can be made to offer help to this woman.

Mr Speaker: MP Uteem!

EID-UL-ADHA (2024) – CATTLE IMPORTATION

(No. B/327) **Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Agro-Industry and Food Security whether, in regard to the importation of live cattle for the Eid-ul-Adha festival 2024, he will state –

- (a) the number of permits issued thereof, indicating the –
 - (i) name of the importer;
 - (ii) number thereof to be imported, and
 - (iii) country of origin thereof, and
- (b) if the Mauritius Meat Authority will import any live cattle this year and, if not, why not.

Mr Seeruttun: Mr Speaker, Sir, I am informed by the Livestock and Veterinary Division of my Ministry that, as at date, six import permits have been issued in respect of two importers, namely Socovia (Belle Vue) Ltée and Ubora Ventures Ltd, for the import of live cattle from South Africa for the Eid-ul-Adha festival 2024.

As at date, three consignments consisting of a total of 5,346 live cattle have already reached Mauritius. As per the established veterinary protocols, the animals are currently in quarantine.

An additional 1,425 heads of cattle are expected to reach Mauritius as from the third week of May 2024.

Mr Speaker, Sir, as regard part (b) of the question, I wish to point out that my Ministry is closely monitoring the situation to ensure that there is an adequate supply of live cattle for both the Eid-ul-Adha Festival and for local consumption. According to information available as at date, which evidently is based on the projected demand and available stock and imports, no shortage of live cattle for the Eid-ul-Adha Festival or for local consumption is foreseen.

In view of the above, Mr Speaker, Sir, the Mauritius Meat Authority is not envisaging to import live cattle for the time being.

Mr Uteem: As the hon. Minister is aware, the bulk of the cattle that is sold for slaughter during Eid-ul-Adha festival come from South Africa. Earlier this month, there was an outbreak of Foot and Mouth Disease in South Africa, in particular in the region of the Eastern Cape. So may I know from the hon. Minister whether this information has been relayed to his Ministry and despite this lack of supply from South Africa, he is still confident that there will be sufficient cattle to meet the demand for the Eid-ul-Adha festival?

Mr Seeruttun: Mr Speaker, Sir, as I said in my reply, there are already 5,346 live cattle that are on the premises of the different importers in Mauritius. Also, we are expecting to have 1,425 as of this month. It is indeed a case where there has been an outbreak in one particular region in South Africa where FMD has been suspected. But from the information that I had gathered, the animals that we sourced from South Africa are found very far, even as far as 400km, from those infected farms.

Mr Speaker: You had one clarification. You asked clarification.

Mr Osman Mahomed: Yes. The hon. Minister has mentioned that an adequate supply of cattle will be made for this year. Can I ask him what measures are being taken at his Ministry to ensure that the cattle are of adequate age for slaughtering for Eid ul-Adha?

Mr Seeruttun: Mr Speaker, Sir, we all know every year we take all the necessary measures to ensure that as per the specification that is required for that particular festival, we ensure that those cattle are fully satisfying those conditions. So, this has always been the case and of course, this year as well the same principle is being applied so that whatever cattle being imported are being locked for this particular celebration, fulfil those conditions.

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House about quarantine and sanitary precautions being taken?

Mr Seeruttun: Mr Speaker, Sir, there is already an established sanitary protocol system that is in place and due to the fact that there is this outbreak in South Africa, I have, of course, asked the Livestock and Veterinary Department to enhance their control system and to ensure

that whatever cattle coming from overseas, at this point in time, to be completely isolated and kept in a separate farm so that there is no kind of risk at all of any infection just to be doubly sure that there is no risk associated with those that are infected from South Africa.

Mr Speaker: Hon. Members, I suspend the Sitting for one and a half hour.

At 1.01 p.m., the Sitting was suspended.

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

Mr Speaker: Please be seated! MP Ms Anquetil!

REFUGEE CENTRES – NATURAL CALAMITIES – PROTOCOL REVIEW

(No. B/329) **Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Social Integration, Social Security and National Solidarity whether in regard to refugee centres, she will state if consideration will be given for the reviewing of the protocol thereof during cyclones and other natural calamities with a view to alleviating the hardships faced by the refugees attending same and if, so, give details thereof, and if not, why not.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, during national calamities and cyclones, the protection of our citizens has always been our Government's priority. It is in this spirit that in 2015, our Government adopted for the first time a National Disaster Scheme which sets out the roles and responsibilities of different ministries and institutions during natural calamities such as cyclones, floods and landslides amongst others. The protocol applicable to my Ministry in the event of a cyclone is set out on page 36 to 37 while the protocol for heavy rainfall is set out at pages 88 to 90.

My Ministry is responsible for the opening and manning of evacuee centres either when a Cyclone Warning Class 3 is issued by the Mauritius Meteorological Services or following a request from the National Emergency Operations Command (NEOC) in the event of torrential rain, flooding or any other natural disasters.

It may happen that we have to open the centres which are not on the official list upon instructions of NEOC. An example, for cyclone Belal, four evacuee centres not on official list were open, namely –

- i. Denise Nakeed Municipal Hall;
- ii. Camp Feringa Municipal hall;
- iii. Tranquebar Community Centre, and
- iv. Riche Terre Community Centre.

To further improve the National Disaster Scheme 2015, in February 2018, I chaired a Ministerial Committee in my capacity as Vice-Prime Minister, Minister of Local Government and Outer Islands and Minister of Gender Equality, Child Development and Family Welfare to look into the issues relating to organisation, coordination and monitoring of disaster risk reduction and management activities. After visiting the refugee centres, the Committee came up with recommendations such as –

- provisions and storage of mats and other basic necessities such as bottled water, canned food and biscuits in the safe centres;
- registration of evacuees; a new register was made to capture details of families who take refuge in our centres;
- adequate staff in evacuee centres to take care of people seeking refuge in the centres, and
- my Ministry is constantly connecting with all the centres and provides help and assistance throughout those tough time.

Mr Speaker, Sir, 166 evacuee centres have been identified around the island and my Ministry employs on needs an *ad hoc* basis, 3 officers, 1 supervisor, an assistant supervisor and a caretaker to operate each of the evacuee centres. As I mentioned at the beginning of my reply, all these centres are supplied with basic necessities. Prior to and throughout each cyclonic season, regular visits are carried out by officers of my Ministry to make sure that the stock of basic food items in the centres is replenished and is of good quality and not expired.

To provide further support and assistance to people in the centres during natural calamities, my Ministry has taken a series of additional measures such –

- provision of 3 hot meals (breakfast, lunch and dinner) per day, during cyclones and heavy rainfall, prepared and cooked by the Prison Institution;
- provision of baby cots.

I wish to inform the House that in accordance with the Social Aids Regulation 1984, the following allowances are payable –

- Cyclone Allowance of Rs250 per person per night spent at evacuee centre, and
- Flood Allowance of Rs250 per damaged foodstuff per person per day, for a maximum of 3 days upon presentation of a police memo.

In view of the high number of families affected in the region of Port-Louis, a decision has been made to effect payment of flood and cyclone allowances at the Municipal Council of Port-Louis instead of Astor Court. This measure is facilitating and speeding up the whole process.

Mr Speaker, Sir, I am informed that the National Risk Reduction and Management Centre has regular discussions with my Ministry, other Ministries and stakeholders to review the existing protocol applicable when necessary to support and provide additional help.

Thank you.

Ms Anquetil: Je vous remercie, M. le président. La ministre considère-t-elle acceptable que les centres de refuge...

Mr Speaker: No! Ask for a clarification...

Ms Anquetil: It is a clarification, Mr Speaker, Sir.

Mr Speaker: ...not a new question.

Ms Anquetil: No, no, it is a clarification, Mr Speaker, Sir.

Mr Speaker: Clarification, okay?

Ms Anquetil: La ministre considère-t-elle acceptable que les centres de refuge ne respectent pas la dignité des personnes déplacées...

Mr Speaker: No! This is not a question!

Ms Anquetil: ...en les contraignant...

Mr Speaker: This is not a question! This is not a question! I disallow this question, I move to the next question!

Ms Anquetil: J'ai une autre question supplémentaire à poser !

Mr Speaker: I disallow and I move to the next question! MP Mahomed!

MARE D'ALBERT – HOUSING UNITS CONSTRUCTION – CONFIGURATION & LAYOUT

(No. B/330) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the construction of housing units at Mare D'Albert, he will, for the benefit of the House, obtain from the New Social Living Development Co. Ltd., information as to the –

- (a) configuration thereof, and
- (b) description of the layout of the ground and first floor thereof.

The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin): Mr Speaker, Sir, with your permission, I shall reply to this PQ.

With regard to part (a) of the question, I am informed by the New Social Living Development Co. Ltd. (NSLD) that 200 housing units are being constructed at Mare D'Albert, out of which 192 units are of row type that is, ground plus one and the remaining eight units are of duplex type consisting of ground floor only. I am tabling the layout plan.

As regards part (b), I am informed by the NSLD that each unit of the row type that is, ground plus one is of a carpet area of 60 m² comprising –

- (a) a ground floor of carpet area of 32.03 m² consisting of an open plan living/dining room and kitchen, and
- (b) a first floor of a carpet area of 27.97 m² consisting of two bedrooms, a toilet and a bathroom.

Mr Speaker, Sir, each of the eight duplexes is of a carpet area of 55.6 m², comprising the following –

- 1. An open-plan living/dining room;
- 2. A kitchen;
- 3. Two bedrooms, and
- 4. Toilet and bathroom.

Mr Osman Mahomed: The Minister is not the substantive Minister. So, I will just point out that the 192 units do not have a bedroom on the ground floor. So, it is a matter of concern because when those owners get old, they will probably face a disability – maybe – so they will not have a bedroom on the ground floor.

Mr Speaker: Let the Minister reply.

Mr Balgobin: Mr Speaker, Sir, I think the hon. Member should address more clarifications to the substantive Minister because I have not visited the housing units at Mare D'Albert and I am not in a position to answer the question of ground floor and ground plus one.

Mr Speaker: Next question, MP Bodha!

RÉUNION ROAD GOVERNMENT SCHOOL, VACOAS – REPAIR WORKS

(No. B/331) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the repair works being carried out at Réunion Road Government School in Vacoas, she will state the progress of work thereof, indicating the scheduled completion date thereof.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, there are presently no repair works being carried out at Réunion Government School.

In June 2023, the following repair works were carried out at the school –

- (i) the replacement of damaged profile roofing sheets;
- (ii) treatment of leakages;
- (iii) replacement of false ceilings;
- (iv) general internal painting;
- (v) replacement of gutters;
- (vi) pigeon proofing works;
- (vii) provision of new burglar proofing;
- (viii) rendering of front boundary wall, and
- (ix) fencing works.

I am also informed, Mr Speaker, Sir, that a new classroom block and two toilet blocks were under construction but works have been suspended as the contractor has left the site without completing the works. The Ministry of National Infrastructure and Community Development is taking action to award contracts for completion of the outstanding works under its framework agreement.

Mr Bodha: May I ask the hon. Minister when did the contractor leave the site?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am informed that the contractor left the site in September 2023.

Mr Bodha: So, the hon. Minister will agree that it has now been almost six or seven months and the site is a construction site within a school. So, may I ask the hon. Minister to take some urgent measures so that the children can attend school in the best conditions and in the

meantime, whether, some sort of a sanction can be taken against the contractor and a new contractor be designated to finish the works?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the area has been hoarded and on top of that, there were discussions between the MNICD and the contractor. That is why it took some time but since no solutions were found, it was decided to terminate the contract and to award new contracts through the General Framework Agreement.

Mr Speaker, Sir, the school, the area has been hoarded out so that students can go to school without any problem in the remaining part.

Mr Speaker: Next question!

MORCELLEMENT DE CHAZAL, ALBION – WATER PROJECT – COST & DURATION

(No. B/332) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Energy and Public Utilities whether, in regard to Morcellement De Chazal at Albion, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the water project being currently executed thereat, indicating –

- (a) the cost and duration thereof;
- (b) the name of the contractor and date of award thereof, and
- (c) if full road reinstatement is included in the project costs and the damaged roads such as Barracuda Street will be reinstated and, if not, why not.

Mr Lesjongard: Mr Speaker, Sir, I am informed that the Central Water Authority has a pipe replacement project for some 7.5 km in Morcellement Chazal, Albion. Due to leakage and frequent bursts along certain pipe stretches, the water supply in the aforementioned region is greatly disrupted. A total length of around 7.5 km of asbestos cement of 75 mm diameter pipes has been identified for pipe replacement in order to improve water supply and water quality in the region. The project is being undertaken in four phases.

Phase 1 involves the renewal of approximately 1.9 km of 110 mm diameter HDPE pipelines at Capitaine Avenue, Dauphin Avenue, and Marsouin Avenue as well as laterals at Morcellement Chazal, Albion.

Phase 2 of the project involves the renewal of approximately 1.9 km of 110 mm diameter HDPE pipelines at Espadons Avenue, Marlins Avenue, Cordoniers Avenue, and other laterals in Morcellement Chazal.

Phase 3 of the project, concerns the renewal of some 2 km of 110 mm diameter HDPE pipelines at Mullets Avenue, Barracuda Avenue, Sardes Avenue, and other laterals in Morcellement Chazal.

Regarding the fourth phase, which concerns the renewal of pipelines at Avenue Baleines, Avenue Empereurs, Avenue Bonites, and other laterals in Morcellement Chazal, the contract is currently at tender stage and is expected to be awarded by the end of May 2024.

Mr Speaker, Sir, I am further informed that for the three phases, the contract was awarded to Quality Builders Ltd in October 2023. The contract sums, start dates and completion dates are as follows –

- a. Phase 1, in the total sum of Rs8,732,041.60 with start date being 10 January 2024 and expected completion date, 30 June 2024;
- b. Phase 2, in the total sum of Rs8,946,415.59 with start date of 10 January 2024 and expected completion date, 15 June 2024;
- c. Phase 3, in the total sum of Rs8,877,245.68 with start date of 10 January 2024 and expected completion date, 30 May 2024.

With regard to part (c) of the question, Mr Speaker, Sir, I am informed by the CWA that road reinstatement at Morcellement Chazal, Albion, including the Barracuda Street, involves permanent reinstatement of roads with asphaltic concrete over the trench width, with a 300 mm cutback after completing pipe laying works. Full-width reinstatement will be considered by the CWA based on the extent of road damage during excavation and is handled on a case-by-case basis.

I am informed that pipe laying works at Barracuda Street is expected to be completed by 15 May 2024. I thank you, Mr Speaker, Sir.

Mr Quirin: M. le président, mes collègues Rajesh Bhagwan, Karen Foo Kune-Bacha, et moi-même, nous avons été stupéfaits par l'ampleur...

Mr Speaker: No, no! Wait, wait!

Mr Quirin: ...par l'ampleur des...

Mr Speaker: Wait, I am talking! I am on my feet! Can you wait?

Mr Quirin: I am waiting.

Mr Speaker: Supplementary questions are meant for clarification. Come with a clarification! You listened to the reply of the Minister. Pick a point from there and ask for clarification. That's all! Don't make a speech!

Mr Quirin: No, it is not a speech. I am going to ask for clarification, but...

Mr Speaker: Not 'I am going to!' Ask directly! I want to hear you asking!

Mr Quirin: Mr Speaker, Sir, I need to introduce...

Mr Speaker: No! I am asking you to put your clarification question directly!

Mr Quirin: Incroyable ! M. le président, l'honorable ministre est sûrement au courant que les dégâts causés par les pluies torrentielles ont aggravé la situation au niveau des routes dans cette partie d'Albion. Peut-on savoir s'il y a eu un *survey* qui a été effectué, parce qu'il nous a donné des dates pour compléter les travaux ? Est-ce que ce sont les pluies torrentielles qui ont davantage causé des dégâts aux routes ? Ne pense-t-il pas que le *completion date* va être repoussé ?

Mr Lesjongard: Mr Speaker, Sir, the main question does not at all relate to torrential rain in that region. Therefore, I do not have that information with me.

Mr Speaker: Okay, let us move to the next question. Hon. Abbas Mamode!

Mr Quirin: *La popilasion pe gete, pa gagn traka! La popilasion pe get bien enkor !*

FORESTS RESTORATION – GREENING MAURITIUS

(No. B/333) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Agro-Industry and Food Security whether, in regard to afforestation in mainland Mauritius, he will, for the benefit of the House, obtain from the Conservator of Forests, information as to the actions taken therefor.

Mr Seeruttun: Mr Speaker, Sir, I am informed that in line with the Government Programme 2020-2024, the Forestry Service of my Ministry has reinforced the restoration of our forests with a view to greening Mauritius and thus contributing to our soil conservation, carbon storage and sequestration and improving air quality, among others.

In this respect, several initiatives have been undertaken. These include –

- (a) provision of more than 75,000 plants free of charge to public and private institutions under the National Tree Planting campaign so as to embellish our environment and increase our tree cover, and
- (b) for the implementation of reforestation projects, including social forestry activities during the last five years that has resulted in the creation of –
 - i. the Bel Air Mini Forest, where 1,350 plants were introduced on 0.83 hectare of land;
 - ii. La Prairie Mini Forest with 309 plants introduced on 1.2 hectare of land;
 - iii. the Grand River North West Peri Urban Forest which covers an extent of 0.9 ha;
 - iv. Malenga Mini Forest which is over an extent of 0.1 ha;
 - v. *Pas Géométriques* Virginia with 2,005 plants introduced on 3 ha;
 - vi. Beemanique Remembrance Forest over an extent of 9.2 ha;

- vii. Plaines Sophie Forest where 19,000 plants were introduced over an extent of 4 ha, and
- viii. rehabilitation of part of Signal Mountain with 900 plants introduced over 1 ha.

Mr Speaker, Sir, in addition to these initiatives, for every tree felled on State lands or road/river reserves in view of development projects, the Forestry Service imposes the plantation of thrice the number of trees removed. This is being strictly monitored by the Forestry Service with a view to ensuring that any loss of tree cover is adequately compensated for.

Mr Speaker, Sir, besides the above, the Forestry Service has also established dedicated Bee Reserve Zones within the existing forest areas of La Ferme and Bras d'Eau and where some 800 additional melliferous trees have been planted. About 75 beekeepers have been allowed to undertake bee keeping activities in these Bee Reserve Zones and earn their living through honey production. As a result of the above, Mr Speaker, Sir, the Forestry Service is today actively managing some 180 ha of forest land.

Side by side, the National Parks and Conservation Service which is mandated to restore and conserve native forest within the National Parks and Special Reserves, has, on its part, engaged in the management of some 798 ha, representing an increase of some 5 ha for the period July 2023 to date. Initial weeding is being undertaken in areas where no maintenance or conservation works was carried out previously.

I wish to inform the House that as at date, a total of 215 ha of land under conservation is being continuously maintained by the National Parks and Conservation Service.

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House the type of plants and perhaps the name of the plants which are being planted in these areas that he elaborated?

Mr Seeruttun: Mr Speaker, Sir, as far as possible, we try to encourage the replantation of native plants because they are more conducive for this environment and also, they are not invasive plants. So, as far as possible, we go for native plants.

Mr Speaker: MP Ameer Meea!

DRUG OFFENCES – SPECIALISED DRUG COURT – SETTING UP

(No. B/334) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Attorney-General, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to drug offences, he will state if consideration will be given for the setting up of a specialised court to deal with cases thereof, as per the recommendations of the National Human Rights Commission and, if so, indicate when and, if not, why not.

Mr Gobin: Mr Speaker, Sir, in its Report dated 29 March 2024, the National Human Rights Commission recommended the possible setting up of a specialised court, and I quote from the said report, Mr Speaker, Sir, at page 6 thereof –

“Consideration could be given to the setting up of a drugs court for speedy trials of drug traffickers who are tried under the Dangerous Drugs Act.”

I reiterate the fact that this report has been transmitted by the Human Rights Commission to His Excellency, the President of the Republic, pursuant to section 11 of The Protection of Human Rights Act under cover of a letter dated 29 March of this year.

I mean to say by that, Mr Speaker, Sir, that this recommendation has very recently been made. We will need time to study the implications of this recommendation. Government will also need time to consult the stakeholders and in particular, the judiciary.

However, I wish to highlight that this recommendation should not be taken in isolation. We should also consider the fact that Government has enacted legislation to create the Drug Users Administrative Panel which has very recently started its work.

With the operation of the DUAP now, we will see a number of cases, which were previously going into the criminal justice system, will now be going to the DUAP. We should let the DUAP reach its cruising speed and then assess the situation once again.

Thank you, Mr Speaker, Sir.

Mr Speaker: Any clarification?

Mr Ameer Meea: Yes, Mr Speaker, Sir. As mentioned by the hon. Minister, in the Report, several countries around the world have adopted a specialised court. Like in Mauritius, we also have a Family Division, Commercial Division and even Land Division in our Supreme Court. Therefore, can I ask the hon. Minister whether he will agree with me that a specialised court with its own specialised forensic laboratory will reduce the delays to complete investigation as quickly as possible?

Mr Gobin: No, I humbly beg to disagree. We should not mix the enquiry with the Court. The Court is there to adjudicate; the enquiry is something else. We do appreciate the fact that the National Human Rights Commission has made this proposal, but we will need to look into it very specifically. I reiterate what the National Human Rights Commission has said –

“Consideration could be given for the setting up”.

It is not like a formal proposal. I reiterate what I said. With the DUAP, we will see a reduction in the number of cases going to Court because that is the purpose of the DUAP and, in fact, the National Human Rights Commission itself says on the same page, page 6, I quote –

“The Drugs Court would also work in close collaboration with the DUAP. This would result in a decrease of the number of drugs offenders sent to prison.”

So, we should let the DUAP reach cruising speed. It has just started its work a few weeks ago, and then we will assess the situation a bit later in the course of the year. Thank you, Mr Speaker, Sir.

Mr Speaker: Clarification!

Mr Ameer Meea: Yes, I know. Of course, it is enquiries that take the time, but, very often, the Court also takes time to give conviction. It is not only...

Mr Speaker: Let the hon. Minister reply!

Mr Ameer Meea: No, I have not finished!

Mr Speaker: You said ...

Mr Ameer Meea: No, I have not yet asked my clarification.

Mr Speaker: Yes, clarification. You said...

Mr Ameer Meea: Yes, yes...

Mr Speaker: You said...

Mr Ameer Meea: It's coming. You don't have to stop me each time. It's coming.

Mr Speaker: ...inquiry takes time, but the Court also takes time. So, the Minister has to reply. Let the Minister reply!

Mrs Navarre-Marie: It is not even a question!

Mr Ameer Meea: I am still asking my question!

Mr Speaker: Hon. Minister!

Mr Gobin: Mr Speaker, Sir, I can only reiterate what I have stated earlier. Thank you, Mr Speaker, Sir.

Mr Ameer Meea: *Trouve li pan kompran!*

Mr Gobin: I think the hon. Member has not understood what I have said. I think the hon. Member should have a very careful...

Mr Ameer Meea: *Les mo kozer! Mo pann gagne lokazion poz mo kestion !*

Mrs Navarre-Marie: *Speaker kinn poz kestion!*

Mr Gobin: ... analysis of the criminal justice system in this country.

Mr Ameer Meea: *Mo pann gagne lokazion poz mo kestion, ou pe les li reponn !*

Mr Speaker: No, wait! What is happening? What is happening?

Mr Ameer Meea: I did not have time to ask my question!

Mr Speaker: You put a question...

Mr Ameer Meea: I did not have time to put my question, Mr Speaker, Sir!

Mr Speaker: No, you already put your question!

Mrs Navarre-Marie: You are putting the question in his place!

Mr Speaker: You, keep quiet!

Mrs Navarre-Marie: You, keep quiet too!

Mr Speaker: Please, walk out! Walk out, please!

Mr Ameer Meea: *Enn zafer inportan kumsa, li aret mwa fer mo travail! Enn zafer inportan!*

Mr Speaker: Please! Please leave the House.

Mr Quirin: *Pa per Arianne ale, la popilasion pe guete la !*

Mr Speaker: Leave the House.

Mr Quirin: *Popilasion pe guete! Les li kontinie twa !*

Mr Speaker: Leave the House.

Mrs Navarre-Marie: *Kontinie met madam deor. Poz kestion dan nu plas !*

Mr Speaker: This is not the way to talk to a Speaker.

Mrs Foo-Kune Bacha: *Be pu nanie ditou, enn koze! Enn fraz linn dir, li dehors ?*

Mr Speaker: This is very bad manner, bad parliamentary manner to talk like this.

Mrs Navarre-Marie: You are bad mannered!

Mr Speaker: Please, leave the House!

Mr Quirin: *Dir nu aret poz kestion, pli bon!*

Mrs Navarre-Marie: *Li poz kestion dan nu plas tou aster!*

Mr Ameer Meea: *Ene zafer inportan kumsa, fer politik ar sa!*

An hon. Member: Cheap!

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

Mrs Navarre-Marie: *Poz kestion la ou mem !*

EID-UL-ADHA FESTIVAL 2024 – CATTLE – PRICE

(No. B/335) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Commerce and Consumer Protection whether, in regard to Eid-ul-Adha festival 2024, she will state the number of cattle expected to be put for sale on the market therefor, indicating the price fixed for live cattle.

Dr. Mrs Chukowry: Mr Speaker, Sir, with regard to the number of cattle expected to be put on sale, I am informed by the Ministry of Agro-Industry and Food Security that around 6,500 live cattle would be required for Eid-ul-Adha festival 2024.

The said Ministry has issued permits for the importation of 6,771 cattle. As of 05 May 2024, 5,346 cattle from South Africa have reached Mauritius and an additional 1,425 cattle are expected to reach Mauritius as from the third week of this month.

All the animals which have reached Mauritius have been checked as per established protocols by the Ministry of Agro-Industry and Food Security and found to be clinically healthy. The cattle are currently quarantined at St. Martin.

It is also noted that some 758 cattle may be made available from local production in Mauritius and Rodrigues.

As regards the price of the cattle, the retail selling price of imported live cattle for the forthcoming Eid-ul-Adha 2024 festival has not yet been fixed and my Ministry has already initiated appropriate actions, for same.

Thank you.

Mr Juman: Thank you, Mr Speaker, Sir. Hon. Minister, the number of live cattle required is around 6,500, you said. We have already 70% in stock since a week, what are you and your Ministry waiting to fix the price if you already asked the importer a costing for the importation?

Dr. Mrs Chukowry: Mr Speaker, Sir, there is a process involved in the fixing of the retail price. We are still waiting for the necessary documents from the importers, that is, the bill of entry, the invoice and the bill of lading. I want to reassure the hon. Member that we are still in the normal timeframe and appropriate actions have already been initiated and yesterday itself my Ministry sent a reminder to the importers. We are urging them to submit all the necessary documents; this will enable us to fix the price.

Mr Speaker: Hon. Abbas Mamode!

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House about the methodology used to fix the price of live cattle during Eid-ul-Adha?

Dr. Mrs Chukowry: Mr Speaker, Sir, the processes involved for the fixing of retail selling price of imported live cattle are –

1. Companies which have received an import permit from the Ministry of Agro-Industry and Food Security for the importation of live cattle meant for the Eid-ul-Adha festival submit their preliminary information, that is, the bill of entry, the invoice, the bill of lading for preliminary analysis by the Ministry;
2. In order to verify documents submitted by importers, data on importation of live cattle is requested from the Customs Department to know the quantity imported and the cost of insurance and freight;
3. The views and advice of the Ministry of Agro-Industry and Food Security and the Mauritius Meat Authority are sought on the costings submitted;
4. Final costings of live cattle is submitted by importers and same is examined and verified with relevant documents such as bill of entry, invoices, bill of lading and freight documents;

5. The Inter-Ministerial Committee meets with importers to negotiate the retail price and an agreement is reached on the price to the satisfaction of all parties, and
6. Lastly, Cabinet is informed accordingly and the retail price of live cattle is fixed by way of regulations a few days prior to the Eid-ul-Adha festival and the following two days after the ceremony.

Thank you.

Mr Speaker: Next question! MP Lobine!

Mr Lobine: B/336.

Mr Juman: *Bizin dir Abbas Mamode poz kestion-la!*

WETLAND BILL – PROPOSED INTRODUCTION

(No. B/336) **Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Agro-Industry and Food Security whether, in regard to the proposed introduction of a Wetland Bill in the National Assembly, he will state where matters stand.

Mr Seeruttun: Mr Speaker, Sir, Mauritius is since 2001 a contracting party to the convention on wetlands...

Mr Juman: Shame!

Mr Seeruttun: ... of international importance also known as the Ramsar ...

Mr Speaker: Hon. Minister, can you stop with the reply to the question?

Hon. Member, I heard you say 'shame'. Do you maintain that word?

Mr Juman: You heard me saying 'shame'?

Mr Speaker: Yes. You said 'shame' towards me. Do you maintain it...

Mr Juman: I said...

Mr Speaker: ... or you apologise, you withdraw the word.

Mr Juman: I withdraw.

Mr Speaker: You withdraw! So, hon. Juman withdraws the word and he apologises.

Mr Juman: Happy?

Mr Speaker: What did you say?

Mr Juman: I withdraw.

Mr Speaker: And apologise?

Mr Juman: Apologise for what?

Mr Speaker: You don't want to apologise?

Mr Juman: I said I withdraw.

Mr Speaker: Withdraw and apologise!

Mr Juman: Okay! Okay! If that makes you happy.

Mr Speaker: Hon. Juman withdraws and apologises.

Mr Juman: Okay!

Mr Speaker: Continue with your reply, hon. Minister!

Mr Seeruttun: Mr Speaker, Sir, Mauritius is, since 2001, a Contracting Party to the Convention on Wetlands of international importance also known as the Ramsar Convention. The Ramsar Convention which, *inter alia*, provides for the conservation and wise use of wetlands and their resources, requires Contracting Parties to include wetland conservation considerations in their national land-use planning.

In view thereof, my Ministry contemplated the introduction of a Wetland Bill. I must admit, Mr Speaker, Sir, that the preparation of the Bill has taken quite some time due to circumstances beyond our control namely –

- (a) the inherent complexity of the matter;

- (b) the challenges it represents with regard to Environmentally Sensitive Areas (ESAs) found on private properties and preventing development of same thus depriving owners from their legal rights;
- (c) also conservation of ESAs which is no easy task taking into account that we are a Small Island Developing State with very limited land resources, and
- (d) we have also the difficulties in drawing a proper inventory of wetlands due to the fact that wetlands are dynamic system that influence and are influenced by a complex range of environmental factors and are also affected by various processes such as climatic, hydrological, geological, biological and human influences;
- (e) another constraint is the development already been undertaken on ESAs or backfilled, and
- (f) Mauritius does not have the necessary competencies to address those issues and as such, the services of foreign consultants had to be hired to work on the Bill.

As at date, Mr Speaker, Sir, a draft Wetland Bill has already been prepared and same will very soon be released for wide consultation. The services of a consultant will again have to be enlisted to evaluate and advise on comments/views to be received from the consultation and whether they would be retained for consideration.

After, the finalisation of the document, same will have to be vetted by the Attorney General's Office. I must say, Mr Speaker, Sir, that this process will be quite lengthy and entails several implications.

In the meantime the Bill is being prepared and ready, Mr Speaker, Sir, applications for development near or on wetlands are being examined by the National Ramsar Committee which falls under my Ministry. The Committee ensures the proper implementation of wetland management plans and facilitates coordination between stakeholders engaged in wise use and conservation of wetlands.

Non-compliant development is being dealt with/handled by local authorities under the EPA as amended in June 2023. Same will be reinforced with the coming into operation of the Environment Bill 2024 which also caters for the management and protection of Environmentally Sensitive Areas, including wetlands, which will facilitate the coordination amongst different institutions, as well as the establishment and updating of an ESA inventory and ESA maps. Thank you.

Mr Lobine: May I ask the hon. Minister if there was a consultant recruited by the UNDP, Mr Peter Woolf. Can the hon. Minister inform this House when he submitted his review of the first draft Bill of the Wetland Bill?

Mr Seeruttun: Indeed, Mr Speaker, Sir, there was one consultant by the name of Peter Woolf who was appointed at one time and I must say that the idea of coming up with the Wetland Bill dates back to August 2003. So, it's been 20 years now and if I go through the chronological of thing about this Bill, there have been lots of consultations throughout the years; lots of views expressed, diverging views, legal issues that had to be considered and that is one of the main reason that has resulted in this Bill not being able to be finalised. As I said now, there is a draft which is again ready for consultation and hopefully, we will have some kind of consensus on that and hopefully we will come to this House for debates eventually when it is all set.

Mr Speaker: Next question!

EDUCATIONAL BUILDINGS – FIRE CERTIFICATE HOLDERS

(No. B/337) Dr. M. Gungapersad (Second Member for Grand'Baie & Poudre d'Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the 286 educational buildings, she will give a list of the number thereof holding a valid fire certificate as at date.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed that 12 educational buildings have obtained their fire certificates and a total of 103 educational institutions have already submitted their applications for a fire certificate while the remaining institutions are preparing themselves to submit the applications.

Dr. Gungapersad: Hon. Minister, we have 286 educational buildings. As far back in 2017, the Mauritius Fire and Rescue Services had informed your Ministry to do the needful. So far, only 12 out of 286! How soon will our educational buildings be equipped with and be compliant with fire prevention and fire safety requirements?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, as I have just mentioned, it is a process which is ongoing and right now, 77 institutions have already undergone fire drills and we are expecting that by the end of August 2024, all the institutions would have gone through fire drills. Furthermore, we have already ensured that all the schools have safety signages and fire

extinguishers, and we have Occupational and Health Safety Officers posted at the Ministry who go and do the follow-up with these institutions concerned.

Dr. Gungapersad: Hon. Minister, so this means that many of our institutions – we are talking about educational buildings, staff and students which are not following section 75 of the Occupational Safety and Health Act 2005 so far.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I have just learned that a number of institutions have just got their fire certificates amongst which RTI, the institution where the hon. Member was himself the Rector, has just got the fire certificate two weeks back.

Mr Speaker: Next question!

SPORTS FEDERATION – VIOLENCE AGAINST WOMEN – REPORTED CASES

(No. B/338) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to alleged cases of discrimination and violence against women within Sports Federations since 2019 to date, he will state the number of reported cases thereof, if any, indicating the actions taken thereon.

Mr Toussaint: Mr Speaker, Sir, I wish to inform the House that sections 45 & 46 of the Sports Act 2016 make provision for two independent bodies in respect of dispute resolutions namely, the Sports Arbitration Tribunal and the Ombudsperson for Sports. Therefore, any aggrieved party should report cases of either discrimination or violence thereto.

Mr Speaker, Sir, I am informed by the Sports Arbitration Tribunal that neither cases of discrimination nor violence against women within National Sports Federations have been reported since 2019. Furthermore, I am informed by the Ombudsperson for Sports that as of 19 April 2024, two cases of alleged discrimination against women within the National Sports Federation have been reported. Thank you.

Mrs Foo Kune-Bacha: C'est un fait que les femmes sont moins nombreuses que les hommes dans le monde sportif pour diverses raisons. Ce sont les statistiques qui le disent. Donc, l'honorable ministre peut-il nous dire comment il a l'intention de protéger ces femmes qui s'engagent, qui osent s'engager pour le développement du sport mauricien contre toute forme de discrimination et de violence à leur égard et qu'est-ce qu'il a l'intention de faire dans le cas le plus récent ?

Dans une correspondance que j'ai reçue aujourd'hui adressée à l'honorable Premier ministre et copiée à l'honorable ministre, entre autres, de ce groupe de huit femmes de la

Fédération de Natation qui se disent victimes des agissements inacceptables et continus du président de cette fédération à l'égard des femmes, notamment de la violence physique, verbale et psychologique et qui ont eu le courage de dénoncer ce qu'elles considèrent pire qu'une violation à des droits des femmes.

Mr Toussaint: M. le président, la réponse à cette longue question se trouve dans ce que j'ai dit déjà. Il faut que l'honorable membre puisse consulter le *Sports Act* 2016, section 45 et section 46. Donc, j'inviterais les personnes qu'elle a citées à déposer une plainte soit au *Sports Arbitration Tribunal* ou à aller rencontrer l'*Ombudsperson for Sports* pour déposer, afin que nous puissions trouver une solution dans les cas que l'honorable membre a cités.

Mr Speaker: MP Dr. Boolell!

METRO LIGHT RAIL – 01 MAY 2024 – NON-OPERATION

(No. B/340) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Minister of Land Transport and Light Rail whether, in regard to the metro, he will, for the benefit of the House, obtain from the Metro Express Ltd., information as to the reasons for the non-operation thereof on 01 May 2024 until 1400 hrs.

Mr Ganoo: Mr Speaker, Sir, I am informed by Metro Express Ltd that for safety and security reasons, a communiqué was issued by the later on 30 April 2024 at 13:14 hours to apprise the public that on Wednesday, 01 May 2024, light rail operations would start as from 14 hours.

In fact, the decision was motivated by the fact that several political meetings were scheduled concurrently at the same time at strategic locations, namely at Port Louis, Rose Hill, St Jean, Quatre Bornes, Vacoas and Curepipe which are all along the light rail corridor.

It was, therefore, anticipated that a high number of people would avail to the Metro Express to attend those meetings. However, in view of the proximity of the gathering near the light rail alignments, there were high risks that people trespass on the light rail tracks, thereby leading to potential injuries or even fatalities.

Mr Speaker, Sir, additionally, there could be risks of hostility and confrontations between partisans of the different political parties when boarding and alighting the light rail vehicles at the stations as well as the already crowded LRVs which might have led to the damage of MEL assets, assaults on commuters and MEL staff who would have been working during that time.

Mr Speaker, Sir, it has indeed been observed that after the meetings, many people were gathered at several locations close to the light rail corridor. If the light rail services were operational at that time, this could have effectively resulted in over-crowding all the station platforms as well as in the light rail vehicles. Given the safety risk associated with such complex situations, Mr Speaker, Sir, involving a crowd of attendees along the alignment as mentioned earlier, any erratic behaviour resulting from these situations might have led to potential clashes, increase in physical confrontation, security issues to commuters and staff, as I have just said, both alongside the alignment and station.

Mr Speaker, Sir, hence, the decision was taken to delay the start of operations until 14 hours on 01 May which was taken by the authorities. This decision was solely based on safety and security risks identified above and the potential hostile environment that might have been created in the LRVs and at stations.

As a further safety measure, all overhead electrical lines were discharged along the alignment on the morning of 01 May. After assessing all the safety and security risks above, the public and the passengers were informed, as I just mentioned, Mr Speaker, Sir, on 30 April 2024 through a communiqué issued by MEL regarding the change in the start of metro operations.

Dr. Boolell: Can I ask the hon. Minister whether it was deliberate knowing that the Labour Party and its alliance would have attracted a huge crowd? Notwithstanding that...

(Interruptions)

An hon. Member: *Ey! Ale do!*

Dr. Boolell: ... what you went against the wishes of the electorate!

(Interruptions)

Mr Speaker: Order!

Mr Ganoo: Mr Speaker, Sir, can I answer that?

(Interruptions)

Mr Speaker: Order!

Mr Ganoo: Let me answer the question, Mr Speaker, Sir. Firstly, I am really stunned that after having harshly criticised the implementation of the Metro Express Project for long and even publicly announced after COVID-19 that Government should put an end to this project of metro...

An hon. Member: *Aster metro!*

Mr Ganoo: Now Members of the Opposition are feeling aggrieved on the non-operation of the light rail!

(Interruptions)

Aster metro!

An hon. Member: *Aster metro!*

Mr Ganoo: Mr Speaker, Sir, this demonstrates without any ambiguity that Members of the Opposition have now acknowledged that the light rail transit system is an essential and a preferred mode of commute of our citizens and that the Prime Minister and Government were right to introduce such a system in Mauritius.

Now, to answer the question of the hon. Member, the hon. Member and Members of the Opposition, Mr Speaker, Sir, after 01 May, have been using this argument of the non-operation of the metro to justify the dismally, disappointing crowd at Port Louis.

(Interruptions)

A crowd in Port Louis which amounted to 6,000 people, which they mobilised in spite of all their sustained expensive campaigns they organised for 01 May!

Dr. Aumeer: *To matematik pa bon!*

Mr Ganoo: But, Mr Speaker, Sir, if I use the reasoning of the hon. Member, logically, I can argue also that the meeting at Vacoas organised by the Government alliance...

Ms Anquetil: *N'importe quoi!*

Mr Ganoo: ... has also been penalised ...

Ms Anquetil: *N'importe quoi!*

Mr Ganoo: ... has also been penalised ...

Dr. Boolell: *Al kot optisien!*

Mr Ganoo: ... because the Metro Station in Vacoas is near the place where the meeting was held. Therefore, Mr Speaker, Sir, if we were allowed to convey our partisans to Vacoas, it means that this crowd of 30,000 people in Vacoas would have increased to 35,000 people!

An hon. Member: Yes! Yes!

(Interruptions)

Mr Speaker: Hon. Members, this question has been sufficiently canvassed. Too much politics!

The Table has been advised that PQs B/341, B/349, B/368, B/376 and B/377 have been withdrawn.

MAHEBOURG – TOMBEAU CREMATION GROUND

(No. B/341) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the incinerator at Tombeau Cremation Ground in Mahebourg, he will state when same will be operational.

(Withdrawn)

Mr Speaker: We move to the next question!

METRO EXPRESS LTD – ELECTRICITY CONSUMPTION

(No. B/343) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Energy and Public Utilities whether, in regard to electricity consumption by Metro Express Limited (MEL), he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) number of customer accounts registered by MEL, and
- (b) total cumulated outstanding amount thereof, including surcharges as at 30 April 2024.

Mr Lesjongard: Mr Speaker, Sir, I am informed by the Central Electricity Board (CEB) that Metro Express Limited (MEL) has 35 registered live accounts with the Central Electricity Board as of 30 April 2024. The accounts are in respect of Traction Power Sub-Stations, Passenger Stations and the Ebène Recreational Park.

Mr Speaker, Sir, with regard to parts (a) and (b) of the question, I am advised that it would not be in order to disclose this information as it pertains to a client account.

Mr Speaker: We move to the next question! MP Ameer Meea!

MUNICIPAL CITY COUNCIL OF PORT LOUIS – FINANCIAL SITUATION

(No. B/345) 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 financial situation of the Municipal City Council of Port Louis, he will, for the benefit of the House, obtain therefrom, information as to if it is in deficit and, if so, indicate the measures that will be taken in relation thereto.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, with a view to modernising the public sector accounting, Government has embarked on a gradual implementation of the accrual-based International Public Sector Accounting Standards (IPSAS) with the main objective of improving transparency, accountability and decision-making through the preparation and publication of financial statement benchmarked with international standards.

As per section 132(1)(a) of the Local Government Act 2011, as subsequently amended, financial statements are being prepared under the IPSAS which is combined with the annual report of the council on an accrual basis.

Mr Speaker, Sir, I am informed by the Municipal City Council of Port Louis that according to the last Annual Report prepared for the Financial Year 2022-2023, there was an operation deficit of Rs294,146,166 which included non-cash items such as depreciation, increase in provision for doubtful debts and vested assets. For depreciation, as per IPSAS 17: Property, Plant and Equipment, the Council has to depreciate the asset which is treated as an expense in the statement of financial performance, that is, the profit and loss. Depreciation charged for Financial Year 2022-2023 is Rs562 m.

Regarding increase in doubtful debts as per IPSAS 19, the Council is required to reassess and adjust on a yearly basis the provision made for all its receivable debtors and outstanding debts. The increase in provision made is treated as expense in the statement of financial performance. For the Financial Year 2022-2023, the increase in doubtful debts is Rs5.8 m.

Concerning vested assets, assets are vested to local authorities by a third party namely NDU. These assets are recognised by the Council in the Fixed Asset Register and it has an impact on the statement of financial performance as a revenue item. For the above three non-cash items, there has been no cash transaction, that is, movement for the Council. Accordingly, following a reconciliation exercise, that is, after adjusting for these non-cash items, the Council has an operating surplus on a cash basis of Rs198 m.

Mr Ameer Meea: Yes, Mr Speaker, Sir, I would like to draw your attention to the fact that in my email, in my original question, I asked for financial situations for each Municipal and District Council. This is what I asked in my email for the question which I sent to the Clerk's Office. I never asked for Port Louis. So, how can it be that I get the answer for only Port Louis?

Mr Speaker: The question of subediting goes to the Clerk's Office and any question about any change or anything about questions should be dealt with the Speaker privately in his Office, not in the open air like this.

So, I move to the next question. MP Uteem, is that your question?

MOLNUPIRAVIR CAPSULES – CPN DISTRIBUTORS LTD – PROCUREMENT

(No. B/346) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the procurement of 1,000,000 Molnupiravir capsules at Rs79.92 each from CPN Distributors Ltd, he will state the composition of the Departmental Bid Committee which approved the award of the contract thereof.

Dr. Jagutpal: Mr Speaker, Sir, the composition of the Departmental Bid Committee (DBC) comprised a Deputy Permanent Secretary as Chairperson, a Procurement and Supply Manager, a Principal Financial Operations Officer and a Director Pharmaceutical Services as members.

Mr Uteem: Following the award of the contract, the Chief Pharmacist has been suspended. May I know if any member of the Departmental Bid Committee which approved the contract for the supply of Molnupiravir has also been suspended or are they still in operation?

Dr. Jagutpal: Mr Speaker, Sir, there are inquiries ongoing at the Financial Crimes Commission as well as cases lodged in court. I am not in a position to give further information on this matter.

Mr Uteem: I am talking about your Ministry. I am not talking about the police enquiry; I am talking about your Ministry. Factually, has there been anyone suspended or not? So, either yes or no.

Dr. Jagutpal: What has been in the public domain, you are all aware of. I will not be able to give any further information on this matter, Mr Speaker, Sir.

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

AUDIT REPORT – PROJECT LAPSES – CONTACTS & CONTRACT VALUE

(No. B/347) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the lapses in the management of the 39 projects of her Ministry

for a total contract value of Rs838 million, as reported in the Report 2022-2023 of the Director of Audit, she will state the measures taken in relation thereto to date, giving details thereof.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I would like to draw the attention of the House that the Director of Audit had sampled 39 projects out of which he made observations on 6 of them and the major problems noted were with respect to inadequate supervision and monitoring of projects, late handing over of those sites, poor quality of workmanship, suspension of work by contractors and the award of contracts to contractors notwithstanding their previous poor performance.

The projects identified were as follows –

- delays in the construction of the Technical Training Centre of Beau Vallon;
- the construction of swimming pools;
- upgrading of science labs and specialist rooms;
- the suspension of construction work at the new Ramsoondur Prayag State Secondary School, and
- the Reunion Road Government School.

Mr Speaker, Sir, I am informed that the construction of the Technical Training Centre at Beau Vallon has been completed and its inauguration was held on 02 May 2024. As at the end of April 2024, 42 out of the 58 specialist rooms have been completed, 8 are ongoing and 5 are at the design stage. The construction of one swimming pool has been completed while two others are ongoing. Tender documents are being prepared by the Ministry of National Infrastructure and Community Development for the fourth one.

Mr Speaker, Sir, my Ministry has initiated actions for the upgrading of the science labs requiring an uplift. As regards the construction of the new Ramsoondur Prayag State Secondary School, the MNICD has already submitted bidding documents for the completion of the outstanding works for launch and the Procurement Policy Office has been informed about the

contractor's non-performance. As regards the Reunion Road Government School, action has been initiated for the MNICD to award contracts for completion of outstanding works under its general framework agreement.

Dr. Gungapersad: Thank you hon. Minister. You rightly quoted from the Director of Audit Report and you rightly mentioned there was inadequate supervision and monitoring of capital projects by the Infrastructure Monitoring Unit of the Ministry. Will you inform the House, what measures have been taken so there is appropriate supervision and appropriate monitoring of capital projects under your purview?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, in a previous reply given to the Assembly last week, I mentioned that the Ministry of Education, in collaboration with the MNICD, carry out monitoring of projects. However, we have set up a unit at the Ministry known as the MIU, the Infrastructure Monitoring Unit and with the help of technical officers from the MNICD, we do carry out regular visits and the P.S responsible for the MIU is now monitoring the project works every week in spite of the fact that a general monitoring is also carried out at the MNICD.

Mr Speaker: Question sufficiently canvassed! Next question!

CLUB M – NATIONAL COACH – RECRUITMENT – CRITERIA

(No. B/348) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation Whether, in regard to football, he will state the criteria resorted to for the recruitment of the new national coach of Club M, indicating the –

- (a) nationality thereof;
- (b) past positions held and performances thereof, and
- (c) monthly salary, benefits and other conditions attached to the post.

Mr Toussaint: Mr Speaker, Sir, I wish to inform the House that my Ministry was not involved in the recruitment of the new national coach of Club M. The issues raised in this PQ, therefore, do not arise.

Mr Speaker: Next Question!

Mr Quirin: M. le président, j'ai des questions supplémentaires!

Mr Ameer Meea: *Ena supplémentaire!*

Mr Speaker: It does not arise!

Mr Quirin: But still...

(Interruptions)

Mr Speaker: The issue does not arise!

Ms Anquetil: Clarification!

Mr Ameer Meea: But he can have supplementary! He can still ask question!

Mr Speaker: Listen, the question of giving supplementary does not depend on hon. Ms Anquetil or hon. Ameer Meea or anybody. This is my prerogative. The Minister has replied: 'the question does not arise'.

Mr Quirin: What 'question does not arise'? It does arise!

Mr Speaker: No!

Mr Ameer Meea: But he has clarification!

Mr Quirin: He is the Minister of Sports!

Mr Speaker: You don't have to discuss with me; you are discussing!

Mr Quirin: I do have...

Mr Speaker: Okay, please leave the House.

You are discussing with the Chair, disregarding my authority. You don't know your Standing Orders?

Please!

Mr Quirin: Do you know yours?

Mr Speaker: I know mine. I know everything.

(Interruptions)

I can teach you!

(Interruptions)

Please, leave the House!

Mr Quirin: You are ...

Mr Speaker: Please, leave the House! Before you get named, please leave the House.

Next question!

MEDICINES - STORAGE - NEW CENTRAL WAREHOUSE

(No. B/349) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the construction of a new central warehouse for the storage of medicines, he will state the amount earmarked therefor, indicating the expected start and completion dates thereof.

(Withdrawn)

LOCAL GOVERNMENT ACT - PROPOSED AMENDMENTS

(No. B/350) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the proposed amendments to the Local Government Act, he will state the number of times the technical and ministerial committees set up therefor met, giving an update thereof.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, I wish to inform the House that in view of reforming the Local Government Framework, Government has decided that a Ministerial Committee be set up supported by the Technical Committee to examine and make recommendations on –

- i. The local government reform in Mauritius;

- ii. The advisability of creating additional municipal council;
- iii. The need to redefine the local government boundaries;
- iv. The advisability of holding local council elections concurrently with or in the wake of general elections, and
- v. Any other ancillary matters.

As at date, the Ministerial Committee has met on two occasions and the Technical Committee on three occasions.

Mr Speaker, Sir, in view of the complexity of this exercise which is time-consuming, it is too early for the Committee to submit any recommendation at this stage.

Mr Nagalingum: Can the hon. Minister tell us the composition of the Technical Committee and the Ministerial Committee?

Dr. Husnoo: The composition of the Ministerial Committee is as follows –

- The Minister of Energy and Public Utilities, who is the Chairperson;
- The Vice-Prime Minister, myself;
- The Minister of Land Transport and Light Rail;
- The Minister of Social Integration, Social Security and National Solidarity;
- The Minister of Environment, Solid Waste Management and Climate Change;
- The Attorney General;
- The Minister of Information Technology, Communication and Innovation;
- The Minister of Arts and Cultural Heritage, and
- The Minister of Public Service, Administrative and Institutional Reforms.

As far as Technical Committee is concerned, it is as follows –

- Dr. Kawol who is the Senior Chief Executive of the Ministry of Local Government and Disaster Risk Management, he is the Chairperson;
- A representative of the Prime Minister’s Office;
- A representative of the Attorney General’s Office;
- A representative of the Ministry of Finance, Economic Planning and Development;
- A representative of the Municipal Council;
- A representative of the District Council, and
- Other members as may be co-opted.

Mr Speaker: Next question!

COVID-19 SOLIDARITY FUND – DISBURSEMENT CRITERIA

(No. B/351) **Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the COVID-19 Solidarity Fund, he will state the criteria currently established for disbursements therefrom.

Dr. Padayachy: M. le président, le *COVID-19 Solidarity Fund* a été créé le 24 mars 2020 avec pour objectif principal d’apporter un soutien à la population dans son ensemble dans le contexte de la pandémie, et cela, notamment en finançant des projets, des programmes et des actions spécifiques visant à atténuer l’impact négatif de la crise de la Covid-19. Par la suite, à la période post pandémie, le *COVID-19 Solidarity Fund* a été rebaptisé *Solidarity Fund* et ses objectifs ont été élargis pour inclure le financement de trois programmes de protection sociale, à savoir –

- la prime à l’emploi ;
- le *Cancer Treatment and Cancer Care Scheme*, et

- le programme d'aide aux boulangeries.

M. le président, en ce qui concerne les critères de déboursement des fonds pour les trois programmes susmentionnés, je souhaite apporter les précisions suivantes.

Premièrement, le programme de la Prime à L'emploi s'adressait à l'origine aux jeunes âgés de 18 à 35 ans et aux femmes âgées de moins de 50 ans. Dans le dernier budget, le programme a été réformé et s'adresse désormais aux femmes et aux personnes handicapées, âgés de moins de 62 ans et est payable pendant les deux premières années d'emploi. Les employeurs sont tenus de préserver l'emploi d'un salarié pendant une période d'au moins trois ans. Les critères d'éligibilité à la prime à l'emploi sont définis dans l'*Income Tax Act*. Je suis fier de pouvoir vous annoncer que ce sont 6 024 individus qui ont bénéficié du programme, dont 5 497 femmes. La *MRA* a été chargée de recevoir et de vérifier les demandes et d'effectuer les paiements mensuels dans le cadre du régime. Permettez-moi de préciser que le *Solidarity Fund* ne verse les fonds qu'à la *MRA*.

M. le président, deuxièmement, en ce qui concerne le *Cancer Treatment and Cancer Care Scheme*, il s'applique à tous les enfants qui sont citoyens et résidents de la république de Maurice, sont âgés de moins de 18 ans, souffrent d'un cancer ou présentent des symptômes suspects de cancer et suivent déjà un traitement pour une forme quelconque de cancer. Les soins des enfants ayant été diagnostiqués avec un cancer avant 18 ans sont également pris en charge après leur majorité. Le *Child Cancer Cell* a été mis en place au niveau de mon ministère pour assurer le suivi du programme, gérer les demandes et faciliter le déboursement des aides du programme en consultation avec le ministère de la Santé.

Le ministère des Finances effectue les paiements aux hôpitaux privés après vérification et certification des factures par le prestataire de services. À ce jour, 46 enfants ont pu bénéficier du programme pour recevoir les soins à l'étranger dans les hôpitaux de pointe enregistrés auprès du ministère de la Santé. En sus, 70 enfants ayant été diagnostiqués avec un cancer avant la mise en place de ce programme, bénéficient d'un suivi médical approfondi.

M. le président, enfin, le programme d'aide aux boulangeries vise celles qui sont enregistrées auprès de la *State Trading Corporation* pour l'achat de farine de blé au prix spécial

subventionné et qui produisent du pain. Pour rappel, le gouvernement fournit actuellement un subside de deux roupies et huit sous sur chaque pain maison, notamment en travers des subsides sur la farine, le diesel et une aide directe de neuf sous par unité. Sans ce programme d'aide aux boulangeries, le pain maison coûterait R 4.68 l'unité au lieu de R 2.60 l'unité aujourd'hui. Pour assurer l'implémentation de cette aide financière, la *MRA* a été chargée de recevoir les demandes et d'effectuer le paiement de la subvention. Le *Solidarity Fund* verse les fonds à la *MRA* pour le paiement.

M. le président, en comptabilisant les trois programmes d'aide susmentionnés, cela représente une aide financière pourvue pour le gouvernement de R 980 millions par an au travers du *Solidarity Fund*.

Merci.

Dr. Boolell: Thank you very much Minister for your elaborate reply. To meet these said criteria and objectives which you have elaborated Minister, can I ask you – and you will agree with me that the Solidarity Fund has to be placed and deposited in credible banks – why is it that Rs3 billion, out of the Fund, has been deposited in a bank which has no credibility and which is now under conservatorship?

Dr. Padayachy: M. le président, je peux assurer le membre qu'il n'y a pas de fond de ce Fond de solidarité qui a été déposé dans une banque.

Mr Speaker: No issue? No question? Next question!

STC – LEGAL FEES PAID – JANUARY 2014 TO MAY 2024

(No. B/352) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Commerce and Consumer Protection whether, in regard to the State Trading Corporation, she will, for the benefit of the House, obtain therefrom information as to the list of legal fees paid since 2014 to date, giving details thereof.

Dr. Mrs Chukowry: Mr Speaker, Sir, the question covers a period of 10 years, from January 2014 to May 2024 and during the said ten years, I am informed that the STC has

retained lawyers, both locally and internationally. Lawyers have been retained from India, Singapore, UK and Mauritius in relation to various issues.

Mr Speaker, Sir, the details are still being compiled.

Mr Speaker: Next question, MP Bodha!

CAMBRIDGE SC EXAMINATIONS – SECOND ATTEMPT – EXAMS COST

(No. B/353) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Cambridge School Certificate Examinations, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the number of students taking part for a second time in the examination to be held this year, indicating the cost to be incurred by the parents therefor.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, I am informed by the Mauritius Examinations Syndicate that there are as of date 3,156 entries that have been received in respect of students taking part in the Cambridge School Certificate examinations for the second time. This exercise started on 6 May and will last until 17 May 2024.

As regards the second part of the question, I am further informed that the fees payable for the year 2024 will be as follows –

- (i) For six subjects: Rs15,699;
- (ii) For seven subjects: Rs18,236, and
- (iii) For eight subjects: Rs20,773.

Mr Bodha: I thank the hon. Minister for the answer. In view of the fact that a majority of students did not get four credits and they are sitting a second time; about the cost of this second exercise, may I ask the hon. Minister whether the Government can consider some sort of subsidy

to the parents who are going to bear the brunt of it because the least is Rs16,000 and at most, it is Rs20,000 and it is a total burden on most of the parents?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, for parents who are on the SRM register, the Ministry of Social Security pays the fees for a second attempt and in fact, for the past four years, we have noted that there are around Rs8 million which have been provided by Social Security to parents having their children sitting for a second time.

Mr Bodha: May I ask the hon. Minister, how many of the students fall under this category?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I do not have the figure but it should be around... for the past four years, it would appear to be around 1,000.

Mr Bodha: Can I ask a last question?

Mr Speaker: MP Lobine!

POLICE & CRIMINAL JUSTICE BILL – PROPOSED INTRODUCTION

(No. B/354) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Attorney-General, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the proposed introduction in the Assembly of a Police and Criminal Justice Bill, he will state where matters stand as to the consultations initiated with stakeholders concerned therewith, indicating if consideration will be given for the doing away with the practice of lodging of provisional charges.

Mr Gobin: Mr Speaker, Sir, the practice of lodging provisional charges is very well established in our case law. In the landmark case of DPP v. IOIB and Shanto (1989) MR 110, our Supreme Court stated the following, and I quote –

“As everybody knows, a provisional information is entered when a suspect is arrested or is brought into custody. Its purpose is to bring the detention of the individual under judicial supervision and control so as to prevent an administrative detention and to enable a judicial authority to decide whether the detainee should be released on bail or not and,

if not, for how long he should be detained. No detainee pleads to a provisional information and no trial takes place.”

In the recent case of Dr. N. Ramgoolam, GCSK, FRCP v. The State of Mauritius & Ors (2024 SCJ 113), the learned Judge observed as follows, and I quote –

“As is the *cursus*, the detainee is periodically brought before the Magistrate until the striking out of the provisional charge (which may or

may not be followed by the lodging of a main case) for the purpose of ensuring that his constitutional rights are being respected during his detention and that he is abiding by the conditions of his bail and appearing in Court as and when required.”

In that same case, the Judge also highlighted the following, and I quote –

“The case of Shanto is simply authority for the proposition that no evidence needs to be adduced at the stage of lodging a provisional charge. Of course, the police must act on reasonable or probable cause for arresting a person and the reasons for the arrest must be based on some evidence before the Police arrests and deprives a person of his right of free movement and provisionally charge him.”

Mr Speaker, Sir, in the light of what I have quoted from our case law, there is no need to do away with the practice of provisional information, but there is a need to understand the rationale of provisional information and the use of powers of arrest.

Mr Speaker, Sir, the final part of my answer, when it comes to, as the question asks, the Police and Criminal Justice Bill, that is not to be found in the Government Programme. I think the hon. Member is referring to the previous answers given in this House.

I wish to state that following a lengthy consultation on the then proposed Police and Criminal Justice Bill, we have not reached a consensus on all the aspects of that Bill. I, however, hasten to add that we have consensus on the need to codify some aspects of our law of evidence to bring it in line with the latest developments in the Commonwealth. Thank you, Mr Speaker, Sir.

Mr Speaker: Clarification, no politics!

Mr Lobine: Yes, elucidation. May I ask the hon. Minister, now that we have got a new answer from what you have previously answered with regard to the introduction of the proposed Police and Criminal Justice Bill, so, is it to say that now we will not have the introduction of this proposed Bill in this House? There will be a new Bill with a new name?

Mr Gobin: I wish to state very categorically, Mr Speaker, Sir, it is not a new answer. I have said the same thing a number of times in this House that we have consensus on the evidence part of our law where we need to bring reform. There are a number of subject matters like corroboration, hearsay, etc. We have consensus on that. We do not necessarily have consensus among stakeholders on the criminal procedure aspect of our law. I do not know why the hon. Member persistently wants to call this Bill Police and Criminal Justice Bill. We may change the appellation and the short title. That will come at a later stage.

I want to highlight that there has also been debate in this House from other Members of this House, where it has been made very clear in this House that there is no consensus. I can give one example. The then Police and Criminal Justice Bill was contemplating the custody officer, maybe the hon. Member will recall. What would that mean? We are removing the control from a Magistrate and we are going to give it to a Police Officer? There was no consensus on that, even outside the House and in the House. I wish to perhaps draw the attention of the hon. Member to the debates that have occurred here. This is why I reiterate what I said in my earlier reply. Thank you, Mr Speaker, Sir.

Mr Speaker: Matters cleared! Next question! MP Dr. Aumeer!

LA TOUR KOENIG – TWO ACCESS ROUTES – CLEANING & MAINTENANCE

(No. B/355) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the two access routes, from the main road near Bhujoharry College and the bakery leading to the church at La Tour Koenig, he will, for the benefit of the House, obtain from the Municipal City Council of Port Louis, information as to if consideration will be given for the cleaning and maintenance thereof for the safety of the users thereof.

(Withdrawn)

FOREIGN CURRENCY – MAURITIAN STUDENTS – ABROAD TRANSFER

(No. B/356) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to foreign currency, he will state if he has been made aware of the difficulties being encountered for the transfer thereof for Mauritian students studying abroad for the payment of accommodation and living expenses in view of the limitation thereof on the market and, if so, indicate if consideration will be given for the transfer thereof in such instances to be prioritised.

Dr. Padayachy: M. le président, comme le sait l'honorable membre, il n'y a pas de contrôle des changes à Maurice depuis 1994. Ainsi, le marché intérieur des changes est libéralisé et il n'y a donc pas de limitations au transfert de devises étrangères.

La Banque de Maurice m'a informé que depuis le début de la pandémie, elle est intervenue sur le marché national des changes et a vendu un montant total de 4,1 milliards de dollars. Cela a été fait pour atténuer la pression exercée par la crise de la Covid-19 sur le marché des devises. Sans le soutien de la Banque de Maurice, le marché national des changes aurait été dans une situation extrêmement difficile.

M. le président, depuis le début de l'année 2024, les entrées sur le marché intérieur des changes se sont considérablement améliorées et sont maintenant au niveau d'avant la pandémie. La Banque de Maurice est en discussion constante avec les banques commerciales concernant le bon fonctionnement du marché des changes et tient des réunions régulières avec les trésoriers de toutes les banques commerciales par l'intermédiaire du comité des marchés financiers qu'elle a mis en place.

M. le président, la Banque de Maurice m'a informé qu'elle n'a reçu aucune plainte de la part d'un individu qui n'aurait pas reçu de devises à des fins éducatives. En fait, une enquête menée par la Banque de Maurice auprès de toutes les banques la semaine dernière a montré que les besoins en devises à des fins éducatives sont satisfaits rapidement par les banques à condition que tous les documents nécessaires soient fournis. Merci.

Mr Speaker: You have a clarification?

Dr. Aumeer: I will try to be clearer. I just wish if the hon. Minister can ensure with local banks that what he has just answered to the House is conveyed to parents who try to send money abroad to their kids. Thank you.

Ms Anquetil: Bravo! Bravo!

Dr. Padayachy: M. le président, j'ai écouté l'honorable membre et je tiens à lui rassurer parce que j'ai eu la même discussion avec le gouverneur de la Banque de Maurice pour que la Banque de Maurice intervienne pour qu'il n'y ait pas de pénurie de devises sur le marché.

Mr Speaker: Next question! MP Osman Mahomed!

VICTORIA URBAN TERMINAL – STALL HOLDERS – LEASE AGREEMENT

(No. B/357) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to Victoria Urban Terminal, he will state if he has been made aware that certain stall holders, especially the ex-street hawkers, have been informed by the Municipal City Council of Port Louis to vacate the premises at specific locations at the end of their 3 years' lease agreement and, if so, the reasons therefor.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, I am informed by the Municipal City Council of Port Louis that at no point in time, the stall holders currently trading at Victoria Urban Terminal were instructed to vacate the premises at a specific location at the end of the three-year lease agreement.

In fact, as indicated in my reply to PQ B/260 on 23 April 2024, I wish to again inform the House that the traders initially operating on the second floor had expressed concerns that they were having difficulties to market their products because the place is not visited by many customers.

As such, a decision was taken to shift them to vacant stalls on the first floor, provided that they were regular with the payment of their monthly rental. For those who were not consistent with the settlement of their monthly rental, a decision was taken to terminate their lease agreement and they were given the option to be shifted to the first floor on the condition that they settle all their dues.

Mr Osman Mahomed: Thank you. During the PNQ of 28 November 2023, the hon. Vice-Prime Minister has replied that VSL is negotiating with other promoters to have other officers coming there as well, meaning at the Victoria Urban Terminal.

Can I ask him whether it was referring to renting out the second floor with potentially one government entity which is the National Land Transport Authority, and that this same Authority has requested additional space and it is now being envisaged to rent out part of the first floor as well to that same entity?

Dr. Husnoo: Mr Speaker, Sir, I would like to inform the House that the National Land Transport Authority (NLTA) is not going to take any space in the urban terminal. Actually, we were negotiating with them at one stage but they are not interested in it and they are not going to take any space there.

Mr Osman Mahomed: Can I ask the hon. Minister...

Mr Speaker: Clarify! No additional questions, clarify!

Mr Osman Mahomed: As usual and related to the main question. So, can I ask the hon. Minister, therefore, that the ex-street hawkers who are now on the first floor are not going to be requested to vacate at all even after their three-years lease agreement has expired?

Dr. Husnoo: No, there is no question of vacating at the end of three years. I don't know where that comes from but there is no question of that happening.

Mr Speaker: Next question!

LE MORNE CULTURAL LANDSCAPE WORLD HERITAGE SITE – MANAGEMENT PLAN

(No. B/358) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Arts and Cultural Heritage whether, in regard to the Le Morne Cultural Landscape World heritage site, he will state if the Management Plan of the site dated 2008 has been revised and, if so, give details thereof and, if not, why not.

Mr Teeluck: Mr Speaker, Sir, I am informed by Le Monde Heritage Trust Fund that with regard to the Le Morne Cultural Landscape World Heritage Site, an integrated management plan has been prepared by the Fund for the years 2024-2028 and same has already been approved by its Board. This new management plan is an integrated one and is built on the management plan of 2008.

However, it is even more explicit as it addresses other issues such as land use under management, lagoon management, visitors' management and development of local economy around the site. For each of these issues, Le Morne Heritage Trust Fund is currently working on separate sub-management plans which will in the long term better protect, preserve and promote the outstanding universal value of the World Heritage Site.

Mr Speaker, Sir, I am further informed that the decision to prepare an integrated management plan encompassing land use and lagoon management, visitor's management and local economic development emanates from discussions with experts from UNESCO. This plan provides an overview of the broad recommendations regarding land, lagoon, visitors and local economic development management.

However, since some of these components namely the land and lagoon are national features and are being subjected to more and more climatic changes and are beyond our control, these are taking time to be finalised.

In addition, the preparation of the local economic development plan is a very complex exercise for which resource persons with appropriate expertise have been sought from UNESCO. A reply is awaited.

Mr Speaker, Sir, in spite of these, since we have a commitment to submit the management plan to UNESCO in line with the recommendation of the World Heritage Committee, pending the finalisation of the sub-management plans above, my Ministry in consultation with the Board

of the Le Morne Heritage Trust Fund has agreed to submit the integrated management plan to UNESCO as the plan is a holistic one incorporating in broad terms all components of the proposed sub plans. The integrated management plan 2024-2028 will be submitted shortly to Cabinet for approval prior to submission to UNESCO.

Ms Anquetil: M. le président, j'ai une clarification.

Mr Speaker: J'espère, j'espère bien.

Ms Anquetil: Comme d'habitude, M. le président.

Mr Speaker: J'espère bien.

Ms Anquetil: Voilà! Alors, M. le président, j'ai bien écouté la réponse du ministre. Ça a pris quand même deux ans et demi, M. le ministre...

Mr Speaker: Non, clarification.

Ms Anquetil: Non, mais c'est un fait. C'est un sujet très sensible, M. le président.

Mr Speaker: *Clarification directe!* Ask the Minister to elucidate!

Ms Anquetil: On parle du *management plan* d'un site classé au patrimoine de l'UNESCO : la montagne du Morne. Je me souviens le 9 novembre...

Mr Speaker: *Non, mais là vous allez...* No, this is not... You want me to teach you how to put a question? Don't you know? You are a seasoned politician, MP! You don't know how to put a question?

Ms Anquetil: I have a clarification. Thank you, Mr Speaker, Sir. Est-ce que le ministre, vu le retard de ce *management plan* qui aurait dû être, qui doit être révisé tous les cinq ans, c'est celui de 2008 qui n'a toujours pas été révisé, il a parlé que le *management plan* sera soumis bientôt au Conseil des ministres...

Mr Speaker: Let the Minister reply!

Ms Anquetil: Peut-il clarifier le 'bientôt' ? Est-ce dans une semaine, deux ans et demi encore, ou quand vous ne serez plus là ? Enfin, dites-nous ? Merci.

Mr Speaker: Hon. Minister!

Mr Teeluck: I wish, Mr Speaker, Sir, to provide a reply. *Le 'bientôt' est très bientôt.* Actually, very soon, and we are not referring to management plan dated 2008, we are talking about a revised version of management plan 2024-2028, and Mr Speaker, Sir,...

Ms Anquetil: Qui n'est pas publique.

Mr Teeluck: And, Mr Speaker, Sir...

Ms Anquetil: Qui n'est pas publique.

Mr Speaker: What is happening now? You see your language. Do you see how you behave?

Mr Toussaint: Be polite!

Mr Teeluck: The management plan definitely will be submitted to Cabinet *très bientôt*, but you will have to wait very long before being able to sit in government.

Mr Speaker: Wait! Next question!

Ms Anquetil: L'espoir fait vivre les...

An hon. Member: Anquetil!

(Interruptions)

POINTE AUX SABLES – POST OFFICE – OPENING & CLOSING HOURS

(No. B/360) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Information Technology, Communication and Innovation whether, in regard to the Post Office at Pointe aux Sables, he will, for the benefit of the House, obtain from the Mauritius Post Ltd., information as to the opening and closing hours thereof.

(Withdrawn)

JAMROCK REGGAE FESTIVAL – SATURDAY 04 MAY 2024 – CANCELLATION

(No. B/362) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Arts and Cultural Heritage whether, in regard to the Jamrock Reggae Festival, which was scheduled on Saturday 04 May 2024 at Domaine 7 Cascades and Lodges, he will state the reasons for the cancellation thereof.

(Withdrawn)

MAURITIUS QUALIFICATIONS AUTHORITY – NON-AWARD COURSES – GUIDELINES

(No. B/363) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Mauritius Qualifications Authority, she will for the benefit of the House, obtain therefrom information as to if the guidelines for the dispensing of Non-Award courses have been reviewed recently and, if so, the reasons therefor.

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

(Interruptions)

Mr Speaker: Order!

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I am informed that the guidelines and procedures for the approval of non-award courses were prescribed in October 2021 and have since not been reviewed.

Mr Speaker: Not been reviewed, okay!

Next question, hon. Uteem!

PUBLIC SECTOR DEBT – GROSS DOMESTIC PRODUCT – AMOUNT

(No. B/364) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Finance, Economic Planning and Development whether, in regard to the public sector debt, he will state the current level thereof in absolute terms and as a

percentage of Gross Domestic Product, indicating the amount and percentage thereof in foreign currency.

Dr. Padayachy: M. le président, les données relatives à la dette du secteur public sont compilées, consolidées et publiées sur le site web de mon ministère sur une base trimestrielle à la fin du mois suivant chaque fin de trimestre. Les données consolidées pour la fin mars 2024 ont été publiées le 30 avril 2024.

La dette du secteur public à la fin du mois de mars 2024 s'élevait à R 524,7 milliards, soit 78,3% du PIB dont le montant a atteint R 669,9 milliards. Cela est inférieur à l'ancrage fiscal de 80% du PIB déterminé par le FMI. Sur ce montant, R 126,1 milliard a été libellé en devise étrangère et en termes de PIB, elles ne représentaient que 18,8%. Il convient de noter que la dette du secteur public en pourcentage du PIB a affiché une tendance continue à la baisse depuis son pic en juin 2021 à 91,9% en pleine crise de la covid-19 jusqu'à 80,2% à la fin juin 2023.

Les projections anticipent une baisse qui se poursuivra dans les prochains mois et années grâce à la stratégie de ce gouvernement. Le ratio dette public-PIB sera de 75% en juin 2024. En atteignant cet objectif, notre dette aura diminué de 16.2% du PIB parmi les meilleures performances au monde. Merci.

Mr Uteem: Thank you, Mr Speaker, Sir. The hon. Minister has just given the figures of Rs524 billion. Last year during the budget, in his estimates, he estimated that the public sector debt would be Rs485 billion as at 30 of June 2022. So, the public debt has actually increased almost 10% on what he had budgeted last year.

Dr. Padayachy: M. le président, je parle de l'année 2024 et l'honorable membre est en train de parler de l'année 2022. Je suis en train de faire une comparaison par rapport à 2021 où la dette est comparée avec le niveau du PIB où on était à 91,9%. Nous sommes en train d'adopter une stratégie pour baisser ce niveau de la dette par rapport au PIB.

La dette en volume, l'objectif n'est pas de diminuer la dette en volume. Si on veut diminuer la dette en volume, M. le président, c'est que nous devons dégager des budgets en surplus. Ce qui n'est pas du tout l'intention du gouvernement parce qu'on utilise le surplus pour faire des développements.

Un pays qui est un pays émergeant doit continuer à investir pour poursuivre son développement économique, d'où notre stratégie de mettre deux à trois points de PIB tous les ans dans le développement d'infrastructures publiques, en particulier certains projets à caractère de dépenses en capitaux.

Donc, nous n'allons pas avoir une baisse en termes de volume. La stratégie qu'on a adoptée encore une fois a été validée. Quand nous parlons avec des institutions internationales, nous parlons en termes de pourcentage du PIB. A travers le monde, les pays continuent à emprunter pour continuer leur développement économique.

Ce qui est important, c'est le taux par rapport au PIB et nous, nous avons réussi avec la stratégie que nous avons adoptée à baisser ce taux pendant les trois dernières années pour la ramener à un niveau qui est en dessous de l'ancrage fiscal qui est déterminé par le FMI. L'ancrage fiscal est le taux d'endettement qu'un pays peut supporter et ce taux est à 80 % pour l'île Maurice.

Donc, voilà, nous sommes en train de continuer sur notre stratégie et oui, encore une fois je le dis, en termes de volume, elle va continuer à augmenter parce que nous affichons, tous les ans, publiquement un déficit. Il n'y a pas de stratégie de baisse. Si les membres de l'opposition sont en train de prôner une baisse du niveau de la dette, cela implique que vous allez avoir des budgets en surplus, qu'on n'a jamais eu à Maurice pendant des décennies, nous allons voir ce que cela implique. Cela implique que soit vous diminuez des dépenses en capitaux – dépenses d'infrastructures, des dépenses de développement -, soit vous diminuez les dépenses récurrentes, ce qui implique soit des baisses concernant notre politique sociale ou concernant le salaire des fonctionnaires.

Donc, c'est cela que j'aimerais savoir de temps à autre de la part de membres de l'opposition. Merci, M. le président.

Mr Speaker: Time over! The Table has been advised that PQs B/367, B/369 and B/373 have been withdrawn.

MOTION

SUSPENSION OF S.O 10 (2)

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): 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 the Standing Order 10.

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

Question put and agreed to.

STATEMENT BY MINISTER

(4.11 p.m.)

FREE PUBLIC TRANSPORT – SPECIAL EDUCATION NEEDS STUDENTS

The Minister of Land Transport and Light Rail (Mr A. Ganoo): Mr Speaker, Sir, with your permission, I shall make a statement in relation to the extension of the free travel, on board public transport, to students attending Special Education Needs Institutions.

Mr Speaker, Sir, in the Budget Speech 2022-2023, it was announced, *inter alia*, that transport facilities would be provided to students attending Special Education Needs Institutions.

In fact, given that the children attending such institutions, which are registered with the Special Education Needs Authority, and being students like any other, they were, however, not being granted with a Student Identity Card for the purpose of commuting freely in the public transport.

In fact, the Road Traffic (Bus Fares) Regulations 2016 did not make specific reference to such institutions and there was a need to correct the said anomaly in order to allow those students to also benefit from free transport.

My Ministry is informed that there are some 2,300 students attending such institutions and around 1,000 of them avail public transport in order to proceed to their respective schools and back.

Mr Speaker, Sir, in order to promote inclusiveness and in line with the Sustainable Development Goals and to remedy the unfairness meted towards such students, I am pleased to inform the House that relevant amendments are being made to enable these students to be eligible for a Student Identity Card.

As a result, students attending Special Education Needs Institutions will be able to commute in the public transport such as buses and light rail vehicles on the same footing as the students attending secondary and tertiary institutions.

In so doing, Mr Speaker, Sir, we will alleviate the plight and burden of the parents whose children attend Special Education Needs Institutions. More importantly, we will make our transport system more inclusive such that any student, attending a registered educational institution, is rightfully entitled to free transport.

Mr Speaker, Sir, as we strive to modernise the land transport system, we believe that no one should be left behind and we would pursue our efforts to make the public transport more accessible to our commuters. We strongly believe in enhancing the mobility of one and all and we will continue on that trajectory.

I thank you for your attention.

PUBLIC BILLS

Second Reading

THE ENVIRONMENT BILL

(NO. 1 OF 2024)

Order read for resuming adjourned debate on the Second Reading of the Environment Bill (No. 1 of 2024).

Question again proposed.

Mr Speaker: Resumption of debates. Hon. Dr. Husnoo!

(4.14 p.m.)

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, to begin with, I would like to put on record that we, on this side of the House, fully support the Environment Bill. I wish to congratulate hon. Kavydass Ramano for bringing this Bill to the House.

This transformative legislation represents a deep sense of responsibility and urgency. It is undeniable that our planet is facing unprecedented challenges, ranging from climate change to biodiversity loss, and it is incumbent upon us to take immediate decisive actions and promote sustainable development.

Protecting our planet is a global obligation to which, this Government, under the leadership of our Prime Minister, hon. Pravind Kumar Jugnauth, is fully committed to. It is our solemn duty to safeguard our national resources, preserve its biodiversity and ensure a sustainable future for generations to come.

Mr Speaker, Sir, no country is spared when it comes to climate change and its related disasters. Whether a country is developing or developed, the effect of climate change can be felt any time. Recently, we have witnessed the effect of climate change in countries like Dubai, China and Brazil, amongst others.

This Environment Bill is a landmark piece of revised legislation construed to address the urgent environmental challenges we are facing and it charts the course towards a more sustainable and resilient future.

At its core, this Environment Bill is a comprehensive framework designed to strengthen environmental protection and promote sustainable development and climate change adaptation. It encompasses a wide range of measures aimed at safeguarding our air, water, land and biodiversity while also fostering innovation, empowering communities and promoting environmental justice.

As such, Mr Speaker, Sir, this Environment Bill enumerates several bold provisions. First and foremost, this Bill establishes its stringent protection for our natural habitat including forest,

wetland and marine ecosystem so as to give due importance to biodiversity conservation in accordance with the United Nations Sustainable Development Goal No. 15. It seeks to halt deforestation, restore degraded land and conserve critical habitat for endangered species.

Mr Speaker, Sir, in line with the United Nations Sustainable Development Goal No. 6, access to clean air and water is a fundamental human right. The Environment Bill enshrines this principle by implementing a strict regulation to reduce air and water pollution, improve air quality standards and ensure the availability of safe and clean drinking water for all communities.

Furthermore, while embracing the principle of a circular economy, the Bill promotes resource efficiency, waste reduction and recycling initiatives. It incentivises businesses to adopt sustainable practices, minimise waste generation and transition toward a more circular and regenerative economic model.

Additionally, environmental degradation disproportionately affects marginalised and vulnerable communities. The Bill seeks to address this injustice by promoting environmental justice, empowering communities to participate in this endeavour and ensuring that the benefits of environmental protection are equitably distributed.

Mr Speaker, Sir, this Environment Bill is indissociable to the Wakashio oil spill incident. This unprecedented disaster which had national, regional and international bearing called for improved efficiency and effectiveness in our oil spill management system.

This unprecedented disaster which had national, regional and international bearing call for improved efficiency and effectiveness in our Oil Spill Management System. This has to rest on an integrated and unified approach with clear institutional mandate for spill prevention, preparedness, early alerting, response, strategic crisis management, recovery and rehabilitation.

It is noted with deep satisfaction that the provision under part 5 of this Bill, under Oil Spill and Environmental Emergency, strong linkage among different relevant legislations have been introduced, namely involvement of the National Crisis Committee and the Director General of the NDRRMC as per section 58(3) (f), 61(1), 61(2) (a), 61(2) (b), 61(3) (a) and 61(3) (b),

amongst others. This provision will ensure that there is better coordination among various agencies at the time of an oil spill.

With this Environment Bill, there is no doubt that our country will now be better prepared at governance, institutional oil spill combaters and responders, private sectors and committee level to deal with oil spill situations.

Mr Speaker, Sir, climate change is one, if not, the biggest threat to future generations. The implication cut across all spheres, that is, environmental, socio-economic and health to name but a few.

In the fight against the adverse impact of climate change, the National Disaster Risk Reduction and Management Centre has been part and parcel of the Climate Change Committee at the level of the Ministry of Environment and has been regularly reporting on the adaptation measures being undertaken with respect to the action relating to –

- enhanced disaster preparedness and response mechanism, and
- implementing risk reduction measures of the action plan of the Nationally Determined Contributions.

I wish to emphasise that the National Disaster Risk Reduction and Management Policy, Strategic Framework and Action Plan 2020-2030 for the Republic of Mauritius comprise 189 actions to be implemented by 20 different agencies up to the year 2030. 24 of these actions fall directly under the purview of the Ministry responsible for the subject of environment. The actions under the purview of the Ministry of Environment are grouped under 3 strategic objectives, namely –

- Disaster Risk Governance;
- Disaster Risk Reduction, and
- Preparedness Response and Recovery.

The actions are mainly related to the National Oil Spill Contingency Plan, Environmentally Sensitive Areas, Climate Change Adaptation and Mitigation, and Combining Adaptation with Risk Reduction.

Climate change projects that also increase resilience to disaster, Coastal Rehabilitation Programmes for nature-based solutions, EIAs, climate change impacts on biodiversity and ecosystem and inter-linkages between the DRRM and CCN Environmental Management and different sectors. With this Environment Bill, the enabling environment is consolidated for the implementation of actions forming part of the National Disaster Risk Reduction Plan 2020-2030.

I will talk about another aspect which is again very important, Mr Speaker, Sir. This Bill caters for the National Environment and Climate Change Fund which shows our country's commitment to building resilience through financial investment in disaster risk reduction activities, namely projects, programmes and schemes relating to flood management and cleaning, rehabilitation and upgrading of drains, bridges, rivers, landslides management and disaster risk reduction.

I wish to highlight, Mr Speaker, Sir, that a budget of Rs379 m. and Rs429 m. for the financial years 2022-2023 and 2023-2024, respectively has been allocated under the National Environment and Climate Change Fund for the above-mentioned projects.

Last but not least, I wish to again congratulate the Minister of Environment, Solid Waste Management and Climate Change, hon. Kavydass Ramano, for bringing to the House such an important piece of legislation. Mr Speaker, Sir, on this side of the House, again, we fully support this Bill.

Thank you very much.

Mr Speaker: Hon. Prime Minister!

(4.23 p.m.)

The Prime Minister: Mr Speaker, Sir, environmental sustainability for sound economic advancement and inclusive development is the guiding philosophy of my Government in steering the Republic towards a better future for the present and future generations. In this respect, I have

been leading by example by participating personally in cleaning campaigns, making public pleas in favour of a culture of cleanliness and calling for responsible behaviour in response to the challenges we are facing due to climate change.

The Environment Bill 2024 espouses that same guiding philosophy and comes at a time when Climate Change is causing havoc across the world, making of environmental sustainability an urgent priority.

Mr Speaker, Sir, while my Government has been acting decisively and making of sustainability the pillar of our socio-economic strategies, our fellow citizens can see for themselves how the Opposition has treated this most important issue on the world's agenda as a *fait divers*. The very fact that they had only one orator on the Bill tells their whole story which depicts their lack of seriousness, their systematic demagogical approach, and their endless contradictions. For them, what counts more is the abhorrent display of insult, provocation, bad faith and frivolous attacks in this House every week. I leave it for the population to judge.

Mr Speaker, Sir, in Government, we have been acting with foresight in the best interest of the country. Already in the Government Programme 2020-2024, we mentioned that Mauritius aims at championing sustainability and a responsible investment policy to shape a cleaner and greener Mauritius while at the same time mitigating risks from climate change.

Our achievements so far are testimony to the degree of our commitment towards sustainability and to the seriousness and amplitude of our actions to protect the environment and foster a greener approach to socio-economic development.

As Members are aware, soon after we assumed office in 2019, we came up with the Environment Master Plan 2020-2030. The Mauritius Resilience Strategy was formulated in the same year with the aim of adopting a ridge-to-reef approach and promoting nature-based solutions. It aims at strengthening climate resilience by the mapping, updating and mainstreaming of Environmentally Sensitive Areas in the development planning process, namely the National Development Strategy, Outline Planning Scheme and the process for allocation of Building and Land Use Permits.

A Roadmap and Action Plan for a Circular Economy has been developed for the period 2023 to 2033 with the assistance of the European Union to support the transition from a linear economy, generating dependencies and vulnerabilities, to a circular and resilient economy.

A National Biomass Framework has been formulated to increase bioelectricity production by promoting and implementing projects for more efficient use of sugarcane bagasse, more trash collection, introduction of higher fibre cane varieties, cultivation of other energy crops and biomass import. This marks a decisive turning point in our strategy to eliminate the use of coal for electricity production by 2030. Additionally, biomass will act as a reliable energy base load, thereby ensuring energy security and sustainability.

A Solid Waste Management Strategy and Action Plan has been developed with focus on resource recovery and recycling. With a view to moving from the linear ‘extract-make-dispose’ model to a circular economy approach in the solid waste sector, my Government is prioritising resource recovery and recycling through the establishment of integrated waste treatment facilities including composting plants and sorting units.

A Land Drainage Master Plan has been formulated; it maps the flood prone areas in Mauritius. As the House is aware, Government has and is investing heavily on the construction of drains to address the problem of flooding in many localities. The drains already in place have proved to be very useful as many places that were flooded in the past are no longer affected.

Mr Speaker, Sir, in order to address the social and economic challenges of climate change on the maritime borders of Mauritius and Rodrigues, an in-depth study on the hazards of ‘Coastal Erosion’ and ‘Marine submersion’ is being carried out. The study will comprise assessment, analysis and mapping of hazards, coastal risks and exposed assets. Its outcomes will serve as a tool for decision-making in our response to crisis in the coastal zone. I have requested that Agaléga be also included as I have personally witnessed the degradation of the shoreline thereat during my last visit to the islands.

In forwarding our sustainability agenda, Government has initiated the ‘Greening of the Public Sector’ project by reviewing its day-to-day operations and services through the adoption

of best practices towards reducing its carbon footprint and transitioning to a more ecological public institution.

Since March 2020, all applications for Environmental Impact Assessment Licences or Approvals and Preliminary Environmental Reports Approval are made, processed and approved online on the National Electronic Licensing System.

Furthermore, new Regulations have been promulgated, namely –

- the Environment Protection (Control of Single Use Plastic Products) Regulations 2020 and the Environment Protection (Banning of Plastic Bags) Regulations 2020 which have been instrumental in preventing an estimated 600 million single use plastic products and plastic bags to get to our waste stream and pollute our environment, and
- the Environment Protection (Amendment of Schedules) Regulations 2021 to cater for tougher fixed penalties for illegal dumping and littering.

The Ministry of Environment, Solid Waste Management and Climate Change operates an on-call system on a 24/7 basis including Saturdays, Sundays and public holidays for prompt interventions in case of environmental emergencies. 8,905 contraventions have been issued by the *Police de l'Environnement* from December 2019 to 31 March 2024.

An E-service platform is operational since January 2023 for processing clearances and verification at Ports under the plastic regulations.

Interestingly, Mr Speaker, Sir, a research project being carried out by the University of Mauritius has indicated that biomass from banana fibres, pineapple leaves and coconut leaves are promising alternatives for single use plastic products.

The National Environment Cleaning Authority (NECA) has been set up under my Office with a clear mandate to upgrade, restore and protect the environment of our island. The employees of the Authority are regularly seen along our main roads and public places

undertaking cleaning and embellishment works. The difference is already felt and I have no doubt that NECA will live up to the expectations of the nation.

To keep the air quality under check, Government introduced the Air Quality Index in September 2022. The relevant authority has been equipped with smoke detectors to address the problem of vehicle emissions.

In the same vein, a study is in progress to review the criteria for stone crushing plants and crematorium and cremation grounds.

A Mobile application, MONATIR, has been developed to impart vital and dynamic environmental information to the public.

Since 2019, 314 Rainwater Harvesting Systems have been installed in schools, public areas and in places of worship around the island.

Two composting units have been constructed, namely at SMF Vacoas and Bras d'Eau in 2023. 11,604 compost bins have been distributed from December 2019 up to March 2024.

Mr Speaker, Sir, Government has increased its preparedness for oil spill response. The National Oil Spill Contingency Plan has been reviewed and updated in 2023. The Plan makes provision for strategies regarding clean-up and removal of oil according to the sensitivity of the affected area and monitoring of same to ensure cleanliness.

Furthermore, Government has initiated action to develop a Lagoon Water Quality Index to provide real time information on the quality of water in our lagoons using state-of-the-art Internet of Things technology.

A Pesticide Residue Testing unit has been set up at the National Environmental Laboratory since 2021. This is enabling the systematic monitoring of pesticide levels, facilitating early detection and intervention to prevent environmental degradation.

Moreover, a Beach Management Plan is being implemented and related projects have been successfully completed at Mont Choisy, Belle Mare, and Flic en Flac. The Beach Authority

has acted on an initiative of my Office to implement a regular cleaning programme of our beaches and lagoons.

Site specific coastal protection and rehabilitation works are being implemented using mixed approaches and taking into consideration ecosystem-based management and nature-based solutions such as coral reef and sea grass restoration, and mangrove plantation. Since 2019, some 5.3 kilometres of shoreline have been protected or rehabilitated at a cost of Rs400 million. Such works covered coastal areas like Case Noyale, Grand Baie, Baie du Cap, and Pointe aux Feuilles to Anse Jonchée, amongst others.

The replacement of Casuarina trees by endemic trees and shrubs for the control of beach erosion has successfully been carried out at Belle Mare, Flic en Flac, and Le Morne beaches.

Mr Speaker, Sir, we are proud to have constructed the Quatre Soeurs Refuge Centre under the ‘Climate Change Adaptation Programme in the Coastal Zone of Mauritius’ with the financial support of the Adaptation Fund through the United Nations Development Programme. The Centre which I inaugurated in March last year is the first of its kind in the Indian Ocean. It provides an emergency shelter for exposed communities of the South-East coast of Mauritius during times of climate-related hazards and threats.

Mr Speaker, Sir, we are also actively promoting sustainable fishing and sustainable agriculture. In the same vein, we are caring for our biodiversity including marine biodiversity.

Sustainability in transport has been another priority and the implementation of the Metro Express Project and incentives provided to promote the use of electric cars and buses have paved the way to reduce our dependency on fossil fuels and our carbon footprint.

Mr Speaker, Sir, adding to all those achievements, concerned authorities are carrying out sensitisation campaigns to showcase the circular economy in practice with emphasis on the 9Rs of circular economy, namely Refuse; Rethink; Reduce; Reuse; Repair; Refurbish; Repurpose; Recycle, and Recover.

On the international front, I have personally been at the forefront to highlight the existential threat that Small Island Developing States (SIDS) are facing due to the devastating effects of climate change. Speaking at the United Nations Climate Change Conference COP26 in

Glasgow, I highlighted the damage global warming and rising sea level are causing to low-lying islands in particular.

Indeed, SIDS remain the most vulnerable, yet the least polluting countries. I appealed to the international community to live up to its commitments and duty to provide SIDS with the necessary resources to fight climate change. I have reiterated that appeal at different international fora including the United Nations General Assembly.

Moreover, Mr Speaker, Sir, to demonstrate that we mean business with regard to decision-making in favour of environmental sustainability, I announced at the COP26 forum that Mauritius will aim at achieving 60% of renewable energy in its energy mix by 2030. Other targets comprise the phasing out of coal by 2030 as I mentioned earlier, increasing energy efficiency by 10% and the diversion of 70% of solid wastes from landfills in furthering our circular economy agenda.

Mauritius is actively engaged in Multilateral Environmental Agreements underscoring its commitment to global environmental governance and sustainable development.

Mauritius has adopted the UN's 2030 Agenda for Sustainable Development and its 17 global goals to ensure global sustainability. We have signed or ratified around 40 environment-related Conventions and Protocols including the United Nations Framework Convention on Climate Change in 1994, the Kyoto Protocol in 2005, the Paris Agreement in 2016 and the Minamata Convention on Mercury in 2017.

The Climate Change Act 2020 makes provision for the implementation of the obligations of Mauritius under the United Nations Framework Convention on Climate Change, the Kyoto Protocol, the Paris Agreement and any other related instrument on climate change. I must also point out that while constantly making our voice heard on the international front, Mauritius has joined the High Ambition Coalition for collective negotiations of an ambitious treaty to end plastic pollution including in the marine environment.

Mr Speaker, Sir, after the enactment of the Climate Change Act in 2020 and the Waste Management and Resource Recovery Act in 2023, we now have the privilege to come up with yet another piece of important legislation that will lead us towards a more sustainable trajectory for enhanced protection, management and conservation of the environment.

The Environment Bill 2024 brings forth a reinvigorated legal framework that captures all environmental aspects that would allow our country to transition to a green and circular economy.

Like I said before, the world is today facing unprecedented environmental challenges. Rising temperatures, deforestation, pollution, and loss of biodiversity threaten the delicate balance of our ecosystems with major ramifications for Small Island Developing States like ours. In fact, the Earth Overshoot Day, which marks the date within a calendar year when humanity's demand for ecological resources exceeds what the Earth can regenerate, has been receding at an alarming rate, from 29 December 1970 to 02 August 2023. We all witnessed, recently, the images of unprecedented havoc caused by floods in Dubai. As such, no place in the world is spared from adverse climatic events.

Mr Speaker, Sir, likewise, Mauritius is not spared from the devastating impacts of climate change, especially as a SIDS and the more so in view of our geographical location, as well as from our acts and doings.

We have to acknowledge that, in the process of development, land use has concurrently known dramatic changes with detrimental consequences on the ecosystem and bringing in its wake, reduction in green cover. On the other hand, pollution including plastic pollution, coastal degradation, oil spills, water accumulation during flash floods, amongst others, have contributed towards several challenges faced by the country, thereby hampering effective environmental management. The Environment Bill 2024 addresses those pressing issues in a coherent and balanced way.

Mr Speaker, Sir, let me therefore congratulate the Minister of Environment, Solid Waste Management and Climate Change, firstly, for the preparation of such a comprehensive bill and secondly, for the innovative measures being proposed to drive the environmental agenda in the next decade and beyond.

Environmental governance being the concern of everyone, the Bill establishes several multi-stakeholder platforms for a participatory decision-making process, leaving no one behind, while also addressing capacity constraints and weighing stakeholder needs against institutional requirements.

To promote public accountability and trust, the Bill makes it necessary for environmental assessments to be subject to public consultation. The setting up of the *Observatoire de l'environnement*, along with the Science to Policy Platform will provide the public and the scientific community with opportunities to define the contours of policy decisions that would rest on scientific knowledge.

Mr Speaker, Sir, the re-introduction of Strategic Environmental Assessment testifies that Government is committed to continue leading by example. Henceforth, public departments will have to mandatorily evaluate the cumulative environmental impacts in respect of scheduled undertakings cutting across major sectors, including tourism, fisheries, energy, transport, waste management, water management and bunkering, amongst others.

Similarly, private sector endeavours having significant environmental impacts, such as smart cities and the development of thematic parks, will also be required to undergo strategic environmental assessments.

The Bill is introducing a mechanism to ensure better management and protection of Environmentally Sensitive Areas (ESAs), which will facilitate the coordination amongst different institutions as well as the establishment and updating of an ESA inventory and ESA maps. The conservation of ESAs will contribute towards nature-based solutions that conserve, sustainably manage, or restore ecosystems to address societal challenges while providing environmental, social and economic benefits. Such solutions play a significant role in the implementation of the Paris Agreement.

Mr Speaker, Sir, Environmentally Sensitive Areas are vital and play an important role in our ecological system. To fill the gap in the legal and institutional framework regarding the management of ESAs, new provisions are being introduced to protect, conserve, restore and rehabilitate 14 ESAs such as coral reefs, islets, forests, mangroves, lakes, sand beaches and dunes, coastal freshwater marshlands, wells, sea grass beds, steep slopes, upland marshlands, caves and mudflats, rivers and creeks, as well as lakes and reservoirs, in a coordinated and harmonised manner.

Legal enforcement provisions are being streamlined and strengthened. Accordingly, enforcement powers in relation to environmental laws would be decentralised to some 12

enforcing agencies, thus empowering relevant public bodies to undertake enforcement and conduct prosecution at their end, under provisions of the Environment Bill.

To avoid lengthy prosecution and litigation processes and reduce enforcement costs, the compounding of offences would constitute a novel mechanism whereby an offender would be given the choice to pay a fine instead of undergoing prosecution.

Mr Speaker, Sir, last but not least, this Government is demonstrating its forward-thinking approach by encapsulating in the Environment Bill, new policy concepts to enable the Republic of Mauritius to forge its way to sustainability and the *transition écologique*. Accordingly, provisions have been made for the development of National Policies, Strategies and Action Plans on Sustainable Development and on Circular Economy, which shall be reviewed every five years.

Mr Speaker, Sir, I wish to reassure the House that measures proposed in the Bill would be thoroughly discussed with stakeholders at the implementation stage to ensure that concerns are adequately addressed.

Mr Speaker, Sir, good environmental governance, bold government engagement, streamlining of current legal provisions and forward-thinking policy concepts permeate all through the Bill, making it a true modern legislative framework, based on international best practices, that adequately addresses environmental protection, management and conservation.

I do not wish to take the time of the House to expatiate on the different clauses of the Bill since the substantive Minister has extensively explained the rationale behind every proposal contained therein. However, I will respond to a few of the remarks of the only speaker of the Opposition, hon. Osman Mahomed.

The hon. Member realises that the Bill is forward-looking and visionary. He commended it. He added, and I quote –

“(...) the Bill can be classified as one which will lead to a paradigm shift in environmental stewardship”.

Yet, he got swayed by the usual demagogical rhetoric of the Opposition which I denounced at the beginning of my intervention. He dared to mention the *Maurice Ile Durable* Project. What a joke! The nation knows it was only *bla-bla-bla*, lots of talks and jobs for the blue-eyed boys of the Labour Party. Money was thrown down the drain. That is their culture, Mr Speaker, Sir!

Regarding the criticism of the hon. Member in relation to the Wakashio wreck and oil spill in our waters, I must say that the majority of our fellow citizens recognise that my Government and the relevant authorities dealt with it diligently. Indeed, the oil spill was rapidly controlled to minimise the risk to the marine environment.

I wish to inform the House that the recommendations made in the Report of the Court of Investigations into the grounding of MV Wakashio are being addressed by Government and stakeholders concerned. This Bill also takes on board the recommendations of the Report of the Court of Investigations into the grounding of MV Wakashio with regard to –

- a) development of the National Oil Spill Contingency Plan and its review every 5 years;
- b) setting up of the National Oil Spill Coordination Committee;
- c) coordination between the Director of Environment and Director of Shipping;
- d) reporting to the National Disaster Risk Reduction Management Centre;
- e) oil companies providing inventory of their oil spill combat equipment and taking possession of these equipment during an oil spill;
- f) involvement of volunteers, and
- g) the polluter carrying out environmental compliance monitoring.

The Inter-Ministerial Committee under my chair has endorsed these recommendations and specific provisions have been made in the Bill as follows –

- Clause 57 makes provision for a National Oil Spill Contingency Plan (NOSCP) to ensure that the Republic of Mauritius be at all times, in a state of preparedness,

and/or respond to any potential oil spill in a prompt, planned and coordinated manner and for the Plan to be reviewed every five years.

- Clause 58 provides for the establishment of a National Oil Spill Coordination Committee which will, *inter alia*, be responsible for reviewing and updating the National Oil Spill Contingency Plan; ensure cooperation among public bodies dealing with oil spill incidents; coordinate the response to an oil spill and make recommendations to the Minister on matters relating to pollution caused by the oil spill, and advise on such policies and administrative measures as may be necessary in relation to oil spill contingency planning.
- Clause 59 provides for the Director of Environment to activate the NOSCP and coordinate the oil spill response in collaboration with the Director of Shipping.
- Clause 61 (1) and (2) have made provision for any person, including the owner of the spilled oil, to henceforth notify both the Director of Environment and the Director-General of the National Disaster Risk Reduction and Management Centre in case of an oil spill, as well as on actions to be taken or proposed to be taken in relation to the oil spill.
- Section 62 makes provision for the Director of Environment to request the owner of the spilled oil to carry out inventory, submit list and indicate location of the oil spill combat equipment in its possession.
- Clause 64 makes provision with regard to involvement of volunteers during an oil spill crisis situation. Volunteers would be allowed to participate in an oil spill mitigation and cleaning exercises subject to prior authorisation of the Supervising Officer from the Ministry of Environment, Solid Waste Management and Climate Change.
- Clause 65 makes provision for a person responsible for an activity, enterprise or undertaking which causes an oil spill, to carry out monitoring of the nature.

Mr Speaker, Sir, hon. Osman Mahomed also dared to question the Minister on his achievements. I believe the numerous achievements of my Government, which I mentioned in my speech, have provided a resounding answer to him. Let me remind him that on this side, we are a team of achievers. We do not fool people. We keep our promises and we deliver in the best interest of the Republic.

Mr Speaker, Sir, before I end, let me stress that our actions today will shape the world we leave behind. Beyond a piece of legislation, the Environment Bill 2024 is a commitment to our citizens, the country and the planet. As representatives of the voice of our citizens, let the Bill be passed as a testimony of our environmental stewardship today so that we can leave behind in legacy, a cleaner, greener and sustainable Mauritius. Let us stand united in our resolve to protect our priceless natural environmental resources. We owe it to our people and future generations.

I thank you for your attention.

Mr Speaker: Hon. Members, at this stage, I will suspend the Sitting for half an hour.

At 5.00 p.m., the Sitting was suspended.

On resuming at 5.50 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please remain seated and be seated! Hon. Minister!

The Minister of Environment, Solid Waste Management and Climate Change (Mr K. Ramano): Mr Speaker, Sir, I thank hon. Members for their valuable contributions to the debate on this Bill. I am pleased to note that both sides of the House appear to share a common vision, that is, to promote sustainable development and safeguard our ecosystems for the present and future generations.

M. le président, je tiens quand même à souligner qu'il est triste pour cette Assemblée, il est insultant pour cette population qui a élu ses représentants au Parlement de se retrouver avec des bancs vides de l'opposition. Un seul intervenant de l'opposition sur ce *Bill*, aussi important, crucial pour la survie du pays et de l'humanité qui fait face aujourd'hui à des crises sans précédent au niveau environnemental. Aucun intervenant au niveau du MMM. La contribution du MMM se limite à une conférence de presse. Le décorum de l'Assemblée se passera volontiers

de cette farce, M. le président. La commission du développement durable, le MMM a choisi de ne pas se faire entendre au Parlement.

Mr Speaker, Sir, environmental protection and sustainable development have been ranked high on the agenda of the Mauritian Government since the early 1990s. Thirty years down the line, through the implementation of a panoply of measures, legislations, institutional frameworks, policies, strategies and action plans in a wide range of environment-related fields, Mauritius has been able to achieve significant progress in the protection and management of the environment.

Today, in the face of the triple planetary crisis of climate change, biodiversity loss and environmental pollution, a transition towards an environmentally sustainable, low-emission and climate-resilient development pathway is simply not a choice, but rather, is a must to enable Mauritius to progress towards achieving sustainable development.

In order to have a better preparedness against emerging local and global environmental challenges and emergencies that are being faced by Mauritius as a Small Island Developing State, the national consultations which were held during the *Assises de l'environnement* in 2019 and the national dialogue on environmental policy in 2020, as well as the discussions conducted subsequently, stressed on the urgent need to review the legal framework for environmental protection.

Mr Speaker, Sir, we have travelled a long way to reach the House today with the Third Reading of the Environment Bill.

Indeed, we have put in lots of effort and resources in the preparation of this Bill, which denotes our determination to bring about this new legal framework, whereby we have done our best to have a balance between economic progress and protection of the environment.

The new Environment Bill introduced on 02 April 2024 is a historic piece of legislation which guarantees the safeguarding of our fundamental human rights and protection of our people from anthropogenic environmental threats.

Mr Speaker, Sir, we have had rich debates, both inside the House and across different media around the key innovative themes brought in the Environment Bill, comprising –

- (i) integration and mainstreaming of sustainable development to assist the country in engaging in its ecological transition pathway;
- (ii) setting up of an “*Observatoire de l’environnement*” for communication and sharing of environmental data, along with the creation of a Science-to-Policy Platform to assist in evidence-based policymaking;
- (iii) setting up of a mechanism for the protection, management and conservation of Environmentally Sensitive Areas;
- (iv) introduction of further measures to enhance the transparency of the Preliminary Environmental Report and the Environment Impact Assessment mechanisms;
- (v) re-introduction of Strategic Environmental Assessment;
- (vi) introduction of an improved coordination framework that will detail the preparation and response to an oil spill, including enhanced coordination and cooperation among relevant authorities;
- (vii) introduction of a framework to promote the transition to a circular economy, as well as the strengthening of provisions addressing extended producer responsibilities;
- (viii) introduction of a mechanism for the sustainable management of plastics;
- (ix) strengthening of enforcement and compliance mechanisms to support a more effective and efficient application of environmental legislations, and
- (x) introduction of a settlement mechanism so as to avoid lengthy prosecution or litigation processes.

Hon. Members of the House will note that the 6th United Nations Environment Assembly held in February 2024 has concluded with 15 adopted resolutions to advance collaborative action on the triple planetary crisis.

This Government has shown its forward thinking and proactive approach through the consideration of some of those resolutions within the Environment Bill.

Indeed, themes, namely –

- (a) “Nature-based Solutions” for supporting sustainable development such as ESA protection, conservation and management;
- (b) enhancing circular economy as a contribution to achieving sustainable consumption and production, and
- (c) ending plastic pollution, have already been considered in this Environment Bill.

Mr Speaker, Sir, I have noted that some Members of the House, as well as articles published in the press around the Bill, have pushed forward a number of perceived points of contention, many of which are not relevant to the Environment Bill.

For instance, many of the strategic issues raised around regulating the management of climate change and their impacts have already been catered for within the Climate Change Act 2020.

A number of other comments related to the Environment Bill addressing, namely government’s ambition on addressing plastic pollution; a perceived lack of transparency; access to environmental data, and environmental monitoring requirements have already been discussed at length within my Second Reading of the Environment Bill. Accordingly, I will not elaborate further on those points.

However, I will briefly bring some further light onto specific and relatively more pertinent comments for the benefit of the House.

Mr Speaker, Sir, as regard to the point raised on Strategic Environmental Assessment, also referred to as “SEA”; let me remind hon. Members of the House that, through the Environment Bill, Government will lead by example by exposing a number of its own key sectoral public policies and programs to evaluation of their environmental impacts.

I quote the following sectors that will be subject to a SEA from Part C of the Sixth Schedule of the Bill, namely plans and programs within the sectors of fisheries, energy, industry, transport, waste management, water management, tourism, real estate developments, bunkering in the port, amongst others.

Through these provisions, it is clear that the issue of '*bétonisation*' will be better captured within the legislative framework of the country. It is obvious that when all government programs having a major impact on the environment and all major development from private or other sector initiatives that may cause an increase in surface run-off such as real estate developments and smart cities are required to strategically factor in their environmental impacts, issues around '*bétonisation*' will be integrated in planning.

Mr Speaker, Sir, on a related note, comments have been voiced out regarding the National Development Strategy, also referred to as the "NDS", and the Strategic Environmental Assessment-related provisions within the Environment Bill. For the benefit of Members, allow me to remind the House that the NDS is a strategic vision addressing integrated urban planning in a holistic manner and premise on the principle of precautionary measures, as well as on sustainable urban development.

So, this vision is currently under review and the process of reviewing the NDS has followed that of a Strategic Environmental Assessment, which included –

- (i) analyses of the impacts of land development across multiple dimensions;
- (ii) extensive consultations with all key stakeholders including civil society;
- (iii) workshops with both the public and private sector, as well as
- (iv) invitations for comments by the public.

Given that SEA provisions are in-built to the formulation of a National Development Strategy, these have not been explicitly mentioned in Part C of the Sixth Schedule of the Environment Bill.

Mr Speaker, Sir, we have also heard the arguments that the environmental assessment mechanisms, whether Preliminary Environmental Assessments, Environmental Impact Assessments or Strategic Environmental Assessments, are neither complete, nor do they allow for enough consultations.

For the benefit of the House, allow me to cite clause 30(3) of the Bill. I quote –

“(3) Where a project or an activity not specified as an undertaking in the Sixth Schedule is, by reason of its nature, scope, scale and sensitive location, likely to have an impact on the environment or on the zoning of an area, that project or activity shall be considered to be an undertaking by the Minister.”

Through this clause of the Bill, we have ensured that any undertaking, whether a project, programme or policy, having a serious impact on the environment, can be subjected to either a Preliminary Environmental Report (PER), an Environmental Impact Assessment (EIA) or a Strategic Environmental Assessment (SEA).

As regards the timelines for consultations, the Bill contains similar provisions to address additional time limits for adequate consultations to be undertaken, with the Director of Environment being empowered at Clauses 34, 42 and 49 to give reasonable opportunity to any person to submit comments on a PER, an EIA or a SEA respectively.

Mr Speaker, Sir, with respect to a comment in the press regarding delineations in the law for housing projects of less than 50 units not warranting an EIA Licence, allow me to bring to the attention of the House that presently Section 17 of the Environment Protection Act of 2002, empowers me, as Minister, to declare an activity that is likely to impact on the environment in view of its nature, scope, scale and sensitive location, as an undertaking that warrant an EIA Licence or a PER Approval.

Allow me to enumerate some of the most recent projects, which, accordingly, were declared as an undertaking requiring an EIA Licence.

- (a) For instance, the proposed construction of La Pirogue Residences consisting of 45 Units at Flic en Flac by LP Residences Ltd was declared an undertaking requiring an EIA, giving its proximity to 3 wetlands.
- (b) Furthermore, the proposed Ekô Savannah Residential Villas Complex, consisting of 47 villas under PDS at Belouguet, Tamarin by Tamarin Savannah Ltd was declared an undertaking requiring an EIA based on its scale and scope, and lastly

- (c) the proposed development of 43 high-end apartments at Haute Rive by Azuri Smart City Co. Ltd, which was recently declared an undertaking requiring an EIA Licence in view of its close location to sensitive areas like mangroves and mudflats.

Notwithstanding section 30(3), I also wish to highlight to members of the House that with the new Environment Bill, we have strived to close the loophole and bridge the above gap. Accordingly, housing projects and apartments of 30 to 50 units within one kilometre of the high-water mark will be required to apply for a Preliminary Environmental Report as per Item 9 of Part A of the Sixth Schedule.

Mr Speaker, Sir, there has also been comments in the press that from 8 February until 02 May 2024, 17 EIA Licences have been issued by my Ministry.

I wish to enlighten the House that the EIA/PER E-Licensing System is operational since 10 March 2020. The aim of the E-Licensing system is to enable a more efficient permitting procedure, with a processing time of 86 days instead of 99 days to avoid delays in the implementation of development proposals and reduce the use of paper.

Out of the 16 EIA Licences issued from January till end of April 2024, 11 applications have been processed within the time frame of 86 days. Five of the applications exceeded the time frame. The applications which were processed within time frame relate to development such as clinic, setting up of photovoltaic farms, hotels, bunkering within the port area, which are all important and are of national interest. For instance, the implementation of photovoltaic farm projects addresses our aims to increase the share of renewable energy in our energy mix, while helping in the phasing out of coal.

Mr Speaker, Sir, concerns have been equally raised that undertakings conducted within the Economic Exclusive Zone of the Republic of Mauritius such as Deep Sea Exploration and Mining are not subject to a SEA.

Notwithstanding Clauses 30(3) of the Environment Bill, I wish to point out that the Offshore Petroleum Act 2021 explicitly regulates the environmental impacts with regard to petroleum-related activities.

Furthermore, I have to stress that, on 20 September 2023, Government, signed an international legally binding agreement under the United Nations Convention on the Law of the Sea for the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Under this agreement, any activity that occurs beyond our maritime zone, and which impacts the environment within our territorial waters, will be required to undertake either an EIA or a Strategic Environmental Assessment.

As evidenced by those points, it is clear that this Government has been proactive in its approach towards environmental protection both within our immediate maritime zone and across deep seas.

Mr Speaker, Sir, I wish to also to take this opportunity to point out that under Part C of the Sixth Schedule, real estate developments and smart cities will be subject to Strategic Environmental Assessment requirements. Hence, concerns relayed in the press that the environmental impacts of gated communities, Property Development Schemes, Integrated Resort Schemes and luxury villas will not be regulated are misleading and factually incorrect.

Mr Speaker, Sir, comments have also been raised regarding perceptions that clause 31 of the Bill on public interest undertakings are opaque and that the Minister of Environment unilaterally decides for undertakings not to be subjected to evaluations of their environmental impacts. This is a totally falsified claim, which stems from misunderstandings of the provisions of the Bill and their operationalization.

In fact, upon being declared as public interest undertakings, such projects, plans or programmes, will need to go through a full environmental assessment process, and same will be evaluated by the PER or the EIA/SEA Committee, who will make recommendations to the Minister for consideration.

The only difference with non-public interest undertakings is that those will be issued a license at the end, with a list of conditions to be respected, while public interest undertakings will be issued with an approval, again, with a list of conditions to be respected.

Hence, I fail to understand the gross misunderstandings being ventilated by some on this issue.

Mr Speaker, Sir, I wish to bring further light on some comments relayed by the press regarding perceived contradictions between the environmental stewardship provisions at clause 4 of the Bill and provisions on the right of appeal of citizens as mentioned at clause 120.

To recall, this whole issue of *locus standi* stems from the ruling of the court case Baumann against District Council of Rivière du Rempart, whereby the neighbour to a constructed apartment complex made an appeal against an already issued Building and Land Use Permit, also referred to as a BLUP. Given that the project was already completed and sold at the time of the appeal, the Environment and Land Use Appeal Tribunal (ELUAT) rejected this case on the understanding that an “aggrieved person”, as per Local Government Act 2011, pertained only to an applicant whose application had not been approved and, accordingly, a neighbour’s appeal could not be entertained as was the case.

At around that period of time, the ELUAT had been receiving numerous frivolous appeals against EIA licences granted, which had an impact on legitimate undertakings that had successfully gone through proper environmental impact assessments. To address this issue, the ELUAT Act 2012 brought a consequential amendment to the EPA 2002 to restrict those appeals from busybodies.

Subsequently, the ELUAT adopted the same understanding as the Baumann v/s District Council of Rivière du Rempart case of an aggrieved person in cases of appeals against EIA licences. Accordingly, in the case of EcoSud v/s Lakeside, the ELUAT delivered a ruling that Ecosud had no *locus standi*.

However, Ecosud appealed against this ELUAT ruling at the Supreme Court, who, subsequently, quashed the ELUAT ruling, requesting ELUAT to hear the full arguments of EcoSud on this issue.

Upon advice from the Attorney’s General Office, Government has opted to make an appeal to the Judicial Committee of the Privy Council so as to get a firm legal interpretation on this topic.

I wish to point out to Members of the House that the Privy Council process to provide clarification on interpretation of the law is ongoing. So, the Environment Bill has not missed a wagon on the issue of environmental stewardship at clause 4, it is just that we need to await a final ruling from the highest judicial instance on this issue. It is, however, to be recalled that parties can still resort to the court to seek justice in case they are aggrieved.

Mr Speaker, Sir, comments have been voiced out regarding perceived opaqueness of the National Network on Sustainable Development's composition as described under clause 8 of the Bill. Specifically, mention was made on absence of any NGO during the holding of its committee sessions. This criticism is devoid of any substance and I wish to bring clarity on this topic for the benefit of the House.

In fact, at the last two sessions of the NNSD held under my chair, 7 different NGOs have been invited. These comprise –

- (1) SIDS Youth AIMS Hub (SYAH);
- (2) Fridays for Future;
- (3) *Association pour le Développement Durable*;
- (4) Falcon Citizen League;
- (5) *Fondation Ressources et Nature* (FORENA);
- (6) ECOSIS, and
- (7) Oceanyka.

In one of those NNSD sessions, 5 NGOs responded to our invitation, while only one attended the last session.

In light of those facts, it is clear that claims about perceived opaqueness or non-inclusiveness towards the NGO community are baseless.

Mr Speaker, Sir, furthermore, I also wish to also point out provisions for co-opting additional members with relevant expertise as and when required have been integrated in all

multi-sectoral committees that have been set up under the Environment Bill. Hence, remarks made about omission of any specific important stakeholders are already addressed.

Mr Speaker, Sir, consultations undertaken by my Ministry in the formulation of the Environment Bill spanned over a period ranging from 2019 to 2023 and involved all facets of society, covering two *Assises* with more than 400 participants, the active involvement of many NGOs *de tous bords* and notices in newspapers inviting public comments, amongst others. In short, given the extent of such a process followed, criticisms on lack of consultations are the last of all types of criticisms one might expect on the Environment Bill.

Even though this consultative process was very extensive, my Ministry still received a few additional comments following the publication of the draft Bill on the website of the Parliament.

Many of these comments came from NGOs, who perceived their participation within the Science to Policy Platform, as described under clause 17 of the Bill, as being limited.

Nonetheless, even though the Bill already catered for co-opting additional members, be it from NGOs or other actors, this Government has, again, showed its goodwill, by bringing amendments to clause 17 such that, henceforth, participation from at least 3 NGOs will be assigned to the Science to Policy Platform.

Mr Speaker, Sir, on a related note and as indicated in my speech during the Second Reading, the *Observatoire de l'environnement* is being created and given a legal entity through clauses 15, 16 and 17 of the Bill. The importance of this observatory has already been described, but in light of comments raised in the press, I wish to reiterate that this entity will have a set mandate to act as an interface with stakeholders –

- (a) on environmental parameters;
- (b) on environmental monitoring, including the creation and synthesis of citizen science, and
- (c) on dissemination of environmental information.

The Science to Policy Platform, which will operate within the Observatory, will also have a specific mandate of encouraging evidence-informed policymaking through a multi-sectoral dialogue on conclusive research pertaining to bodies of knowledge related to the environment sector.

This set-up has been created to bridge the gap between science and policy, which has never been addressed before. This is, therefore, a value-addition brought about, amongst many other innovative measures, through the Environment Bill. It is, thus, quite ironic that certain critics are viewing the *Observatoire de l'environnement* as duplicating the role of existing committees or as a waste of public money.

Mr Speaker, Sir, comments have been raised on –

- a) the perceived lack of powers of my ministry on protection, conservation and management of Environmentally Sensitive Areas (ESAs) as detailed under Part III of the Bill;
- b) the ESA mapping exercise, and
- c) on expectations for an enacted ESA Bill.

Allow me to shed light on these points, Mr Speaker, Sir.

The ESAs Committee, under clause 22 of the Bill, has the mandate to protect and conserve ESAs through the development of policies, programmes, initiatives standards and requirement so as to maintain their integrity and preserve their ecosystem. In addition, the Minister is empowered to make regulations for managing, protecting and enhancing the ESAs. Given that those provisions are explicitly described, “*noir sur blanc*”, those criticisms on lack of powers are clearly unfounded.

Also in relation to ESAs, Members of the House will also note that a mapping exercise was undertaken in 2009, resulting in an ESA map for 14 categories of ESAs, which has been shared with local authorities to be used in planning.

However, those maps contained few discrepancies. Given those discrepancies, we liaised with the UNDP Country Office to undertake an update of those maps under a GEF-funded

project named as “Mainstreaming Biodiversity into the Management of the Coastal Zone in the Republic of Mauritius”. Given the limited funding and focus of this project on coastal related ESAs, only 7 of the 14 types of ESA identified in 2009 were re-inventoried and mapped in 2019.

Unfortunately, various discrepancies and inconsistencies were still observed in the ESAs GIS datasets. “*Des piscines d’eau ont été cartographiées comme des zones sensibles*”. Despite efforts by my Ministry, those discrepancies have remained repeatedly unattended by the consultant recruited by UNDP Country Office. Accordingly, prior to being used and incorporated in legal documents, these ESA GIS datasets and maps have to be reviewed, ground truthed, validated and accepted by stakeholders. Funding is being explored under the national budget for the update of the ESAs inventoried.

Nevertheless, Mr Speaker, Sir, the 2009 ESA maps are still being used for reference purposes in development control, and are available for public consultation at the level of my Ministry.

On another note, matters pertaining to a legislative framework exclusively addressing Environmentally Sensitive Areas or the long-awaited ESA Bill, will be addressed in a separate dedicated process, facilitated by the UNDP Country Office under another GEF funded project entitled “Mainstreaming Sustainable Land Management and Biodiversity Conservation in the Republic of Mauritius”. A legal consultant has already been appointed on this issue.

Mr Speaker, Sir, comments have been raised that the Bill was giving the impression of being tuned to address donor needs. I wish to remind Members that the provisions captured in the Environment Bill have followed a meticulous process involving –

- (a) firstly, a deep review of contemporary and innovative environmental strategies adopted worldwide to regulate the environmental sector;
- (b) secondly, the running of extensive national consultations;
- (c) thirdly, technical backstopping from leading international experts with the support of the UNDP Country Office;
- (d) fourth, further fine tuning at the level of government authorities to ensure that those proposed policy orientations can be operationalised, and

- (e) final in-depth legal drafting by the State Law Office.

It is obvious that the Bill was not defined at the outset to please donors, but if the output is considered as good, modern and innovative enough to merit funding, then this situation is, rather, a blessing in disguise rather than a point of criticism.

Mr Speaker, Sir, I have also noted some comments from the other side of the House that the Environment Bill lacks provisions on international cooperation in case of an oil spill. On this point, I wish to remind members that the Bill has a whole clause dedicated to requests for international relief assistance.

Indeed, Clause 68 of the Bill explicitly describes –

- (a) the contours delineating when requests for international cooperation can be triggered;
- (b) the conditions to be followed subsequently;
- (c) the need for donors to abide by principles of humanity, neutrality and impartiality;
- (d) responsibilities of Government to provide international relief assistance staff with necessary facilities, and
- (e) tax relief for aid-related goods.

In short, the provisions of the Bill speak by themselves.

Mr Speaker, Sir, it is always very easy to be wise after the event – as Sir Arthur Conan Doyle famously wrote in one of his novels. However, let me address the points raised by hon. Osman Mahomed regarding his suggestion that the flag of MV Wakashio should have been changed from Japanese to Mauritian upon grounding.

I wish to remind the hon. Member that a flag of a vessel cannot be changed unilaterally by any State, at least not without dire consequences. The choice of which flag to fly depends on the ship-owner and it is only upon satisfying certain national criteria that a vessel can be registered under a specific flag. In short, a flag cannot be attributed to a vessel without assessing the eligibility of the vessel and the owners.

Mr Osman Mahomed: Mr Speaker, Sir, he is misleading the House!

Mr Ramano: This is not something than can be done overnight, without the consent of the owners.

(Interruptions)

Mr Osman Mahomed: Mr Speaker, Sir, he is misleading the House!

Mr Speaker: Assez !

Mr Osman Mahomed: Why don't you give me the opportunity to...

Mr Speaker: Wait, wait!

Mr Ramano: As a government which believes in the rule of law, therefore, in the case of MV Wakashio, the suggestion of hon. Osman Mahomed is clearly not feasible, especially given that such a proposed line of action is not in line with prevailing laws.

Mr Speaker, Sir, along the same line of unconstructive criticisms put forth on the Environment Bill, some have claimed that the Bill does not capture lessons learnt from the MV Wakashio. There is nothing less true than such statement, as already explained during my Second Reading of the Bill. Let me reassure the House that lessons learnt from not only the MV Wakashio incident, and also those from MV Angel and MV Benita ships, which caused spills in our territorial waters, have been taken on board during the elaboration of provisions in the Bill.

Amongst the lessons learnt, Government has taken a number of measures to initiate procedures to restrict ships to enter specific sensitive areas around Mauritius and Rodrigues, knows as Areas to be Avoided, commonly referred to as "ATBA".

On 01 December 2020, the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping Division issued a Merchant Shipping Notice accordingly. This ATBA will lower the danger of shipping mishaps and accidents that result in marine pollution, create a safe buffer between ship lanes and the coastline of the Republic of Mauritius, and give time to organise a response to any potential maritime emergency brought on by negligent navigation.

The International Maritime Organisation (IMO) has already been approached to assist Mauritius in the implementation of the ATBA and once approved by the IMO, the Maritime Coastal Zones Act would be amended accordingly, to include the ATBA.

Mr Speaker, Sir, I also wish to point out that, remarks made on perceived gaps for proactive measures in the Bill to address spills from private companies, especially after the incidents at Baie du Tombeau, are also off mark. Indeed, at Clause 60 of the Bill, provisions have been made such that any person whose activities are associated with storing or use of liquid fuel will have to make a related risk assessment, and, accordingly, submit a contingency plan to the Director of Environment within a period of 3 to 12 months.

Mr Speaker, Sir, I have also heard criticisms against clause 64 of the Bill on, I quote –

“No volunteer shall, without prior authorisation of the supervising officer, participate in any oil spill mitigation and cleaning”.

I wish, first and foremost, to thank the population and all volunteers who have helped in addressing in their own way the spill resulting from the grounding of the MV Wakashio.

While vibrant speeches on alleged injustice against volunteers acting for a noble cause seem, on paper, appealing, they however, lack a wider outlook on such actions.

Partaking in oil spill mitigation and cleaning exercises poses a number of safety and health risks, especially given that one has to manipulate toxic products. Accordingly, as a caring Government, we cannot hold the public at risk when participating in cleaning exercises. We will have to regulate this exercise, such that the public be given the necessary safety equipment and training before. It is within this context and purpose that we have included section 64 in the Bill. This will also enable a proper health monitoring of those volunteers over time.

Mr Speaker, Sir, I have also noted that remarks have been formulated on perceived –

- (a) omissions of multi-dimensional concepts such as “ridge-to-reef approaches” and “natural ecosystems” within the Explanatory Memorandum, and
- (b) omissions of specific targets within the Environment Bill.

I wish to point out that an Explanatory Memorandum is only informative in nature, and is included in the Bill for the benefit of Members of the House. Upon enactment, the Explanatory Memorandum will neither appear in the legal text, nor will it have legal force. Hence, it is not required to mention all concepts in the Explanatory Memorandum.

Rather, it is the essence and content of clauses which matter. Members of the House will note that, while not being explicitly mentioned, those concepts are captured within different sections of the Bill and are covered within the mandates of a number of committees such as the National Environment and Sustainable Development Commission, the National Network for Sustainable Development or the Multilateral Environmental Agreements Coordination Commission.

Moreover, specific elements such as –

- a. Biodiversity and natural ecosystems are issues explicitly addressed in the ESA requirements described in Part III of the Bill;
- b. Relevant disaster risk management measures falling under the purview of my Ministry are addressed through oil spill and environmental emergency measures described at Part V of the Bill;
- c. Ridge-to-reef approaches will be considered as planning and mitigation measures in Part VII on Coastal and Maritime Zone Management, and
- d. Climate emergency issues are explicitly addressed, amongst others, within Part VIII on the National Environment and Climate Change Fund, and implicitly addressed across all provisions of the Bill, given the multi-dimensional nature of the climate change and its impacts.

Furthermore, I also wish to stress that it is not necessary to explicitly specify targets within a Bill. However, these will be defined when implementing its various provisions. It is also worth noting that the environment sector is a dynamic field whereby targets can also evolve rapidly. Members will certainly concur that it would not make sense that Parliament be consulted each and every time that a target has to be changed.

Mr Speaker, Sir, mention was also made during the Second Reading of the Environment Bill about the defunct *Maurice Ile Durable* Policy, Strategy and Action Plan, so-called “MID”,

with the then MID Commission having been dissolved in 2015. I wish to react to the point raised about Government's Sustainable Development agenda from that point in time up and until today. To recall, the *Maurice Ile Durable*, as has been mentioned, constituted a platform to integrate sustainability in key sectors. Funds were transmitted to this platform on a project basis – that is, project proposals were developed for key sectors and funds were secured through national appropriation exercises.

Here I would like to cite an extract of an article which appeared in the newspaper of *L'Express* of 30 November 2010 on observations made by the Special Adviser to the Prime Minister entitled “*Maurice Ile Durable : Deux ans après, le Professeur de Rosnay déplore le manque de volonté politique*” –

« Deux ans après, le bilan n'est guère réjouissant. Selon le Professeur de Rosnay, le projet n'a suscité aucun intérêt auprès de la population. Les ministères ne jouent pas le jeu non plus, selon lui. Remuant le couteau dans la plaie, le Professeur de Rosnay déplore l'absence dans le Budget 2011 de mesures en faveur du MID. »

Furthermore, I would like to quote another extract of an article of *L'Express* dated 22 May 2014 entitled “*Constat d'Echec du Projet MID: l'Espoir Est-Il Permis?*”

(Interruptions)

« Six ans après, le rêve... » *Ekoute !*

(Interruptions)

« Six ans après... »

(Interruptions)

« Six ans après... »

(Interruptions)

« Six ans après... »

Mr Speaker: Order! Order!

(Interruptions)

Order!

(Interruptions)

Order! Order! Order!

(Interruptions)

Order!

Mr Ramano: « Six ans après... »

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order or you will have to walk out! You will have to walk. Beware, be careful. You continue!

Mr Ramano : « *Six ans après, le rêve a viré au cauchemar. Non seulement les objectifs du MID sont encore loin d'être atteints, mais le taux national de production d'énergie renouvelable est en train de chuter irrémédiablement. Les qualificatifs ne manquent désormais plus, dans la presse et ailleurs, pour désigner ce projet si ambitieux : «mort-né», «coquille vide», «drom perse» »*

With a change in Government in 2014, we had no choice than to dismantle MID in view of the poor response and poor results that it was yielding. Government took the policy decision to mainstream the principles of sustainable development across all key sectors of the economy.

We opted to inject funds directly in a Ministry's budget to enable implementation of key projects. For instance, for the tourism sector, funds were made available to promote the 'Sustainable Island Destination' concept. Also in the education sector, sustainable development was mainstreamed as a fundamental concept to concurrently address the three pillars of sustainable development. In the transport sector, the Global Fuel Economy Initiative project provided for measures to minimise air pollution.

As members may be aware, at the international stage, the Sustainable Development Goals, also referred to as "SDGs", were being negotiated in around that period, and they were, eventually, adopted in 2015. Given the need to finance sustainable development initiatives and to give appropriate directions to different line ministries, a Strategic Policy Unit was created at the

Ministry of Finance at that time to coordinate and drive the financing of this sustainability agenda. While the approach was different, this Government still strived to achieve the Sustainable Development Goals, even without the MID platform.

Subsequently, with a view to coordinate high level reporting to the UN and ensure domestication of internationally agreed sustainable development goals and targets – that is the SDGs, a unit was set up in 2021 at the Ministry of Foreign Affairs to undertake such task. Considering those points, criticisms that the Sustainable Development agenda of Government is driven only at the level of my Ministry are, therefore, not factually correct. It can also be seen that this Government has not put aside the Sustainable Development agenda and there is no such so-called catching up on years of delay. Instead, sustainable development has remained at the heart of the country's development strategy. Mr Speaker, Sir, to date, sustainable development still fall under my portfolio.

Mr Speaker, Sir, through the reviewed legal framework we are contemplating today, the integration of sustainable development within national planning is being even further strengthened. Indeed, within the Environment Bill, there are two key clauses which address sustainable development at a strategic, and eventually, at an operational level.

Firstly, at Clause 10, the Bill provides for the formulation of a five-year National Policy, Strategy and Action Plan. Through this provision, we will ensure that strategic orientations are devised and revised at regular intervals enough to ensure timely implementation of set policies and measures, while also leaving way to capture rapidly evolving sustainability challenges at both global and national levels.

Secondly, the mandate and composition of the National Environment Commission, as it was then called within provisions of the Environment Protection Act 2002, has been reviewed and it has been renamed as the National Environment and Sustainable Development Commission at Clause 5 and 6 of the Environment Bill.

This new Commission will be entrusted with expanded mandates and will also be empowered to set targets covering sustainable development, circular and green economy, as well as sustainable consumption and production. Members will note that the National Environment and Sustainable Development Commission is chaired by the highest level of Government through the Prime Minister himself. Hence, the concerns of Members of the other side of the

House about leadership with regard to Government's sustainable development agenda will be further allayed with these provisions of the Environment Bill.

Mr Speaker, Sir, I have also noticed that some criticisms have been raised in the Press regarding a presumed lack of consideration for human rights and Sustainable Development Goals-related issues within the Environment Bill. Those are, of course, well off-track.

First and foremost, achievement of the SDGs is the backdrop of Government action, and the Environment Bill contains provisions all across its 18 Parts and 16 Schedules directly or indirectly related to the SDGs, including specific mention of not only human rights, but also cultural heritage and gender mainstreaming aspects.

Indeed, clause 10(2) specifically mentions, I quote –

“The National Policy, Strategy and Action Plan on Sustainable Development shall be in accordance with this Act and the international obligations, taking into consideration, *inter alia*, human rights, cultural heritage and gender aspect.”

In short, the provisions of the Bill speak for themselves, and it is obvious that some of the criticisms raised are clearly unfounded.

Mr Speaker, Sir, the Hon. Osman Mahomed mentioned in his intervention that circular economy was my *cheval de bataille* rather than pursuing sustainable development objectives. May I remind Members that sustainable development and circular economy are multidimensional concepts, and that circular economy is a subset of sustainable development that integrates the so-called 9Rs.

Implementation of circular economy, without concern for the boundaries of sustainable development does not make sense and I fail to understand why the hon. Member wishes to oppose those two concepts.

Circular economy for me is an approach for progressing the sustainability agenda, the 2030 Agenda for sustainability, rather than an end in itself. It is a policy tool that will help us achieve the Sustainable Development Goals (SDGs) particularly SDGs 6 on energy, 8 on

economic growth, 11 on sustainable cities, 12 on sustainable consumption and production, 13 on climate change, 14 on oceans and 15 on life on land.

Notwithstanding the conceptual confusion of the hon. Member, he has also claimed that he was waiting for me to show my *bilan* on circular economy. Let me briefly depict what this Government has achieved on this field.

Mr Speaker, Sir, at the 2022 United Nations Environment Assembly, the resolution on Enhancing Circular Economy was adopted, underscoring the urgency to accelerate a structural transformation of the way we manage our natural resources, consume and produce.

As a committed Government, we have secured support from UNEP and the European Union to organise a National Conference on Circular Economy. Spanned over 3 days from 25 to 27 May 2022, this National Conference provided us with the opportunity to raise awareness on the circular economy model.

In order to translate words into action, this Government subsequently developed a Roadmap and Action Plan for a Circular Economy in the Republic of Mauritius (2023-2033) with the support of UNEP, which was approved by Government as early as 11 August 2023.

Consisting of 80 actions for Mauritius and 30 for Rodrigues, the Roadmap serves as a tool for change and underscores a complete rethinking of operations to retain the value of products and materials across five priority focus areas, namely –

- a) Agri-Food sector;
- b) Construction and Real Estate;
- c) Consumer Goods;
- d) Mobility and Logistics, and
- e) Waste Management.

I am pleased to say that we have already embarked on the implementation of the 80 measures outlined in the Roadmap. In line with the setting up of the Governance structure, six

Circular Economy Platforms have been constituted; five at the level of the parent Ministries for the priority focus areas and one at my Ministry to look into the implementation of the cross-cutting measures.

Mr Speaker, Sir, integrating circularity in our model of economy requires not only re-defining the operations of our business models, but more importantly, a change in mindset.

With a view to raise awareness of the public, my Ministry organised *La Foire Anti-Gaspillage* and it was an opportunity to showcase how the 9Rs principles could be applied to our daily activities.

Mr Speaker, Sir, we are also investing considerable efforts to build the capacity of enterprises on green and circular economy practices. To that end, my Ministry, in collaboration with the Ministry of Industrial Development, SMEs and Cooperatives and the National Productivity and Competitiveness Council, has developed the ECONO-Biz Training Programme, through which two batches of enterprises have benefitted from training.

Mr Speaker, Sir, from a solid waste management perspective, my Ministry has taken several initiatives towards the adoption of a more sustainable solid waste management system for the island, in line with the concept of circular economy and with an ambitious goal to divert at least 70% of wastes from landfilling by 2030.

My Ministry has developed a New Solid Waste Strategy and Action Plan to that effect with the generous financial assistance of the *Agence Francaise de Développement*.

Mr Speaker, Sir, we are sparing no efforts to boost a *transition écologique* in all sectors. In this endeavour, my Ministry is also spearheading the Greening of the Public Sector where we aim to lead by example.

In order to create much-needed linkages for green value chains, my Ministry is undertaking a market survey on suppliers/producers of green/sustainable products with a view to promote sustainable public procurement.

While efforts are on-going to support the implementation of circular economy measures through the budget, we are also engaging the collaboration of development partners to go the extra mile.

Coming back to the Environment Bill, I wish to conclude here, Mr Speaker, Sir, which is the topic of the day, we are going the extra mile by integrating a whole new section at Part X of the Bill on this issue through clauses 98 and 99.

Mr Speaker, Sir, in light of those facts, I fail to understand how some of the Members of the House and so-called experts can still view this Bill as neither encapsulating modernity and novelty nor capturing pertinent environmental challenges of the day and forthcoming ones.

Mr Speaker, Sir, it is indeed this Government which has reckoned the urgency to come up with a comprehensive legislation with respect to the environment and climate change at the very outset of its programme.

Notwithstanding a number of environmental regulations on noise, plastics, littering, amongst others, allow me to say that we came forward with –

- (i) The Climate Change Act in 2020;
- (ii) The Beach Authority (Amendment) Act in 2022,
- (iii) The Waste Management and Resource Recovery Act last year.

Now, we are coming forward, under the leadership of the Prime Minister, with a fourth Bill to address environment and sustainable development.

Mr Speaker, Sir, this new Environment Bill is not just any piece of legislation. It is a legislation that will make sure that we honour the obligations of Mauritius, not only at the national level, but also at the international level under –

- (a) Multilateral Environmental Agreements (MEAs);
- (b) targets of the Sustainable Development Goals (SDGs), and

- (c) the Nationally Determined Contributions (NDCs) under the Paris Agreement.

Each individual has a role to play to help address the environmental challenges that the country has been facing over time, and the Bill provides for this also through environmental stewardship duties.

Mr Speaker, Sir, let me reassure the House that the intent of the Bill is to ensure that –

- a) firstly, the environment be given greater consideration within planning;
- b) secondly, we get everyone on board towards better protecting, conserving and managing our environment, and
- c) at the end of the day, through our actions, we are improving the lives of citizens of this country.

Mr Speaker, Sir, as we meet here today, the good news is that after so many years, we finally have an up-to-date and modern legislative framework to put all enabling factors with a view to ensuring better environmental protection, management and conservation at national level.

It is a journey that will require each one of us to take our responsibility towards making Mauritius embarking on a *transition écologique* in line with the overarching Government objectives of developing a greener economy.

The Bill is a long-lasting promise to action on environmental issues for future generations and I believe this legislation should pass in the interest of one and all.

To conclude, allow me to sincerely thank all Members on both sides of the House who have contributed to the debate on this Bill, including, in particular, the staff of my Ministry and those from the State Law Office.

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

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Speaker in the Chair)

THE ENVIRONMENT BILL

(NO. I OF 2024)

Clauses 1 to 16 ordered to stand part of the Bill.

Clause 17 (Science to Policy Platform)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Ramano: Mr Chairperson, I move for the following amendments to clause 17 –

“in clause 17, in subclause (3), by adding the following new paragraph, the full stop at the end of paragraph (o) being deleted and replaced by the words “; and” and the word “and” at the end of paragraph (n) being deleted –

(p) a representative of each of 3 non-governmental organisations, to be appointed by the Minister.”

Amendment agreed to.

Clause 17, as amended, ordered to stand part of the Bill.

Clauses 18 to 21 ordered to stand part of the Bill.

Clause 22 (Establishment of Environmentally Sensitive Areas (ESAs) Committee)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Ramano: Mr Chairperson, I move for the following amendment to clause 22 –

“in clause 22, in subclause (3), by deleting the words “subsection (2)(j)” and replacing them by the words “subsection (2)(k);”

Amendment agreed to.

Clause 22, as amended, ordered to stand part of the Bill.

Clauses 23 to 119 ordered to stand part of the Bill.

Clause 120 (Appeal to Tribunal)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Ramano: Mr Chairperson, I move for the following amendment to clause 120 –

“in clause 120, by deleting paragraph (c) and replacing it by the following paragraph –

- (c) had submitted a statement of concern in response to a notice published under sections 34, 42 and 49,”

Amendment agreed to.

Clause 120, as amended, ordered to stand part of the Bill.

Clauses 121 to 151 ordered to stand part of the Bill.

First to Fifth Schedules ordered to stand part of the Bill.

Sixth Schedule

Motion made and question proposed: “that the Sixth Schedule stand part of the Bill”

Mr Ramano: Mr Chairperson, I move for an amendment to the Sixth Schedule as per amendment –

- (d) in the Sixth Schedule, in Part C, by adding the following new item and its corresponding entries –

- | | |
|------------------------|---|
| 13. Agriculture | Major plans and programmes, in agriculture, having environmental implications |
|------------------------|---|

Amendment agreed to.

Sixth Schedule, as amended, ordered to stand part of the Bill.

Seventh to Ninth Schedules ordered to stand part of the Bill.

Tenth Schedule

Motion made and question proposed: “that the Tenth Schedule stand part of the Bill”

Mr Ramano: Mr Chairperson, I move for an amendment to the Tenth Schedule as per the following amendments –

(e) in the Tenth Schedule, by deleting items 1 and 2 and their corresponding entries and replacing them by the following items and their corresponding entries –

1.	Hotel	0.85 per cent of monthly turnover	Within 20 days after the end of every month
2.	Guest house or tourist residence of more than 4 bedrooms	0.85 per cent of monthly turnover	Within 20 days after the end of every month

Amendment agreed to.

Tenth Schedule, as amended, ordered to stand part of the Bill.

Eleventh to Sixteenth Schedules ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill as amended was agreed to.

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

Third Reading

On motion made and seconded, the Environment Bill (No. 1 of 2024) was read a third time and passed.

PUBLIC BILL

Second Reading

THE TRADE (ANTI-DUMPING, COUNTERVAILING AND SAFEGUARD MEASURES) (AMENDMENT) BILL

(No. XVIII of 2023)

Order for Second Reading read.

(7.02 p.m.)

The Attorney General, Minister of Foreign Affairs, Regional Integration and International Trade (Mr M. Gobin): Mr Speaker, Sir, the object of this Bill is to amend the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act 2022 and I will give the reason in a few minutes.

Mr Speaker, Sir, the House will recall that my very able and learned colleague, hon. Minister Ganoo presented the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act in the House in December 2022. The Bill was fully debated and passed. The 2022 Bill replaced the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act of 2010. Today's amendment Bill seeks to amend the 2022 Act passed by this House on only two aspects.

First, the amendment seeks to align the definition of "negligible", in relation to countervailing investigations, with the World Trade Organization Agreement on Subsidies and Countervailing Measures. The second amendment seeks to provide for more flexibility in the frequency of meetings of the Trade Remedies Investigating Authority.

Mr Speaker, Sir, the 2022 Act is referred to as the principal Act in this amendment Bill. The 2022 Act replaced as I said earlier, the 2010 Act. The 2010 Act covered only two aspects of trade remedies namely, anti-dumping and countervailing measures. When it comes to anti-dumping Mr Speaker, Sir, these measures can be invoked in response to dumping and the latter, that is, countervailing measures are invoked in the event of subsidised imports which cause material injury to the domestic industry.

There is a third aspect to trade remedies that is safeguard measures and this was incorporated in the 2022 Act and that, with the aim of providing the necessary legal basis for the domestic industry to seek remedy if it was impacted by a sudden surge in imports. Therefore, the 2022 Act which was passed by this House is a comprehensive piece of legislation that deals with trade remedies in a holistic manner.

I said it at the outset; we are not going back into the policy of the 2022 Act. There was full debate in the House and the Bill was then passed. The amendments we seek to bring today are very technical in nature and I will explain why.

In the definition section of the 2022 Act, Mr Speaker, Sir, the definition of ‘negligible’ is divided into paragraph (a) and paragraph (b).

Paragraph (a) in 2022 Act defines the term negligible in the context of anti-dumping investigation and the definition reads as follows –

“negligible” means –

(a) in the context of an anti-dumping investigation, the volume of dumped imports of an investigated product from a particular country which is found to account for less than 3 per cent of total imports of the investigated and like product in Mauritius, unless imports of the investigated product from all countries under investigation which individually account for less than 3 per cent of the total imports of the investigated and like product in Mauritius collectively account for more than 7 per cent of imports of the investigated and like product in Mauritius.”

I pause here, Mr Speaker, Sir, to make two remarks. This definition in paragraph (a) of ‘negligible’ in the 2022 Act is a replica of the definition provided in the then 2010 Act. This definition will remain as it is. We are not amending paragraph (a) of the definition section for negligible.

Paragraph (b) in the existing Act in the definition of ‘negligible’ reads as follows and I quote –

“negligible” means –

(b) in the context of a countervailing investigation, the volume of subsidised imports of an investigated product from a particular developing country which is found to account for less than 4 per cent of total imports of the investigated and like product in Mauritius, unless imports of the investigated product from all developing countries under investigation which individually account for less than 4 per cent of total imports of investigated and like product in Mauritius collectively account for more than 7 per cent of imports of the investigated and like product in Mauritius.”

This definition is being amended tonight. I say it very clearly, it is only paragraph (b) in the definition of “negligible” which is being amended and that to delete 7% and to replace by 9%.

The reason for doing so, Mr Speaker, Sir, is we had passed the legislation, as I said, in December 2022 and that became law shortly after, in 2023. Mr Speaker, Sir, Mauritius was notified by the World Trade Organisation in September 2023, and the notification concerned the

threshold of 7% in our law. The notification was to the effect that Mauritius had deviated from the threshold set by the World Trade Organisation. The threshold set by the World Trade Organisation was 9% whereas we had set at 7% in our definition.

Further to this notification from the World Trade Organisation, Mr Speaker, Sir, the question was whether we should align with the threshold of the World Trade Organisation or not. In view of the fact that Mauritius is a party to the World Trade Organisation Agreements, it stands to reason that we should align with the threshold set by the World Trade Organisation. In 2023 itself, the Government took the decision to bring amendment to the Act. This Bill which is before the House was therefore presented in 2023 itself, as the long title shows the Bill is No. XVIII of 2023.

Mr Speaker, Sir, following therefore this notification from the WTO, we are bringing an amendment in the discrepancy of section 2 of the principal Act regarding the definition of “negligible” in the context of a countervailing investigation to align with the threshold of the WTO. Therefore, this threshold level of 7% will be amended to 9% for the Act to be alignment to the WTO Agreement on subsidies and countervailing measures.

The second amendment, Mr Speaker, Sir, concerns the Investigating Authority. In the prevailing law, that is, the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act 2022, the law makes provision for an Investigating Authority which is headed by the Director of the International Trade Division of my Ministry and comprises representatives of the Ministry of Finance, Economic Planning and Development, the Ministry of Industrial Development, SMEs and Cooperatives, the Ministry of Commerce and Consumer Protection, the Attorney General’s Office and the Customs Department. The objective in setting up this Investigating Authority is to set up an inclusive structure that comprises all key institutions that are directly involved with trade remedies.

Under the existing provisions of the law, as it stands, the frequency of the meetings of the Investigating Authority is provided for in the law. Section 9 of the law, as it stands, provides that the authority shall meet as often as is necessary, but not less than once every month.

Let me make it clear. One of the main functions of this Investigating Authority is to investigate the allegation or suspicion of dumping, subsidised imports or increased imports upon

receiving a complaint or information which gives rise to such allegation or suspicion. So there is an obligation to investigate in case of complaint and there is an obligation of the law to meet at least once every month.

Mr Speaker, Sir, since this law has been passed and is in operation, we have seen no complaint. There is therefore a need to relieve this authority from meeting once every month when there is no complaint. We should provide flexibility for the authority to meet as and when it is necessary.

In fact, since the enactment of the legislation, the Investigating Authority has met indeed on several occasions and has conducted analysis based on import trends. It has also identified products which may have to be further investigated for tariff protection under safeguards. Industry level information will have to be obtained for in-depth investigation, especially with regard to injury determination which is sometimes difficult to obtain.

The authority has also agreed to conduct a sensitisation workshop in collaboration with stakeholders to inform the business community of the new trade remedy legislation and to apprise them of the procedures to file a request for the initiation of a trade remedy investigation. This will indeed be beneficial businesses as they will have practical information on what is required to make a request for the initiation of an investigation.

We will continue in our ongoing dialogue to apprise the private sector and businesses, including SMEs of the various instruments available under the law to protect them against unbridled competition and unfair trade practices. However, Mr Speaker, Sir, as I have said earlier, we have not received request from the domestic industry for a trade remedy investigation. In fact, we do not foresee many such requests in the near future.

It stands to reason, therefore, that it will be more practical for the Investigating Authority to meet whenever a request from the domestic industry is received for the initiation of a trade remedy investigation instead of the obligation, as the case is, to meet at least once a month. Therefore, we are bringing the necessary amendment for the authority to meet as often as it is necessary and at such time and place as the Chairperson deems necessary.

These are the only two amendments we are bringing to the law, Mr Speaker, Sir. I commend the Bill to the House.

Mr Seeruttun seconded.

Mr Speaker: The next orator would be MP Uteem!

(7.17 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, when the Trade (Anti-dumping, Countervailing and Safeguard Measures) Act was introduced in this House in 2022, the then hon. Alan Ganoo, who introduced the Bill, stated, and I quote –

“The provisions in this Bill are a replica of the relevant WTO Agreements.”

‘A replica of the WTO Agreements!’

Today, again, we heard the same term ‘replica’ used by the hon. Attorney General. Yet, one and a half years later, we are being told that at least, as far as the definition of negligible is concerned, what we voted for is not in conformity with the WTO Agreement.

Why? Didn’t anyone make a check before presenting the Bill in 2022 and ensure that all provisions of the Act were compliant with WTO. Did we have to wait for September 2023 for the WTO to notify us, for us to know that our law was not compliant? And when I listen to the Attorney General, it is as if the Government now is taking a positive decision that we are going to align ourselves with the WTO. That was never the case, we had always, always wanted to be aligned with the WTO Agreement, at least this was what was told to us in this House in 2022.

The hon. Attorney General points out that the only amendment in the first proposed amendment is that we are going to substitute 7% for 9%. What does that mean – it means simply that when we are investigating certain countervailing measures from developing countries, if the total amount of the measures is less than 9% of imports from developing countries, then we should not investigate and if we have started investigating, we should stop the investigation and we should not take any sanction. This is a measure to protect developing countries in line with WTO. As the law stands in the Act, negligible refers to 7%. So, this provision is less favourable

to developing countries than what is recommended by WTO and the truth of the matter, Mr Speaker, Sir, is that back in 2022, the Government was aware of this threshold of 9%, it is not new. I quote from the speech of hon. Alan Ganoo, this is what he said –

“(…) where imports from a single developing country Member account for no more than 3 per cent of the total imports of the product concerned, and provided developing country Members below this threshold on an individual basis do not collectively account for more than 9 per cent of those imports (…)”

So, in his speech, he already mentioned 9%, not 7%, already he said for developing countries it has to be 9% and when we turn to the provision of the Act, – I am not going to go back to the policy, I am just going to highlight what we voted under section 34 subsection (2) of the Act –

“No safeguard measure may be imposed on a developing country as long as its share of imports of the investigated product into Mauritius (…) collectively account for not more than 9 per cent of total imports of the investigated product.”

So, section 34 subsection (2) already makes mention of 9% when it comes to developing countries. So, it would have been much simpler for the hon. Attorney General to say: ‘we made a mistake, negligible ought to have been 9%, the intention has always been to have it 9%, unfortunately, through a mistake we put it 7% and today we are rectifying this mistake’. Instead of trying to make as if, that they have gone through a thought process and decided now we are going to comply with WTO recommendation, WTO Agreement.

And I will also go further, Mr Speaker, Sir, to demonstrate *la légèreté avec laquelle les projets de loi sont présentés dans cette auguste Assemblée. Aujourd’hui, on nous demande de voter ce projet de loi. L’article 1 de ce projet de loi lit comme suit –*

“This Act may be cited as the Trade (Anti-Dumping, Countervailing and Safeguard Measures) (Amendment) Act 2023.”

We are in 2024; the Bill was submitted last year and today the Attorney General does not find it fit to come and to amend Section 1. So, once this Bill is passed, it will be known as an Act passed in 2023 instead of 2024. This is *la légèreté avec laquelle l’Attorney General vient*

présenter un projet de loi devant cette Chambre, M. le président, et cela est tout bonnement inacceptable.

The second proposed amendment relates to the frequency of meetings of the Trade Remedies Investigating Authority. For the time being as the hon. Attorney General just mentioned that there is a legal requirement for this Investigating Authority to meet at least once a month, they can meet more frequently but at least once a month. It is proposed to remove this requirement because according to the hon. Attorney General, the industry does not make any complaint to the Authority and does not ask the Authority to investigate; therefore there is no point in having this Authority meet once a month.

Now, during the debate on the Act in 2022, hon. Alan Ganoo, as well as, I think, all of the hon. Members who intervened including myself in that Bill pointed out that the major shortcoming of the previous legislation was that the Investigating Authority was a one-man army, the Director of Trade Policy and therefore, amending the law by making the Investigating Authority, being a group of people from different Ministries was seen as an *avancée*, a leap forward.

And this Authority is very important because it is that Authority that will investigate any measure which is detrimental to our domestic industry. But where I do not agree with the hon. Attorney General is when he wants us to believe that this Authority has nothing to do because there is no request for investigation from domestic industry.

So, may I remind the hon. Attorney General, all the hon. Members of what we voted in 2022, section 41 reads as follows –

“(1) Notwithstanding section 36, the Authority may, on its own initiative, initiate an investigation without having received a written application by, or on behalf of, the domestic industry.”

The whole point of having an Investigating Authority meet once a month is for that Authority to look into issues and start an investigation and not have to wait for the domestic industry to refer to it as a request for investigation. This is why we amended the law in 2022 and now the hon. Attorney General is telling us to go back to square one because what is being

proposed today, Mr Speaker, Sir, is that, henceforth, the Investigating Authority will only meet when the Chairperson decides, when the Chairperson fixes the time and place. And who is the Chairperson? Surprise! Surprise!

The Chairperson of the Authority is none other than the Director of Trade Policy. The one-man show that we tried to change in 2022; with this amendment we are giving back all powers to the Director of Trade Policy. He does not call a meeting of the Investigating Authority, there is no investigation. He has all the powers now, he decides as and when the Authority will meet and this is for flexibility.

In his summing up, I hope the hon. Attorney General will explain to us, the Minister, who is himself, decides on allowance to be paid to all members including the Chairperson of the Investigating Authority. Now that they are not going to sit once every month, will there be a reduction in their allowance? Will there be the same allowance paid to each member of the Investigating Authority?

Mr Speaker, Sir, during my intervention on the Bill in 2022, I asked Government to provide the necessary funding and personnel at the disposal of the Authority because this Authority has a very important role to play to protect our domestic industry and consumers in general. Little did I know that 18 months later, we will be asked to undermine the operation of this Authority by removing its obligation to meet at least once a month to safeguard the interests of our domestic industry. Indeed, a huge leap backward!

Thank you.

Mr Speaker: Next orator, hon. Dr. Mrs Chukowry!

(7.29 p.m.)

The Minister of Commerce and Consumer Protection (Dr. Mrs D. Chukowry): Mr Speaker, Sir, I wish to express my gratitude for the privilege to contribute to the deliberations on the proposed Trade (Anti-Dumping, Countervailing and Safeguard Measures) (Amendment) Bill 2023.

This august gathering provides a welcome opportunity to refine the existing statutory framework delineated under the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act 2022 enacted by this esteemed House in the year 2022.

Mr Speaker, Sir, allow me to provide a historical context. The year 2022 witnessed the enactment of a transformative legislative piece, designed to fortify the existing Trade (Anti-Dumping and Countervailing Measures) Act 2010. The objective was explicitly to strengthen the legal framework governing anti-dumping, countervailing and safeguard measures. These consolidated provisions, encapsulated under a singular legislative umbrella, were meticulously crafted to safeguard domestic industries from the adverse impacts of dump and subsidised imports, particularly those arising from a sudden surge in imports. In particular, the legislation sought to erect robust bulwarks to mitigate potential economic injury to domestic manufacturers resulting from the distortions created by dump or subsidised imports originating from foreign entities, especially amidst sudden surges of such imports.

The comprehensive, consultative process underpinning the formulation of the Act, incorporating diverse stakeholders, spanning the manufacturing and private sectors, was instrumental in garnering widespread approbation. As a Small Island Developing State grappling with numerous challenges and vulnerabilities ranging from climate change to the economic impact of the COVID-19 pandemic, we must do everything within our means to protect our fragile local industries. This legislation therefore provides for temporary import relief through measures such as duties, tariffs and quotas, especially when an industry is irreversibly under double jeopardy. The adoption of the 2022 Act undeniably signified a watershed moment, heralding the inauguration of an arsenal of trade defence measures.

Economic actors espouse the forward-looking posture adopted by the Government in actively delineating the procedures to redress grievances emanating from injurious import penetration. As a small trade-dependent economy, Mauritius faces amplified vulnerability to dump and subsidised imports from more formidable trade partners. Dumping defined as the exportation of goods at prices below normal market value to secure an unfair competitive advantage, poses particularly egregious challenges. Foreign Governments habitually extend generous subsidies to domestic industries, enabling them to export goods at artificially suppressed prices, difficult for Mauritian firms to rival.

Mr Speaker, Sir, the subsequent ramifications for the vitality of local enterprises can be calamitous, precipitating contradictions in input, sales capacity, utilisation, employment and overall competitiveness. Furthermore, pernicious dumping practices are decidedly not a localised phenomenon unique to Mauritius. They constitute a ubiquitous global problem that the international community continues to wrestle with. The establishment of a structured Trade Remedies Investigating Authority ensures transparency in investigating allegations of dumping, subsidised imports or increased imports, facilitating remedial action. The Organisation for Economic Cooperation and Development through its monitoring instruments persistently identifies countries that serially engage in injurious dumping. The aggregate global impact is non-negligible resulting in the displacement of thousands of workers worldwide due to the distortions generated by unchecked dumping.

In light of these concerns, the adoption of the 2022 Act reaffirmed Mauritius' steadfast commitment to erecting robust defences to counteract such predatory practices. As a responsible member of the International Trading System, Mauritius cannot countenance the prospect of allowing our industries to be subject to the same adversities that have afflicted other countries. Although Mauritius remains an ardent champion of trade liberalisation as exemplified by our participation in agreements such as the African Continental Free Trade Area and the China Free Trade Agreement, we must also implement judicious safeguards to preserve fair competition. Safeguard mechanisms serve as an indispensable release valve to protect domestic firms from import surges by providing breathing room for adjustment and enhancement of competitiveness. Such tools align seamlessly with Mauritius' rights and obligations under the World Trade Organisation accords.

In essence, the 2022 Act equipped Mauritius with the capabilities to vigorously defend our economic interests while adhering to rules-based international trade. It is in this spirit of optimising and elevating the efficacy of our trade defence instruments that the current Amendment Bill has been introduced. A principle *desideratum* underpinning the introduction of the proposed amendment legislation is a steadfast commitment to ensure comprehensive alignment of our domestic countervailing duty framework with the prevailing multilateral norms delineated under the legal architecture of the World Trade Organisation. Upon notification of the enactment of the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act 2022 to the World Trade Organisation, close perusal of a statutory language uncovered a lack of

conformity between our definition of the construct of negligible in the context of countervailing investigations and the precise formulation prescribed under Article 27.10(b) of the World Trade Organisation Agreement on Subsidies and Countervailing measures.

To remedy this discrepancy and harmonise the Mauritian legislation with established international standards, the Government is proposing a carefully calibrated modification of the statutory definition of “negligible” applicable to countervailing cases. The adjustment will increase the quantitative threshold from 7% to 9%, thereby achieving complete alignment with existing multilateral disciplines.

In a similar vein and in the spirit of pragmatic and judiciously optimised governance, a re-examination of the operational modalities of the Trade Remedies Investigating Authority is warranted. Given the current dearth of formal applications for the initiation of trade remedy investigation coupled with modest projections for future filings, a more streamlined and tailored approach to the conventions of the Authority appears prudent.

Therefore, to foster procedural efficiency, the Government advocates granting the Authority a wider purview over its meeting calendar, allowing it to convene deliberations as necessary rather than adhering to a fixed schedule. This will serve to calibrate operations based on investigative workload and exigencies.

In drawing this submission to a close, allow me to re-emphasise that the amendments encompassed within the proposed legislation cannot be narrowly construed as a routine exercise in technical alignment rather, their deeper significance lies in epitomising the consensus exertions of all stakeholders to refine and elevate the institutional efficacy of our trade remedy architecture. The amendments signify far more than a minimalist concession to external normative frameworks. They exemplify a sincere effort to render our trade defence instrument optimally robust and efficient through careful review and evidence-based enhancement of investigative and procedural modalities.

In essence, the modifications embrace pragmatism, flexibility and continuous improvement as governing doctrine in the never-ending pursuit of policy excellence. They demonstrate our inward focus on strengthening domestic institutions and governance practices.

Therefore, Mr Speaker, Sir, the passage of these amendments will herald more than mere conformity to external diktats. It will reaffirm Mauritius' enduring commitment to evolve its regulatory apparatus in a progressive yet principled manner.

With these final remarks, I once again thank you, Mr Speaker, Sir, for granting me the privilege to address this august House and make a humble contribution to the advancement of Mauritius' trade and economic interest. The proposed amendments have my full support. Last but not least, I wish to congratulate the hon. Maneesh Gobin, Attorney General, Minister of Foreign Affairs, Regional Integration and International Trade for bringing such an important piece of legislation to the House.

I thank you for your attention.

Mr Speaker: MP Dr. Boolell!

(7.42 p.m.)

Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes): Mr Speaker, Sir, easy does it! These two amendments, if we do not move them, the whole world will not collapse upon our trade industry. I grant you that it is overdue and these amendments have to serve the purpose as elaborated in the Explanatory Memorandum. We have to align and we have no choice because we have to be in line with the commitment taken and given by the World Trade Organisation. We are party to agreements on subsidies and countervailing measures.

So, we are simply bringing amendments to correct an omission. Our object is to wage war on unfair trade practices. As a net importer, we are constantly under threat by countries which have economies of scale and are likely to dump their products. But we can have recourse to tariff and non-tariff barriers. These are inevitable safeguards. These are the remedies.

Now, the definition of "negligible" in relation to countervailing investigations, with Article VI of the GATT and the World Trade Agreement on Subsidies and Countervailing Measures, has to be aligned. Section 2 of the Act, which clause 3 of the Bill proposes to amend, of course, reads as clearly spelt out. The meaning of "negligible" is interpreted.

Now, there is a level of negligible tolerance per country, as the Minister has said and reinforced by my colleague, hon. Uteem, and a threshold of cumulative effects from many countries. The Investigating Authority will act if there is a *prima facie* case. As I said, it is easier said than done. Unethical battle, I agree, for small economies and developing countries. But make no mistake, big countries serve their interest first and foremost and they have a battalion of specialised lawyers and other professionals to fight their cases over subsidies, dumping and countervailing measures. It is a fact that bilateral and multilateral trade and investment agreements are lopsided towards big countries. It is difficult to punch above one weight despite special and differential treatment to small economies. As a SIDS, irrespective, of course, of the amendments which we are bringing and which are relevant and important, we have to be members of like-minded small economies and developing countries. It is easier to ward off threats when we put up a common front.

Mr Speaker, Sir, a Member State may not impose countervailing measures unless it determines that there are subsidised imports, injury to domestic industry and a causal link between subsidised import and injury, hence, the famous *prima facie* case. But what is important in the cumulative effect from several countries is negligible if there is less than 9%. Now, let me quote from information which I have gathered –

“To some extent, developing countries’ exports are shielded from safeguard actions. An importing country can only apply a safeguard measure to a product from a developing country if the developing country is supplying 3 per cent [or more of the total] imports of that product, or if developing country members with less than 3 per cent import share collectively account for more than 9 per cent of total imports of the product concerned.”

Firstly, it was unlikely that a small segmented market like Mauritius with marginal economies of scale would be a major target for dumping by export countries. It is the reason why it is wise to err on the side of caution and have one investigating authority. I grant you, the Director of the International Trade is the Chairman. Although he may be a party to action that has to be taken, I take it for granted that, as an experienced and seasoned director, he will live up to the expectation and that the fear of being party to a case can be dissipated.

Now, I would ask the Minister whether we have figures if Mauritius is importing subsidised goods and if this is causing injury to our domestic industries. We export all of our sugars and import them from COMESA countries for local consumption. Now, the issue of injury is a matter that can be debated and debated unless as I have stated is a *prima facie* case.

Now, given that we are a net importer, it will be good to have figures as I have said, so that a decision can be taken on the frequency of meetings – much has been said of frequency of meetings. But you cannot meet if there is no reason for a meeting. You need to have substance. You need to have a good reason which will spur you on to have a meeting. But as far as complaints, how many complaints have we received from local industries? And I ask the question when we talk of frequency of meetings to be flexible. Yes, flexibility but subject that there is an agenda.

On the other hand, let us not fool ourselves; it is costly and time-consuming before all relevant information is collected. And the rationale behind this proposed amendment has to be provided. Now, is the product being dumped or how much subsidies have been given? The World Trade Organisation Safeguards Committee oversees the operation of the Agreement and is responsible for surveillance of members' commitments. Government has to report each phase of a safeguard investigation and related decision-making and the Committee reviews these reports.

Mr Speaker, Sir, what happens to seized counterfeit products or products dumped? As of now, you know we did not have that problem but once seized. Earlier we had a debate on the Environment Bill; we have to know what we do with electrical products, whether they are permanently removed from circulation and processed in electrical waste recycling plans. We try to recover any materials that are salvageable back into the manufacturing chain: clothing, cosmetics and toys often shredded and incinerated but we have a zero to landfill policy.

At the end of the day, while buying imitation goods may seem cheaper in the short term, of course, it is worth more expensive in the long run. This is the message that we need to convey loud and clear to one and all. Importers to domestic producers and we have to see to it that our Customs acts with a vigilance which is second to none. And the problem is counterfeited products and these products have to get stopped by Customs which means the customer ends up

empty handed and it's worth checking that all the products are legitimate before one parts with one's hard-earned cash.

Mr Speaker, Sir, there is an article in The Economist which made mention that the international liberation order is slowly coming apart. Its collapse could be sudden and irreversible and today a similar rupture feels all too imaginable. We don't know what will happen in relation to the US Presidential Election but there is a fear of a second wave of cheap Chinese Imports and we have to be mindful and watchful. And middle-income countries such as India and Indonesia, hoping to trade the way to riches, exploiting opportunities created by the old order's fragmentation but will ultimately rely on the global economy staying integrated and predictable.

We don't know what will happen in the next five years or the next 30 years but as far as we are concerned, we have to put in place a mechanism which will respond to the needs of domestic producers and we have to see to it that we act with vigour and force to prevent dumping of products in our great little country and it can be done subject that we understand fully the meaning of countervailing and anti-dumping measures.

So, I take it for granted that our friends from the International Trade know exactly what needs to be done. As of now, we have one investigating authority and I am sure that that Authority will live up to the expectations of our people.

Thank you, very much.

Mr Speaker: Hon. Dhunoo!

(7.53 p.m.)

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, when this Bill was brought to the House on 30 March 2010, the irony was that it was called The Trade (Anti-Dumping and Countervailing Measures) Bill (No. XVIII of 2009). I am trying to respond to hon. Uteem who said that we had to amend the Bill that has been presented by the Attorney-General on why the Act should have been called 2024 but I rest it to him. I know the AG is going to reply to him. But the main gist of why this Bill was brought to the House even in 2022, is to protect the domestic industry against the injurious effect of

unfreighted trade practices namely of dump and subsidised import and of injury caused or threat of injury that may be caused as a result of a surge in imports in accordance with the relevant WTO Agreement.

Mr Speaker, Sir, the Attorney General has mentioned that two amendments are being brought and I agree with Dr. Boolell on this one, that we have to align with the WTO Agreement because Mauritius if we have not been part of all these agreements as a small country, Small Island Development State, Mr Speaker, Sir, since independence if we have not had the Cotonou Agreement, we don't know where Mauritius would have been. Today we are considered as a leading country on the African Continent in the African sphere, we are first in many things on the economic agenda of everyone and everyone is looking at us as the role model.

But, Mr Speaker, Sir, we have to see that the global market today, Mauritius has made a path of openness, trade liberalisation and its full integration into the global economy and the multilateral trading system. On the market access opportunity, Mr Speaker, Sir, on several markets, on the EU Market through various Lomé Convention including their economic partnership agreement, the US Market under the AGOA, the Regional Markets through COMESA and SADC and more recently the Africa Free Trade Agreement, CECPA with India, FTA with China, the Samoa Agreement, all these agreements have made Mauritius get even more opportunities and we are growing.

But, Mr Speaker, Sir, these two amendments, that are being brought by the Attorney General today, are important because we need to align with the World Trade Organisation to counter anti-dumping and anti-dumping action. For example, Mr Speaker, Sir, determination of dumping can be easier because it is mentioned that for the purpose of the Agreement, a product is to be considered as being dumped, that is, introduced in the commerce of another country at less than its normal value, if the export price of the product exported from one country to another is less than a comparable price in the ordinary course of trade, for the like product to destined for the consumption in the exporting country. But when it comes to subsidies, safeguards, contingencies and countervailing, Mr Speaker, Sir, we have the investigating authority and I fully agree with my colleague the Attorney General and with hon. Dr. Boolell because he has asked what the figures are and if there has been any complaints.

When hon. Ganoo made his speech in 2022, he said there was a case –

“Contrary to dumping or subsidisation, applications were received for the imposition of safeguard measure from the domestic industries producing margarine and spread in April 2016, and cooking oil in 2019. In the absence of legislation, we have to address safeguard at the multilateral level. The investigation had to be confined to our regional markets of SADC and COMESA, which happened to be the main source of imports.”

Just to tell you, Mr Speaker, Sir, the Investigating Authority is important. It is proposed that the Investigating Authority will be composed of the Director, Trade policy as Chairperson, a vice-Chairperson from the Ministry of Finance, Economic Planning and Development at Director’s level, a representative from the Attorney General’s Office, a representative from the Ministry of Commerce and Consumer Protection, the Ministry of Industrial Development, SMEs and Cooperatives, and the Customs Department of the Mauritius Revenue Authority.

Mr Speaker, Sir, if we do not have any complaint, I do not know why we are arguing that we have to impose. The Authority has to meet once per month. If we have five complaints in one month, if they have to meet 20 or 25 times, they meet, Mr Speaker, Sir, but we have to give them the time. There was an argument that was brought forward by hon. Uteem concerning payment of allowance.

I think the Attorney General is going to reply to this, but my understanding is that it is on presential; when they are going to sit, then they are going to get paid. It is not that they are getting a salary. They are already getting a salary where they are working, Mr Speaker, Sir; whether it is at the Ministry of Finance, whether it is at the Attorney General’s Office, whether it is at the Ministry of Commerce. So, I don’t think this argument stands in the course of arguing on these two amendments.

Mr Speaker, Sir, I will not be long because I just want to say that our country is a leading economy in the Indian Ocean and the African continent, and we have been successful in tackling challenges posed by the small market by opening up internationally. Our country has been able to take advantage of all the positive externalities, to seize opportunities by offering businesses in a stable economic environment with transparent rules. For all, tax benefits and a high-quality workforce will be a mastery of several foreign languages.

Mr Speaker, Sir, I concur with the Attorney General that we have to bring these amendments, but I do not agree with the Member of the Opposition, particularly hon. Uteem, making a fuss about ‘once’ with the Investigating Authority first, and second, about the date that the amendment has to be brought in 2024.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon Gobin!

(8.02 p.m.)

Mr Gobin: Thank you, Mr Speaker, Sir. I wish to thank hon. Uteem and hon. Dr. Boolell for their contribution. I have to place on record my appreciation for the comments of hon. Dr. Boolell. I think the words of wisdom spoken by hon. Dr. Boolell reveal his experience as former Minister for International Trade. I, therefore, wish to place this on record, but, unfortunately, Mr Speaker, Sir, I cannot say the same for the comments coming from hon. Uteem.

I will come back in a few minutes. Hon. Dr. Boolell, I think we agree that we have to align with the WTO recommendations. We put it at 9% instead of 7%. What we are saying is an alignment, but hon. Uteem wants to call it a mistake and to buttress his argument, he has referred to section 34 of the Act to say that in section 34 there is already mention of the threshold of 9%.

Mr Speaker, Sir, the title of section 34 of the Act is as follows, and I quote –

“34. Requirements to impose a safeguard measure”

Section 34 is talking of safeguard measures whereas the amendment we are bringing to align this 9% concerns countervailing investigations. These are two separate things. I think hon. Uteem should go back to his law and should certainly not speak of *légèreté*. This is an example of *légèreté*. The House will appreciate and the people outside will appreciate. Many of us here in this House have been sufficiently long here to know. Time and again, we have heard of arguments from my colleague hon. Uteem in this House and the House itself will appreciate the meaning of *légèreté* when we come to hear some of the arguments of hon. Uteem. And he gave another example, to say, of *légèreté* in the year of the title of the Bill. He says that the title should no longer be 2023 but 2024. My friend, I think you have been sitting here longer than me. You should know that this amendment which you are saying, moving 2023 to 2024, is never moved in this House.

When a Bill is presented in one year and is passed in the ensuing year, the amendment is not even moved. Go and check with any previous Clerk or this Clerk, and you will know. This is another example of *légèreté*. Such amendments are not moved, and I think hon. Dhunoo has given the example of the 2010 Act.

It was introduced in 2009, if I have understood the argument of hon. Dhunoo correctly, but passed in 2010, and these amendments, these corrections are made by the Clerk at the time of publication. It is not even moved. It has never been so and will not be so. This is a consistent and established practice of the House. The hon. Member should not use such kind of arguments just to give a bad colour to a legislation of a technical nature.

The second argument of hon. Uteem...

(Interruptions)

Yes, we are not in 'meeting' of Port Louis here!

You are saying that we are backpedalling for the Chairman of the Investigating Authority. Let me quote the debates when the 2022 Bill was passed. I quote hon. Uteem at page 94 of the Hansard, Mr Speaker, Sir –

“Now, with this Bill, we are going to have a proper Authority, and I am glad that unlike the statutory bodies and public bodies which have recently been voted and debated in this House, this time around, the Chairperson and vice-Chairperson will not be designated by the Minister. I think this is a very positive thing; the Chairman will be the Director of Trade Policy, which is already the case, and will be appointed by the PSC, (...)”

Now he says this is not good; we are backpedalling. And we are talking of the same gentleman by the way. We have not changed him. This is another example of *légèreté*, just to give a bad colour to a legislation of a technical nature. Yet, another argument, namely that the Authority is not doing anything on its own initiative. This is not the case. The Authority investigates when there is a complaint, yes, and also on its own initiative. The impression given by the Opposition - well, this side of the Opposition and not that side of the Opposition - is as if on their own initiative, they have not done anything. They should be investigating on their own initiative. I think he is labouring under the wrong impression in his mind.

Mr Speaker, Sir, this is not a criminal investigation. The Investigating Authority does not enter, search premises of the private sector to obtain trade statistics. We do not do it that way. Let me say what the Authority has been doing on its own initiative. I say it again. Since there has been no request from the domestic industry to carry out a trade remedy investigation, the Authority has not been sitting. They have been conducting their own analysis on their own initiative, and analysis concerns the trend of increased imports to identify products that need to be investigated.

However, this depends. From the public sector, we have statistics only from the Customs Department and Statistics Mauritius. It is not the case that you are going to compel the private sector to reveal their trade statistics. This is a very sensitive matter. We need to sensitise the private sector to provide the statistics.

Let me come to the question of data. I think this was also mentioned by hon. Dr. Boolell, but in very different terms as compared to hon. Uteem. As I said, we obtained data from Customs and Statistics Mauritius. However, when it comes to in-depth investigations, Mr Speaker, Sir, data from the domestic industry is required in order to establish injury determination. Industry-level information is critical in this process to establish whether injury to the domestic industry is caused by the increased, dumped or subsidised imports as the case may be.

It is not an easy task to obtain precise information/data statistics from private sector companies when it comes to the level of sales, production, productivity, capacity utilisation, profits and losses and employment, amongst others. It is not to say that we are not pursuing efforts to obtain the data.

We need to work with the private sector and do sensitisation campaigns about the legislations, the procedures involved and the investigations that are carried out. The sensitisation will continue with the industry at large, I highlight, including SMEs. Therefore, the second amendment we are bringing relates to a more practical and realistic solution for the meetings of the investigating authority.

Mr Speaker, Sir, I think I have answered the arguments forthcoming from the other side. I reiterate that we are bringing firstly, the amendment to align the definition of 'negligible' with

the provisions of the WTO, and secondly, the amendment to provide flexibility in the frequency of meetings of the Trade Remedies Investigating Authority.

I am done, Mr Speaker, Sir. I commend the Bill to the House once again.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE TRADE (ANTI-DUMPING, COUNTERVAILING AND SAFEGUARDS MEASURES) (AMENDMENT) BILL

(NO. XVIII of 2023)

The Trade (Anti-Dumping, Countervailing and Safeguard Measures) (Amendment) Bill 2024 (No. XVIII of 2023) was considered and agreed to.

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

Third reading

On motion made and seconded, The Trade (Anti-dumping, Countervailing and Safeguard Measures) (Amendment) Bill (No. XVIII of 2023) was read a third time and passed.

ADJOURNMENT

The Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 21 May 2024 at 11.30 a.m.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.

Question put and agreed to.

Mr Speaker: The House stands adjourned! Specific matter!

MATTER RAISED

(8.13 p.m.)

RODRIGUES – MV PEROS BANHOS – GOODS DELIVERY –DISRUPTION

Mr J. B. Léopold (Second Member for Rodrigues): Thank you, Mr Speaker, Sir. Mr, Speaker, Sir, although the hon. Prime Minister, who is also the Minister for Rodrigues, is aware of the situation that is prevailing in Rodrigues at the port area and has been working on ways to find solutions in the short-term, medium-term and long-term to remediate those issues, I would like to further draw the attention of the House, as an elected member of Constituency 21, that is, the autonomous island of Rodrigues, which I strongly consider as a matter of urgency and public importance of the prevailing situation that are occurring at port level of Port Mathurin in terms of limited infrastructure, out-dated and old equipment and inadequate planning for the prompt delivery of goods.

Mr Speaker, Sir, the Rodriguan people are ever so grateful to the Central Government for procuring a brand-new cargo vessel, the MV Peros Banhos, to serve Rodrigues and other parts of the territory of the Republic of Mauritius.

However, Mr Speaker, Sir, the brand new vessel cannot carry its full load to Rodrigues because of the shallow depth of Port Mathurin channel which is filled with sand from Îlot des Hollandais, mud and debris as the last process of the distilling of the port's lagoon dates back to some more than 25 years ago.

Consequently, there is no other choice other than that the vessel must increase the frequency of trips back and forth to Rodrigues together with the normal voyage by MV Trochetia.

These palliative measures bring along cascades of problems given the fact that the port area is a restricted zone with an increased frequency of MV Peros Banhos and MV Trochetia. This prevents and causes much delay in the transfer of goods from containers to lorries during

docking period of the cargo vessels as the container park, as it is now, is situated within the port's restricted area.

I am, therefore, further highlighting the situation to the hon. Prime Minister and Minister for Rodrigues to reiterate the urgency of the matter to the concerned authorities and companies to find existing immediate solution to avoid prolongation of the present situation.

With increasing consumerism by both locals and visitors from mainly Mauritius, and Rodrigues being heavily reliant on imported goods with limited storage facilities, disruption in its delivery is causing lots of disastrous effects on the social and economic status of Rodrigues. Rodrigues is facing a shortage of commodities such as bottled potable water, *diri ration* and domestic LPG cylinders, among others, to the point where the prevailing situation is bringing uncertainty and causing panic-buying leading to an overstocking of domestic LPG cylinders by some people, which is a potential risk of fire and is causing immediate, artificial disruption soon after delivery by the company.

Because of this bustling situation, shop owners and small and medium enterprises are encountering late reception of goods and the recent inconvenience was not later than that of the Easter period when they were not receiving goods which were meant to be sold for the festive season and enduring considerable economic loss.

Mr Speaker, Sir, in the immediate term, I humbly proposed that the Ports Authority and the respective companies work out the modalities to lease and rent idle available space Port Mathurin occupied by the former market and slaughterhouse in Port Mathurin's ports area to serve as a container park to ensure smooth transfer of goods from containers to lorries. This will prevent any disruption in the cargo handling operations to the benefit of the public at large.

As all of us may be aware, our road category, with lots of curves and steep slopes, is not permitted to transport long and heavy containers across Rodrigues. We do not have any choice but to transfer goods from containers to lorries within the container park and then distribute them all around Rodrigues.

Apart from our shallow port channel and inaccessibility to the actual container depot while the cargo vessel is at dock, the other problem which is causing delay in the delivery of

goods across Rodrigues is the inadequacy of proper and outdated machineries to effectively pile containers in height. Right now, we can only pile containers in two rows with a limited surface area.

Mr Speaker, Sir, I seize this opportunity to additionally ask the hon. Prime Minister if he has the information into where matters stand with regard to the Port Mathurin Port Master Plan for its implementation and the development of a new commercial quay as recommended in the Port Master Plan for dredging and reclaiming works including –

- 1) A fishery harbour;
- 2) Yatch Marina Development, and
- 3) Allied work in the Port Mathurin harbour.

Mr Speaker, Sir, I am therefore mainly highlighting the situation to the hon. Prime Minister for immediate medium-term and long-term solutions to prevent the persistent disruption in supply chain to Rodrigues.

I thank you for your attention.

Mr Speaker: Hon. Prime Minister!

The Prime Minister: Mr Speaker, Sir, following the matter raised by the hon. Member regarding the disruption in the supply and delivery of goods to Rodrigues, I am informed by the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping that the MV Peros Banhos started operation on 29 February 2024. Since that date, around seven trips have already been effected to Rodrigues with an average number of 188 containers per trip.

Prior to acquiring the MV Peros Banhos, the MV Black Rhino was operating on the route Mauritius-Rodrigues. In each trip, an average of 160 containers were being transported to Rodrigues. As far as the Mauritius Trochetia is concerned, it has been conveying around 85 containers on each trip. I am also informed that the Mauritius Trochetia is being used as a backup to meet the cargo demand in Rodrigues.

Mr Speaker, Sir, I am informed that, on 05 May 2024, one of the cranes of the MV Peros Banhos encountered a technical problem. As such, only 130 containers could be loaded using the second crane. Consequently, the vessel left for Port Mathurin on 08 May 2024, leaving behind 25

containers. It may be noted that prior to encountering this problem, MV Peros Bahnos has been ensuring the transport of all the containers registered for shipment to Rodrigues, whilst having spare capacity to transport more.

I am further informed that the shipbuilder, who was notified of this issue on the same day, has already shipped the relevant spare parts and same have reached Mauritius on 13 May 2024.

In order to avoid any shortage in the supply of goods to Rodrigues, the Mauritius Shipping Corporation Ltd has already arranged a backup voyage to Port Mathurin for today. This trip will convey the 25 containers left behind from the previous trip, along with an additional new order of 94 containers. So, in total, 119 containers will be shipped to Rodrigues.

Furthermore, the Island Chief Executive of the Rodrigues Regional Assembly has reported that there is no disruption in the supply of consumer goods in the island except for Liquefied Petroleum Gas which is being looked into by its distributor, namely AEL DDS. The latter is favouring distribution through retailer shops around the island to mitigate panic buying. AEL DDS has also imported two additional containers of Liquefied Petroleum Gas cylinders and has purchased an additional distribution truck. The vehicle will be shipped to Rodrigues by the end of this month.

Nevertheless, my Office has requested the Mauritius Shipping Corporation Ltd to ensure that shipping schedule to Rodrigues is properly planned in order to maintain certainty at the supply chain management level.

Mr Speaker, Sir, I am also informed that the container yard in Port Mathurin has a maximum storage capacity of only 250 containers and additional containers beyond this capacity cannot be accommodated due to safety concerns. Moreover, there is a draft restriction of 6.2 metres for vessel berthing at Port Mathurin. Consequently, the MV Peros Banhos has reduced its optimal carrying capacity to a maximum of 240 containers, instead of the usual 350 containers.

My Office is liaising with the Rodrigues Regional Assembly to carry out an assessment of the situation and corrective and appropriate measures are being taken and, of course, the proposals that have been made by the hon. Member will be taken into consideration.

Mr Speaker, Sir, in order to address the draft restrictions for vessel berthing in Port Mathurin as well as the limited container yard capacity, a Technical Committee comprising

representatives of the External Communications Division, the Rodrigues, Outer Islands and Territorial Integrity Division, the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping, the Mauritius Shipping Corporation Ltd, and the Mauritius Ports Authority has been set up to work out a comprehensive paper on the Port Strategy in Rodrigues. The Rodrigues Regional Assembly will also be involved in that exercise.

I was not aware that the hon. Member will raise the issue of the Port Master Plan; as far as I can recall the Port Master Plan is being updated and I don't think it has been submitted, I don't know. Maybe if it has not been submitted to Government yet, anyway we will look at the updated recommendations of the consultant and of course, we will then decide on the way forward. Thank you.

Mr Speaker: Hon. Members, enjoy the adjournment!

At 8.27 p.m., the Assembly was, on its rising, adjourned to Tuesday 21 May 2024 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

COIREC – CHAMP DE MARS –LEASING OF LAND

(No. B/317) Dr F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Champ de Mars, he will, for the benefit of the House, obtain from the Côte d'Or International Racecourse and Entertainment Complex Ltd., (COIREC) information as to if COIREC has leased a portion of land thereat to the Port Louis Tennis Club and, if so, indicate the rental fees paid therefor as at date.

Reply: The control and maintenance of the State Land at Champ de Mars has been vested to the Côte d'Or International Racecourse and Entertainment Complex Ltd (COIREC Ltd) following amendments brought to the State Lands Act through the Finance (Miscellaneous Provisions) Act 2022 in June 2022.

COIREC Ltd being a private company is governed by the provisions of the Companies Act and is managed by a Board of Directors. As such, the company has its own disclosure and reporting mechanism.

As the House is aware, except for any specific matter falling under the purview of Government, information relating to the commercial dealings of a company is, as a matter of principle, not disclosed in the National Assembly as all such matters fall under the responsibility of the Board of Directors and Management of the company.

Therefore, the information requested by the hon. Member cannot be disclosed.

2019 GENERAL ELECTIONS – RECOUNTING EXERCISE – ANOMALY

(No. B/318) 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 inquiry initiated into the case of a ballot paper of Constituency No. 1, Grand River North West and Port Louis West found during the recount exercise for Constituency No. 19, Stanley and Rose Hill held on 01 February 2022, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand.

Reply: I wish to refer the hon. Member to the reply made to Parliamentary Question B/4 of 29 March 2022, wherein I informed the House that on 01 February 2022, during the course of the recount of valid votes having been polled by O.J. Adebire and I. L. Collendavelloo from Constituency No. 19 at the 2019 General Elections, a ballot paper of Constituency No. 1 was unexpectedly found among the ballot papers counted.

The matter was reported to Police by the Deputy Chief Electoral Officer on 07 February 2022 under “Breach of the Representation of the People Act”.

I am accordingly informed by the Commissioner of Police that on 11 March 2022, a further statement was recorded from the Deputy Chief Electoral Officer where she produced records and documents kept at the Electoral Commissioner’s Office pertaining to the electoral process for the National Assembly Elections 2019.

In addition, statements were recorded from the officers of the Supreme Court who were involved in the recounting process and they all stated that they could not say how the ballot paper from Constituency No. 1 got mixed with those of Constituency No 19.

I am also informed that for the purpose of the enquiry, information and documents pertaining to the National Assembly Elections 2019 and the recounting exercise held on 01 February 2022 were sought from the Office of the Electoral Commissioner, the Electoral Supervisory Commission, and the Master and Registrar of the Supreme Court.

I am informed by the Commissioner of Police that the enquiry into the case was completed by Police on 06 November 2023 and the case file was forwarded to the office of the Director of Public Prosecutions on the same day.

On 30 January 2024, the Director of Public Prosecutions has advised “no further action” into the matter. Consequently, the case was classified by Police.

NATIONAL COAST GUARD – NON-OPERATIONAL SHIPS – MEASURES TAKEN

(No. B/319) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the ships attached to the National Coast Guard, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, indicating the number thereof which are currently not operational and, if so, further indicating –

- (a) since when, and
- (b) the measures that will be taken in relation thereto.

Reply: I am informed by the Commissioner of Police that the National Coast Guard has a fleet of five Coast Guard Ships (CGS) which are all operational, namely –

- (a) The CGS Guardian which was commissioned in the Police on 22 April 1993;
- (b) The CGS Observer, commissioned in the Police on 21 April 2001;
- (c) the CGS Barracuda which was commissioned in the Police on 12 March 2015;
- (d) the CGS Victory, commissioned in the Police on 10 December 2016, and

(e) the CGS Valiant, commissioned in the Police on 16 August 2017.

As for part (b) of the question, I am also informed that in the eventuality of one or more ships not being operational on account of mechanical breakdown or refit, the National Coast Guard ensures that policing duties are covered by the remaining operational ships and arrangements are made for the repairs of the ships which are not operational.

NATIONAL ASSEMBLY ELECTIONS – CCTV CAMERAS – VOTING CENTRES

(No. B/320) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the forthcoming National Assembly Elections, he will, for the benefit of the House, obtain from the Office of the Electoral Commissioner, information as to if consideration will be given for the placing of Closed Circuit Television Cameras in the voting centres and, if so, give details thereof and, if not, why not.

Reply: Our current electoral system, being a robust one, has stood the test of time and served our democracy well. In fact, following the 2019 National Assembly Elections, several international organisations such as *L'Organisation Internationale de la Francophonie* and the African Union concluded that both the electoral and counting processes were conducted in a credible and transparent manner. Furthermore, the SADC Electoral Observer Mission had highlighted that the pre-election and voting phases of the 2019 National Assembly Elections were professionally organised, conducted in an orderly, peaceful and free atmosphere which enabled the voters to express their democratic will and allowed those who sought political office to campaign freely.

Moreover, out of the 12 election petitions which were lodged before the Supreme Court, alleging opacity and irregularities, 7 were purely and simply withdrawn and those which were heard were dismissed by the Supreme Court, which found no substance to those claims. This further confirms that elections in Mauritius are conducted in a transparent, fair and democratic manner.

In Mauritius, there are numerous safeguards which protect the integrity of the electoral

process, from start up to the proclamation of results. One of the safeguards in our current electoral legislation is that each candidate has the right to designate a voting agent within each voting room. These agents are strategically positioned to oversee the voting process. They have unobstructed views of all voters entering the room from the moment the elector states his name and produces his National Identity Card or passport to the Presiding Officer, until he places his ballot paper in the ballot box. Given that the names of voters are called by the Presiding Officer and repeated by the Poll Clerk, the agents can also audibly confirm voter identities.

Similar provisions are extended to the counting process, where candidates and political parties can appoint two agents per counting room. One agent sits at the table of the head of the counting room, ensuring the correctness of the candidate's name being called, while the other sits in such a position to have a clear and unobstructed view to monitor the recording of votes on counting sheets affixed on the wall in the counting room.

Hence, the presence of political party/candidate agents in all the voting and counting rooms enhances the transparency of the voting and counting processes.

In fact, during the 2019 National Assembly Elections, an impressive contingent of 8,106 voting agents and 4,851 counting agents, across the political spectrum, including the main political parties, alongside international observers, meticulously scrutinised the proceedings at every stage.

According to section 72 of the Representation of the People Act, there is a duty on every officer, clerk, candidate and agent in attendance at a polling station to maintain and aid in maintaining the secrecy of the voting in the station, in regard to information as to the name or number on the register of electors of an elector who has or has not applied for a ballot paper or voted at that station or as to the official mark. Also, no person shall attempt to obtain information, inter alia, as to the candidate for whom an elector in the station is about to vote or has voted. No person shall communicate to any person any information as to the number on the back of the ballot paper given to an elector at the station.

There is also a duty on every officer, clerk, candidate and agent not to attempt to ascertain at the counting the number on the back of a ballot paper, or communicate any information obtained at the counting as to the candidate for whom a vote is given in a ballot paper.

The secrecy of ballot of a voter is a sacrosanct principle, which lies at the very heart of

democratic elections. The office of the Electoral Commissioner is of the view that while introducing cameras into the voting and counting rooms would seemingly enhance transparency; it could paradoxically compromise the secrecy of the vote. The installation and use of cameras would require the presence of third parties such as technicians who are not public officers on the premises of the voting and counting centres to respond to technical issues should there be any breakdown, and this would not be acceptable to some stakeholders as it could create doubts and lead to allegations that unauthorised persons were given access to the voting or counting centres. It should also be noted that once the guard room where ballot boxes are kept in any constituency is sealed in presence of the candidates, it cannot be opened. It is only on the next day that it is opened after the candidates have checked that the seals on the doors have not been tampered with. This gives rise to the question of how to proceed if one of the cameras inside the guard room stops working during the night.

The use of closed circuit television cameras could hence drastically reduce voter confidence if the use of cameras goes unregulated. The use of cameras could also be seen as a privacy issue to some voters who may not wish that their faces be recorded or shared, and this may deter voters from casting their votes, thereby impacting on the legitimacy of the poll. As rightly pointed out in the Report of the Sachs Commission on constitutional and electoral reform of 2001, elections can be said to be festivals of democracy. In this spirit, any step which interferes with an elector's right to vote freely should be avoided.

The installation of cameras in voting centres has to be an extremely carefully thought decision. The following implications would obviously have to be considered, namely the exact location of the cameras, what the camera sees, who can access the tapes, the quality of the cameras, access to tapes by the public, who will monitor and store the images/footages and whether these images/footages can be used as evidence in a Court of Law. All these aforementioned issues would have to be carefully examined and consensus thereon would have to be reached amongst all stakeholders, including voters.

Furthermore, the procurement of cameras can be extremely expensive and resource intensive inasmuch as there are some 338 polling centres and 2,161 voting rooms in Mauritius. The costs include not only purchase of equipment but also that of installation, maintenance, repairs, storage, removal and labour. The procurement of cameras could lead to limited resources being diverted from other higher priority aspects of organising elections.

In view of the above considerations and having regard to the robust safeguards already embedded within our electoral processes at every level, I am informed that the Office of the Electoral Commissioner is of the view that the installation of cameras in both voting rooms and counting rooms need not be considered at this stage. Maintaining the sanctity of the voting process necessitates a balance between transparency and confidentiality, a balance that our current electoral system has achieved without the need for additional surveillance measures.

CHAMP DE MARS – PORT LOUIS TENNIS CLUB – ILLEGAL OCCUPATION COMPLAINT

(No. B/321) 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 Port Louis Tennis Club at the Champ de Mars, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any complaint of illegal occupation thereof has been made against the People's Turf PLC and, if so, indicate the action envisaged in relation thereto.

Reply: I am informed by the Commissioner of Police that, as at date, the Police has not registered any complaint for illegal occupation of the Port Louis Tennis Club (PLTC) made against People's Turf PLC.

However, on Friday 03 May 2024 at 12:29 hours, the President of the PLTC made a declaration to the Police to the effect that, on Tuesday 30 April 2024, when he went to the PLTC at Champ de Mars, he found the main gate of the club locked with a chain and padlocks. He also noticed that the signboard of the club at the main entrance has been removed and replaced by a new signboard marked "Football Academy for Children".

The President pointed out to the Police that, in 2023, the PLTC signed a lease agreement with the Côte D'Or International Race Course and Entertainment Complex Ltd (COIREC) for the use of the premises of the PLTC against payment of a monthly rent of Rs10,000. On Monday 08 January 2024, the lease agreement was renewed up to 31 December 2024.

The complainant added that he had to cancel several social activities as the members of the PLTC are not being granted access into the compound of the club.

On the same day, he apprised COIREC of the above issue.

An enquiry is in progress.

CHAMP DE MARS – SUBLEASE OF PEOPLE’S TURF PLC & PORT LOUIS TENNIS CLUB – TERMS & CONDITIONS

(No. B/322) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Champ de Mars, he will, for the benefit of the House, obtain from the Côte d'Or International Racecourse and Entertainment Complex Ltd., (COIREC) information as to the terms and conditions of the sublease thereof to the –

- (a) People’s Turf PLC, and
- (b) Port Louis Tennis Club, indicating in each case the –
 - (i) property covered;
 - (ii) duration;
 - (iii) purpose thereof, and
 - (iv) rent payable therefor.

Reply: The control and maintenance of the State Land at Champ de Mars has been vested to the Côte d'Or International Racecourse and Entertainment Complex Ltd (COIREC Ltd) following amendments brought to the State Lands Act through the Finance (Miscellaneous Provisions) Act 2022 in June 2022.

COIREC Ltd being a private company is governed by the provisions of the Companies Act and is managed by a Board of Directors. As such, the company has its own disclosure and reporting mechanism.

As the House is aware, except for any specific matter falling under the purview of Government, information relating to the commercial dealings of a company is, as a matter of principle, not disclosed in the National Assembly, as all such matters fall under the responsibility of the Board of Directors and Management of the company.

Therefore, the information requested by the hon. Member cannot be disclosed.

AGALÉGA – TOURISM DEVELOPMENT – CONSTRUCTION OF CHALETs

(No. B/323) 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 Agaléga island, he will state if any project for the construction of some 15 chalets to develop tourism activities was previously envisaged thereat and, if so, indicate where matters stand.

(Withdrawn)

PRB REPORT – PROPOSED PUBLICATION DATE

(No. B/328) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Public Service, Administrative and Institutional Reforms whether, in regard to the publication of the next Pay Research Bureau Report, he will state the proposed date therefor.

Reply (The Prime Minister): As the House is aware, the Pay Research Bureau has since 1982, conducted the General Review Exercise on pay and grading structures every five years, except for the 2016 Report, which was published after a period of three years. In the same report, the periodicity of the general review exercise was re-established to five years and the recommendation was duly accepted by all public-sector employees. The next report will, therefore, take effect on 01 January 2026.

I am informed that in this context, the Pay Research Bureau has already embarked on the exercise for the preparation of its next Report on the review of Pay and Grading Structures and Conditions of Service. The Bureau is working according to a pre-set work plan which started in March 2023 and extends up to October 2025.

So far, the Bureau has had consultations with Staff Associations and Management of Parastatal Bodies and since November 2023, 107 meetings have been held and 843 interviews conducted in relation to job description questionnaires. The Bureau will pursue its consultations and meetings with stakeholders concerned according to the work plan established.

SIM CARDS RE-REGISTRATION – PUBLIC-PRIVATE-PARASTATAL BODIES – PROCEDURES

(No. B/339) Mr P. Armance (Third Member for GRNW and Port Louis West) asked the Minister of Information Technology, Communication and Innovation whether, in regard to

the on-going re-registration of SIM Cards by mobile operators, he will state the procedures laid down therefor for SIM Cards assigned to Government and Parastatal bodies and private companies, indicating if same will be re-registered in the name of the said entities.

Reply (The Prime Minister): As the House is aware, the Information and Communication Technologies (Registration of SIM) Regulations 2023 became effective on 31 October 2023 whereby existing subscribers are required to re-register their existing SIM cards and new subscribers are required to register their SIM cards as well.

As such, I am informed by the Officer-in-Charge of the ICTA that Regulation 8(1) of the Information and Communication Technologies (Registration of SIM) Regulations 2023 provides for the registration of SIM card for a public body, a corporate company, a company, a diplomatic Mission or any other body and I quote –

“8(1) Where an operator or authorised agent is satisfied with the information and documents provided by a person under regulation 5, the operator or authorised agent shall register the SIM or M2M SIM in the name of that person or, in case the person is a public body, a corporate body, a company, a Diplomatic Mission or any other body, in the name of that organisation.”

I am also informed that in accordance with Regulation 8(2) of the said Regulations, SIM cards, other than M2M SIM, assigned to a public body, corporate body, company, Diplomatic Mission or any organisation shall –

- Firstly, be recorded in the name of that body as the owner of the SIM card, and
- Secondly be re-registered/registered in the name of the natural person to whom the SIM card is assigned, that is, the actual user of the SIM card. The natural person will be required to re-register the SIM card as provided in regulations 5, 7 and 8 of the Regulations, whichever is applicable.

I am further informed that at any point in time, should there be a need to assign the SIM card to another employee/user, the Company can do so by proceeding with a Change of Information under Regulation 10 of the Regulations and the other person to whom the SIM card shall be assigned, will need to follow the re-registration process as per Regulations 5, 7 and 8 of the said Regulations, whichever applicable.

Moreover, I am informed that the Regulations also provide that in case an employee has left the organisation whereby he had individually registered a SIM as per Regulation 8(2) and

wishes to deactivate the said SIM card, the Operator shall inform the organization about the deactivation process and should the latter wish to keep the SIM activated, he shall within 30 days proceed with a Change of Information as per Regulation 9(8) and 10 of the Regulations.

The Regulations also makes provision for the re-allocation of SIM card in the case of death of an employee to whom a SIM card has been assigned whereby the organization has 30 days to assign the SIM card to another employee and the latter shall proceed with the re-registration process.

However, following the case of Pazhany Rangasamy v The State of Mauritius & Anor for a Motion of stay on the implementation of the SIM card Regulations which was heard before the Chief Justice, in Chambers, on Monday 15 April 2024, the Court ordered that the status quo be maintained until the next sitting. The case has been fixed for merits to 13 May 2024.

In light of the Order of the Supreme Court, I am informed that the Information and Communication Technologies Authority has issued a Communiqué to inform the public that registration and re-registration of SIM cards will continue and SIM cards will not be deactivated after 30 April 2024 pending the determination of the case. Hence, registration and re-registration of SIM are on-going.

MUSICAL CONCERTS – PRIVATE ORGANISATIONS – REJECTED APPLICATIONS

(No. B/342) Mr X. L. Duval (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Arts and Cultural Heritage whether, in regard to musical concerts, he will state the number thereof held by private organizations since December 2023 to date, indicating the number of applications therefor turned down and the reasons therefor.

Reply (The Prime Minister): Since December 2023 to date, 41 applications for musical concerts were made by Private Event Organisers, out of which, 34 were favourably entertained.

The remaining 7 applications were turned down for the following reasons –

- Noise pollution as venue was found to be near a residential area;
- Lack of parking space;
- Venue was not suitable security wise;
- Venue was not appropriate to accommodate the crowd expected;
- Venue was in close proximity to a restaurant and source of funding was suspicious, and

- Organiser intended to sell alcoholic beverages during the event.

LEPTOSPIROSIS – ACTIVE CASES & PREPAREDNESS PLAN

(No. B/344) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Wellness whether, in regard to Leptospirosis in mainland Mauritius, he will state –

- (a) the number of active cases thereof, indicating the regions concerned therewith;
- (b) when the first case was detected and the action taken thereon to date;
- (c) the treatment prescribed therefor in hospitals, and
- (d) the preparedness plan to combat same, if any.

Reply: With regard to part (a) of the question, I am informed that as at date, there are 5 active cases of leptospirosis detected in the island of Mauritius from Piton, Crève Coeur, Cité Briqueterie, Sainte Croix, Saint Hilaire near St Hubert and Quatre Bornes.

In regard to part (b) of the question, the first case of leptospirosis was reported on 11 January 2024.

To-date, 28 persons have been infected in the regions of Quatre Bornes, Rivière des Anguilles, Long Mountain, Roche Bois, Pointe aux Piments, Bambous, Poste de Flacq, Mon Goût, Piton, Quartier Militaire, Baie du Cap Piton, Crève Coeur, Cité Briqueterie, Sainte Croix and Saint Hilaire near St Hubert.

As at date, cases of leptospirosis have been sporadically detected over the years, and treatment and public health measures have been given in line with international standards such as WHO and US CDC.

The House may wish to note that blood samples are taken for testing by the Central Health Laboratory are administered treatment according to the protocol, namely the Clinical Management of Leptospirosis.

As regards part (c) of the question, I am informed that all infected persons are admitted either to a public or private health institutions. Blood tests are carried out which are tested by the Central Health Laboratory and patients are administered treatment according to the protocol Clinical Management of Leptospirosis.

In addition, an epidemiological investigation is carried in respect of each case, wherein the occupational and residential exposure of the patient is probed into. Any nuisances detected are addressed and action taken accordingly.

In reply to part (d) of the question, I am informed that my Ministry is in the process of finalising a preparedness plan for leptospirosis.

**RODRIGUES – MV PEROS BANHOS & MV MAURITIUS TROCHETIA –
CONTAINERS**

(No. B/359) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to Rodrigues, he will, for the benefit of the House, obtain from the Mauritius Shipping Corporation Ltd., information as to the number of cargo containers shipped thereto from 01 April 2024 to date by MV Peros Banhos and MV Mauritius Trochetia, indicating the reasons for the non-shipment of some containers on each trip.

Reply: As indicated by the Mauritius Shipping Corporation Ltd some 813 containers were shipped to Rodrigues by the MV Mauritius Trochetia and MV Peros Banhos for the period 01 April 2024 to date.

A list of voyages effected by the fleet of MSCL, namely the MV Mauritius Trochetia and MV Peros Banhos to Rodrigues for the month of 01 April 2024 to date is being placed in the Library of the National Assembly.

On 05 May 2024, the crane no.1 of the MV Peros Banhos encountered a technical problem. The maker Mac Greggor had shipped the spare parts which reached Port Louis on 13 May 2024. Subsequently, on its return from Rodrigues on 14 May 2024, the MV Peros Banhos went on a technical stoppage, whereby the service engineer from Mac Greggor proceeded for the repair of its crane no.1 on 15 May 2024.

The MV Peros Banhos is still under its one year warranty providing guarantee for material and workmanship to cover for any technical issues or snagging that might arise during that period.

As a result of the issue with the crane no. 1, for the voyage of MV Peros Banhos of 08 May 2024, the latter was able to load only 130 containers with its crane no. 2 and left Port Louis on 08 May 2024 for Port Mathurin leaving behind only 25 containers.

The 25 containers short shipped at the last voyages of the MV Peros Banhos on 08 May 2024 consisted of –

- i) Cement (21 containers);
- ii) Soft Drinks (2 containers), and
- iii) Beer (2 containers).

To ensure continuity of service to Rodrigues, MSCL Management scheduled a backup voyage to Port Mathurin by the MV Mauritius Trochetia on 14 May 2024, when the 25 containers left behind, plus an additional new order of 94 containers, were shipped to Rodrigues.

LEPTOSPIROSIS CASES – PREVENTIVE MEASURES

(No. B/361) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to Leptospirosis, he will state the number of reported cases thereof since January 2024 to date, indicating the measures taken to curb the proliferation thereof.

Reply: I am informed that since the beginning of January as at date, there are 28 reported cases of Leptospirosis across the island of Mauritius.

Since the detection of the first case, surveillance has started in the Communicable Disease Control Unit of my Ministry and upon noting the increase in incidence of leptospirosis in April 2024, the following public health measures are taken –

- All health professionals in public institutes were informed about the rise in number of cases; the case definition, sign/symptoms, complications, investigation protocol and treatment of disease. It is done to increase vigilance towards suspected cases and for early diagnosis thereof.
- Public Health and Food Safety Units in all regions are also informed through the Director Public Health and Food Safety Inspectorate and they increase rodent control activities accordingly and increase inspection for food and water sanitation in the affected regions.
- During multi-sectorial meeting held for Dengue, all sectors were made aware of the Leptospirosis informing about cause, vector and measures to be taken to prevent and control the disease by helping in cleaning activities.

- Sensitising of the community for improving hygiene, including hand water food and environmental hygiene has already started.
- Increasing education and awareness among public by releasing communiqué on page of Facebook, information through media such as public and private radios and on TV.
- As per the protocol, epidemiological investigation for each case is carried out by Regional Public Health Superintendent of each region and health office.
- The Mauritius Food Standard Agency has also posted relevant information on its website and Facebook page to sensitise on the impact on food safety.

BANK OF MAURITIUS – NON-DISCLOSURE AGREEMENT – COMMERCIAL BANKS UNDER CONSERVATORSHIP

(No. B/365) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes) asked the Minister of Finance, Economic Planning and Development whether he will state if there is a Non-Disclosure Agreement between the Bank of Mauritius and any commercial Bank placed under conservatorship, and if so, indicate the reasons therefor.

Reply: M. le président, conformément à l'article 26(1)(b) de la Bank of Mauritius Act, toute personne nommée par la Banque en vertu des lois bancaires doit faire une déclaration de confidentialité au Président du conseil d'administration de la Banque de Maurice.

Par conséquent, toute personne nommée en tant que Conservateur d'une banque est tenue de préserver la confidentialité des informations relatives aux affaires recueillies dans l'exercice de ses fonctions, conformément aux dispositions législatives.

En vertu de l'article 26 de la Bank of Mauritius Act, la Banque de Maurice est également tenue de préserver la confidentialité des informations relatives à ses affaires et à celles de toute autre banque recueillies dans l'exercice de ses fonctions ainsi que par l'intermédiaire du conservateur.

À cet égard, j'ai été informé par la Banque de Maurice qu'il n'y a pas lieu d'avoir d'accord de non-divulgence entre la Banque de Maurice et une banque commerciale placée sous tutelle.

NEW SOCIAL LIVING DEVELOPMENT CO. LTD. – CONSULTANCY FEES

(No. B/366) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the New Social Living Development Co. Ltd., he will, for the benefit of the House, obtain therefrom a list of overall consultancy fees paid by the company to date, giving details thereof.

(Reply not available)

NATIONAL WOMEN ENTREPRENEUR COUNCIL – SECRETARY

(No. B/367) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the National Women Entrepreneur Council, she will, for the benefit of the House, obtain therefrom information as to the name of the Secretary thereof, indicating the qualifications and experience thereof.

(Withdrawn)

NEW PRIVATE HEALTHCARE INSTITUTIONS – APPLICANTS

(No. B/368) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked Minister of Health and Wellness whether, in regard to the setting up of new private healthcare institutions, he will state the number of applications received therefor to date, indicating –

- (a) the name of the applicants, and
- (b) the number thereof;
 - (i) under construction;
 - (ii) having obtained clearances therefor, and
 - (iii) awaiting clearances therefor.

(Withdrawn)

VACOAS URBAN TERMINAL – CONSTRUCTION

(No. B/369) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the design and construction of the New Vacoas Urban Terminal, he will, for the benefit of the House, obtain information as to where matters stand.

(Withdrawn)

SPORTS COMPETITIONS – HIGH LEVEL PERFORMANCE INJURED ATHLETES – TREATMENT & REHABILITATION MECHANISM

(No. B/370) Mr J. B. Léopold (Second Member for Rodrigues) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to high level performance athletes injured during their participation in sports competition, he will state the mechanism put in place by his Ministry for the medical coverage thereof including their treatment and rehabilitation.

Reply: The Sports Medical Unit of my Ministry provides specialised medical investigations to licensees as and when required and athletes requiring specialised care are referred to corresponding hospital specialties.

Upon requests made by National Sports Federations, medical coverage is provided by the Sports Medical Unit of my Ministry during major national sports competitions where athletes receive prompt attention from medical and para-medical staff on-site, ensuring appropriate first hand treatment.

POINTE AUX SABLES, MORCELLEMENT KENSINGTON – CHILDREN PLAYGROUND'S – RENOVATION & MAINTENANCE

(No. B/371) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the children playground at Morcellement Kensington, Pointe aux Sables, he will state the budget earmarked, if any, for the renovation and maintenance thereof.

Reply: I am informed by the Municipal City Council of Port Louis that the plot of land at Morcellement Kensington, Pointe aux Sables whereat the children playground is situated, is

State-owned. The plot of State land is not vested in the Council and is therefore not under its purview.

I am further informed that no maintenance is being done by the Council thereat.

POINTE AUX SABLES – NURSERIES – CLOSURE REASONS

(No. B/372) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Gender Equality and Family Welfare whether, in regard to nurseries in Pointe aux Sables, she will state the number thereof having been requested to close down by her Ministry since January 2024 to date, indicating the reasons therefor.

(Withdrawn)

VACOAS – TRAFFIC CONGESTION – SURVEY & CAUSES

(No. B/373) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Minister of Land Transport and Light Rail whether, in regard to the recurrent traffic congestion within the town centre of Vacoas and its adjoining regions, he will state if a comprehensive survey/study has been conducted to determine the causes thereof, and, if so, table copy thereof and if not, why not.

(Withdrawn)

PATEL ENGINEERING LTD., AGAINST THE REPUBLIC OF MAURITIUS – ARBITRAL PROCEEDINGS – LEGAL FEES

(No. B/374) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Attorney-General, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the arbitral proceedings brought by Patel Engineering Ltd., against the Republic of Mauritius, he will state the total amount of legal fees and interest incurred by the State, giving a list of the respective amount paid to lawyers.

(Reply not available)

SWIMMER S.R – 2024 SWIMMING SEASON – NON-ISSUANCE OF LICENCE

(No. B/375) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the 2024 swimming season, he will, for the benefit of the House, obtain from the Mauritius Swimming Federation, information as to the reason for the non-issuance of a licence therefor to swimmer S.R?

(Withdrawn)

**ALBION – HEAVY RAINFALL – INACCESSIBLE ROADS – REMEDIAL
ACTIONS**

(No. B/376) 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.

(Withdrawn)

CAMBRIDGE SC EXAMINATIONS – STATISTICS OF RESULTS

(No. B/377) Dr. M. Gungapersad (Second Member for Grand Baie & Poudre d’Or) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Cambridge School Certificate Examinations, she will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the number of students who sat therefor for each of the year 2015 to 2023, indicating the number thereof having, in each case, obtained –

- (a) 3 credits, and
- (b) 4 credits at
 - (i) first attempt, and
 - (ii) second attempt.

(Withdrawn)

**PORTABLE RETIREMENT GRATUITY FUND – COLLECTED FUNDS –
GRATUITY PAID**

(No. A/22) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the

Portable Retirement Gratuity Fund, she will state, for each of the year 2020, 2021, 2022, 2023 and from January 2024 to date, the –

- (a) amount of funds collected from –
 - (i) self-employed, and
 - (ii) employers of the private sector;
- (b) gratuity paid therefrom, and
- (c) actual remaining balance thereof.

Reply: I am informed that the total amount collected as at date from self-employed and employers of the private sector is as follows –

Year	Self-employed (Rs)	Employers of the private sector (Rs)	Total (Rs)
Year 2020	1,714	24,298,226	24,299,940
Year 2021	857	49,122,514	49,123,371
Year 2022	246,677	1,787,334,459	1,787,581,136
Year 2023	360,368	2,184,122,868	2,184,483,236
January to 09 May 2024	127,611	876,217,801	876,345,412
Total	737,227	4,921,095,867	4,921,833,094

With regards to part (b) of the question, a total amount of Rs14,681,787 has been paid from the fund as at 30 April 2024.

The value of the Portable Retirement Gratuity Fund as at 31 March 2024 amounted to Rs4.65 billion.

DRAIN INFRASTRUCTURE CONSTRUCTION LTD – LAUNCHED TENDERS – OUTCOME

(No. A/23) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central) asked the Minister of National Infrastructure and Community Development whether, in regard to tenders that have been launched by the Drain Infrastructure Construction Ltd., since its

incorporation to date, he will, for the benefit of the House, obtain information as to the number/s thereof cancelled, indicating if same were relaunched and, if so, the outcome thereof.

Reply: In reply to PQ B/285 at the Sitting of 07 May 2024, a list of 26 tenders launched by the Drains Infrastructure Construction Ltd (DICL) since its incorporation on 16 November 2021 was tabled.

Out of the 26 tenders launched by the DICL, some tenders had to be cancelled once and, in some cases, twice prior to being successful. Projects for which bids had to be relaunched after a first cancellation are –

- (a) construction of drain networks and culverts at Cooperative Road, Bharatsingh Road and near Duval Shop, La Flora;
- (b) drain network, culvert and pumps at Morc. De Chazal, Flic en Flac;
- (c) construction of drain networks at Morc. Residence, Bois Cheri;
- (d) upgrading and construction of cross drain at Morc. Residence Bois Cheri (Feeder Nadal);
- (e) drain network at Mambahal Road, Camp Bananes (near Bissessur House), Bois Cheri (Feeder Pipe), and
- (f) upgrading of drains at Cite EDC, Bois Cheri.

The reasons for the bidding exercises being cancelled were, *inter alia*, the bid validity and the performance security of the bidders were not compliant, bids received were higher than the estimated cost and the bidders were not satisfying the criteria of fifty percent limit turnover of the company to be eligible to participate in the exercise. This last criterion has been included to avoid award of contracts beyond the execution capacity of bidders and to also encourage them to complete works promptly to be eligible for new contracts.

However, for all of the above six projects, bids were relaunched and evaluation of the bids is in progress.

As for projects which had to be relaunched after the bidding exercises were cancelled twice, they are –

- (a) Upgrading of drain at Le Grand Branch Road, Grand-Bois;
- (b) Construction of covered drain at Sewsagur Lane, Nr Iskcon, Grand Bois;

- (c) Construction of drain up to Mosque, Anfiled Road, Grand Bois;
- (d) Flood mitigating measures at Cite Nelson Mandela, Terre Rouge;
- (e) Construction of floodwall at Nazareth, Tranquebar, and
- (f) Construction of drain network at Malakoff Road, La Marie, Phase 2.

The reasons for the bidding exercises to be cancelled twice are again because the bidders did not fulfil the fifty percent limit of turnover at the time of the bidding exercise and they were already undertaking projects of a total aggregate value of more than fifty percent of their company's turnover.

**PONT ROUGE STREET, PORT LOUIS – BRIDGE – RATS INFESTATION –
REMEDIAL MEASURES**

(No. A/24) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Wellness whether, in regard to rats, he will state if he has been made aware of the infestation thereof in the vicinity of the bridge at the Pont Rouge Street, Port Louis, and, if so, indicate the urgent remedial measures to be taken in relation thereto.

(Reply not available)